

18.12.120 Cultural Resources Revised 1/18

A. Whenever in the course of excavation or development, archaeological materials (e.g. bones, collections of shells, stone tools, beads, ceramics, old bottles, and old building foundations) or human remains are observed during project activities, all work in the immediate vicinity shall stop. The City of Olympia Historic Preservation Officer (HPO), Washington State Department of Archaeology and Historic Preservation (DAHP), all interested Tribes, City of Olympia Building Official, and, in the case of humans remains, Olympia Police Department and Thurston County Coroner, shall be contacted immediately by the property owner, site manager, or City staff for immediate response to evaluate the discovered materials.

B. Provided initial inspection indicates that the materials may be cultural resources or human remains, the City shall request DAHP and interested Tribes to recommend an appropriate course of action prior to resumption of construction. The property owner may be required to hire a qualified archaeologist to evaluate the site within seven (7) calendar days. The archaeologist shall make a recommendation on the site's eligibility for the National Register of Historic Places (NRHP) as per the National Historic Preservation Act. This recommendation will be reviewed by DAHP and interested Tribes for determination of eligibility for the NRHP.

C. If the site is determined eligible for the NRHP, the HPO or designee shall consult with DAHP and all interested Tribes for recommendations on appropriate mitigation of effects before construction resumes. The Building Official may revoke or temporarily suspend the permit, or add mitigation conditions based on the site's archaeological importance. The discovery of archaeological materials requires that the property owner must comply with all applicable laws pertaining to archaeological resources. Failure to comply with this requirement could constitute a Class C Felony. If federal funds or permits are involved in the project, notification to the appropriate federal agency and the Advisory Council shall occur in addition to the above-listed parties.

D. Where previously recorded archeological sites are proposed for development, the Director shall consult DAHP and all interested Tribes for their recommendations, and may deny or condition the permit to avoid harm to or destruction of the archaeological site.

(Ord. 7109 §4, 2017; Ord. 7011 §1, 2016; Ord. 6491 §8, 2007).

18.12.130 Tribal and Agency Consultation on Development Review Revised 1/18

A. Interested Tribes and the State Department of Archaeology and Historic Preservation (DAHP) shall be notified when an application for land use approval has been submitted to the City of Olympia as described in OMC 18.78.020 Public Notification Procedures. Additional notice of consultation may be provided by the City Historic Preservation Officer.

B. Consistent with law, any recommendations and/or requests by Consulting Tribes and/or DAHP on cultural resource protection will be given substantial weight in decisions on land use approval and subsequent permit issuance.

(Ord. 7109 §5, 2017).

18.12.140 Cultural Resource Protection Revised 1/18

A. Cultural Resources shall be protected from damage during construction and all other development activities in accordance with OMC Sections [18.12.120](#) and 18.12.140B.

B. Additional Protections for Cultural Resources.

1. Building permit recipients for development projects that meet the following criteria shall be required to sign an Inadvertent Discovery Plan (IDP) provided by the City of Olympia Historic Preservation Officer:

- a. All projects subject to State Environmental Policy Act (SEPA) thresholds; and
- b. All projects located within the Downtown SEPA Exemption Area.

The signed IDP shall be held on site throughout the duration of any ground-disturbing activities related to the project.

2. The Director may require additional actions to protect known or predicted cultural resources as a result of requests submitted by Consulting Tribes and/or DAHP during consultation for the following:

- a. Projects subject to State Environmental Policy Act (SEPA) thresholds;
- b. Projects located within the Downtown SEPA Exemptions Area; and
- c. Projects subject to other State and Federal laws which protect cultural and historic resources, including but not limited to Executive Order 05-05 and Section 106 of the National Historic Preservation Act.

(Ord. 7109 §6, 2017).