

## Archaeological Monitoring- City of Salem Field Requirements

The goal of archaeological monitoring during ground disturbing activities associated with construction within the City of Salem is to assess the presence/absence of archaeological deposits in areas that could not easily be examined by archaeological testing or survey. The decision to employ monitoring on a given project, rather than by testing or survey, must be considered on a case-by-case basis as part of the City of Salem's Archaeological Clearance Review process (APP #3.20). The City of Salem does not support the use of monitoring as a general survey or testing strategy but recognizes that it may be the most appropriate strategy in limited situations to ensure identification and protection of potential archaeological resources in high probability areas identified within Salem's Cultural Resource Protection Zone (CRPZ). Monitoring may also be employed to ensure that known sites within a project area are not impacted by ground-disturbing activities associated with construction. For a complete reference to monitoring requirements within the State of Oregon please refer to the [Guidelines for Conducting Field Archaeology in Oregon \(2016\)](#) specifically Appendix E *Archaeological Monitoring Guidelines*.

### Monitoring Plan and Methodology

For projects where archaeological monitoring has been authorized, each project should have an approved Monitoring Plan (Plan) developed prior to issuance of any permits authorizing the commencement of ground disturbing activity (See Attached Example). The Plan should provide a summary of the historic and precontact use of the site, the monitoring methodology, curation and the key personnel who will be onsite. The Plan should also include an Inadvertent Discovery Plan (IDP) which provides specific examples (and photographs) of potentially diagnostic artifacts anticipated to be uncovered within a high probability area based upon the historic or pre-contact use of the site. Examples of non-diagnostic features or artifacts should also be included, such as items that are not 75 years old or older (50 years on federal lands); construction materials and other artifacts that are deteriorated beyond identification or items that have no potential research value. The IDP should also identify the protocol in the event human remains should be encountered during an archaeological monitoring project, clarifying that work must stop immediately in the vicinity of the uncovered human remains and the appropriate parties to be contacted in compliance with all State and Federal laws. If the Citywide adopted IDP(s) are not utilized for the project, the IDP's must be submitted to the Salem City Archaeologist for review. The Monitoring Plan shall be submitted for approval as part of the Archaeological Clearance Review process, and once approved must be provided to the appropriate project manager(s) and contractor(s) involved in redeveloping the site.

### Collection Standards and State Archaeological Permit Requirements

In Oregon, archaeological permits are required for archaeologists to collect artifacts from sites on non-federal public land or private land. Therefore, for projects where no Oregon archaeological permit is required, should artifacts or a deposit be encountered during monitoring, no artifacts should be collected until the archaeological monitor has determined whether the artifacts or features are diagnostic and whether or not the deposit has sufficient integrity to be considered potentially eligible for the National Register. Should a diagnostic

feature or cultural deposit containing TWO or more diagnostic cultural artifacts be observed during monitoring, work shall stop, and appropriate parties notified per the approved Plan until a complete eligibility determination can be made as well as a determination about the need for an Oregon archaeological permit. Concurrence is needed from SHPO for all permit requirements and eligibility determinations, whether recommended as not eligible or eligible. While an examination of the site is underway by consulting parties, further project excavations outside of the find location (i.e. with the placement of a 10 meter protective buffer) may proceed with continued monitoring. In Oregon, all artifacts recovered under a state archaeological permit must be collected. Reburial of artifacts is not permitted. The Plan should identify the place where a project's artifacts and original data will be curated. Oregon SHPO encourages placement of collections with the University of Oregon Museum of Natural and Cultural History (UOMNCH or OSMA) in Eugene, the principal repository for archaeological materials recovered from sites in Oregon for all site collections. Please refer to the [Guidelines for Conducting Field Archaeology in Oregon](#) Appendix C, for a full explanation of curation standards within the State of Oregon.

### Reporting

Archaeological monitors shall provide daily email monitoring updates to the City Archaeologist, the Oregon State Archaeologist/Assistant Archaeologist, and representatives from the Confederated Tribes of the Grand Ronde, the Confederated Tribes of the Siletz and the Confederated Tribes of Warm Springs.

If diagnostic archaeological deposits are encountered, the boundaries of the deposit (site) must be delineated horizontally and vertically. The methodology for defining the site boundaries should be determined through consultation with the Oregon SHPO, interested Tribes and the City Archaeologist. Locations of diagnostic cultural materials which do not meet other qualifications for being recorded as a site (i.e., fewer than two items or a cultural feature) should be considered Isolated Finds and recorded on an Isolate Find Form that will be included in the report on the monitoring investigations. A site form or site update form must be filed for every site identified or revisited during a monitoring project. Please refer to the [Oregon SHPO online Site form manual](#) for instructions on recording a site. Should the project require an Oregon archaeological permit, the archaeologist shall submit final report(s), which shall be provided to the City Archaeologist as well as the Tribes and the Oregon SHPO as required by the Oregon State Historic Preservation Office in compliance with the [Guidelines for Reporting on Archaeological Investigations \(Monitoring Reports\)](#). At the completion of the project, the archaeological monitor on site shall complete a final Archaeological Monitoring Report and the City of Salem Monitoring Artifact Inventory Form as required through the Archaeological Clearance Review process and shall be provided to the Salem City Archaeologist within 30 days of completion of the monitoring.

Contact: Kimberli Fitzgerald, City Archaeologist 503 540-2397 [kfitzgerald@cityofsalem.net](mailto:kfitzgerald@cityofsalem.net)



## COMMUNITY DEVELOPMENT DEPARTMENT

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • (503) 588-6173 • (503) TTY 588-6353 • (503) Fax 588-6005

## CONSTRUCTION ARCHAEOLOGICAL MONITORING PLAN

### **BACKGROUND**

The City of Salem and the Oregon State Historic Preservation Office (SHPO), in consultation with the Confederated Tribes of the Grand Ronde (the Tribe), signed a Memorandum of Agreement (MOA) relating to the redevelopment of the Salem Police Facility site located at 333 Division Street NE in Salem Oregon. The stipulations of this MOA include the development of a construction monitoring plan for any ground disturbing activity that encroaches into native soils, to be reviewed and approved by all parties to the agreement.

### **AREA OF CONCERN**

After consultation with the interested parties, it was determined that the area of primary concern is the northern end of the site, within the Northeastern Quadrant, adjacent to Mill Creek (**Attachment A**). A majority of the pre-contact artifacts recovered during the excavation were from this area of the site, within Blocks A and B. Initially it was thought that native soils on the site were between 6' and 8' feet below surface, however after the excavation and data recovery work completed in September and October 2018, it was determined that the stratigraphy of the site is far more complex in nature, and the depth to native soils is actually at a shallower depth in some locations, especially at the northern end of the site, ranging from .6' to 4' below surface.

### **SCOPE OF WORK**

The City of Salem has contracted with J.E. Dunn Construction to perform the site work which will include grading, installation of rammed aggregate piers (RAPs) and the installation of utilities. RAPs extending down to the native soil layer will be installed on the southern end of the site beneath the proposed building and garage footprints. Necessary utilities will be installed, including storm and sanitary sewer. The northern end of the site will be scraped, and fill will be brought in to ensure the overall site is level prior to construction. Proposed ground disturbing activity is anticipated to encroach into native soils in areas all located at the northern end of the site and noted on **Attachment A**.

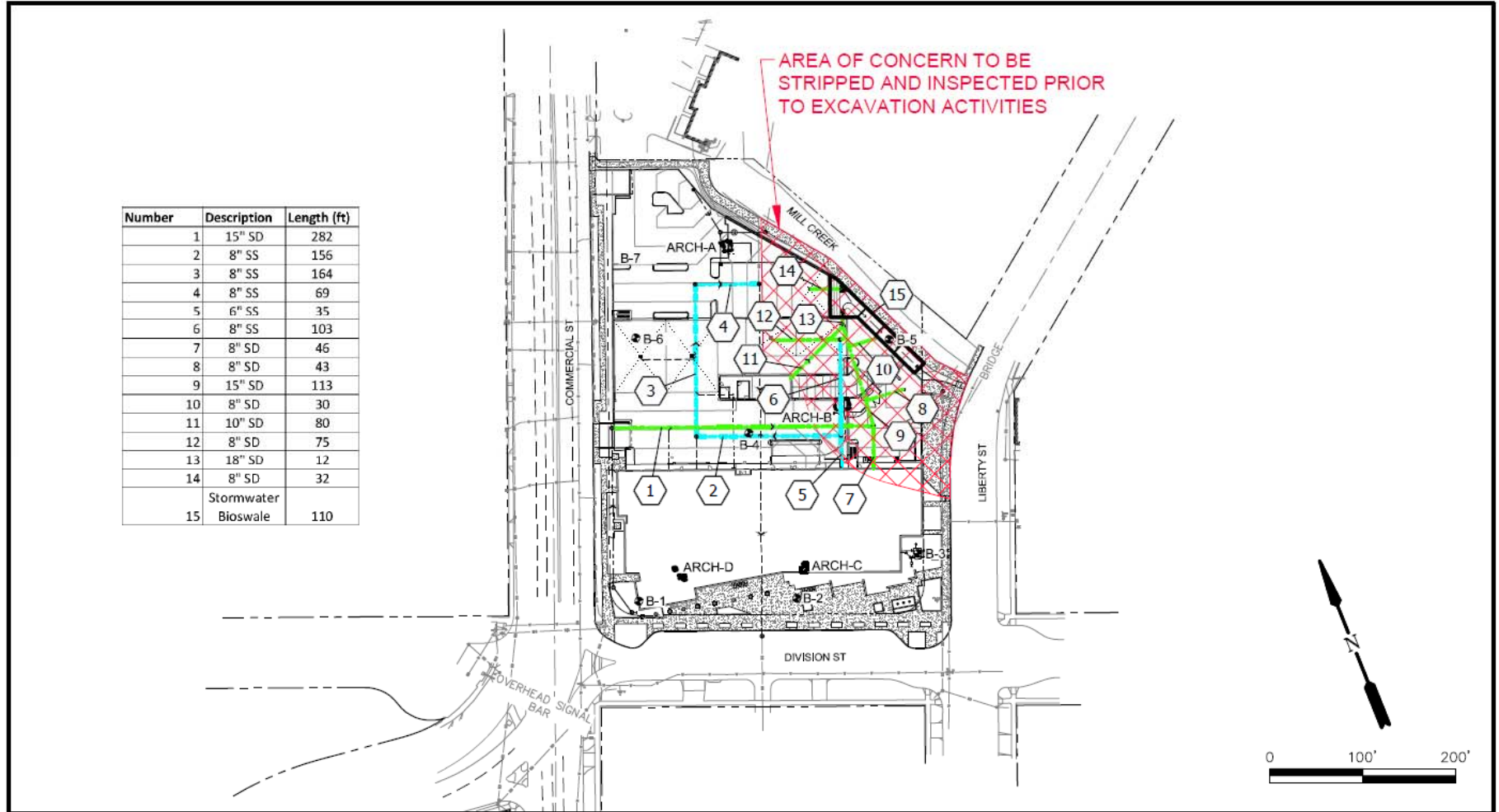
### **MARKER INSTALLATION AND PROPOSED MONITORING**

At the time the northern end of the site is scraped, the City will notify the SHPO and the Tribes, in order to provide an opportunity for interested parties to inspect and evaluate the surface prior to any additional excavation work. The City of Salem is proposing to monitor ground disturbing activity during installation of the utilities and construction of the stormwater bioswale at the northern end of the site identified above within the Scope of Work and noted on **Attachment A**. The monitoring shall be completed by a qualified professional archeologist. Both the Tribe and the SHPO will be notified of the proposed work schedule, and will have the opportunity to observe ground disturbing activity at these times. Should pre-contact, diagnostic historic artifacts or cultural features be observed, the City of Salem will notify the Oregon SHPO and the Tribes. Any diagnostic artifacts will be documented and collected either by AINW under permit 2559, or under a new permit as required by the Oregon SHPO.

### **INADVERTENT DISCOVERIES**

The City of Salem will ensure that J.E. Dunn Construction, and any other contractors completing work on site, are aware of and bound by the Inadvertent Discovery Plan, included as Attachment B of the MOA.

# EXAMPLE



**CITY OF Salem**  
 AT YOUR SERVICE  
 PUBLIC WORKS DEPARTMENT

**POLICE FACILITY**

**ATTACHMENT A**  
 CONSTRUCTION ARCHAEOLOGICAL MONITORING PLAN  
 SITE PLAN

ENGINEERING DIVISION  
 555 Liberty Street SE, Room 325  
 Salem, OR 97301-3513  
 Phone 503-588-6211  
 www.cityofsalem.net  
 October 2018

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## **City of Salem - Protocol for coordination in the event of inadvertent discovery:**

- In the event of an inadvertent discovery of possible cultural materials, including human remains, all work **will stop** immediately in the vicinity of the find. A 100 meter buffer will be placed around the discovery with work being able to proceed outside of this buffered area unless additional cultural materials are encountered.
- The area will be secured and protected.
- The project manager will be notified. The project manager will notify:
  - The City of Salem Historic Preservation Officer, Kimberli Fitzgerald at 503 540-2397 or 503 351-7578.
  - State Historic Preservation Office (SHPO) shall be notified -SHPO State Archaeologist: John Pouley 503 480-9164
- If possible human remains are encountered, **WORK MUST STOP**, do NOT call 911, secure the area; do NOT take photos or speak to the press; In addition to the notification above -the State Police and the Tribes must be notified as required under state law:
  - Oregon State Police: Craig Heuberger 503-508-0779
  - Legislative Commission on Indian Services (LCIS): Patrick Flanagan, 503 986-1067
  - Tribal Notification Required:
    - Confederated Tribes of the Grand Ronde- Chris Bailey, 971 241-2406;
    - Confederated Tribes of Siletz-Peter Hatch; 541 444-8319 or Robert Kentta: 541 351-0148
    - Confederated Tribes of Warm Springs- Robert (Bobby) Brunoe, 541-553-2002.
- No work may resume in the buffer area until consultation with the SHPO has occurred and a professional archaeologist is able to assess the discovery.
- If human remains are encountered, do not disturb them in any way. *Do not call 911.* Do not speak with the media. Secure the location. Do not take photos. The location should be secured and work will not resume in the area of discovery until all parties involved agree upon a course of action.
- If the discovery is determined to not be associated with a crime scene, a professional archaeologist will be needed to assess the discovery, following this assessment, they will consult with the SHPO and the appropriate Tribal Governments to determine an appropriate course of action.
- Archaeological excavations may be required. All such discoveries are handled on a case by case basis by the professional archaeologist and project manager, in consultation with SHPO and appropriate Tribes.

***When in doubt, call it in!***

### **Proceeding with Construction**

- Construction can proceed only after the proper archaeological inspections have occurred and environmental clearances are obtained. This requires close coordination with SHPO and the Tribes.
- After an inadvertent discovery, some areas may be specified for close monitoring or ‘no work zones.’ All such areas will be identified by the professional archaeologist to the Project Manager, and appropriate Contractor personnel.
- In coordination with the SHPO, the Project Manager will verify these identified areas and be sure that the areas are clearly demarcated in the field, as needed.

## When to stop work:

**Work must stop** when the following types of artifacts and/or features are encountered:

*Native American artifacts may include (but are not limited to):*



Flaked stone tools (arrowheads, knives scrapers etc.); Obsidian tools and waste flakes that resulted from the construction of flaked stone tools; beads



Ground stone tools like mortars and pestles; Layers (strata) of discolored earth resulting from fire hearths. May be black, red or mottled brown and often contain discolored cracked rocks or dark soil with broken shell;

*Euro-American artifacts may include (but are not limited to):*



Glass (from bottles, vessels.);



Ceramic (from dinnerware, vessels etc.);



Metal (drink/food cans, tobacco tins)



Building remains



Privy



Streetcar tracks

## City of Salem Procedures for the Inadvertent Discovery of Human Remains

Any ancestral remains, burial sites, or burial related materials that are inadvertently discovered during redevelopment will at all times be treated with dignity and respect and in keeping with the Oregon SHPO's procedures regarding treatment of inadvertently discovered Native American Human remains

([http://www.oregon.gov/OPRD/HCD/ARCH/docs/Tribal\\_position\\_paper\\_on\\_Human\\_Remains.pdf](http://www.oregon.gov/OPRD/HCD/ARCH/docs/Tribal_position_paper_on_Human_Remains.pdf)). Pursuant to ORS 97.745(4), if Native American ancestral human remains are encountered on private or state lands, **WORK shall stop**, the area **protected** and the contractor/project manager/consulting archaeologist will **notify as follows**:

- Oregon State Police: Craig Heuberger 503-508-0779
  - Legislative Commission on Indian Services (LCIS): Patrick Flanagan (Executive Director) 971 533-1555 or Adrienne Fischer, 503 986-1067
  - Appropriate Tribes:
    - Confederated Tribes of the Grand Ronde- Chris Bailey, 971 241-2406; Confederated Tribes of Siletz-Peter Hatch: 541 444-8319 or Robert Kentta; 541 351-0148;
    - Confederated Tribes of Warm Springs- Robert (Bobby) Brunoe, 541-553-2002.
  - Oregon State Archaeologist - SHPO: John Pouley 503-480-9164
  - City of Salem Archaeologist: Kimberli Fitzgerald; 503 540-2397
1. If any member of the contracting team responsible for site redevelopment believes he or she has made an unanticipated discovery of ancestral remains, the remains will not be moved or disturbed. The contracting team will be responsible for taking appropriate steps to protect the discovery. The remains shall be covered with a tarp or other material (not soil or rocks), for temporary protection and to shield them from being photographed. 911 will not be called, nor the media. The development activity or archaeological excavation that resulted in the exposure of the discovery, as well as all other ground-disturbing activity within 100 meters, will be immediately halted.
  2. The owner/developer/consulting archaeologist, will immediately call the state police (Sgt. Craig Heuberger 503-508-0779) and the Marion County coroner (503 588-5530), who will examine the discovery and determine whether it should be treated as a crime scene or as a human burial. A professional archaeologist trained in human remains identification must examine the discovery to concur with the coroner on whether the remains are human. A forensic anthropologist may also be required to determine whether the remains are of Native American ancestry. The owner/developer/consulting archaeologist will also inform the OSA (OSA: John Pouley, 503 480-9164) that a discovery has been made. Discovery situations will be handled in an expedited and respectful manner, so as to not interfere with the survey schedule any more than is necessary.
  3. If the remains are determined to be non-human by the coroner, archaeologist, and/or forensic anthropologist, then the find will be documented and photographed, and the archaeological investigations in the area can resume. The photographs shall be sufficient for a trained archaeologist to determine that the remains are not human by reviewing them.

4. If the remains are determined to be human and associated with a crime scene by the county coroner, then the State Police will be responsible for overseeing the find. Once the investigations are complete and the remains have been removed, the archaeological investigations in the area can resume.
5. If the remains are determined to be human and are not the result of criminal activity, The owner/developer/consulting archaeologist, or their designee, will notify the OSA within 24 hours. The OSA will be kept informed of all discussions regarding the remains until their final status is resolved. The consulting archaeologist, or their designee, will also contact the OCIS (Patrick Flanagan, 971 533-1555), as well as all appropriate listed federally recognized Indian Tribes with a recognized interest in the region (Tribes) and notify them of the discovery. The confirmed Tribes to be notified within the City of Salem are: the Confederated Tribes of Grand Ronde (Chris Bailey, 971 241-2406;, CTGR), the Confederated Tribes of Siletz (Peter Hatch, 503 444-8319) and the Confederated Tribes of Warm Springs (Robert (Bobby) Brunoe, 541-553-2002) will be notified by phone or email at approximately the same time that the OSA and the OCIS are notified of the discovery. In addition, the Tribe(s) will be notified in writing within three days of discovery, and this notification shall include information on the site of the human remains along with the name of the person or agency in charge of the find.
6. Consultation with the Oregon SHPO (OSA), and the Tribes shall be initiated to determine the appropriate treatment of the remains within the context of the proposed project. The owner/developer/consulting archaeologist will consult with the Oregon SHPO and the appropriate Tribe(s) to determine if the remains can be avoided by an alternative construction technique or redesign of the project. If avoidance is possible, the find shall be documented on an Oregon State site form, and once the site has been satisfactorily documented the remains shall be reburied. The Tribes and the SHPO shall determine whether the developer shall mark the burial on the surface, and in what manner.
7. If disturbance of the remains cannot be avoided, the owner/developer/consulting archaeologist shall initiate consultation regarding the development of an MOA with the affected Tribes and the Oregon SHPO which outlines the appropriate treatment of the remains and mitigation for the adverse effect of the development upon the remains and the burial site. The first stipulation shall be development of a treatment plan for relocation of the remains and curation of any associated funerary objects, sacred objects or objects of cultural patrimony. The owner/developer/consulting archaeologist, shall request that the appropriate Tribe(s) inform them of any specific wishes they have regarding the treatment of the remains and any associated artifacts. The owner/developer/consulting archaeologist will make a good faith effort to incorporate these as stipulations within the MOA. Additionally, any requests from the affected Indian Tribe(s) including that they be present during the implementation of any OSA-recommended measures related to the removal and treatment human remains and associated resources shall be accommodated.
8. The MOA shall also include additional stipulations which define the appropriate level of mitigation for the adverse effect to the burial site, Mitigation stipulations could potentially include (but not be limited to) offering to compensate the appropriate Tribe(s) for their time and expenses related to any activities associated with the identification of human remains encountered during investigations for the project as well as any reburial costs associated with the identification of human remains encountered during investigations for the project.