



February 26, 2014

Ms. Lisa Wood  
SEPA/NEPA Coordinator  
WDFW  
600 Capitol Way North  
Olympia, WA 98501-1091

In future correspondence please refer to:  
Log: 022614-32-AS  
Property: DNS 14-010: Cache Creek and 4-0 Ranch Fences  
**Re: Archaeology - Survey Requested**

Dear Ms. Wood:

We have reviewed the materials forwarded to our office for the proposed project referenced above. The area has a high potential for archaeological resources. The Ranch Creek Fences project alignment was surveyed in 2013. We request an archaeological survey of the Cache Creek Fence alignment also be surveyed.

Please be aware that archaeological sites are protected from knowing disturbance on both public and private lands in Washington States. Both RCW 27.44 and RCW 27.53.060 require that a person obtain a permit from our Department before excavating, removing, or altering Native American human remains or archaeological resources in Washington. Failure to obtain a permit is punishable by civil fines and other penalties under RCW 27.53.095, and by criminal prosecution under RCW 27.53.090.

Chapter 27.53.095 RCW allows the Department of Archaeology and Historic Preservation to issue civil penalties for the violation of this statute in an amount up to five thousand dollars, in addition to site restoration costs and investigative costs. Also, these remedies do not prevent concerned tribes from undertaking civil action in state or federal court, or law enforcement agencies from undertaking criminal investigation or prosecution. Chapter 27.44.050 RCW allows the affected Indian Tribe to undertake civil action apart from any criminal prosecution if burials are disturbed.

Therefore we request a professional archaeological survey of the project area be conducted prior to ground disturbing activities. We also recommend consultation with the concerned Tribes' cultural committees and staff regarding cultural resource issues.

If any federal funds or permits are involved Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36CFR800, must be followed. This is a separate process from SEPA and requires formal government-to-government consultation with the affected Tribes and this agency. We would appreciate receiving any correspondence or comments from concerned tribes or other parties concerning cultural resource issues that you receive.



These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer. Should additional information become available, our assessment may be revised.

Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Should you have any questions, please feel free to contact me at (360) 586-3088 or [Gretchen.Kaehler@dahp.wa.gov](mailto:Gretchen.Kaehler@dahp.wa.gov).

Sincerely,



Gretchen Kaehler  
Local Governments Archaeologist  
(360) 586-3088  
[gretchen.kaehler@dahp.wa.gov](mailto:gretchen.kaehler@dahp.wa.gov)

cc. Pat Baird, THPO, Nez Perce Tribe