

**APPENDIX 12-B: UNANTICIPATED DISCOVERY PLAN FOR
CULTURAL RESOURCES**

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Attachment

Unanticipated Discovery Plan for Cultural Resources at the Tesoro Clean Products Upgrade Project, Anacortes, Washington

The proposed Clean Products Upgrade Project (CPUP) is located on within Tesoro Anacortes Refinery on March Point, part of Fidalgo Island, in unincorporated Skagit County, Washington. It is in Sections 21, 28 and 33, Township (T) 35 North (N), Range (R) 2 East (E) (Figure 1). Elevation ranges between 20 and 60 feet above sea level at the two parcels. The City of Anacortes, also part of Fidalgo Island, is about 2.8 miles northwest of the CPU Project. Fidalgo Bay separates March Point from Anacortes on the west, while Padilla Bay separates March Point from the mainland on the east.

March Point is a high probability area for archaeological sites. Previous archaeological surveys of the area conducted in 2011 (Sharpe and McClintock) did not identify any indications of surface archaeological sites. The proposal to construct new tanks will require construction excavation that penetrates beyond known fill depths. Deep subsurface archaeological monitored backhoe tests that penetrated fill depths (Sheldon and McClintock 2016) also did not detect indications of archaeological deposits. Although the area has been thoroughly investigated for the possibility of buried archaeological deposits, it is still possible that undetected deposits could be present. This Inadvertent Discovery Plan (IDP) provides guidance in the event of such a discovery during construction.

Protocol for Coordination in the Event of Inadvertent Discovery

In the event of an inadvertent discovery of possible cultural materials, including human remains, the following steps will be taken:

- All work will stop immediately in the vicinity of the find. A 30-meter buffer will be placed around the discovery. Work may proceed outside of this buffered area unless additional cultural materials are encountered.
- The area will be secured and protected.
- The project manager/land manager will be notified. The project/land manager will notify the Washington Department of Archaeology and Historic Preservation (DAHP) within 48 hours of the discovery in accordance with 36 CFR 800.13(3) of the National Historic Preservation Act. If possible human remains are encountered, the Skagit County Sheriff, the county medical examiner, and DAHP should be notified. Do not disturb them potential human remains 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 on a course of action.
- No work may resume until consultation with DAHP has occurred and a professional archaeologist is able to assess the discovery and an appropriate course of action has been determined.
- Archaeological excavations may be required. This is handled on a case-by-case basis by the professional archaeologist and project manager, in consultation with DAHP and appropriate Tribes.

When to Stop Work

Construction work may uncover previously unidentified Native American or Euro-American artifacts. This may occur for a variety of reasons, but may be associated with deeply buried cultural material,

access restrictions during project development, or impervious surfaces located throughout most of the project area that would have prevented standard archaeological site discovery methods.

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

- Native American artifacts may include (but are not limited to):
 - Flaked stone tools (for example, arrowheads and knives scrapers)
 - Waste flakes that resulted from the construction of flaked stone tools
 - 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
 - Human remains
 - Structural remains- wooden beams, post holes, fish weirs
- Euro-American artifacts may include (but are not limited to):
 - Glass (for example, from bottles, vessels, or windows)
 - Ceramic (for example, from dinnerware or vessels)
 - Metal (for example, nails, drink/food cans, tobacco tins, industrial parts)
 - Building materials (for example, bricks, shingles)
 - Building remains (for example, foundations, architectural components)
 - Old wooden posts, pilings, or planks (these may be encountered above or below water)
 - Remains of ships or seagoing vessels, marine hardware, etc.
 - Old farm equipment that might indicate historic resources in the area
 - Even what looks to be old garbage could very well be an important archaeological resource

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 DAHP and the Tribes.
- After an inadvertent discovery, some areas may be specified for close monitoring or 'no work' zones.
- Any such areas will be identified by the professional archaeologist to the Project Manager and appropriate Contractor personnel.
- In coordination with the DAHP, the Project Manager will verify these identified areas and be sure that the areas are clearly demarcated in the field, as needed.

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