

## **5.0 CRM PROCEDURES AND ADMINISTRATION**

The U.S. Department of Energy (DOE) Richland Operations Office (DOE-RL) Cultural and Historic Resources Program at Hanford has established procedures to ensure compliance with all relevant and appropriate cultural resource legislation. The DOE-RL program staff currently performing work for the program are identified in Section 5.8. Procedures are provided in Appendix C.

### **5.1 COMPLIANCE PROCEDURES—NHPA, EXECUTIVE ORDER 11593, 36 CFR PARTS 60, 63, 65, 79, AND 800**

Procedural requirements concerning cultural resources are placed on federal agencies and federally licensed or assisted activities by the National Historic Preservation Act; Executive Order 11593; 36 Code of Federal Regulations (CFR) Part 60 (National Register of Historic Places); 36 CFR Part 63 (Determinations of Eligibility for Inclusion in the National Register of Historic Places); 36 CFR Part 79 (Curation of Federally-Owned and Administered Archeological Collections); and 36 CFR Part 800 (Protection of Historic and Cultural Properties). These authorities establish requirements pertaining to 1) projects, activities, and programs that may affect cultural resources; 2) National Register of Historic Places nominations; 3) future archeological surveys.

The following procedure is used by the Hanford Cultural and Historic Resources Program to ensure that DOE-RL considers the degree to which an action may adversely effect districts, sites, structures, and objects eligible for the National Register of Historic Places or may cause loss or destruction of significant scientific cultural, or historic resources.

#### **5.1.1 Initiation of Compliance Procedures for Undertakings**

The DOE-RL procedure for Cultural Resource Reviews applies to all federal undertakings that occur on the Hanford Site. As defined by 36 CFR 800, a federal undertaking is:

A project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; those requiring a Federal permit, license or approval; and those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency.

To start the process, any project that can be established to be an undertaking is required to submit a Cultural Resource Review Request to the Cultural and Historic Resources Program Manager via the appropriate contact. The form currently used is provided in Figure 9.

Upon receiving a Cultural Resource Review Request, the reviewer verifies that the review request is complete and provides enough information so the review can be completed. If the project is complex or

RL-655 <b>REQUEST FOR CULTURAL AND/OR ECOLOGICAL RESOURCES REVIEW FOR THE HANFORD SITE</b>	Review Tracking Number								
<b>ERC Projects</b> (BHI, CH2M HILL)  Direct Form and Cultural Resource Questions To: Tom Marceau Phone <b>372-9289</b> Fax <b>372-9654</b> MSIN <b>H0-23</b>  Direct Form and Ecological Resource Questions To: Ken Gano Phone <b>372-9316</b> Fax <b>372-9654</b> MSIN <b>H0-23</b>	<b>All Other Hanford Projects</b> (PHMC, PNNL, Other)  Direct All Forms and Cultural Resource Questions To: Ellen Prendergast Phone <b>376-4626</b> Fax <b>373-2958</b> MSIN <b>K6-75</b>  Direct Ecological Resource Questions To: Mike Sackschewsky <b>Phone 376-2554</b> Fax <b>372-3515</b> MSIN <b>K6-85</b>								
<b>Date Sent:</b>	<b>Date Findings Requested By:</b>								
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Telephone:	Fax:								
MSIN:									
Project Name:  Project Number/COA:  RL Project Manager:									
<b>REQUESTOR SHOULD SUBMIT A COPY OF THIS REQUEST TO THE RL PROJECT MANAGER UNDER WHOM THEIR PROJECT FALLS WITHIN 5 DAYS.</b>									



requires a new facility, the reviewer shall ask if any new access roads, railroads, lay-down areas, or new utilities will be necessary; often requesters overlook these smaller, but potentially very significant, activities.

The reviewer then assigns a Hanford Cultural Resource Compliance Number (HCRC#) and enters the information provided on the form into the compliance database and starts a file for the project. The reviewer conducts a preliminary review of the project activity and project location by doing a literature and records search so that the undertaking can be assigned to one of the following eight classifications:

Class I:	Maintenance in a Disturbed, Low-Sensitivity Area
Class II:	Maintenance in a Disturbed, High-Sensitivity Area
Class III:	New Construction in a Disturbed Low-Sensitivity Area
Class IV:	New Construction in a Disturbed High-Sensitivity Area
Class V:	Projects Involving Undisturbed Ground
Class VI:	Projects Involving Demolition or Remodeling of Existing Structures
Class VII:	Projects Involving Lease or Transfer of DOE Buildings/and or Land
Class VIII:	Projects Involving the Type of Activity With No Potential to Cause Effects to Historic Properties.
PA	Exempted by <i>The Programmatic Agreement for the Maintenance, Deactivation, Alteration, and Demolition of the Built Environment on the Hanford Site (PA)</i> Section III.B.

A review may designate more than one class.

### **Literature and Records Review**

The cultural resource reviewer will determine the following during the literature and records review:

- Cultural Sensitivity – This is determined by use of the Site Location topographic maps and/or the geographic information system database, to identify the project proximity to cultural resources (historic buildings, traditional cultural places, and previously recorded archaeological sites). Proximity to these resources is an indicator of cultural sensitivity. All projects located adjacent to or on Hanford’s prominent land forms (Gable Mountain, Gable Butte, Rattlesnake Mountain, Umtanum Ridge, etc.) and within 400 meters (1,312 feet) of the Columbia River are considered to be located in culturally sensitive areas.
- Previous Cultural Surveys – The Site Location topographic maps and/or the geographic information system database is used to determine whether the area has been surveyed previously. If so, the project file is checked for more information about the survey and findings. If all or part of the project area has never been surveyed, a survey may be required.
- Previously Recorded Archaeological Sites and Traditional Cultural Properties – The Site Location topographic maps and/or the geographic information system database are checked to determine whether sites have been recorded in or near the project area from. If so, the site files are examined for more information about the site.

- Previous Disturbance – Aerial photographs, construction plans, and any other resources at hand, are used to determine the amount of previous disturbance may have impacted the project area, especially if located in one of the major Hanford operations areas (100, 200, 300, 400, and 600 Areas) or near roads, railways, and utility lines.

### **CLASS VIII Projects Involving the Type of Activity with no Potential to Cause Effects to Historic Properties**

Project activities assigned to this classification include small excavations, such as routine maintenance activities, in areas away from cultural sensitivity zones and known to be previously disturbed by existing infrastructure, such as repair of waterlines or construction activities. A HCRC# for all DOE projects will be assigned for tracking purposes and the project will be assigned to the Class VIII “No potential to effect Historic Properties” primary class in the tracking database. An e-mail is prepared identifying the project description, the preliminary review, and a finding of “No potential to affect Historic Properties” and sent to the DOE-RL Hanford Cultural and Historic Resources Program Manager for review and concurrence. Upon concurrence, an e-mail notice is sent to the Cultural Resource Review requester providing cultural resources clearance.

### **PA Exemptions for the Built Environment Procedures**

The programmatic agreement for the maintenance, deactivation, alteration, and demolition of the built environment on the Hanford Site (DOE 1996a) exempts certain activities from a Cultural Resource Review for activities that take place inside or effect any of the facilities identified in Tables A.5-A.7 of the *Hanford Site Manhattan Project and Cold War Era Historic District Treatment Plan* (DOE/RL-97-56) (Marceau 1998). These activities are listed in Stipulation III.

### **Emergency Review Procedures**

Emergency situations in which there is an immediate risk to employee or environmental safety do not require a cultural review until the emergency is over. In emergency situations, responsible parties need to contact the DOE-RL Hanford Cultural and Historic Resources Program Manager as soon as possible to determine if sensitive resources are located in the area being impacted and explore any actions that can be taken to minimize damage. For emergency situations such as broken water lines that supply water to fire hydrants and gas/fuel line leaks provide a verbal clearance or “per telecom” over the phone and request that a Cultural Resource Review request form be filled out. A retroactive review will then be done. This is the only instance that a verbal clearance may be granted.

Where possible, emergency projects will follow the full review procedure and, per 36 CFR Section 800.12 (b), will only require **7-day review** by the State Historic Preservation Office and tribes.

## **Notifications**

The DOE-RL Hanford Cultural and Historic Resources Program Manager will notify Native American tribes and the State Historic Preservation Officer about the proposed undertaking within 3 days of receiving the review. The notification shall contain a description of the project, the Area of Potential Effect and a summary of the records and literature search. The original review request along with location maps will also be provided. For all projects the U.S. Fish and Wildlife Service (USFWS) will be notified for projects located within the Hanford Reach National Monument. Dates of the notifications are then added to the Compliance Database.

## **Perform the Cultural Resources Review**

Refer to Appendix C for the procedure.

## **5.2 ARPA COMPLIANCE PROCEDURES**

The Archaeological Resources Protection Act (ARPA) places certain procedural requirements on federal agencies. These requirements pertain to increasing public awareness, planning and scheduling archeological surveys, and reporting suspected violations.

### **5.2.1 Increasing Public Awareness**

The DOE-RL Hanford Cultural and Historic Resources Program provides site protection/education to comply with regulations and increase public awareness of the significance of cultural resources. Site protection education consists primarily of education/training for Hanford Site workers about cultural resources and their significance. Other education activities are intended to inform citizens of all ages about Hanford cultural resources, the laws and regulations protecting and preserving those resources, the cultural resources management program at the Hanford Site, and the need for a site stewardship program.

Some examples of activities performed by the program include:

- Washington State Archaeology month participation
- *Cultural Resource Review* (DOE newsletter issued 3 to 4 times a year)
- Lectures and classroom presentations by staff to school classes and civic organizations as requested
- Provide input by staff to relevant web sites, newspapers, and newsletters.

### **5.2.2 Planning and Scheduling Archaeological Surveys**

The program inventories areas that have not been surveyed before.. This task involves the inventory of unsurveyed parcels and the recording of resources on previously unsurveyed lands at the Hanford Site.

At completion of this task, the inventory results will be incorporated into the DOE-RL Hanford Cultural and Historic Resources Program database. Areas to be surveyed are identified at Tribal Issues Meetings. Also included are oral history interviews with former residents.

### **5.2.3 Reporting Suspected Violations**

This procedure provides program staff with the steps to follow to report ARPA violations when encountered. This procedure applies when an archaeological site is encountered that has been or is being looted. For example, this procedure may be applied while out monitoring archaeological sites along the river, if one encounters people digging along the bank and using screens, or while conducting an archaeological survey, if one encounters an existing site with holes scattered across an area. The procedure is identified in Appendix C.

The staff position assigned responsibility for implementing ARPA procedures is Annabelle Rodriguez, DOE-RL Cultural and Historic Resources Program Manager.

## **5.3 AIRFA AND EXECUTIVE ORDER 13007 COMPLIANCE**

The Hanford Historic and Cultural Resources Program assists DOE-RL in complying with the Act and the Order through its cultural resource review consultation process. Every undertaking performed at Hanford that has potential to effect cultural resources is subjected to a cultural resource review, a key part of which is notification to tribes with historical ties to Hanford. Any concerns relative to these undertakings can be provided to DOE-RL through this process and are considered prior to granting the undertaking a cultural resource review clearance under the National Environmental Policy Act and the National Historic Preservation Act. Refer to Section 5.1 for additional details.

Concerning the issue of access, both the Cultural and Historic Resources Program and the DOE-RL Indian Nations Program have accommodated numerous requests for onsite visits to places of interest by tribal elders, tribal officials, tribal staff and tribal youth. Individuals requiring religious access to places at Hanford can contact either of these offices to make arrangements

## **5.4 NAGPRA COMPLIANCE PROCEDURES**

The Native American Graves Protection and Repatriation Act (NAGPRA) requires protection and repatriation of Native American cultural items found on or taken from federal tribal lands. The intention of the DOE-RL Hanford Cultural and Historic Resource Program is that priority will be given to preservation of all Native American human remains and associated funerary objects in place. No human burial materials should be removed unless it is necessary for their survival. There may be circumstances where it is necessary to intentionally excavate human remains to protect them from destruction by construction activities or natural erosion. If removal of human remains is necessary, during excavation and recording, the burial materials will be treated with dignity and respect and will not be placed on display or within public view.

Because of historical operations in support of national defense missions conducted at the Hanford Site over the past 50 years, there is potential that radiological contamination of Native American human remains and other cultural items has occurred. Although the discovery and recovery of such remains falls under NAGPRA, other regulations pertaining to public health and safety issues may have to be considered during the consultation efforts and in the ultimate disposition of specific cases. Following guidance by DOE's Headquarters, in the event of discovery of radiologically contaminated human remains and associated funerary objects at the Hanford Site, DOE-RL will consult with the affected Indian tribes to achieve compliance with all relevant statutes and regulations while ensuring appropriate respect for the human remains and cultural objects while, at the same time, ensuring protection of the public's health. Additional details are provided below and in the NAGPRA Treatment Plan provided in Appendix F.

#### **5.4.1 Intentional Excavation and Removal of Native American Cultural Items**

Intentional excavation of human remains and objects is permitted under the provisions of NAGPRA in conjunction with requirements of ARPA and its implementing regulations. However, the DOE-RL does not support the excavation of human remains unless the remains are at imminent risk, and then only after full consultation with the appropriate Native American groups. Any proposal to remove remains by Hanford contractors will not be approved until DOE-RL has considered the input from Native American groups. No ARPA permit application relating to intentional or possible removal of human remains will be approved until DOE-RL has considered the input from Native American groups (Note that Hanford cultural resource contractors' contracts suffice for an ARPA Permit and therefore only cultural resource contractors working for other agencies, or researchers will require an ARPA permit).

##### **5.4.1.1 Consultation**

Consultation between DOE and affected Indian tribes at the Hanford Site occurs on a regular basis and is coordinated with the Indian Nations Program at DOE-RL. The DOE-RL's involvement with American Indian tribes is guided by the DOE American Indian Policy and Alaska Native Tribal Government Policy, in conjunction with various historic preservation statutes, regulations, and presidential executive orders. Under this program, DOE-RL interacts and consults on a direct basis with four federally recognized tribes affected by operations at the site: the Nez Perce Tribe, the Confederated Tribes of the Umatilla Reservation, the Yakama Nation, and the Confederated Tribes of the Colville Reservation. In addition, the Wanapum, a non-federally recognized tribe that lives adjacent to the site and who maintain strong cultural ties to the Hanford landscape are also consulted on cultural resource issues in accordance with DOE-RL policy and relevant legislation.

Within this general Hanford consultation framework, the NAGPRA statute requires interaction between a Federal agency and Indian tribes or individuals under a number of actions concerning human remains and associated materials. These conditions are summarized in Table 9.

Implementing regulations contained in 43 CFR 10, Subparts B and C, further delineate federal agencies' responsibilities for consultation. Specifically, 43 CFR 10.5 requires consultation as part of either the intentional excavation or inadvertent discovery of human remains, funerary objects, sacred objects, or

**TABLE 9** Required Interactions Between DOE and Indian Tribes under NAGPRA

Type of Communication	When?	Who?	Required By
Notification	After completing NAGPRA-required inventories of Native American human remains and associated funerary objects.	Affected Indian tribes.	NAGPRA, 25 U.S.C. 3003 (d)
Notification	Summarizing unassociated funerary objects, sacred objects, and objects of cultural patrimony.	Affected Indian tribes.	NAGPRA, 25 U.S.C. 3004 (a)
Consultation	Prior to removing Native American human remains or cultural items from federal lands.	Appropriate Indian tribes.	NAGPRA, 25 U.S.C. 3002 (c) (2)
Consultation	Prior to completing inventories of human remains and associated funerary objects in an agency's possession.	Tribal government or traditional religious leaders.	NAGPRA, 25 U.S.C. 3003 (b) (1) (A)
Consultation	Determining the cultural affiliation of unassociated funerary objects, sacred objects, and objects of cultural patrimony.	Tribal government or traditional religious leaders.	NAGPRA, 25 U.S.C. 3004 (b) (1) (B)
Consultation	Determining where and in what manner to return cultural items or human remains.	Lineal descendent or Indian tribe.	NAGPRA, 25 U.S.C. 3005 (a) (3)

objects of cultural patrimony on federal lands and lists the requirements that must be followed. Similarly, consultation requirements for federal agencies and museums that possess or manage human remains and objects included under the provisions of NAGPRA are spelled out in 43 CFR 10.8 (d) and 9 (b). It should be noted that consultation between federal agencies and Indian tribes is also called for in other historic preservation statutes and regulations, notably the National Historic Preservation Act and ARPA, and consultation requirements may overlap between these statutes and NAGPRA, depending on the specific circumstances of individual cultural resource undertakings.

The DOE-RL Hanford Cultural and Historic Resources Program Manager is responsible for implementing the consultation procedures. All consultation will be documented and kept on file.

#### **5.4.1.2 Ownership and Right to Control**

The DOE-RL will establish cultural affiliation according to geographical, kinship, biological archaeological, anthropological, linguistic, folkloric, oral traditional, historical, or other relevant information or expert opinion, following procedures outlined in NAGPRA. Where there are multiple requests for repatriation of any cultural item and, after complying with the requirements of NAGPRA, if DOE-RL cannot clearly determine which requesting party is the most appropriate claimant, DOE-RL will

retain such item until the requesting parties agree upon its disposition or the dispute is otherwise resolved pursuant to the provisions of NAGPRA or by a court of competent jurisdiction.

The DOE-RL Hanford Cultural and Historic Resources Program Manager is responsible for implementing the ownership and right of control procedures.

#### **5.4.2 Inadvertent Discovery of Native American Cultural Items**

If possible human remains are inadvertently discovered in the field during routine cultural resource monitoring, during construction or under any other circumstance, the following instructions are to be used:

1. Cultural Resource staff should determine, if possible, whether the discovery is human using available texts or other information (e.g., use a comparative skeleton in field vehicle when available).
2. If remains are human, notify the DOE-RL Cultural and Historic Resources Program Manager (or delegate) of the discovery immediately so that the County Coroner can be contacted. If the remains cannot be identified as human, the DOE-RL Program Manager shall take the necessary steps to ensure proper identification of the remains.
3. If the discovery is human, complete the appropriate sections of Hanford Inadvertent Discovery Report Form (Appendix B). Upon return from the field, the form shall be submitted to the DOE-RL Program Manager, who will complete the form.

When an inadvertent discovery is encountered, staff will take measures to avoid further disturbance of the area. Cultural materials shall not be moved from the location of discovery. Photographs shall not be taken of the bones unless photographs are needed to assist in the determination of the remains to be human or animal.

##### **5.4.2.1 Discovery**

All inadvertent discoveries of recognized or potential human skeletal remains will be immediately reported to the responsible manager or supervisor. Depending on the circumstances of the discovery, an inadvertent discovery could be made through any one of several situations—during cultural resources monitoring of construction activities; chance discoveries by workers during non-monitored construction; or a report of possible human skeletal materials from any non-construction area within the site.

Until a final evaluation can be made, all reports of potential NAGPRA discoveries will be taken seriously and dealt with expeditiously by all personnel involved in the discovery.

If applicable, e.g., the inadvertent discovery occurs in connection with an ongoing activity, responsible personnel will take measures to cease activity in the area where the discovery is made. Work will not

proceed until proper notifications have been made, and a full professional evaluation of the nature of the discovery has been completed.

Securing and providing protection to the discovered remains is initially the responsibility of the discoverers, if during an on-going activity. In addition to stopping the activity in the area of the inadvertent discovery, on-site workers will provide initial security by both avoiding the discovery site proper, and by ensuring that other personnel do not intrude on to the discovery site. All cultural items are to be left in place, without further disturbance, and a temporary perimeter (flagging tape, stakes, etc.) may be established, if appropriate, until notifications have been made and a cultural resources professional has appeared. Covering the exposed remains with some type of natural material may be appropriate.

Depending on the outcome of the professional evaluation and the sensitivity of the discovery, longer-term protection may be required in the form of onsite guards and/or periodic patrols. It may also be necessary to establish additional security perimeters and access control to the area.

Depending on the circumstances of the discovery, notification may take several avenues. For example, if made during monitoring of construction, either by an archaeologist or a site worker, the initial notification will be to the appropriate contractor cultural resource manager, who will then notify the DOE-RL Hanford Cultural and Historic Resources Program Manager. Other feasible avenues of notification include a site worker notifying their supervisor or site security or a member of the public notifying the sheriff's department or the county coroner.

The key notification is to the responsible manager at DOE-RL, the DOE-RL Hanford Cultural and Historic Resources Program Manager, who will coordinate subsequent notifications, as necessary, following the professional evaluation of the discovery.

As soon as possible following the discovery and initial notification, the discovery will be evaluated to verify that the remains are human and that they are not a crime scene. Following this, determination will be made on whether the remains are Native American. This will be accomplished by technical staff from the DOE-RL Hanford Cultural and Historic Resources Program in consultation with Native American representatives. If a clear determination can not be made, additional expertise will be obtained. If the skeletal remains are not determined to be Native American, disposition will be determined by the DOE-RL Hanford Cultural and Historic Resources Program Manager in consultation with interested parties.

If the discovery is determined to be Native American, and therefore subject to NAGPRA, the DOE-RL Hanford Cultural and Historic Resources Program Manager will initiate consultation and additional notifications as per requirements in 43 CFR 10, Section 10.4. Notifications include the DOE Federal Preservation Officer and the State Historic Preservation Officer. Within 24 hours, the DOE-RL Cultural and Historic Resources Program Manager will telephonically notify tribal technical contacts and within 3 working days will provide written notification, which may be provided by fax or certified mail, to the designated tribal NAGPRA points of contact. As soon as practicable, an emergency meeting with designated tribal personnel will be held to continue NAGPRA formal consultation, and to develop a coordinated plan of action for disposition of the inadvertent discovery.

If the inadvertent discovery occurred as a result of an ongoing activity such as construction, resumption of the activity will depend on the consultation process and the overall significance of the discovery. NAGPRA and 43 CFR 43 provide for resumption of the activity 30 days after the certified notification of

the discovery. However, resumption may occur at an earlier date if a written, binding agreement is executed between DOE-RL and the affected Indian tribes for the mitigation of the impacts to the remains.

#### **5.4.2.2 Disposition and Control**

The DOE-RL will establish cultural affiliation according to geographical, kinship, biological archaeological, anthropological, linguistic, folkloric, oral traditional, historical, or other relevant information or expert opinion, following procedures outlined in NAGPRA. Where there are multiple requests for repatriation of any cultural item and, after complying with the requirements of NAGPRA, if DOE-RL cannot clearly determine which requesting party is the most appropriate claimant, DOE-RL will retain such item until the requesting parties agree upon its disposition or the dispute is otherwise resolved pursuant to the provisions of NAGPRA or by a court of competent jurisdiction.

The DOE-RL Hanford Cultural and Historic Resources Program Manager is responsible for implementing the disposition and control procedures.

#### **5.4.3 Inventory for Native American Human Remains and Associated Funerary Objects**

The NAGPRA requires that collections inventories and identifications be completed in consultation with tribal government and traditional religious leaders. The inventory shall be available both during the time it is being conducted and afterward. Additional information will be supplied to any tribe upon request, including summaries of existing records, relevant studies or other pertinent data for determining the geographical origin, cultural affiliation and basic facts surrounding the acquisition and accession of Native American human remains and associated funerary objects. If the cultural affiliation of any particular Native American human remains or associated funerary objects is determined affected Indian tribes will be notified.

Inventory of the human remains held in the Hanford collections has already been completed according to the guidelines set forth by Section 5 of the NAGPRA (see Section 3.5.4.1).

#### **5.4.4 Summary of Native American Unassociated Funerary Objects, Sacred Objects, and Cultural Patrimony**

The summary of Native American unassociated funerary objects, sacred objects, and cultural patrimony has been completed according to the guidelines set forth by Section 6 of the NAGPRA (see Section 3.5.4.2). If tribes believe there may be sacred objects or items of cultural patrimony in the archaeological collections, they can contact the DOE-RL Hanford Cultural and Historic Resources Program Manager and request access to the collections. If any objects or items are discovered, a claim can be submitted to DOE-RL for action. No procedures are currently in place as they have not been needed up to now.

#### **5.4.5 Repatriation of Native American Cultural Items**

All known cultural items have been repatriated, as explained in Section 3.5.4.3. Any new items discovered inadvertently will follow NAGPRA procedures.

## **5.5 36 CFR PART 79 COMPLIANCE PROCEDURES**

The DOE Hanford Cultural and Historic Resources Program has two major collections: the collection of artifacts collected from archaeological sites at Hanford and the collection of artifacts collected from buildings and structures at Hanford and associated with the Manhattan Project/Cold War era at Hanford.

The archaeological collection is housed at Pacific Northwest National Laboratory (PNNL). Management and preservation of the archaeological collection is explained in the archaeological collection management plan provided in Appendix G. These procedures ensure that the collection is secure, maintained in temperate conditions, and maintained in good condition.

The Manhattan Project/Cold War era collection is housed at the Columbia River Exhibition of History, Science and Technology. Management of the collections is explained in the draft Hanford Curation Plan provided in Appendix H. These procedures ensure that the collection is secure, maintained in temperate conditions, and maintained in good condition.

### **5.5.1 Management and Preservation of Collections**

With the exception of items that are in danger of looting or are of high interpretive or educational value, artifacts, objects, and materials encountered during field surveys or excavations will not be collected. Archaeological and historic-archaeological items are to be recorded, photographed, and analyzed in the field to the fullest extent possible. In those instances when collection is required, all items are to be fully point provenienced by mapping and recording their location in the field and protected during transport so that damage does not occur. Cleaning, cataloging, and analyzing these items will follow established archaeological laboratory procedures. Items collected for retention will be delivered to HCRL for temporary or long-term curation.

For all buildings and structures relating to the operations of the Hanford Site through 1990, Stipulation V(C) of the historic buildings programmatic agreement requires an assessment of the interior contents of those properties listed for individual documentation within the Hanford Site Manhattan Project and Cold War Era Historic District Treatment Plan (Marceau 1998) before any deactivation, decontamination, or decommissioning activities. The purpose of the assessment is to locate and identify any artifacts (e.g., equipment, control panels, signs, models) that may have interpretive or educational value as exhibits within local, state, or national museums. Interior assessments of buildings determined to be contributing properties within the historic district, but not selected as representatives of a building type or period of construction, will be conducted as funding allows.

## **5.6 PROTECTION PROCEDURES**

The foundation for the DOE Hanford Cultural and Historic Resources Protection Program is a long-term monitoring of site conditions task, an analysis task, and a solution task. The protection procedures covers all three cultural and historic resource landscapes, in addition to current Native American traditional use

areas that are in common use today (such as location of educational and religious significance). This protection plan covers Hanford's prehistoric and historic archaeological properties. The Plan also covers a small number of surviving pre-1943 architectural remnants of historic Euro-American presence, and historic resources that came into being after 1943 because of the U.S. government's establishment of Hanford. The Plan covers all resources (as defined above) within the DOE-managed portions of the Hanford Site.

### **Program Goals**

DOE's goals for Hanford's cultural and historic resources are as follows:

- Protect these resources from avoidable degradation
- Mitigate avoidable threats
- Ensure compliance with all applicable and historic resource laws and implementing regulations
- Provide important documents and records to Project Records Operations
- Annually report the activities, findings, and achievement of the above goals in a publicly available format.

### **Selection of Sites for Monitoring**

The following criteria are used in establishing the locations to be monitored each year:

- Archaeological sites that are eligible for listing or are listed in the National Register will be considered for inclusion in the quantitative monitoring program.
- Archaeological sites that are known to be losing archaeological features or deposits will be high-priority candidates for inclusion in the quantitative monitoring program.
- Archaeological sites that have a high potential for increased exposure and visibility because of fluctuating river levels will be high priority candidates for inclusion in the quantitative monitoring program.
- Sites representing specific tribal concerns will be kept high priority candidates for the monitoring program or could be monitored by the tribe itself as part of a Tribal Monitoring Program.
- Archaeological sites located in areas of potential erosion shall be monitored to prepare for site stabilization when loss is anticipated—before loss is observed.
- Known Native American cemeteries and burials shall not be included in the quantitative monitoring program unless concurrence is received from the Wanapum and all other tribal points of contact have been consulted.

## **Existing Documentation**

Program staff shall prepare a folder containing all known, available information about locations to be monitored. Such information may include, but not be limited to historic maps, photographs, worksheets, and graphs. Copies of this information should be taken into the field for use during the monitoring activity.

## **Scheduling**

Qualified staff will schedule quantitative monitoring trips as determined by annual work plans with Native American points of contact.

## **Methodological Approach**

1. All archaeological sites in the quantitative monitoring program will be mapped or otherwise recorded from a permanent datum. Baseline conditions may be established using high-resolution topographic mapping with a total station. Subsequent maps shall be created of the archaeological site according to selected mapping intervals not to exceed a 5-year interval for comparative purposes.

**Note:** Priorities for total station mapping shall be established for all archaeological sites in the quantitative monitoring program. All archaeological sites selected for data recovery activities (driven by loss due to erosion or other adverse impacts) will be high priority for total station mapping whether or not they are included in the quantitative monitoring program.

2. Archaeological site monitoring forms (see Appendix B) shall be completed to establish a historic record of qualitative and quantitative change at site included in the monitoring program. Site locations, features, or artifacts shall be recorded using a geographic positioning system.

**Note:** All program staff shall complete all fields on monitoring forms to ensure quantitative consistency in data collection through time.

3. Photographs (minimally 3 by 5-inch black and white photographs) shall be taken to create an objective basis for documenting change at the site. A semi-permanent datum (plotted on the site map) shall be used for photograph positions during each monitoring visit. Photograph orientations are to be recorded on the monitoring form.

**Note:** At a minimum, all program staff shall take black and white photographs at each photo point indicated on the site map. Other technologies may also be used as necessary to document the visual record of each site.

4. Other monitoring methodologies such as video cameras may be used as appropriate or as they are available.

## **Monitoring Logistics**

Monitoring trips are best suited to the spring (less vegetation and longer daylight hours) and the fall (lower river levels, good natural lighting, and potentially less vegetation coverage). Field crews shall be led by a qualified cultural resource professional. Tribal monitoring crews will be selected by the tribe(s) conducting the monitoring trip.

## **Trip Reports**

Trip reports shall be prepared following each monitoring trip. Each report shall summarize the archaeological sites visited, names of trip participants, changes that may have been encountered at each archaeological site monitored, and any unexpected actions that were taken during the monitoring trip. A copy of the trip report shall be placed in monitoring files. A brief summary shall be e-mailed to the DOE-RL Hanford Cultural and Historic Resources Program Manager. A summary monitoring report shall be completed annually.

## **Quantification**

Once aware of a problem, program staff quantify the extent of the damage and/or the expected future threats. This step is central to understanding the importance of the finding in the context of time and all other Hanford resource holdings. The quantification step makes it possible to prioritize multiple impacts and to communicate the extent of the impact to diverse audiences. It is the responsibility of staff performing an Impact Mitigation operation to complete the following:

- Document the pattern of damage and/or threat
- Create a conceptual model that explains the damage or threat
- Identify the importance of the cultural and historic resources damaged or threatened
- Quantify the extent of existing damage
- Quantitatively predict the extent of potential future threats
- File work products in the records.

Management of cultural resources on Hanford requires knowledge about the condition of the resources (i.e., what damages the resources have sustained and the threat of further damage in the future). Measures of damage and threat to the resources will help site managers and decision makers decide where limited cultural resources funds would be best spent to protect and preserve Hanford's cultural resources. Following is an assessment of cultural resources at Hanford completed by the HCRL. Each year, these assessments will be updated with the current year's data gathered from site monitoring, construction monitoring, and Section 110 survey projects. As these assessments are adjusted, they should become further representative of the state of cultural resources on the Hanford Site.

## **Special Protection Management Units**

To reflect the variety of cultural resources found in areas of the Hanford Site, the land was divided up into focus areas called Special Protection Management Units (SPMUs). These units are based on existing National Register archaeological districts, landforms, or logical areas of similar cultural resources. Each SPMU is analyzed by program staff to produce a final score that would be compared to other SPMU scores to determine relative damage and threats to cultural resources.

Each SPMU is analyzed by researching erosion, looting/ARPA violations, and recreational use. Researchers looked at each archaeological site within an SPMU to count the number of incidents of erosion, looting/ARPA violations, and recreational impacts to sites through time. Thus, if a particular site was monitored six times within the past 30 years, of which three monitoring visits reported recreational impacts, then three counts of recreational impacts would be ascribed to the SPMU in which the site lay. After all sites within a SPMU are counted, the totals of each category are listed on a SPMU form.

In addition to reporting the location of each SPMU, the SPMU form lists all sites within the SPMU area, impacts reported in the area, and management recommendations for the SPMU. Also, rivershore erosion monitoring data, historic photographs, and previous reports on area projects were consulted for data. Based on the data, researchers assigned a rank from 1 to 4 to describe the level of previous damage to cultural resources within the SPMU. Another rank was assigned to describe the level of perceived threat to cultural resources within the SPMU. These two ranks are incorporated on a summary table of all SPMUs to compare damage and future threat levels.

See Section 3.4.7 for descriptions of accomplishments to date in this area.

## **Mitigation Options**

After quantifying the damage or threat, it is possible for program staff to determine the options available for mitigation. Mitigation techniques may be highly focused, such as fencing a threatened site, or they may be more diffuse, such as a general education program. In addition, mitigation options can also involve tribes and interested stakeholders. Other organizations (e.g., the Benton County Sheriff) may be contracted to patrol for looters to prevent them from gaining access to Hanford via the river. The “Impact Mitigation” operational phase has the responsibility to do the following:

- Using the quantification report, find options for mitigating the damage
- Using the quantification report, find options for eliminating the threats
- File reports containing findings with the “Project Records” Operations.

All SPMU forms contain a section that lists “Actions Desired to Mitigate Current Impacts.”

## **Decisions**

The DOE-RL Hanford Cultural and Historic Resources Program Manager has the responsibility to form consensus and issue decisions on those impacts and/or threats selected for mitigation.

## Implementation

Continued funding is central to the execution of a resource mitigation plan. Further, for the mitigation plan to be performed, a specific organization must be held responsible for implementation of the mitigation plan. The organization assigned the task of implementing the mitigation plan may be a DOE division, a DOE contractor, or a non-DOE entity—such as a Native American organization. As the Natural Resource Trustee of Hanford, the primary responsibility for funding a mitigation operation lies with DOE. However, the program may also request funds from other sources.

The program manager may decide to assign the implementation of the mitigation plan to DOE's infrastructure organizations with its funding derived from normal infrastructure budgets. Mitigation may also be reassigned to the project, in which case the project will need additional funding to cover costs of mitigation. Independent organizations (e.g., tribes, universities, other federal agencies, state agencies) may also perform the mitigation, in which case, the funding may derive from its own budget, from DOE, from special sources, or any combination thereof.

## 5.7 TREATY RIGHTS

The DOE American Indian and Alaska Native Tribal Government Policy states among other things that, “The Department shall: Consult with Tribal governments to assure that Tribal rights and concerns are considered prior to DOE taking actions, making decisions, or implementing programs that may affect Tribes.”

In recognition of this government-to-government relationship, DOE-RL interacts and consults directly with three federally recognized tribes affected by Hanford operations. The Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribe of the Colville Reservation and the Yakama Nation all have important rights recognized and guaranteed in the Treaties of 1855. In addition, the Wanapum who still live adjacent to the Site, are a non-federally recognized tribe who have strong cultural ties to the Site and are consulted on cultural resource issues in accordance with DOE-RL policy and relevant legislation.

The DOE-RL established the Indian Nations Program in 1991 to help facilitate appropriate government-to-government interactions on the many issues potentially affecting tribal interests at Hanford. The mission and goals of the Indian Nations Program are found below.

The following are goals of the DOE-RL Indian Nations Program:

- Tribal staffs are regularly consulted at the earliest opportunity for recommendations and advice on DOE activities potentially affecting tribal rights and interests.
- The Yakama Nation, the Confederated Tribes of the Umatilla Indian Reservation, the Nez Perce Tribe, the Confederated Tribes of Colville Reservation, and the Wanapum work with the DOE to manage the cultural resources at the Hanford Site.
- Interactions among DOE, contractor, and tribal staffs occur in a collegial atmosphere.

- Tribal people routinely access portions of the Site for traditional religious practices including the gathering of foods and medicines.
- The DOE and the tribes view the interactions between the DOE-RL and individual tribes as an appropriate government-to-government relationship.

Staff position assigned responsibility for implementing the American Indian Religious Freedom Act (AIRFA) procedures: Kevin Clarke, DOE-RL Indian Nations Program Manager.

In addition to the American Indian Policy, laws such as the AIRFA, ARPA, National Historic Preservation Act, NAGPRA, and Executive Order 13007 (Indian Sacred Sites) require consultation with tribal governments and/or religious leaders. The combination of the Treaties of 1855, federal policy, laws, and regulations provide the basis for tribal participation in Hanford plans and activities.

The DOE-RL established the Indian Nations Program in 1991 to help facilitate appropriate government-to-government interactions on the many issues potentially affecting tribal interests at Hanford.

See Section 5.3 (AIRFA Procedures) for more information on DOE-RL's Indian Nations Program.

Staff position assigned responsibility for coordinating response to issues and implementation of the American Indian and Alaska Native Tribal Government Treaty Rights: Kevin Clarke, DOE-RL Indian Nations Program Manager.

## **5.8 CRM ADMINISTRATION**

Cultural resource management (CRM) at the Hanford Sites is administered by the DOE-RL Hanford Cultural and Historic Resources Program. The program manages the fieldwork, reporting, data interpretation, mitigation and remediation design, curation, and interface of activities for DOE-RL's Hanford Cultural and Historic Resources Program and work covered by this management plan. The program also operates an archaeological laboratory, which includes curated collections, curated records, and specimen preparation facilities.

Staff position assigned responsibility for the Cultural and Historic Resources program is Annabelle Rodriguez.

### **5.8.1 Staffing and Contracting**

The DOE-RL Cultural and Historic Resources Program Manager oversees all staff performing activities related to cultural and historic resources at Hanford. To perform the required activities, staff require expertise in cultural resource regulatory analysis, tribal and stakeholder involvement, archaeology, anthropology, ethnography, history and architectural history. The staff who provide this expertise are identified in Appendix D.

Since 1993, the DOE-RL Cultural and Historic Resources Program has made a concerted effort to increase the direct participation of Native Americans in the Program. A tribal staff member has worked part-time for the program since 1995. In 2002, a Native American was hired to serve as Program Manager. Efforts to coordinate activities with local tribes have also increased over the past few years.

The DOE-RL Cultural and Historic Resources Program has made use of subcontractors in the past when work required exceeded available staffing. Currently, the only subcontracts in place are with Wanapum elders to assist in documenting traditional cultural properties and occasionally tribal technicians to assist in fieldwork.

Resumes of current contractor staff are provided in Appendix D.

### **5.8.2 Training**

The DOE-RL Cultural and Historic Resources Program provides for training staff when significant changes in regulation occur or when staff are assigned responsibilities for which they have limited training or expertise. Most training related to National Historic Preservation Act Section 106 and National Environmental Policy Act assessments.

### **5.8.3 Permitting**

See Section 5.1.1, Initiation of Compliance Procedures for Undertakings.

### **5.8.4 CRM Facilities**

The primary facility supporting the Hanford Cultural and Historic Resources Program is the cultural resources laboratory, where records and archaeological collections are housed. The program also makes use of storage facilities to house artifacts related to the Manhattan Project and Cold War resources at Hanford. Finally, the program shares laboratory space with Washington State University – Tri-Cities to process artifacts from archaeological excavations.

### **5.8.5 Curation**

See Section 5.5 (36 CFR Part 79, Compliance Procedures).

### **5.8.6 Quality Assurance**

Quality assurance is ensured by the development of procedures to guide program activities. Example procedures are provided in Appendix C.

**5.8.7 Consultation on Administration**

Consultation occurs as necessary either through regular meetings or specially requested meetings.