

February 20, 1998

Planning Division (1165-2-26a)

Dr. Robert Whitlam
Department of Community Development
Office of Archaeology and Historic Preservation
420 Gulf Club Road SE, Suite 201
Lacey, Washington 98503

Dear Dr. Whitlam:

This responds to your letter of January 14, 1998, concerning the Walla Walla District's plans to protect archaeological site 45BN495, located at Columbia Park, Kennewick, Washington. I want to reiterate I feel this project is appropriate at this time because observations of our employees indicate this section of riverbank has suffered erosion during the past two years and we believe that under similar river and weather conditions additional erosion will continue. This letter, with its attachments, constitutes the Walla Walla District's submission under Section 106 of the National Historic Preservation Act.

In July 1996, human remains were inadvertently discovered along the shoreline of Columbia Park, located within the Tri-Cities, Washington. A map and aerial photograph of the discovery site are enclosed as Exhibit A. Subsequent to the discovery, a small portion of bone was submitted for carbon 14 testing through the Benton County Coroner's Office. (The coroner's office had custody of the remains at that time.) The results of the testing provided an age of over 9300 years. Upon notification of the age of the human remains, the Walla Walla District assumed custody of the remains and moved forward with their disposition in compliance with the Native American Graves Protection and Repatriation Act. This action was challenged in court and at present the case is under litigation.

Based on the age of the remains, we believe they are a significant archaeological resource. However, the remains themselves were removed from the site the day of discovery and over the next month as a result of periodic inspections at the discovery area by Dr. James Chatters. In addition to the remains, other cultural material is located along the shoreline in the same area, some of which Dr. Chatters collected and which was later analyzed (Exhibit B). Assessment of the shoreline in December 1997 concluded that no significant cultural material is present (Exhibit C).

Beyond the shoreline assessment, no cultural resources investigations have been done on the terrace immediately adjacent to the shoreline where the human remains were found. This is due to both the ongoing litigation and the sensitivity of the area for the Indian Tribes involved

with the ancient remains. The tribes have verbally stated that the discovery area is a burial site and sacred to them. Because of this situation, they have not wanted the area disturbed. Presently, there is insufficient data available to assess the terrace area.

Since the discovery of the ancient remains, a significant amount of erosion to the riverbank has occurred. To avoid further loss to 45BN495, we are proposing a protection project. Our bank protection plan has been carefully developed to minimize disturbance to the area and create a natural appearance that will withstand severe conditions. These actions include: (1) examination of the site by a team of Corps experts (geomorphologist, geologist, archeologist, biologist, and engineer), (2) surveying reference points along the shore to allow return to the original bank cutoff, (3) incorporating bioremedial options, (4) using air transport to move material to avoid imprinting the area, and (5) minimal use of rock. Our examination of the shoreline and bank profiles discovered no significant additional cultural prehistoric or historic properties present in the specific area. It is our belief that if there are significant additional cultural materials in the area, they are located in the terrace portion of the site which is adjacent to, and will benefit from, the planned bank protection project.

We have also reviewed our plans in light of Dr. Briuer's preliminary report as you asked in your letter. It remains our opinion that for the bank protection to be effective, some form of rock armoring is required. The plan selected provides for the unobtrusive use of riprap in sizes that permit protection and the concurrent use of biological cover without distracting from the natural appearance of the shoreline.

It is important to keep in mind that no excavation will take place and boulder sized rock will not be used. The rock that will be used will be sandwiched in between the beach and a layer of dirt and finer grade material as shown on the attached drawing. Please note from the technical specifications for the work (Exhibit D), Dr. Nickens' affidavit (Exhibit C), sketches of earlier proposals determined to be inadequate to withstand the forces of the river and weather (Exhibit E), a copy of three early aerial photographs showing the site before the reservoir pool was raised (Exhibit F), and a copy of a more recent aerial photograph showing the work area (Exhibit G), that careful consideration has been given to protecting the integrity of the site as well as providing physical protection.

There has been some opposition to the site protection plan. I have enclosed two letters received from Dr. Thomas W. Stafford, Jr. of Boulder, Colorado (Exhibit H). I will not refute Dr. Stafford's objections point by point in this letter, but I do want to point out to you that reservoir elevation is one piece of the very complex Columbia River system and that lowering it as Dr. Stafford suggests is not practical. As an example, established migratory bird habitat near Wallula requires full pool elevation for nesting.

This project has not been undertaken in a vacuum. See Exhibit I, a letter from the Colville Tribe, advising me that armoring site 45BN495 was necessary for its protection. Further, a representative of the Colville Tribe, early in our tribal consultation process, expressed the position that rock needed to be used in bank protection. This district held consultations with tribal representatives during September 1997 and on November 13, 1997, at Walla Walla. The bank protection project was one of the topics discussed. Although concerns were expressed about avoiding damage to cultural material, no tribal objections were raised to the project or to our using rock as part of the stabilization effort.

After carefully considering your letter and Dr. Stafford's, we have determined the project will have a "no adverse effect" on historic properties. This is based on the removal of the ancient remains from the site and the professional assessment by recognized experts that remaining identified cultural materials along the shoreline are not significant. We believe the project should substantially improve the protection from natural forces and human curiosity along that edge of the site. We request your concurrence with this finding. Please contact staff archaeologist John Leier at (509) 527-7269 if you have any questions.

Because of increasing administrative difficulties and the uncertainty of river conditions as we get closer to the runoff season, we would appreciate your prompt attention to this request.

Sincerely,

Donald R. Curtis, Jr.
Lieutenant Colonel, Corps of Engineers
District Engineer

Enclosures