City of Albany
Santiam-Albany Canal
Vine Street Sidewall Rehabilitation

INADVERTENT DISCOVERY PLAN

August 2014

The City of Albany intends to rehabilitate the existing sidewalls of the Santiam-Albany Canal along Vine Street between 3rd and 7th avenues. Rehabilitation will include excavations along the edge of the canal. Although no archaeological resources are known to exist, the area is archaeological sensitive. However, archaeological surveys were constrained by vegetation, pavement, and other factors that obscured surface visibility. Preconstruction subsurface probing to identify archaeological resources was not feasible due to safety considerations, buried utilities, pavement, and traffic. Consequently, archaeological monitoring during construction is intended to identify archaeological resources and to provide an avenue for site treatment if found.

The City has retained Applied EarthWorks, Inc., to monitor the ground-disturbing activities associated with rehabilitating the Canal sidewalls. Applied EarthWorks will ensure that the archaeological monitor is trained and understands the monitoring procedures detailed here. Prior to starting construction, Applied EarthWorks will conduct an on-site meeting with the archaeological monitor, the City's project manager, and the construction contractor to ensure that all parties understand the roles and responsibilities of the monitors and the processes presented in this plan.

This Inadvertent Discovery Plan clarifies the procedures in the event evidence of human burials, human remains, associated cultural items, suspected cultural items, isolated artifacts, or previously unknown historic properties are discovered during construction.

All ground-disturbing activities shall stop immediately if the archaeological monitor observe a possible archaeological deposit. The monitor has the authority to temporarily stop ground-disturbing equipment in order to inspect the deposit. If an isolated artifact (defined as fewer than 10 items by the Oregon State Historic Preservation Office [SHPO]) that is clearly 50 years or older is identified, the monitor will examine spoils to determine whether sufficient quantities of artifacts are present to define a site. If upon closer inspection the deposit is not consistent with an archaeological site, the monitor will document the artifact and allow the equipment to proceed.

If closer inspection reveals an archaeological site (defined as 10 or more associated artifacts, or one or more archaeological features), the monitor has the authority to maintain the work stoppage while notifying Applied EarthWorks' project manager, Clay Lebow, at 541-926-5886 (cell 805-895-2958). Mr. Lebow will notify the City's project manager, Ryan Beathe, at 541-497-6221 (cell 541-760-6651). If Mr. Lebow is unavailable, the monitor will contact Mr. Beathe directly. If Mr. Beathe is unreachable, the City's contact will be Staci Belcastro, at 541-917-7645. Jointly, Mr. Lebow, Mr. Beathe, and the monitor will determine whether construction must cease work or can relocate to work elsewhere a safe distance away from the site. If work cannot

proceed elsewhere without impacting the site, Mr. Beathe will issue a cease work order to the construction crew.

Mr. Lebow will immediately notify the SHPO (three numbers are included below, for Dennis Griffin, John Pouley, and Matt Diederich) and the Federal Energy Regulatory Commission (FERC). Jointly, the FERC, the SHPO, and Applied EarthWorks (on behalf of the City) will follow procedures established in 36 CFR 800.13. Reasonable effort will be made to avoid impacting the site. If reasonable measure to avoid the site are not possible, consultation to minimize or mitigate potential adverse effects will be necessary. For a discovery without human remains, notification minimally shall include the SHPO, the Confederated Tribes of the Grand Ronde, the Confederated Tribes of the Siletz, and the Confederated Tribes of the Warm Springs Reservation of Oregon (hereafter referred to as the Tribes).

Ground-disturbing activities will not resume until the FERC provides authorization to proceed, in consultation with the SHPO and the Tribes.

Human Remains

In the unlikely event that human remains are encountered, ground disturbing activities will stop immediately. Work will not resume until authorized by the FERC, in consultation with the SHPO and the Tribes.

Immediately upon discovery, the monitor will notify Applied EarthWorks' project manager, Clay Lebow, at 541-926-5886 (cell 805-895-2958). Mr. Lebow will notify the City's project manager, Ryan Beathe, at 541-497-6221 (cell 541-760-6651). Jointly, Mr. Lebow, Mr. Beathe, and the monitor will determine whether construction must cease work or can relocate to work elsewhere a safe distance away from the site. If work cannot proceed elsewhere without impacting the site, Mr. Beathe will issue a cease work order to the construction crew.

Mr. Lebow will immediately report the discovery to the SHPO and the FERC. He will also will make notifications pursuant to ORS 97.740-.760 and ORS 358.920. Notifications will include the State Police and the Commission on Indian Services. The appropriate Native American tribes will be notified as designated by the Commission on Indian Services (presumably the Confederated Tribes of the Grand Ronde, Siletz, and/or Warm Springs). Contact with the State Police will be Sgt. Chris Allori, at 503-731-4717 (cell 503-708-6461).

In the field, the discovery will be treated with sensitivity and construction personnel will be asked to leave the immediate vicinity of the discovery. If human remains are endangered, the monitor will attempt stabilization. Human remains and associated objects will not be disturbed, manipulated, or transported from the discovery location until a treatment plan is developed.

As soon as possible following the notifications, a plan for treating the discovery will be developed during consultation between the parties. To ensure compliance with ORS 97.745, no handling of the human remains or associated cultural items will be allowed until a treatment plan has been agreed upon. The plan will define associated items of cultural patrimony; develop a strategy for handling/moving human remains and associated items that may have been displaced;

develop a strategy for determining whether additional human remains and associated items are endangered; and determine disposition of the human remains and associated cultural items.

Construction will not resume at the discovery location until authorized by the FERC in consultation with the SHPO and the Tribes.

SUMMARY OF CONTACTS, IN ALPHABETIC ORDER:

Albany Police: 541-917-7680

Allori, Chris, Oregon State Police: 503-731-4717, cell 503-708-6461, Dispatch 503-731-3030

Bird, Sally, Confederated Tribes of Warm Springs: 541-553-3555, cell 541-325-1265

Beathe, Ryan, City of Albany project manager and engineer: 541-497-6221, cell 541-760-6651

Belcastro, Staci, City of Albany Engineering Manager: 541-917-7645

Commission on Indian Service: 503-508-1973

Diederich, Matt (SHPO): 503-986-0577

Griffin, Dennis (SHPO): 503-986-0674, cell 503-881-5038

Harrelson, David, Confederated Tribes of Grand Ronde: 503-879-2320

Kentta, Robert, Confederated Tribes of Siletz: 541-444-2532, cell 541-351-0148.

Lane, Steven, Oregon State Police: 503-934-0324, cell 503-931-7273

Lebow, Clay, Applied EarthWorks Principal Archaeologist: 541-926-5886, cell 805-895-2958

Oregon State Police (Sgt. Chris Allori): 503-731-4717, cell 503-708-6461,
Dispatch 503-731-3030

Pouley, John (SHPO): 503-986-0675

Thorsgard, Eirik, Confederated Tribes of Grand Ronde: 503-879-1630, cell 971-241-2696