

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Adopting the Columbia)
County Inadvertent Discovery Plan) Order No. 65 -2017

WHEREAS, it is in the best interest of the County to implement an
Inadvertent Discovery Plan;

NOW, THEREFORE, IT IS HEREBY ORDERED, that the Columbia
County Inadvertent Discovery Plan, which is attached hereto, and is incorporated
herein by this reference is adopted.

Dated this 19th day of July, 2017.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: not available
Henry Heimuller, Chair

By: [Signature]
Margaret Magruder, Commissioner

By: [Signature]
Alex Tardif, Commissioner

Approved as to form

By: [Signature]
Office of County Counsel

Columbia County INADVERTENT DISCOVERY PLAN

The following Inadvertent Discovery Plan (IDP) is to be implemented by Columbia County (County), and followed by any contractor or subcontractor working for or on behalf of the County, as policy to expeditiously address inadvertent discoveries during ground disturbing activities for the County.

This IDP is to ensure all parties involved are contacted and fulfill their obligations under state and federal laws that include, but are not limited to:

- Archaeological Objects and Sites [ORS 358.905-358.955]
- Indian Graves and Protected Objects [ORS 97-740-97.760]
- National Historic Preservation Act [16 USC 470] [36 CFR Part 60]
- Native American Graves Protection and Repatriation Act [25 USC 3001] [43 CFR Part 10]

The laws recognize and codify the tribes' rights in the decision-making process regarding ancestral remains and associated objects. Therefore both the discovered ancestral remains and/or archaeological objects should be treated in a sensitive and respectful manner by all parties involved.

In accordance with these laws, if previously unidentified archaeological materials or sites are discovered during ground disturbing activities, the following shall occur:

1. The project in the immediate vicinity of the inadvertent discovery will stop immediately.
2. County staff shall be immediately notified by telephone at (503) 397-4322 of the inadvertent discovery and the County staff shall, in turn, immediately notify a professional archaeologist of the inadvertent discovery.
3. A buffer zone of thirty (30) meters shall be established around the site, unless otherwise advised by the archaeologist; and the County shall take all reasonable measures to protect the site.
4. The County will notify the following of the inadvertent discovery by telephone, facsimile, and/or email within 48 hours of the discovery, or at the soonest possible time, the State Historic Preservation Office (SHPO; telephone or facsimile only); the Confederated Tribes of Grand Ronde, the Confederated Tribes of Siletz Indians, and any additional tribe that might attach religious and cultural significance to the affected property.
5. If human remains are discovered, the County must cease all activity which may cause further disturbance to the remains. The County will immediately notify the Oregon State Police, the SHPO, the Commission on Indian Services, the appropriate Indian Tribe(s), and the Columbia County Sheriff to ensure that the human remains are cared for immediately, that relevant parties agree upon a

course of action, and that project activities can recommence while causing no harm to the discovered burial area. (See *attached Inadvertent Discovery Checklist for specific names and numbers.*) The human remains and associated objects should not be disturbed, manipulated, or transported from the original location until a plan is developed with all consulting parties.

6. If ground disturbing activities within the buffer zone are necessary to determine significance, site boundaries, and/or National Register eligibility, an expedited archaeological permit must be applied for by the consulting archaeologist and received from the SHPO prior to commencing with any ground disturbance.
7. Expedited review to prevent an undue threat to the site shall be undertaken in accordance with state law. The SHPO and tribe(s) will attempt to respond within forty-eight (48) hours of notification (excluding Saturdays, Sundays, and any legal or tribal holidays). The County shall not proceed with any ground disturbing activities within the buffer zone until concurrence is received from the SHPO, and any other consulting agencies identified as needing review by Oregon state law. If an appropriate Indian tribe objects (in writing) to an expedited review, an expedited review will not proceed and review will proceed in accordance with state and federal laws. The County will take into account recommendations for the discovered resources and carry out appropriate actions.
8. The consulting archaeologist shall make a preliminary assessment of National Register eligibility of the discovered resource(s) and propose actions to resolve any potential adverse effects at the soonest possible time. The findings will be sent to all consulting parties identified in (4) and (5) if human remains are discovered.
9. All inadvertent discoveries must be documented, as appropriate, regarding state historic preservation laws. This may include archaeological site forms submitted to the SHPO, cultural resource evaluation reports, findings of effect, and testing and mitigation reports. All data recovery plans should be coordinated through the Oregon SHPO. If found eligible for the National Register, the site should be avoided, if possible. If not, it will need to be mitigated to minimize impacts.
10. Depending on the project, the nature of discovery and the statutory jurisdiction, the SHPO may ask the County to retain a consulting archaeologist to assist in the development of a Treatment Plan. The appropriate jurisdictional agency may need to get involved in discussions to resolve the matter in accordance with their respective authorities.
11. The County may conclude this procedure and notify consulting parties, as appropriate, if the disturbance of the historic property or property of traditional religious and cultural importance is minimal so as to have no effect on the historic property and the excavation or disturbance can be relocated to avoid the property, as determined in consultation with the SHPO and appropriate tribes. Concurrence from the SHPO and appropriate tribes is required prior to commencement of any further ground disturbing activities.

12. Documentation of all reports and associated compliance should be kept in the County project files.

The intent of the IDP is to have a process in place to expeditiously deal with such discoveries. Management of archaeological sites should be conducted in a spirit of stewardship for future generations, with full recognition of their non-renewable nature and their potential multiple uses and public values.

**Columbia County
INADVERTENT DISCOVERY CHECKLIST**

The following checklist assist in the documentation of any archaeological materials or sites unexpectedly discovered during ground disturbing activities:

Inadvertent discovery identified

Name: _____ Date: _____ Time: _____

Notes:

Work stopped

Name: _____ Date: _____ Time: _____

Notes:

Harm avoided or minimized

Name: _____ Date: _____ Time: _____

Notes:

Field evaluation conducted by professional archaeologist within 48 hours, or as soon as possible:

Name: _____ Date: _____

Professional qualifications: _____

Methods of documentation: _____

Notes:

Notifications with 48 hours of discovery to:

State Historic Preservation Office (SHPO)

Contacts: Dennis Griffin, State Archaeologist, Office (503) 986-0674,
Fax (503) 986-0793, dennis.griffin@state.or.us.
John Pouley, Assistant State Archaeologist, (503) 986-0675,
Fax (503) 986-0793, john.pouley@state.or.us.

Name: _____ Date: _____ Time: _____

Notified by: _____

Notes:

Federally recognized tribes

Cow Creek Band of Umpqua Tribe of Indians

Contact: Jessie Plueard, Tribal Archaeologist, Office (541) 677-5575, Fax (541) 673-0432, jplueard@cowcreek.com

Name: _____ Date: _____ Time: _____

Notified by: _____

Notes:

Confederated Tribes of the Grand Ronde Community of Oregon

Contact: Chris Bailey, Cultural Protection Coordinator, Office (503) 879-1675,
Chris.Bailey@grandronde.org

Name: _____ Date: _____ Time: _____

Notified by: _____

Notes:

Confederated Tribes of Siletz Indians

Contact: Robert Kentta, Cultural Resources Director, Office (541) 444-8244, Cell (541)
351-0148, rkentta@ctsi.nsn.us

Name: _____ Date: _____ Time: _____

Notified by: _____

Notes:

Found human remains (Circle One)

Yes No

Name: _____ Date: _____

Notes:

[] Notifications at time of discovery to:

[] Oregon State Police

Contact: Nici Vance, 05P Portland Metro Forensic Lab, Office (971) 673-8300, Fax (971) 673-8309, NVance@osp.state.or.us

Name: _____ Date: _____ Time: _____

Notified by: _____

Notes:

[] Oregon Commission on Indian Services, Salem, Oregon

Contact: Karen Quigley, Executive Director, Office (503) 986-1067, Fax (503) 986-1071, karenom.quigley@state.or.us

Name: _____ Date: _____ Time: _____

Notified by: _____

Notes:

[] Columbia County Sheriff

Contact: Main Office 503-366-4611, jeff.dickerson@co.columbia.or.us

Name: _____ Date: _____ Time: _____

Notified by: _____

Notes:

[] Made determination of National Register eligibility (circle one):

Yes No

__ Eligible __ Not Eligible

Name: _____ Date: _____

Professional qualifications: _____

Notes:

[] SHPO concurrence:

__ Agrees __ Disagrees

Name: _____ Date: _____

Notes:

[] Decided on treatment:

Description:

Performed by: _____ Date: _____

Notes:

[] Documentation filed:

Name: _____ Date: _____

Type of documentation: _____

Location of files: _____