

Proposed Final Inadvertent Discovery Protocol

I) Human remains are inadvertently disturbed

II) Human Remains Identified as Native American

A) WHS shall contact Tribe(s) and WITRC within 24 hours of Identification (II above). Contacted Tribes shall be determined from NAGPRA Tribal Area of Interest Maps/other information.

[Special Caveat: Timing is a critical factor for closing inadvertently discovered graves, or for removing burials from graves. Any information related to timing shall be transmitted to Tribe(s) and/or WITRC, when WHS becomes aware of specifics. Such special-timing requirements may affect the respective notice provisions of this protocol.]

[*Special Note: WHS has need for Current Contact information for appropriate Tribe and WITRC representatives (including one alternate contact).] ***

B) Tribe(s) and/or WITRC shall respond with information on: handling of remains; desire to observe or monitor; specific project contact person(s) w/contact information; other within 24 hours. [This Tribe/WITRC information is hereinafter referred to as "Treatment."]

1) If human remains and objects related to the burial are removed (through disturbance) from the grave, and Tribe(s) and/or WITRC transmit Treatment request, then WHS notifies parties to put in place Treatment plan.

2) If remains are left in grave, then no further involvement, unless Tribe(s) and/or WITRC transmit request for Treatment at grave site. Then, if such Grave-site treatment is requested, WHS shall notify all parties to put in place Treatment plan.

[NOTE: all subsequent contact with Tribe(s) and/or WITRC shall be made according to project-specific information as conveyed in "B" above; or, in the absence of such project specific information, pursuant to existing contact information of "A" above.]

C) If human remains and objects related to the burial must be excavated, then a Contract for such activity must be negotiated.

1) WHS shall contact Tribe(s) and/or WITRC of removal requirement.

2) Tribe(s) and/or WITRC, if desired, shall provide additional Treatment provisions for excavation and temporary curation of human remains and objects related to the burial.

[NOTE: WHS shall advise Tribe(s) and/or WITRC of decision to excavate human remains and objects related to the burial within 24 hours of notice of such decision. Tribe(s) and/or WITRC shall respond with Treatment request within 24 hours of such notice. In any event, all information exchange must take place prior to finalizing excavation Contract]

III) Disposition of human remains and objects related to the burial shall be undertaken pursuant to existing statutory and administrative code provisions.