

3.15 Historic and Cultural Resources

This section summarizes the *Archaeological Review and Inventory of the City Heights Development Project, Cle Elum, Kittitas County, Washington* (Reiss-Landreau, August 14, 2009). This report was reviewed and accepted by the Yakama Nation Tribal Archaeologist (David Powell), and by the Washington State Department of Archaeology and Historic Preservation Local Government Archaeologist (Gretchen Kaehler) prior to the information being used to prepare this section of the Environmental Impact Statement. No cultural resources were identified during the course of this survey. Therefore, the cultural resources consultant recommends a finding of No Impact for the purposes of this proposed development.

AFFECTED ENVIRONMENT

To evaluate the potential for traces of past settlement, Reiss-Landreau Research (RLR) prepared a field survey in conjunction with localized site research. Visual reconnaissance and limited shovel test probes were performed between June 23 and June 29, 2009 in areas of the City Heights site proposed for the development of residential lots, roadways and utilities. Areas greater than 15 percent slope (approximately 235 acres or more of the site) were generally considered to have low probability for cultural sites. Inventory methods are described in the *Archaeological Review and Inventory of the City Heights Development Project, Cle Elum, Kittitas County, Washington* (Reiss-Landreau, August 14, 2009).

Conceptual land use plans for the proposed City Heights development show use of nearly all of the flatter terraces on the site; therefore, Reiss-Landreau developed a sampling strategy for 100 percent of the areas with lower slopes, and gradually less at greater slopes.

Two historic features were encountered and noted in the field as part of the City Heights inventory. Both of these features are coal slag pile complexes that relate to the historic mining industry once predominant in the Cle Elum-Roslyn area. At the western end of the City Heights site (Area A) are coal slag piles left by the NWI No. 5 mine that operated until 1947, and later strip mining activities (1944–1960s). At the center of the site (Area D2), previously-recorded site 45KT1960 was encountered, and is considered potentially eligible as contributory to the No. 7 mine well north of the City Heights property. Neither of these features has any built infrastructure. Reiss-Landreau Research recorded site forms for these areas with the Washington State Department of Archeology and Historic Preservation, noting that as individual features they are disturbed and may lack the requisite site integrity for listing.

Preliminary research conducted by Reiss-Landreau at the State of Washington Archaeological Archives in Olympia revealed eighteen recorded archaeological sites and four heritage register sites within one mile of the City Heights property. Most of the recorded sites in the area are historic in nature, and relate to development of the City of Cle Elum or the former coal mining infrastructure. These are described in the *Archaeological Review and Inventory of the City Heights Development Project, Cle Elum, Kittitas County, Washington* (Reiss-Landreau, August 14, 2009). Several historic dwellings of National Significance within the City of Cle Elum would not be affected by the project, and therefore are not described here.

POTENTIAL IMPACTS DURING CONSTRUCTION

Conceptual land use plans for Alternative 1, 2, or 3A show development proposed in Areas A and D2 where the historic coal slag features were noted (see Figures 2.6-1 through 2.6-4 in Draft EIS Chapter 2). It is unlikely that important information could be derived from the slag; therefore, construction effects on this mining debris cannot be considered detrimental to this resource (Reiss-Landreau, August 14, 2009).

Potential exists for buried or otherwise hidden cultural features to be encountered during the course of construction.

Under the No Action Alternative, there would be no change to current effects on the coal slag piles, which presently include informal use of these area by all-terrain vehicles (ATVs).

POTENTIAL DEVELOPED-CONDITION IMPACTS

Following site development under any conceptual land use alternative, no significant ground-disturbing activities would be anticipated.

MITIGATION MEASURES

Mitigation Measures Included in the Development Proposal. If at any time during project development human or unknown bones are uncovered, or deeply buried cultural deposits are encountered, work would be stopped in this area of the site and a professional archaeologist would be contacted to evaluate these findings.

Applicable Regulations. The possibility exists that the coal slag piles in Areas A and D2 of the City Heights site may be eligible for nomination to the Cle Elum register of historic places under the criteria of the City's Historic Preservation Ordinance (Cle Elum Municipal Code, Chapter 15.22, Section 15.22.050[A]).

If any archaeological resources are discovered or suspected during the course of site development, State of Washington procedures for inadvertent discovery would be followed. Procedures for the inadvertent discovery of archaeological material are as follows:

1. The project proponent (Northland Resources) and the Washington State Department of Archaeology and Historic Preservation (DAHP) will be contacted and work in that area will stop.
2. The archaeologist will contact the project proponent and the City of Cle Elum.
 - a. Upon notification from the project archaeologist of discovery of potential archaeological deposits, the archaeologist will contact the consulting parties by telephone.
 - b. DAHP and the Yakama Nation will be given the opportunity to view the artifacts within 48 hours after the discovery or at the earliest possible time thereafter. The discovery will be kept confidential. After halting construction, securing the site, and notifying the contractor, the archaeologist will conduct a brief in-field evaluation. The purpose of the evaluation will be to determine whether the discovered resources have potential to answer research questions.
 - c. Evaluation protocols will be followed.
 - d. If parties agree that the artifacts are not significant, the archaeologist will ask the construction representatives to resume construction.
 - e. If parties agree that the artifacts are significant, the City of Cle Elum or the Washington State DAHP will issue a stop-work order until further notice for all construction work in the area defined as a significant site.

Guidelines for the discovery of human remains are as follows:

1. All persons who know of the existence and location of human remains must, by law, notify the County Coroner and local law enforcement. This must be done in the most expeditious manner possible (RCW 27.44; 68.50; 68.60).
2. Any person engaging in ground-disturbing activity that encounters skeletal human remains must cease all activity that may cause further disturbance to the remains, make a reasonable effort to protect the area from further disturbance, report the presence and location of those remains to the Coroner and local law enforcement (RCW 27.44; 68.50; 68.60). The remains should not be touched, moved, or further disturbed.
3. The County Coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic (RCW 27.44; 68.50; 68.60).
4. If the County Coroner determines the remains are non-forensic, then the Department of Archaeology and Historic Preservation will take jurisdiction over the remains (RCW 27.44; 68.50; 68.60).
5. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to the affected parties (RCW 27.44, 68.50; 68.60).
6. DAHP will handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains if there is no Federal agency involved.

Other Recommended Mitigation Measures. The cultural resources consultant (RLR) recommends, for consideration by City of Cle Elum decision makers, that construction disturbance in Areas A and D2 of the City Heights site be avoided until such time as a potential historic mining district can be documented and recorded (if requested by the Washington State Department of Archaeology and Historic Preservation). The City Heights site does not encompass the entire historical mining district; rather, it lies between two areas of mining activity that occurred further up the slope and beneath downtown Cle Elum.

SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

With the understanding that State of Washington procedures for inadvertent discovery would be followed in the event that unanticipated human remains or suspected archaeological materials were encountered during ground-disturbing activities on the site, no significant unavoidable adverse impacts to cultural resources are anticipated as a result of the project.

If the coal slag piles in Areas A and D2 of the City Heights site are avoided until mitigated, there would be no direct effects to historic resources on the site as a result of the proposed development (Reiss-Landreau, August 14, 2009). Mitigation in this case would consist of the next level of recordation with the Washington Department of Archaeology and Historic Preservation (personal communication with Chris Landreau, Cultural Resources Consultant, Reiss-Landreau Research, September 28, 2009).

