



# 8th Annual Cultural Resource Protection Summit

*Collaborative Land Use Planning*

May 20-21, 2015





## **Welcome to the 2015 Cultural Resource Protection Summit!** *Collaborative Land Use Planning*

On behalf of our host, The Suquamish Tribe, our Master of Ceremonies, Dennis Lewarch, and the entire twelve-member Agenda Planning Committee, we would like to welcome you to the 2015 Cultural Resource Protection Summit. This year marks the eighth annual Summit, and we sincerely thank you for participating in this gathering!

Since its inception, the primary goal in organizing the annual Summit has been to facilitate amongst all affected parties an open, frank discussion about the intersection between cultural resources and land use. The Summit is designed to promote collaborative cultural resource planning as an effective means of finding resolution to issues before they escalate into emotionally-charged, divisive, and expensive stalemates or law suits.

This year, the Summit agenda will encourage attendees to examine the challenges of and opportunities for collaboration across professions (careers) and value systems (cultures), as well as real-world examples of how collaboration has supported effective, responsible land use planning. On Day 1, we will focus on land use planning issues, while on Day 2, we will address more advanced Cultural Resource Management (CRM) topics. Both days will include a keynote speaker and two series of shorter panel sessions (“posing problems” in the morning, “seeking solutions” in the afternoon) with plenty of opportunities for group Q&A/discussion throughout the day. So, bring an open, inquisitive mind and your burning questions to the discussion!

We will also continue to examine several questions central to our practice: What are cultural resources, what do they tell us about our shared history, and why should people care? Who are our fellow cultural resource advocates, and how do we establish functional, productive relationships with them? Whose responsibility is it to protect cultural resources, and how do we ensure that we all do our part? Over the next two days, we encourage you to reflect on these issues and how they impact your work.

Based on discussions at past Summits and on input from Summit attendees, we continue to make a concerted effort to include sessions that are timely and of interest. Matika Wilbur returns to open the Summit with an update on her ground-breaking photography project, and the Suquamish Song and Dance Group joins us for an active lesson about living culture. Ample opportunities for informal interaction include the very popular Welcoming Reception at the nearby Clearwater Casino Resort (Day 1 evening).

Finally, we gratefully acknowledge our generous sponsors – a record number! – for their support of the Summit. We truly appreciate their assistance. Please offer them your thanks as you get to know them this week (look for the maroon sponsor ribbons!)

Again, we welcome you and thank you for taking this journey with us! Please let us know if there is anything we can do to make the next two days more enjoyable.

~The Leadership Series Core Planning Committee~  
Mary Rossi and Steve Kinley

# AGENDA

## Day 1 – Wednesday, May 20, 2015

**8:00 AM – Registration / Continental Breakfast / Socialize**

**8:45 - 9:00 AM – Prayer, Welcome, and Facilitated Introductions**

*Master of Ceremonies: Dennis Lewarch, Suquamish Tribe & Summit Agenda Planning Committee*  
*Facilitator: Laura Murphy, Muckleshoot Indian Tribe & Summit Agenda Planning Committee*

**9:00 - 10:00 AM – Opening Keynote Address**

*Matika Wilbur, Photographer and Road Warrior, Project 562*

Back by popular demand, Matika Wilbur, Swinomish/Tulalip photographer, will update us on her work-in-progress: a new collection of images of contemporary American Indians from all 562 federally-recognized tribes in the United States. Matika's work serves as an important reminder of why we strive to protect cultural resources in the first place. Learn more about Matika and Project 562 at <http://www.matikawilbur.com>

*Speaker Introduction: Larry Campbell, Swinomish Indian Tribal Community*

**Morning Block (10:30 AM - 12:00 PM)**

**LAND USE PLANNING AND CULTURAL RESOURCES: POSING PROBLEMS**

**Session #1 (10:30 - 11:00 AM)**

**Working With Different Agencies**

Project proponents and historic preservation consultants often work with multiple federal, state, county, and local agencies. Various entities may interpret federal and state laws and regulations in different ways. Our three panelists will summarize the kinds of information they need and the procedures they follow when contacted by project proponents and/or consultants.

*Session Organizer & Moderator: Dennis Lewarch, Suquamish Tribe*

*Panelists: Gretchen Kaehler, Washington State Department of Archaeology and Historic Preservation (DAHP)*  
*Lance Lundquist, US Army Corps of Engineers-Seattle District Regulatory Branch (USACE)*  
*Janice Roderick, US Dept. of Agriculture-Rural Development (USDA-RD)*

**Session #2 (11:00 - 11:30 AM)**

**Inadvertent Discoveries During Construction: Organizational Responses and Priorities**

Inadvertent discoveries of cultural resources during project construction can grind a project to a halt. This session will identify key factors that influence the timely resolution of an inadvertent discovery, review the regulatory requirements, summarize decision-making points, and outline the important features of an Inadvertent Discovery Plan. Participants will understand the role that each party—construction crew, project proponent, regulatory lead, Tribes, State Department of Archaeology and Historic Preservation (DAHP), and archaeologist—plays in addressing the discovery.

*Session Organizer & Panelist: Paula Johnson, Environmental Science Assoc. (ESA)*

*Panelist: Tom Minichillo, King County-Road Services Division*

**Session #3 (11:30 AM - 12:00 PM)**

**Legal Issues: Managing Risk to Public Projects Through Pre-Project Cultural Resource Planning**

Risk management is a critical component of any land use project, particularly publicly-funded ones. Cultural resources should be included on any project manager's list of risks to manage over the life of the property, but what happens when they are not given the necessary consideration? Pre-project cultural resource planning is often overlooked or left until very late in the planning process, and the results can be disastrous on many levels. Sometimes, those disastrous results even lead to lawsuits. Listen as a lawyer explains the risks of ignoring pre-project planning opportunities. Learn how to consider cultural resources and keep your project, as well as cultural resource protection, on track.

*Presenter: W. Gregory Guedel, Foster Pepper law firm*

*Speaker Introduction: Scott Williams, WA State Dept. of Transportation & Summit Agenda Planning Committee*

**12:00 - 1:00 PM – Lunch at the House (lunch provided)**

*Join us for the very popular – not to mention delicious! – Summit Pizza Party catered by Bella Luna Pizzeria located just across the way in downtown Suquamish. How many pies can you try?*

**Afternoon Block (1:00 - 3:30 PM)**

**LAND USE PLANNING AND CULTURAL RESOURCES: SEEKING SOLUTIONS**

**Session #4 (1:00 - 2:00 PM)**

**Mini-Workshop on the Washington State Environmental Policy Act (SEPA) and Cultural Resources**

Join staff from the Washington State Department of Ecology and local government practitioners as we continue our discussion about the Washington State Environmental Policy Act (SEPA) and how it relates to cultural resource policies and practices. Learn more about the opportunities to recognize and plan for impacts to cultural resources through the SEPA process. Bring your questions!

*Facilitator: Annie Szvetcz, Washington State Department of Ecology*

*Participants: Alison Bridges, Snohomish County Planning & Development Services*

*David Powell, Confederated Tribes and Bands of the Yakama Nation*

*Carl Schroeder, Association of Washington Cities*

**Session #5 (2:15 - 2:40 PM)**

**Tools from the Washington State Department of Archaeology and Historic Preservation (DAHP): The Washington Information System for Architectural and Archaeological Records Data (WISAARD) and Data-Sharing Agreements**

How can agencies and other entities charged with considering impacts to cultural resources identify and plan for the resources located in their jurisdiction? Join DAHP representatives for a demonstration of WISAARD, Washington State's award-winning online GIS map tool, and a discussion about data-sharing agreements. Learn why we are so fortunate that Washington State is one of only three states to have fully digitized our cultural resource records.

*Presenters: Gretchen Kaehler, Local Government Archaeologist, DAHP*

*Stephenie Kramer, Assistant State Archaeologist, DAHP*

*Speaker Introductions: Jenny Dellert, Historical Research Associates (HRA) & Summit Agenda Planning Committee*

**Session #6 (2:40 - 3:05 PM)**

**Cultural Resource Management Plans (CRMPs): Planning-Based vs. Project-Based Risk Management**

One of the tools in our cultural resources protection tool belt is the Cultural Resources Management Plan, or CRMP. First of all, what are these things? Often, CRMPs are developed for individual cultural sites, but today, we will discuss larger plans and procedures developed for cities and local governments and landowners. Please join our discussion of Why and How these plans get produced, as well as What they should entail. Hear about two different plans created for different types of jurisdictions and for slightly different purposes, and engage our panel on the efficacy, implementation, and evolution of the plans themselves.

*Session Organizer & Moderator: Laura Murphy, Muckleshoot Indian Tribe*

*Panelists: Kelly Bush, Equinox Research & Consulting International (ERCI)*

*Ralph Naess, Seattle Public Utilities*

**Session #7 (3:05 - 3:30 PM)**

**Tribal Consultation: Best Practices for Planners and Agencies**

Most cultural resource regulations, not to mention sound risk management practices, mandate consultation with Tribes about projects that may impact cultural resources located in their areas of interest. How do planners and agency representatives go about consulting with Tribes? Learn some indispensable “best practices” from Tribal representatives themselves. Discussion will focus on a 2005 study conducted by the National Association of Tribal Historic Preservation Officers (NATHPO) entitled Tribal Consultation: Best Practices in Historic Preservation. Our presenter will also introduce NATHPO’s recently-launched Disaster Preparedness Project that will address the impact of natural disasters on irreplaceable cultural and historic Tribal resources.

*Presenter: Bambi Kraus, National Association of Tribal Historic Preservation Officers (NATHPO)*

*Speaker Introduction: Dennis Lewarch, Suquamish Tribe & Summit Agenda Planning Committee*

**3:45 - 4:30 PM – CRM in the Round: A Scripted Regulatory “Play”**

What happens when nearly identical projects (similar in design and location) are subject to different regulations... or don’t trigger any regulatory nexus? How do the different regulations impact the project implementation and timeline? What happens if a cultural resources discovery is made during construction? Watch as our Off-Off-Broadway Players grapple with these scenarios and maneuver through the regulatory processes.

*Moderator: Paula Johnson, Environmental Science Associates (ESA)*

*The Players: Lynn Compas, Historical Research Associates (HRA)*

*Chris Lockwood, Environmental Science Associates (ESA)*

*Other Players TBD*

**4:30 - 5:00 PM – Suquamish Cultural Presentation with the Suquamish Song and Dance Group**

*The History of Our Hosts: Teaching with Technology and Dance*

Be sure to join Dennis Lewarch, Suquamish Tribal Historic Preservation Officer (THPO) and Summit M.C., and the Suquamish Song and Dance Group for a very special opportunity to learn about Suquamish history and culture, past and present, and reflect on why we strive to protect cultural resources in the first place. Dennis will offer a brief presentation on Suquamish history before introducing the Suquamish Song and Dance Group.

**5:30 - 7:00 PM – Welcoming Reception at Suquamish Clearwater Casino Resort**

**Location: Resort Lobby Bar**

*Relax and enjoy your free drink ticket, delicious appetizers, and one of the loveliest views on the Salish Sea. Enjoy an opportunity to visit with friends, old and new, and talk about cultural resource protection (or how much you like the crab cakes!)*

## Day 2 – Thursday, May 21, 2015

**8:15 AM – Registration / Continental Breakfast / Socialize**

**9:00 - 9:15 AM – Prayer, Welcome, Recap of Day #1, & Facilitated Introductions**

*Master of Ceremonies: Dennis Lewarch, Suquamish Tribe & Summit Agenda Planning Committee*

*Facilitator: Laura Murphy, Muckleshoot Indian Tribe & Summit Agenda Planning Committee*

**9:15 - 10:15 AM – Keynote Address**

*Lyn Wiltse, Founder and President of PDSA Consulting*

### **Getting Them to Lean in When You Mention Cultural Resources**

Have you ever felt like you're the only one who understands the importance of protecting cultural resources? Do project teams look at you like you're speaking a foreign language when you suggest consulting with tribes? Are you tired of fighting? Lyn Wiltse, a local consultant who has worked with several tribes in Washington State, will share some tips to being heard and increasing your influence in a way that bolsters tribal and organizational relationships while benefiting cultural resources.

*Speaker Introduction: Elizabeth Dubreuil, Puget Sound Energy & Summit Agenda Planning Committee*

**Morning Block (10:30 AM - 12:00 PM)**

**CULTURAL RESOURCE MANAGEMENT (CRM): POSING PROBLEMS**

**Session #8 (10:30 - 11:00 AM)**

**Protecting Washington's Underwater Cultural Heritage**

Many Washingtonians, including archaeologists, are unaware of the numerous underwater archaeological sites in State waters, including shipwrecks, airplanes, prehistoric sites, and even railroad locomotives. This session will focus on raising awareness of those resources and will include a discussion of the only class of cultural resource that Washington State law permits salvaging for profit.

*Session Organizer & Panelist: Scott Williams, WA State Department of Transportation*

*Panelist: Jacqueline Marcotte, Environmental Science Associates (ESA)*

**Session #9 (11:00 - 11:30 AM)**

**Looking For Meaningful Ways to Discuss Traditional Cultural Properties (TCPs), Cultural Landscapes, and Other Sensitive Places**

HistoryLink, with a grant from the Snoqualmie Tribe, is embarking on a project to improve content written by, for, and about Tribal people. By examining Watersheds as naturally bounded landscapes, the natural and cultural history of shared territories can be examined in an inclusive and sensitive manner. Join HistoryLink and the Snoqualmie Tribe as they discuss their ideas and ask for input from Summit attendees about the utility of using Watersheds to identify, record, or just talk about TCPs, cultural landscapes, and cultural history. Gretchen Kaehler will also present DAHP's new TCP form and discuss how and why the Department developed this new tool for Tribes, consultants, and other uses. After the presentation, panelists will answer questions about best practices for discussing sensitive places.

*Session Organizer & Moderator: Amber Earley, SWCA Environmental Consultants*

*Panelists: Gretchen Kaehler, Washington State Department of Archaeology and Historic Preservation (DAHP)*

*Steven Mullen-Moses, Snoqualmie Tribe*

*Jennifer Ott, HistoryLink*

## Session #10 (11:30 AM - 12:00 PM)

### Consultation in Shared Tribal Territories

In the 1840s, United States military personnel and Indian Agents generated maps and descriptions to demarcate “boundaries” of “Tribes.” Boundaries were codified further in the Stevens Treaties of 1854 and 1855, which delineated areas ceded by signatory Tribes by lines on maps and descriptions in the treaties. Even more detailed boundaries were produced in the 1970s, when the Adjudicated Usual & Accustomed Fishing Areas of Tribes in Western Washington were dictated and mapped by Judge George Boldt in *United States v. Washington*. None of these boundaries may reflect Ancestral Territory claimed today by various Tribes. This presents a problem when attempting to meet the standard of “reasonable and good faith effort” during consultation with Tribes under federal and state historic preservation laws and regulations. The three panelists will outline approaches to Tribal consultation in areas claimed by more than one Tribe.

*Moderator & Panelist: Dennis Lewarch, Suquamish Tribe*

*Panelists: Larry Campbell, Swinomish Indian Tribal Community*

*Steven Mullen-Moses, Snoqualmie Tribe*

### **12:00 - 1:00 PM – Lunch at the House (lunch provided)**

*Join us for the inaugural Summit BBQ Feed catered by Mike’s Four Star BBQ located in nearby Port Gamble. How many different smoky meats can you eat?*

### **Lunch Presentation: Re-Awakening Ancient Salish Sea Basketry**

Join Ed Carriere, Suquamish Elder and Master Basketmaker, and Dale Croes, Pacific NW Archaeological Society, as they share their experiences learning about a collection of 2,000 year old baskets from the Biderbost “wet site” (a waterlogged site with excellent wood and fiber preservation) located in the Snoqualmie Tribe’s traditional territory near Duvall, WA, and their attempts to re-awaken these 2000-year-old Salish Sea basketry traditions. As perhaps the only current Salish Sea basketweaver still making cedar root/bough pack baskets, Ed has been replicating these ancient Salishan pack baskets with the support of an Appendix X grant from the Suquamish Tribe. Replicas of the two main types of Biderbost ancient baskets will be on display.

*Presenters: Ed Carriere, Suquamish Master Basketmaker & Elder*

*Dale Croes, Pacific NW Archaeological Society*

*Speaker Introductions: Dennis Lewarch, Suquamish Tribe & Summit Agenda Planning Committee*



*Photo courtesy of the UW Burke Museum  
(Also used on the cover)*

**Afternoon Block (1:00 - 3:00 PM)**

**CULTURAL RESOURCE MANAGEMENT (CRM): SEEKING SOLUTIONS**

**Informational Session (1:00 - 1:15 PM)**

**Archaeological Preservation: An Introduction to The Archaeological Conservancy (TAC)**

Since 1980, The Archaeological Conservancy (TAC) has been preserving archaeological sites for future generations. Learn about the organization, its mission, and some of its irreplaceable archaeological preserves. Time will allow for questions and answers.

*Presenter: Cory D. Wilkins, The Archaeological Conservancy (TAC)*

*Speaker Introduction: Laura Murphy, Muckleshoot Indian Tribe & Summit Agenda Planning Committee*

**Session #11 (1:15 - 2:00 PM)**

**Tribal Decision-Making: Cultural and Political Considerations**

Tribal decision-making processes can appear mysterious to external entities working with Tribes. What do you need to know in order to work respectfully and effectively with Tribes? Hear from a panel of Tribal representatives and non-Tribal partners about ways to reach decisions that consider both Tribal and project interests. Learn about some of the channels of communication and the community considerations that Tribal representatives must navigate when consulting internally about proposed projects and management solutions.

*Moderator: Chairman Leonard Forsman, Suquamish Tribe (invited)*

*Panelists: Larry Campbell, Swinomish Indian Tribal Community*

*Warren King George, Muckleshoot Indian Tribe*

**Session #12 (2:15 - 3:00 PM)**

**Putting It All Together: A Review of Recent Case Studies from Tamanowas Rock, Oak Harbor, and Duwamish Gardens**

In Cultural Resource Management (CRM), some projects present a unique set of circumstances requiring unique solutions. Our panel will present recent case studies of projects around the State. Some have been completed and some are ongoing. Each case study will showcase the different ways we work as teams, combining different solutions to satisfy compliance, as well as community needs, in order to bring it all together in a successful creation.

In a presentation entitled "Tamanowas Rock: Managing a Traditional Cultural Property or a look at what happened yesterday," Gideon Cauffman will discuss the Jamestown S'Klallam Tribe's involvement with the protection of Tamanowas Rock, a sacred site to the S'Klallam and other neighboring tribes. He will discuss the acquisition, cultural resource management, operations management, community involvement, and other elements that led to the site's nomination to the National Register of Historic Places, which will explain the presentation's tag line. He will also discuss forthcoming efforts at the Rock.

Amber Earley will discuss the 2011 construction along Oak Harbor's Pioneer Way that uncovered intact ancestral human remains within Təqucid (45IS45), a shell midden site important to several tribal groups in Western Washington. She will present the work completed by SWCA and members of the Swinomish Indian Tribal Community to recover the ancestral remains from the roadway.

*Continued on next page*



Laura Murphy will discuss the Duwamish Gardens project in Tukwila that is nearing the construction stage, long after being conceptualized by the City of Tukwila back in 2006. The project will construct a fish side channel on the Duwamish River and add trails, green space, and interpretive work as additional benefits to the public. Another important benefit is that a known archaeological site was avoided during design and will be protected under fill and by City ownership. Federal and state agencies, local government, Tribes, archaeologists, and historians were able to navigate project constraints and challenges and honor the property's past as a pre-contact fishing camp, part of a local traditional cultural property, and historic Italian farmstead.

*Session Organizer & Moderator: Lynn Compas, Historical Research Associates (HRA)*

*Case Study Leads: Gideon Cauffman, Jamestown S'Klallam Tribe*

*Amber Earley, SWCA Environmental Consultants*

*Laura Murphy, Muckleshoot Indian Tribe*

*Participants: Dennis Lewarch, Suquamish Tribe*

*Chris Lockwood, Environmental Science Associates (ESA)*

### **3:15 - 4:15 PM – Facilitated Small-Group Discussions**

#### **Towards Collaboration Across Professions (Careers) and Value Systems (Cultures)**

Join a small group of fellow attendees from each of our three main demographic groups (Tribal, Agency, Consultant) for a facilitated discussion about the most pressing issues, case studies, and success stories affecting your work. Discuss the problems and solutions addressed during Day 2 and the opportunities for collaboration across professions (careers) and value systems (cultures).

Then, reconvene with the large group to share the main points of your discussion and solicit insights and input from all the participants. Learn about and from one another so that we can all move towards collaborative land use planning and more effective cultural resource protection.

*Moderator: Micca Metz, Amec Foster Wheeler & Summit Agenda Planning Committee*

#### *Small-Group Facilitators:*

*Steve Archer, Washington State Department of Transportation (WSDOT)*

*Lynn Compas, Historical Research Associates (HRA) & Summit Agenda Planning Committee*

*Jenny Dellert, Historical Research Associates (HRA) & Summit Agenda Planning Committee*

*Gretchen Kaehler, Washington State Department of Archaeology and Historic Preservation (DAHP)*

*Stephenie Kramer, Washington State Department of Archaeology and Historic Preservation (DAHP)*

*Laura Murphy, Muckleshoot Indian Tribe & Summit Agenda Planning Committee*

*Steve Shipe, Washington State Department of Transportation (WSDOT)*

*Scott Williams, Washington State Department of Transportation (WSDOT) & Summit Agenda Planning Committee*



### 3:15 - 4:15 PM – Special Affinity Event

#### ACHP Youth Roundtable (will run concurrently with Small-Group Discussions)

Staff of the ACHP Office of Native American Affairs will host a roundtable and listening session for Tribal youth introducing them to career options in historic preservation and cultural resource protection. Through this discussion, youth will have an opportunity to learn about careers in preservation, as well as share concerns regarding sacred sites of their Tribes. Suquamish Chairman Leonard Forsman, a member of the Advisory Council on Historic Preservation who also holds a B.A. in Anthropology and M.A. in Historic Preservation, will lead the roundtable. Tribal youth will also visit the Suquamish Museum today for a “behind the scenes” look at the collection. Please take time to welcome our youngest Tribal representatives and share your commitment to cultural resource protection.

### 4:15 - 4:30 PM – Closing

#### *What'd We Learn? What's Next? When's the Ferry?*

In celebration of a Summit well attended, join in a final moderated discussion to review what we've learned from one another and look towards a more productive future.

Thank your hosts, drop off your evaluation form at registration, and bid farewell to one another until next year. Thank you, again, for coming and for contributing!!

*Moderator: Dennis Lewarch, Suquamish Tribe & Summit Agenda Planning Committee*



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