

## **Stewart Indian School National Register of Historic Places District Cultural Resources Monitoring and Unanticipated Discovery Plan (Plan)**

Archaeological monitoring of ground-disturbing activities will be conducted in accordance with the following Plan. Participants in this Plan may include, but are not limited to:

- The Nevada Indian Commission (NIC).
- The Nevada State Public Works Division (SPWD).
- The Nevada Buildings and Grounds (B&G).
- The Stewart Indian School Cultural Center & Museum (Cultural Center).
- The project's construction management firms.
- The Nevada State Historic Preservation Office (SHPO).

**NOTE:** To allow for clear communication amongst all participants, it is a recommended practice to designate a Point of Contact (POC) from the parties above to receive and transmit all cultural resources-related communications during any trenching or excavation project.

### **A. Worker Environmental Awareness Training**

The Project Sponsor (B&G and/or SPWD) shall ensure that all persons working in the field are provided with archaeological and cultural resource awareness training provided by one of the parties above or the Project Sponsor's archaeological consultants and that subsequent hires will be required to be trained prior to operating in the field. Training can be in association with the respective construction management firm's safety and/or related job training and project orientation.

### **B. Designation of a Cultural Resources Specialist (CRS)**

The Project Sponsor will identify and contract with a CRS, if previously recommended by the SHPO, at least one month prior to the start of any project-related ground disturbance. The CRS will possess training and background conforming to the Secretary of Interior's Professional Qualifications Standards, as published 36 CFR Part 61. In addition, the CRS shall have the following qualifications:

1. The CRS's qualifications shall be appropriate to the needs of the resources and shall include a background in anthropology, archaeology, history, architectural history, or a related field; and
2. At least three years of archaeological or historic, as appropriate, resources mitigation and field experience in Nevada; and
3. At least one year of experience in a decision-making capacity on cultural resources projects in Nevada and the appropriate training and experience to knowledgeably make recommendations regarding the significance of cultural resources.

### C. Construction Monitoring and Reporting

For the purposes of this plan, archaeological construction monitoring is defined as on-the-ground, close-up observation of construction related ground disturbance by a CRS who is empowered in a discovery situation to halt all activities in the immediate vicinity of the discovery with a buffer of thirty (30) feet to ensure protection of the discovery.

The CRS will report directly to the Project Sponsor daily. The CRS will be responsible for:

1. Watching for any kind of archaeological remains that are exposed during ground-disturbing construction activities.
2. Defining and identifying any discovered cultural or archaeological find.
3. Halting all construction in the vicinity of a find to evaluate the discovery.
4. The determination as to whether any newly discovered cultural materials can be treated as significant (see Section E below).
5. Ensuring that they are equipped with basic archaeological field equipment necessary to record and map discovered sites and photograph the finds. A full suite of field gear needed to recover cultural materials will be brought on site as required. If necessary, the CRS will arrange with the construction superintendent's field office to cache frequently needed gear or supplies.
6. Determinations of the number of monitors needed, taking into account such factors as number of active ground-disturbing work areas, archaeological sensitivity, and proximity to known resources.
7. The preparation and distribution of a brief weekly monitoring and compliance report to the Project Sponsor, the NIC, the Cultural Center Curator, and the SHPO in an electronic format.

A representative for the lead construction company will be designated prior to construction and will be responsible for providing a weekly construction schedule detailing the next week's planned activities to the project engineering firm for the purpose of scheduling the CRS and Native American monitors as needed (Section H). The construction schedule will describe work locations, depths of anticipated excavations, and estimated duration of construction activities. Recognizing that construction can be dynamic, notification of any need for a CRS will be provided to the project-engineering firm no less than 48 hours prior to the commencement of construction.

### D. Discoveries of Materials Less Than 30 Years of Age

All the materials listed below are less than 30 years of age and, unless of exceptional significance as determined by the CRS, are considered not significant and do not merit recordation or mitigation if discovered during monitoring or construction. If there is any doubt regarding the age of an historic period find, the CRS will discuss this with the SHPO when giving notice of the find. The following materials will not be recorded:

1. Plastic products limited to Styrofoam® and other foamed polystyrene products, Velcro®, Teflon®-coated cookware, polyvinylchloride (PVC) pipe, high-density polyethylene, polypropylene, polyimide, thermoplastic polyester, linear low-density polyethylene, liquid crystal polymers, and products marked with resin codes.
2. Cans made from aluminum or bi-metal, or those with pull-tab or push-tab (metal or plastic) openings.
3. Aluminum foil containers.
4. Synthetic tires and car parts unless determined to be over 30 years in age or found in association with resources over 30 years in age.
5. Modern electronics (CD players, VCRs, electronic appliances, personal electronics, computers, printers).
6. Compact disks, floppy computer disks, magnetic tape media.
7. Unidentifiable metal fragments not found in association with other historic materials.
8. Rubberized metal.
9. Clothing or shoes made of plastic or synthetic materials unless determined to be over 30 years in age or found in association with resources over 30 years in age.

CRSs shall have sufficient familiarity with historic-era resources prior to monitoring at the project location to differentiate materials that are more than 30 years of age from more recent materials.

#### E. Discoveries of Materials 30 Years of Age or Older

The CRS shall ensure that all cultural resources more than 30 years in age will be recorded on appropriate forms, mapped, and photographed.

Previously undiscovered cultural resources more than 30 years in age in categories Section E.2 and Section E.3 below will be treated as categorically not significant for the purposes of this Plan and will be documented in the manner described in Section E.1 below. Cultural resources not included in categories Section E.2 or Section E.3 will be evaluated for their significance. Any deposits containing human remains will not be treated using the process outlined in Section E.1.

1. Mitigation for discoveries treated as significant for the purposes of the Plan:
  - a. The CRS shall halt construction in the immediate vicinity of the discovery with a buffer of 30 feet to ensure protection of the discovery.
  - b. The CRS shall record the discovery on the Nevada Intermountain Antiquities Computer System (IMACS) form. The form shall identify the category (from Sections E.2 and E.3) for each discovery.

- c. The CRS shall ensure that each form is accompanied by a location map and photographs of the discovery.
  - d. The CRS shall not collect artifacts found in discoveries described in Section E.2 and Section E.3.
  - e. The CRS shall notify the Project Sponsor and the Construction Manager that construction may resume.
  - f. The CRS shall submit the required IMACS form for each individual discovery as an attachment to the next Cultural Resources Weekly Compliance Report.
2. The following classes of pre-contact archaeological resources shall be treated as possibly significant for the purposes of the Plan:
- a. Small, sparse (less than three pieces per square meter) lithic scatters lacking diagnostic tools.
  - b. Sparse occurrences of fragments of fire-affected rock weighing less than 15 grams (less than three pieces per square meter, with no other cultural constituents within 1 square meter).
  - c. Small clusters (less than 0.5-meter x 0.5 meter in horizontal extent) of unidentifiable, unworked, and not fire-affected shell or bone (whole or fragmented) not in association with artifacts or other cultural materials.
  - d. Isolated (not found within 30 meters of other artifacts) pre-contact artifacts.
3. The following classes of historic archaeological resources shall be treated as possibly significant for the purposes of the Plan:
- a. Roadside disposal of debris or refuse.
  - b. Unmodified bovine, or other domesticated animal bone.
  - c. Small, isolated artifact concentrations (fewer than five artifacts or the fragments of one object) with no subsurface deposit.
  - d. Deposits of concrete, brick or other building materials are not *in situ*.
  - e. Metal, concrete or ceramic pipes, conduits, or culverts not *in situ*.
  - f. Isolated (not found within 30 feet of other artifacts) historic artifacts.

#### F. Unanticipated Discoveries Requiring Evaluation

If construction activities reveal previously unidentified cultural resources that are not described in the categories found in Sections E-2 and E-3, the following procedures shall be implemented:

- 1. The CRS and the Construction Manager shall ensure that all ground-disturbing construction activity will cease within a 30-foot radius around the entirety of the discovery.
- 2. The CRS, Construction Manager, or Project Sponsor shall ensure that the discovery is adequately fenced or flagged and that remains protected until a Notice to Proceed is issued by the SHPO, the NIC, and Cultural Center.

3. The CRS shall notify the SHPO POC and Cultural Center Curator no later than 24 hours following the time of discovery.
4. The CRS will initiate an evaluation of the discovery and within 24 hours the CRS shall provide a significance recommendation for the discovery to the SHPO POC and the Cultural Center Curator. This evaluation will include a site record and a summary report of the testing operations.
  - a. Evaluations of cultural resources will be made, if possible, from the data collected during monitoring or auger probing. All found items to be evaluated will be examined in the Cultural Center's classroom unless a larger site is necessary. Items will remain on the Stewart Indian School campus while being examined and evaluated. If additional information is needed to evaluate the significance of a discovery, limited testing by hand excavation units (0.5 x 0.5-meter, 1 x 1 meter) will be conducted until sufficient information is collected to allow for a significance evaluation.
  - b. All testing operations will cease upon collection of sufficient data to allow for a significance evaluation.
5. The SHPO and Cultural Center shall have seven (7) working days from receipt to comment on the CRS' recommendation of significance for the discovery.
6. If the SHPO determines that a discovery is not significant, the SHPO will provide the Project Sponsor and CRS with a written determination that construction activities may proceed within the discovery and avoidance area, as defined in Section F.1, within two (2) working days.
7. If the SHPO determines that a discovery is a significant resource and cannot be permanently avoided by project redesign, the SHPO will provide the Project Sponsor, through its CRS, with guidance on the development of a archaeological data recovery plan that is consistent with the *Secretary of Interior's Standards and Guidelines for Archeology and Historic Preservation* (48 FR 44716-44742, September 23, 1983) (Standards) and that takes into consideration the ACHP's Section 106 Archaeology Guidance (2009; available online at [www.achp.gov/archguide](http://www.achp.gov/archguide)), and any other applicable guidelines or standards.
8. The SHPO will review and comment on any or all draft archaeological data recovery plans within 15 calendar days of receipt.
9. The CRS shall revise any or all the draft archaeological data recovery plans to address the SHPO's comments within ten (10) calendar days of their receipt of those comments.
10. Upon SHPO approval of a final archaeological data recovery plan, the SHPO shall authorize the Project Sponsor, through the CRS, to initiate any or all of reviewed and finalized data recovery plans. Found items determined to be significant will be deposited at the Cultural Center with a copy of the final CRS report.

## I. Human Remains

Human remains may be discovered during project construction or during archaeological excavations. Human remains and associated grave goods will be handled according to provisions of the appropriate state statutes with guidance provided by the SHPO.

1. If human remains are discovered, the CRS and/or the Construction Manager and/or the Project Sponsor shall halt all construction activity within 15 meters of the discovery. No further activity will take place within this buffered area until the Project Sponsor receives written notice to proceed from the SHPO.
2. The CRS will immediately notify the SHPO, the Capitol Police, NIC, and Cultural Center by telephone followed by written notification of the discovery. The Project Sponsor or the Construction Manager will provide 24-hour on-site security, if deemed appropriate. Protection of the buffered area will remain in place until the SHPO has approved appropriate disposition of the human remains and any associated grave goods in accordance with applicable state statutes.
3. The CRS, in coordination with the SHPO and the Capitol Police will assess age, possible ethnic affiliation, and the particular circumstances of interment. Should the remains be identified as Native American, the SHPO, in consultation with NIC and the Cultural Center, shall identify and coordinate with the individual's "most likely descendants" and ensure that the remains are repatriated to the appropriate Tribe(s).