

Appendix K
Section 106 of the National Historic Preservation Act,
Programmatic Agreement Regarding the
Sterling Highway Milepost 45 to 60 Project



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and

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March 2018

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Section 106 Programmatic Agreement for the DOT&PF Sterling Highway Milepost 45–60 Project

Project No. STP-F-021-2(15)/Z530140000

Prepared for the Alaska Department of Transportation and Public Facilities, Central Region

March 2018

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**PROGRAMMATIC AGREEMENT
AMONG THE FEDERAL HIGHWAY ADMINISTRATION; THE
ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC
FACILITIES; THE ADVISORY COUNCIL ON HISTORIC
PRESERVATION; THE ALASKA STATE HISTORIC PRESERVATION
OFFICER; THE UNITED STATES FISH AND WILDLIFE SERVICE;
THE UNITED STATES FOREST SERVICE; THE COOK INLET REGION,
INC.; AND THE KENAITZE INDIAN TRIBE
REGARDING THE STERLING HIGHWAY MILEPOST 45 TO 60
PROJECT STP-F-021-2(15)/Z530140000**

WHEREAS, the Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Alaska Division of the Federal Highway Administration (FHWA) as the lead federal agency, proposes to carry out the Sterling Highway Milepost (MP) 45 to 60 Project (Project) to reduce highway congestion, meet current highway design standards, and improve highway safety; and

WHEREAS, the Project constitutes an Undertaking as defined in the implementing regulations (36 Code of Federal Regulations [CFR] 800.16(y)) subject to Section 106 of the National Historic Preservation Act (NHPA) (54 United States Code [USC] 306108); and

WHEREAS, FHWA and DOT&PF have identified the Juneau Creek Alternative as the preferred build alternative in the Final Environmental Impact Statement, an alternative that consists of 10 miles of new highway alignment that skirts north of Cooper Landing and the Kenai River and consists of reconstruction of the existing highway in the MP 45–46 and MP 56–58 areas (see Appendix A); and

WHEREAS, FHWA and DOT&PF’s decision on which alternative will ultimately be selected as the preferred alternative will not be final until the Record of Decision (ROD) is signed in accordance with National Environmental Policy Act (NEPA) regulations. The intent of this Programmatic Agreement (PA) is to establish general agreement and a framework for implementing this Undertaking and to allow the Signatories to this PA to modify and adjust the PA in the future to avoid, minimize, and mitigate effects to historic properties. Such modification(s) or adjustment(s) will be accomplished through amendments agreed to by all Signatories to this PA, in accordance with Stipulation VI; and

WHEREAS, the Direct, Indirect, and Cumulative areas of potential effects (APE) designated by FHWA and DOT&PF for the Sterling Highway MP 45 to 60 Project’s Juneau Creek Alternative are the proposed right-of-way (Direct APE), and the Sqiłantnu Archaeological District plus portions of two units identified in the State of Alaska’s *Kenai Area Plan* that extend partly outside the district boundary (Indirect APE), as shown in Appendix A¹; and

¹ The Direct APE typically encompasses 150 feet on either side of the proposed highway centerline (in some areas it expands up to approximately 350 feet total to fully encompass proposed cut and fill limits), and potential staging, waste, and borrow sites.

WHEREAS, FHWA and DOT&PF have determined that construction of the Juneau Creek Alternative will have an adverse effect on twelve (12 historic properties, including the Sqilantnu Archaeological District (KEN-00156/SEW-00282), the Sqilantnu Russian River Confluence Site (KEN-00702/SEW-01497); Bean Creek Trail (SEW-00364); and sites KEN-00081, KEN-00092, KEN-00093, KEN-00133, KEN-00215, KEN-00282, KEN-00396, KEN-00402, and SEW-01270; and

WHEREAS, ten (10 historic properties that will be adversely affected by the Project **are contributing elements to the Sqilantnu Archaeological District** (KEN-00156/SEW-00282), including the Sqilantnu Russian River Confluence Site (eligible for the National Register of Historic Places [National Register] under Criterion D) pursuant to 36 CFR 800.5(d)(2); and

WHEREAS, FHWA and DOT&PF have consulted with the Alaska State Historic Preservation Officer (SHPO) pursuant to 36 CFR 800, and obtained SHPO’s concurrence on the identification, evaluation, and assessment of effects; and

WHEREAS, FHWA and DOT&PF have consulted with the Advisory Council on Historic Preservation (ACHP) pursuant to 36 CFR 800.14(b), and by letter of January 28, 2016, ACHP has decided to participate in the development of this PA; and

WHEREAS, as defined in 36 CFR 800.16(m), “Indian tribe means an Indian tribe, band, nation, or other organized group or community, including a native village, regional corporation or village corporation, as those terms are defined in Section 3 of the Alaska Native Claims Settlement Act (ANCSA; 43 USC 1602), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians,” and

WHEREAS, FHWA and DOT&PF have consulted with the federally recognized Kenaitze Indian Tribe (KIT) and the Salamatof Tribal Council (STC); and ANCSA Native corporations Cook Inlet Region, Inc. (CIRI), Salamatof Native Association, Inc. (SNA), and Kenai Native Association, Inc. (KNA) to fulfill Tribal consultation requirements pursuant to 36 CFR 800.2(c)(2)(ii) as it relates to sites of traditional religious and cultural importance; and

WHEREAS, the Russian River Land Act (Public Law 107-362), enacted by Congress on December 19, 2002, requires the KIT, CIRI, United States Forest Service (Forest Service), and United States Fish and Wildlife Service (USFWS), referred to as the Russian River Land Act (RRLA) Memorandum of Understanding Group (RRLA MOU Group), to cooperate on efforts to “protect and preserve the outstanding historic, cultural, and natural resources” (Section 2 (a)10(A)) in the vicinity of the Russian and Kenai rivers; and

WHEREAS, the Russian River Land Act (Public Law 107-362) enacted by Congress ratified the Russian River Section 14(h)(1) Selection Agreement, which conveyed in Sections A.3 and A.4 to CIRI all the prehistoric and historic archaeological and cultural artifacts and resources as presently defined in the Archaeological Resources Protection Act, 16 USC 470bb within the

Sqilantnu Archaeological District² in accordance with the stipulations set forth in the Selection Agreement (provided, however, that the requirement that items be at least 100 years of age, shall not apply to any human remains or items associated with Alaska Natives’ use and occupation regardless of their date of origin, and shall not apply to historic non-Native artifacts that postdate 1941) including, but not limited to, human remains, funerary objects, and other artifacts located on the surface or in the subsurface estate; and

WHEREAS, the Project is partially located on Chugach National Forest and the Kenai National Wildlife Refuge. As such, FHWA and DOT&PF have consulted with the Forest Service and USFWS in the planning for this Project; and

WHEREAS, FHWA and DOT&PF began Section 106 consultation on the Project with an initiation letter on April 7, 2005, and have been continuously conducting consultation with Section 106 consulting parties since that time as detailed in the Undertaking’s Section 106 Consultation Record, which is part of the Project’s administrative record on file with FHWA and DOT&PF; and

WHEREAS, the Forest Service and USFWS will be Signatories to this PA to fulfill their Section 106 and Section 110 responsibilities as set forth in the NHPA; and

WHEREAS, FHWA invited KIT and CIRI to be Invited Signatories to this PA because of the implications of the RRLA for this Project; and

WHEREAS, FHWA invited STC to be a Concurring Party to this PA concerning properties of traditional religious and cultural significance to the Tribes as part of the FHWA’s government-to-government consultation requirements for resources of Tribal interest off Tribal Lands; and

WHEREAS, FHWA invited SNA and KNA to be Concurring Parties to this PA concerning properties of traditional religious and cultural significance to the Tribes; and

WHEREAS, DOT&PF, as Project sponsor, has participated in consultation pursuant to 36 CFR 800 and is signing this PA as an Invited Signatory, and shall be responsible for administering and implementing the stipulations under the terms of the PA on behalf of and as directed by FHWA; and

WHEREAS, FHWA and DOT&PF followed FHWA’s NEPA guidelines, including circulation of NEPA documents (Supplemental Draft EIS – March 2015) to engage other consulting parties and the public in the Section 106 consultation process; and

NOW, THEREFORE, FHWA, DOT&PF, ACHP, SHPO, the Forest Service, USFWS, KIT, and CIRI (collectively the “Signatories”)³ hereby agree that the Undertaking shall be implemented in

² Defined in the Russian River Section 14(h)(1) Selection Agreement “as depicted in the National Register of Historic Places nomination prepared by the Cooperative Park Studies Unit, University of Alaska, Fairbanks, dated October 21, 1981, containing approximately 3240 acres” and determined eligible for listing on the National Register of Historic Places on December 31, 1981.

³ Roles and responsibilities of the Signatories, with consultation contact information, are contained in Appendix B.

accordance with the following stipulations to address any adverse effects the proposed Undertaking will have on historic properties, and agree that these stipulations will govern the Undertaking and all of its parts.

STIPULATIONS

FHWA, in coordination with DOT&PF, shall ensure that the following stipulations are implemented:

I. Professional Qualifications Standards

Archaeological surveys and data recovery, National Register evaluations, any formal National Register nominations submitted to the National Park Service (NPS), archaeological construction monitoring, human remains recovery, associated reporting, and all other cultural resources⁴ investigations, as required by this PA, shall be conducted by or be prepared by or under the direct supervision of a qualified individual(s) meeting the Secretary of the Interior's (SOI's) Professional Qualification Standards (36 CFR 61, Appendix A; SOI-qualified). This requirement does not apply to Indian Tribes identified as consulting parties in this PA.

II. Evaluation and Reporting Standards

These standards apply to all measures stipulated in this PA.

- A. National Register evaluations and any formal National Register nominations to NPS shall follow the *SOI Standards and Guidelines for Evaluation of Historic Properties* (36 CFR 63 and 36 CFR 800.4(c)) and *NPS Bulletin 16a How to Complete the National Register Registration Form*, respectively.
- B. All cultural resources documentation, including the Data Recovery/Historic Properties Treatment Plan(s) (Treatment Plan), evaluation and data recovery reports, archaeological construction monitoring reports, and any other associated documentation, shall be consistent with the *SOI Standards and Guidelines for Archaeology and Historic Preservation* (48 *Federal Register* [FR] 44716) and the *SOI Standards and Guidelines for Archaeological Documentation* (48 FR 44734–44737), and also meet current professional State standards (Office of History and Archaeology [OHA] *Standards and Guidelines for Investigating and Reporting Archaeological and Historic Properties in Alaska*).

⁴ Cultural resources are defined as physical evidence of past human activity equal to or greater than 50 years of age, including archaeological sites, sacred objects, features, artifacts, landscapes, and structures; buildings; plant and animal remains; sacred sites; items of cultural patrimony; and human remains. Historic properties are cultural resources that have been evaluated as included in or eligible for listing on the National Register. Although "cultural resources" is not a term used in Section 106, the term is used in the PA to describe (as the PA outlines) stipulations that deal with resources that have not yet been evaluated or found to be eligible for the National Register.

III. Avoidance and Minimization during Final Design

- A. DOT&PF shall ensure that the Project avoids and/or minimizes effects to historic properties during final design, wherever possible, through design adjustments, including narrowing the highway embankments, steepening side slopes, minor alignment shifts, and other adjustments, recognizing that the responsibilities of FHWA and DOT&PF include protecting and minimizing impacts to other resources (e.g., wetlands and recreational resources) and providing a safe highway design.
- B. In consultation with the Signatories, and per Appendix C, *Archaeological Monitoring Plan* (“Monitoring Plan”), DOT&PF shall delineate cultural resources and historic properties within the Direct APE as “environmentally sensitive” areas in the field and on project plans, and shall insert construction access prohibition language into contract documents.
- C. If DOT&PF determines that the Project will be a design-build project, the contract negotiated with the selected company will include specific reference to Stipulation III.

IV. Archaeological Construction Monitoring

- A. FHWA and DOT&PF commit to archaeological construction monitoring in accordance with the Monitoring Plan developed in consultation with the Signatories (Appendix C).
- B. As delineated in the Monitoring Plan, the Signatories have identified areas where cultural resources are known or have the high potential to exist. DOT&PF shall ensure that a SOI-qualified Supervisory Archaeological Monitor will be on site during earth-moving activities associated with excavation in these areas unless the Supervisory Archaeological Monitor determines after field observations and consultation with the Signatories (in accordance with the Monitoring Plan) that monitoring is not necessary.
- C. DOT&PF will conduct a preconstruction meeting that includes the DOT&PF project engineer, the construction contractor, any on-site construction supervisory staff, the resident engineer, and the Supervisory Archaeological Monitor to discuss the terms and conditions of this PA with the Signatories. DOT&PF will invite Signatories to attend the preconstruction meeting and DOT&PF will provide written and electronic notice to the Signatories at least fifteen (15) working days prior to the meeting.
- D. The Supervisory Archaeological Monitor will conduct on-site cultural resources awareness training with construction personnel to educate them about the terms of the PA as stipulated in the Monitoring Plan.
- E. DOT&PF shall invite Tribal observers to participate in the archaeological construction monitoring. FHWA shall fund two (2) observers, one (1) each from

KIT and CIRI, for their participation in the monitoring. The Tribal observers shall represent and be selected by KIT and CIRI and shall be employees of KIT and CIRI, respectively. DOT&PF shall contract with KIT and CIRI to provide the observers and shall reimburse KIT and CIRI for services performed. FHWA and DOT&PF shall provide to the Signatories advance written and electronic notice of the construction schedule. The first notice shall occur when the project construction phase is approved within the Statewide Transportation Improvement Plan. The second notice shall occur within a minimum of ninety (90) days before project construction begins.

- F. The Supervisory Archaeological Monitor shall be authorized to halt construction in a specific location, or to redirect work to other locations while documenting and recovering previously unidentified cultural resources, or in the event that historic properties are inadvertently affected. DOT&PF shall notify Signatories of inadvertent discoveries and inadvertent effects to historic properties as outlined in the Monitoring Plan.
- G. The Signatories agree that if inadvertent discoveries occur during monitoring, they shall be treated as eligible for the National Register until the resources can be later evaluated. If the monitors encounter inadvertent discoveries or unanticipated effects to historic properties during monitoring or any construction activities, DOT&PF shall follow the protocols outlined in Stipulation VII, *Inadvertent Discoveries*, and Appendix G, *Discovery Plan*.
- H. If the monitors encounter human remains, including cremated human remains, during monitoring or any construction activities, they shall be treated in accordance with Stipulation VI, *Treatment of Human Remains*, and Appendix F, *Human Remains Protocol*.
- I. Archaeological Construction Monitoring Reporting
 - 1. The Supervisory Archaeological Monitor shall provide a construction monitoring summary memo on a weekly basis to DOT&PF summarizing monitoring activities, including items such as times and locations of monitoring, inadvertent discoveries made, inadvertent effects to historic properties; and noting any relevant observations related to the monitoring. DOT&PF shall submit an electronic copy of the memo to the Signatories within two (2) days of its receipt for their ongoing information.
 - 2. The Supervisory Archaeological Monitor shall provide a draft monitoring report within ninety (90) days of completion of monitoring activities summarizing the construction monitoring activities (detailing the overall monitoring effort, describing locations where monitoring occurred, inadvertent discoveries made, inadvertent effects to historic properties, avoidance and minimization of effects recommendation and/or measures if possible, and any relevant field observations) to DOT&PF. DOT&PF shall distribute the draft report to the Signatories and seek comments with a ninety (90)-day review period to provide written comments to DOT&PF. DOT&PF shall review comments from the Signatories and incorporate

comments into the report(s) as appropriate and shall submit a final report to the Signatories within one (1) year after completion of all archaeological construction monitoring for the duration of the Project and prior to the conclusion of this PA. In the event that construction monitoring occurs over several years, the Supervisory Archaeological Monitor shall provide to the Project Engineer and the DOT&PF Professionally Qualified Individual⁵ (PQI) annual monitoring reports and a final report summarizing the annual reports following the same process outlined in this stipulation.

V. Mitigation

A. Data Recovery/Historic Properties Treatment Plan

1. FHWA and DOT&PF developed a Data Recovery/Historic Properties Treatment Plan (Treatment Plan) in consultation with the Signatories that is contained in Appendix D. DOT&PF shall complete data recovery fieldwork for historic properties identified in the Treatment Plan prior to construction actions that could adversely affect them. DOT&PF shall produce a Data Recovery Report(s) following the completion of data recovery fieldwork.
2. The draft Data Recovery Report(s) shall describe the results of data recovery, documenting the methods and findings of the data recovery effort. DOT&PF shall provide the report(s) to the Signatories within nine (9) months of completion of all data recovery. DOT&PF shall seek written comments on the report(s) from the Signatories with a ninety (90)-day review period.
3. DOT&PF shall review comments from the Signatories and incorporate comments into the report(s) as appropriate. DOT&PF shall submit a final Data Recovery Report(s) to the Signatories within fifteen (15) months after completion of all data recovery and prior to the conclusion of this PA. Because DOT&PF anticipates that data recovery will occur over multiple years, DOT&PF shall produce annual reports and a final report summarizing the annual reports following the same timeline as described above (draft report within nine (9) months and final report within fifteen (15) months of data recovery completion).

B. Mitigation Measures by Resource

1. **Sqilantnu Archaeological District (KEN-00156/SEW-00282).** The Juneau Creek Alternative will adversely affect ten (10) historic properties associated with the Sqilantnu Archaeological District including the Sqilantnu Russian River Confluence Site (KEN-00702/SEW-01497), and sites KEN-00081, KEN-00092, KEN-00093, KEN-00133, KEN-00215, KEN-00282, KEN-00396, KEN-00402, and SEW-01270. The Juneau Creek Alternative will also adversely affect the Sqilantnu Archaeological District itself and impact a total of 445 acres of the Sqilantnu Archaeological District.
 - a. **Professional Publication that Compiles Existing Sqilantnu Archaeological District Research and Investigations**
 - i. DOT&PF shall develop a professional publication (Publication) that

⁵ The PQI is an SOI-qualified DOT&PF Cultural Resources Specialist.

compiles and summarizes available ethnographic, archaeological, scientific and other literature, accounts, studies, and research products associated with the Sqilantnu Archaeological District.

- ii. DOT&PF shall develop the Publication in a manner consistent with the *SOI Standards and Guidelines for Archaeological Documentation* (48 FR 44734–44737). Where previous reporting is insufficient to characterize resources at a particular site or group of sites consistent with the *Standards and Guidelines for Archaeological Documentation*, supplementary analysis may be performed. The production and distribution of the Publication shall be through a professionally peer-reviewed journal or report series.
 - iii. DOT&PF shall develop a draft of the Publication within two (2) years following the ROD Statute of Limitations (SOL)-related waiting period.⁶ DOT&PF shall seek comments from the Signatories on the Publication with a one-hundred-twenty (120)-day review period to provide written comments back to DOT&PF. DOT&PF shall finalize the document within six (6) months of the end of the review period.
 - iv. Upon its completion, DOT&PF shall distribute twenty-five (25) copies of the Publication to CIRI and SHPO and two (2) copies to each of the Signatories to the PA. DOT&PF shall provide up to five (5) copies to data repositories, as appropriate (e.g., Alaska Heritage Resources Survey [AHRs]). An electronic version (.pdf) of the Publication suitable for reproduction purposes shall be provided to each of the Signatories.
- b. Public Education Booklet on the Sqilantnu Archaeological District**
- i. Based on the contents of the Publication, DOT&PF shall also develop a soft-cover booklet (Booklet) intended for the general public. DOT&PF will coordinate with the Signatories and the Kenai Peninsula and Anchorage school districts to identify the State Educational Standards expectations, and for their recommendations on the Booklet and an associated compendium of school-appropriate learning aides.
 - ii. DOT&PF shall develop the structure and contents of the Booklet through consultation with the Signatories, the school districts, and the Alaska Humanities Forum. DOT&PF anticipates the Booklet to cover social issues related to management and current use of Kenai Peninsula rivers, and education on natural, historic, and cultural resources. The Booklet may also cover more recent history, such as Russian influence and mining activity in the area, as well as ongoing and current activities to preserve and document the Sqilantnu Archaeological District and Native culture, such as ongoing research projects and KIT Susten Camp efforts.

⁶ The limitations on claims provision in 23 USC 139(l) prohibits federal courts from having jurisdiction to hear legal claims for the review of a permit, license, or approval issued by a federal agency for a highway project if the claims are filed more than 150 days after the publication of an SOL notice in the *Federal Register*. Please refer to <https://www.fhwa.dot.gov/map21/guidance/appendixd.cfm>.

- iii. The development of the Booklet shall occur within one (1) year following completion of the Publication. DOT&PF shall seek comments from the Signatories with a ninety (90)-day review period to provide written comments back to DOT&PF.
 - iv. Upon its completion, DOT&PF shall distribute twenty-five (25) copies of the Booklet to all Signatories. An electronic (.pdf) version of the Booklet suitable for reproduction purposes shall also be provided to each of the Signatories and to the school districts. DOT&PF shall also produce an e-book version of the Booklet to be provided online for the general public.
 - c. **Sqilantnu Archaeological District National Register Nomination**
 - i. DOT&PF shall prepare a formal National Register nomination for the Sqilantnu Archaeological District based on the results of the Publication and provide it to the RRLA MOU Group.
 - ii. DOT&PF shall develop a draft of the nomination within two (2) years following the completion of the Publication. DOT&PF shall seek comments from the Signatories with a one-hundred-twenty (120)-day review period to provide written comments back to DOT&PF. DOT&PF shall complete the nomination package and submit a copy to the RRLA MOU Group and other Signatories within six (6) months of the end of the review period.
 - d. **Installation of Interpretive Signage**

DOT&PF and FHWA will work with PA Signatories during design to identify locations and content for appropriate signage (e.g., notification that travelers are entering an historic district, interpretive signage at pull-outs or trailheads) and will erect agreed-to signage during construction.
 - e. **Dena’ina Oral Histories Digitization**

DOT&PF shall coordinate with the Signatories and provide funding for digitizing, translating, transcribing, publishing, and distributing Dena’ina previously acquired oral histories currently on cassettes, CDs, and in written form. An electronic (.pdf) version of the oral histories shall be provided to each of the Signatories for their use and distribution.
2. **Bean Creek Trail (SEW-00364):** The Juneau Creek alignment crosses the historic portion of the Bean Creek Trail. The Juneau Creek Alternative permanently impacts approximately one (1) acre of land area associated with the Bean Creek Trail. A proposed temporary access road to a material disposal site west of Bean Creek Trail also crosses the historic trail (approximately 0.5 acre of temporary impact).
- a. Concurrent with the data recovery efforts of the Treatment Plan as described in Stipulation V.A and Appendix D, DOT&PF shall re-investigate the adversely affected segment of the Bean Creek Trail located in the Direct APE, the segment located at the temporary trail crossing, and the trail segment that would be permanently rerouted (see “c,” below).
 - i. The investigation shall document the trail features within the APE, within the temporary construction crossing, and within the reroute area with photographs and descriptive field notes, and map the features using Global Positioning System coordinates.

- ii. DOT&PF shall ensure that the AHRS database is updated with this documentation.
- b. DOT&PF shall ensure public access to and the continued usability of the Bean Creek Trail during construction.
- c. DOT&PF shall reroute the trail, in coordination with the Forest Service, as follows:
 - i. The Bean Creek Trail would be permanently rerouted about 450 feet to the west of its current location to pass under the Juneau Creek Bridge near its eastern abutment. The length of rerouted trail would be about 2,900 feet.
 - ii. The alignment of the rerouted trail would be subject to an archaeological survey to ensure that no archaeological sites would be impacted; if such sites were discovered, the trail would be routed to avoid them.
 - iii. At the temporary crossing site, DOT&PF shall reestablish the trail on its historic alignment following construction and revegetate the trail-side area.
- d. Interpretive Display
 - i. DOT&PF shall provide an interpretive display with a historic mining theme in two locations: (1) at a trailhead to be built west of Juneau Creek Bridge for the Resurrection Pass Trail, and (2) along the Bean Creek Trail at a location preferred by the Forest Service. The theme and design of the display shall be developed in consultation with the Forest Service and with other consulting parties as appropriate.
 - ii. DOT&PF shall submit the draft graphics, text, and design to the Forest Service and SHPO and any other appropriate consulting party for review. The parties shall have ninety (90) days from receipt of DOT&PF submittals to review and provide written comments. DOT&PF shall take into account comments received during the review period and make revisions as appropriate in consultation with these parties.
 - iii. DOT&PF shall install the display panels at the time of the trail and trailhead construction, and shall verify in writing to the FHWA, SHPO, and the Forest Service that the display is complete and installed prior to the completion of the construction project.

VI. Treatment of Human Remains

- A. Any and all human remains, including cremated human remains, shall be treated at all times with dignity and respect. If monitors encounter human remains, the on-site Construction Contractor shall immediately halt construction in the locality to prevent further disturbance and immediately notify the DOT&PF Project Engineer. The DOT&PF Project Engineer shall immediately notify the DOT&PF Central Region Environmental Manager and/or the PQI, Alaska State Troopers (AST), Alaska State Medical Examiner (SME), landowner or land-managing agency, and all Signatories to this PA. See Appendix E, *Contact Information for Agency and Tribal Officials Involved with Human Remains Consultation*.

- B. DOT&PF shall defer to the opinion of AST and/or SME for a determination of whether the remains are of a forensic nature and/or subject to criminal investigation.
- C. If AST/SME determines that the remains are neither of a forensic nature nor subject to a criminal investigation, a biological/physical anthropologist or SOI-qualified archaeologist with training in biological/physical anthropology and experience in the analysis of human remains shall examine the human remains to determine racial identity. The anthropologist or archaeologist shall document, analyze, and photograph the remains so that an independent assessment of racial identity can be made. The anthropologist or archaeologist shall be afforded ninety (90) days to complete analysis of the remains.
- D. When the AST and SME have made a determination that the remains are of Native origin, then FHWA and DOT&PF will consult in accordance with Appendix F, *Human Remains Protocol*, which includes KIT's *Policy on Planned Disturbance or Inadvertent Discovery of Human Remains or Cremains*.
- E. When a determination has been made by AST and SME that a death investigation is not warranted and the remains are not of Native origin, then FHWA and DOT&PF shall treat the remains in accordance with Appendix F, *Human Remains Protocol*. FHWA and DOT&PF shall, in consultation with SME, identify, locate, and consult with descendants of the deceased. If no descendants are found, any necessary permits from the Alaska State Bureau of Vital Statistics shall be obtained and the remains re-interred in a designated area.
- F. If monitors or Project personnel encounter associated or unassociated funerary objects, sacred objects, or objects of cultural patrimony as defined by the Native American Graves Protection and Repatriation Act (25 USC 3001) and KIT's *NAGPRA Definitions Policy* (see Appendix F) during construction, the on-site Construction Contractor shall immediately halt construction in the locality to prevent further disturbance, and DOT&PF shall immediately notify the landowner or land-managing agency and all Signatories and proceed in accordance with Stipulation VII, *Inadvertent Discoveries and Unanticipated Effects*, and Appendix G, *Cultural Resources Discovery Plan*.

VII. Inadvertent Discoveries and Unanticipated Effects

- A. If, during the implementation of the Undertaking, monitors or other Project personnel inadvertently discover a previously unidentified cultural resource, or witness that a known historic property is inadvertently affected, FHWA and DOT&PF shall consult with the Signatories, and other consulting parties as appropriate, in accordance with Appendix G, *Cultural Resources Discovery Plan*. DOT&PF shall ensure that work will cease in the area of the inadvertent discovery or effect until DOT&PF can evaluate the previously unidentified cultural resource or the unanticipated effect. If the discovery cannot be avoided by Project activities, it shall be treated as adversely affected by the Project pursuant to 36 CFR

800.5(d)(2) in consultation with the PA Signatories. DOT&PF shall immediately treat the adversely affected discovery or inadvertently affected historic property in accordance with PA Stipulation V.A, *Data Recovery/Historic Properties Treatment Plan* and Appendix D, *Data Recovery/Historic Properties Treatment Plan*.

- B. The Signatories agree that if monitors identify additional cultural resources during construction, they shall be considered potentially eligible for listing on the NRHP. The SOI-qualified archaeologist(s), including Indian tribes, shall document any inadvertently discovered cultural resource encountered to support a determination of eligibility for the resource using established National Register criteria. FHWA and DOT&PF shall assess National Register eligibility in consultation with the federal land-managing agencies and other Signatories. The ACHP shall resolve any disputes between the Signatories concerning eligibility pursuant to 36 CFR 800.4(c)(2). If the ACHP cannot resolve the dispute through consultation, FHWA shall obtain a determination of eligibility from the SOI pursuant to 36 CFR 63.
- C. For those properties that FHWA and DOT&PF, in consultation with the Signatories, determine to be eligible for inclusion in the National Register, FHWA and DOT&PF shall apply the criteria of adverse effect (36 CFR 800.5) in consultation with the Signatories. If FHWA and DOT&PF, in consultation with the Signatories, determine there is an adverse effect, FHWA and DOT&PF shall proceed in accordance with the Treatment Plan (Stipulation V.A and Appendix D).
- D. FHWA and DOT&PF shall make information available to the public regarding adverse effects to inadvertent discoveries and afford an opportunity for members of the public to express their views on resolving adverse effects pursuant to 36 CFR 800.6(a)(4).

VIII. Curation

- A. All artifacts on federal lands and associated with the Sqilantnu Archaeological District as defined in the Russian River Section 14(h)(1) Selection Agreement (July 26, 2001) shall be under CIRI's direct control and ownership in conformance with the terms set out in the RRLA and related agreements⁷. Artifacts from land under management of the Forest Service or USFWS not under jurisdiction of the RRLA shall remain under the stewardship of the respective federal agencies. Archaeologists shall provide true legible copies of field notes, reports, correspondence, and other printed matter to DOT&PF, SHPO, and the University of Alaska Museum of the North (UAMN).
- B. DOT&PF shall accession to the UAMN all artifacts, faunal remains, and/or samples collected, along with photographs, video, field notes, and related materials recovered by archaeologists on State-owned or -controlled land. DOT&PF has a standing curation agreement with the museum (see Appendix H, *Curation Plan*).

⁷ E.g., Forest Service Agreement No. 10-MU-11100400-089 CIRI No. 031.543.091; Agreement among CIRI, Forest Service, and USFWS of 26 July, 2001 (Russian River Section 14(h)(1) Selection Agreement).

The Alaska Historic Preservation Act (Alaska Statute [AS] 41.35.020) recognizes the cultural rights of persons of aboriginal descent for conditional possession and use of their valued historic, prehistoric, and archaeological resources. AS 41.35.020(b)(1) outlines the conditions for local cultural groups to obtain or retain materials in coordination with the State.

- C. The Curation Plan is contained in Appendix H. The Curation Plan clarifies ownership and disposition of artifacts and materials. The Curation Plan addresses the disposition of artifacts, faunal materials, and/or samples that archaeologists collected for the Project, along with photographs, field notes, and other related materials from activities covered by this PA.
- D. The Curation Plan funds reasonable costs associated with curation of materials collected in conjunction with the data recovery actions under this PA when DOT&PF transfers those materials for deposition and curation at an acceptable receiving institution as defined by federal regulations 36 CFR 79. The costs (such as accessioning fees and initial curation fee) are identified in the Curation Plan to be funded by FHWA. Any long-term maintenance fees, if identified, for materials owned by DOT&PF shall be the responsibility of DOT&PF and funded as such. FHWA shall fund any long-term maintenance fees, if identified, for curation of materials recovered in association with this project, as negotiated through a curation agreement with UAMN and the appropriate land-managing agency and/or owner.

IX. Reporting and PA Review

- A. DOT&PF shall submit an annual report on or before January 31 to the Signatories addressing the following topics:
 - 1. Progress on construction of the highway;
 - 2. Progress in archaeological construction monitoring under Stipulation IV;
 - 3. Progress in mitigation measures under Stipulation V;
 - 4. Progress in artifact curation under Stipulation VIII;
 - 5. Problems or unexpected issues encountered during the year;
 - 6. Sequence and timeframe of future PA actions not completed in the reporting year; and
 - 7. Changes that FHWA and DOT&PF believe should be made in the implementation of this PA.
- B. DOT&PF shall ensure that its annual report and the annual reports from other Signatories are made available for public inspection (excluding the location of culturally sensitive and protected materials), and that potentially interested members of the public are made aware of its availability, and that interested members of the public are invited to provide comments to the Signatories.
- C. The Signatories to this PA shall review the DOT&PF and other Signatory annual report(s) and provide comments to DOT&PF and parties responsible for mitigation measures within ninety (90) calendar days of receipt of the annual report(s). Non-

signatory parties to this PA may review and comment on the annual report(s) at their discretion and will be afforded the same ninety (90)-day comment period as the Signatories.

- D. The Signatories, in consultation with the Concurring Parties, shall review this PA every year as part of an annual Project Update Meeting (also see Stipulation IX.E) to consider whether its terms are being properly met. Annual review shall continue until all measures are completed or until five (5) years from its execution date, unless it is terminated or extended. Stipulation XII, *Duration*, addresses PA time extensions. The Signatories shall have thirty (30) calendar days prior to the annual Project Update Meeting each year to notify FHWA and DOT&PF of amendments to consider.
- E. DOT&PF shall coordinate an annual Project Update Meeting with all parties to the PA to be held by the end of March. At the request of any Signatory to this PA, DOT&PF shall ensure that a meeting or meetings are held to facilitate review and comment, to resolve questions, or to resolve adverse comments. Thirty (30) calendar days prior to any such meetings, DOT&PF shall notify ACHP, which may participate at its discretion.

X. Dispute Resolution

- A. If a Signatory to this PA objects in writing to the other Signatories regarding any action carried out or proposed with respect to the implementation of this PA, FHWA and DOT&PF shall initiate consultation among the Signatories to resolve the objections.
- B. If FHWA and DOT&PF cannot resolve the objection through consultation, FHWA shall request further comments or staff-level recommendations from ACHP pursuant to 36 CFR 800.36(b). Any ACHP comment provided in response to such a request shall be taken into account by FHWA in accordance with 36 CFR 800.6(c)(2).
- C. At any time during implementation of the measures stipulated in this PA, if a member of the public with a demonstrated interest in the Undertaking, (per 36 CFR 800.2(c)(5)) raises an objection to stipulations or their manner of implementation, FHWA shall consider requests for consulting party status (per 36 CFR 800.3(f)(3)). If FHWA grants consulting party status, FHWA and DOT&PF shall take the objection into account and consult as needed with the objecting party and Signatories to this PA to address the objection.

XI. Amendments

- A. The PA: Any Signatory to this PA may propose to FHWA and DOT&PF that the PA be amended to meet the terms of the PA or address recently identified issues; such proposals shall be considered in accordance with Stipulation IX, *Reporting and PA Review*, as appropriate. If there are any newly identified and adversely affected historic properties, then further consultation consistent with Stipulation VII shall

occur. If the review results in a recommendation to amend the PA, the Signatories shall consult for a minimum of thirty (30) days prior to the proposed amendment to the PA. The body of this PA may be amended only upon written concurrence of all Signatories. Amendments go into effect on the date of the last signature.

- B. The PA Appendices: The Signatories may agree through formal consultation to amend the appendices to this PA with written concurrence (e.g., email, letter) without requiring amendment to the body of the PA unless their consultation determines otherwise (i.e., amending and resigning the PA). Amendments to the appendices or the addition of new appendices that do not involve an amendment to the body of the PA shall not require written concurrence from the ACHP.

XII. Duration

- A. A five (5)-year limitation has been placed on the duration of this PA by USFWS and the Forest Service because of these agencies' respective administrative requirements. Given the anticipated construction duration, the Signatories and Concurring Parties recognize that the project mitigation measures of this PA cannot be completed within the five (5)-year timeframe. Therefore, the parties intend to extend the duration of this PA so that it continues to be in full force and effect until all mitigation measures are completed unless it is terminated.
- B. At least six (6) months prior to the end of each five (5)-year term, the Signatories shall consult, and meet if necessary, to discuss a time extension to complete the stipulations and measures set forth under this PA. This may coincide with the annual Project Update Meeting (Stipulation IX.D). DOT&PF shall be the responsible party for convening all Signatories for this meeting.
- C. Any time prior to the annual Project Update Meeting, DOT&PF may request in writing that the Signatories review DOT&PF's project schedule and consider an extension or modification of this PA. No extension or modification shall be effective unless all Signatories to the PA have agreed to it in writing.
- D. Extensions to complete the stipulations and measures set forth under this PA shall be considered based upon a letter of support from SHPO verifying continued effectiveness of this PA for the mitigation of effects to historic properties. Should SHPO express concerns, the PA may be amended following consultation with the Signatories and the Concurring Parties pursuant to Stipulation XI, *Amendments*.

XIII. Termination

Any Signatory to this PA may terminate the PA by providing thirty (30) days written notice to the other Signatories. The Signatories shall consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, FHWA and DOT&PF shall seek further comments of ACHP pursuant to 36 CFR 800.7(c).

XIV. Anti-Deficiency Act

FHWA’s obligations under this PA are subject to the availability of appropriated funds, and the stipulations of this PA are subject to the provisions of the Anti-Deficiency Act (31 USC 1341). FHWA shall make reasonable and good faith efforts to secure the necessary funds to implement this PA in its entirety. If compliance with the Anti-Deficiency Act alters or impairs FHWA’s ability to implement the stipulations of this PA, FHWA shall consult in accordance with the amendment and termination procedures found at Stipulations XI and XIII.

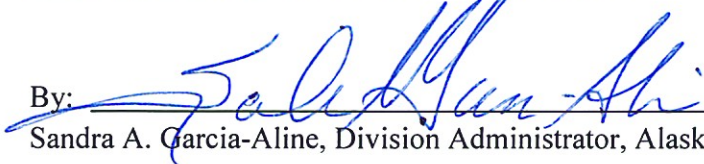
XV. Commencement of the PA

The parties agree that the stipulations agreed to herein shall be undertaken only if a build alternative is approved to move forward for design and construction. To be considered approved, all legal proceedings that could halt or delay the Project must have run their course and DOT&PF must have received FHWA approval to move into final design on a build alternative.

Execution and Implementation of this PA is evidence that FHWA and DOT&PF have consulted with the Signatories on the Sterling Highway MP 45 to 60 Project, and have taken into account the Undertaking's effects on historic properties in accordance with their Section 106 responsibilities.

SIGNATORIES

FEDERAL HIGHWAY ADMINISTRATION

By:  _____ 3-2-18
Sandra A. Garcia-Aline, Division Administrator, Alaska Division Date

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____
John M. Fowler, Executive Director Date

ALASKA STATE HISTORIC PRESERVATION OFFICER

By: _____
Judith E. Bittner, Alaska SHPO Date

U.S. FOREST SERVICE

By: _____
Terri Marceron, Chugach National Forest, Forest Supervisor Date

U.S. FISH AND WILDLIFE SERVICE

By: _____
Gregory Siekaniec, Regional Director Date

SIGNATORIES

FEDERAL HIGHWAY ADMINISTRATION

By: _____
Sandra A. Garcia-Aline, Division Administrator, Alaska Division Date

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: John M. Fowler _____ 3/2/18
John M. Fowler, Executive Director Date

ALASKA STATE HISTORIC PRESERVATION OFFICER

By: _____
Judith E. Bittner, Alaska SHPO Date

U.S. FOREST SERVICE

By: _____
Terri Marceron, Chugach National Forest, Forest Supervisor Date

U.S. FISH AND WILDLIFE SERVICE

By: _____
Gregory Siekaniec, Regional Director Date

SIGNATORIES

FEDERAL HIGHWAY ADMINISTRATION

By: _____
Sandra A. Garcia-Aline, Division Administrator, Alaska Division Date

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____
John M. Fowler, Executive Director Date

ALASKA STATE HISTORIC PRESERVATION OFFICER

By: Judith E. Bittner _____ March 2, 2018
Judith E. Bittner, Alaska SHPO Date

U.S. FOREST SERVICE

By: _____
Terri Marceron, Chugach National Forest, Forest Supervisor Date

U.S. FISH AND WILDLIFE SERVICE

By: _____
Gregory Siekaniec, Regional Director Date

SIGNATORIES

FEDERAL HIGHWAY ADMINISTRATION

By: _____
Sandra A. Garcia-Aline, Division Administrator, Alaska Division Date

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____
John M. Fowler, Executive Director Date

ALASKA STATE HISTORIC PRESERVATION OFFICER

By: _____
Judith E. Bittner, Alaska SHPO Date

U.S. FOREST SERVICE

By:  _____
Terri Marceron, Chugach National Forest, Forest Supervisor Date 3/2/2018

U.S. FISH AND WILDLIFE SERVICE

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Gregory Siekaniec, Regional Director Date

SIGNATORIES

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ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____
John M. Fowler, Executive Director Date

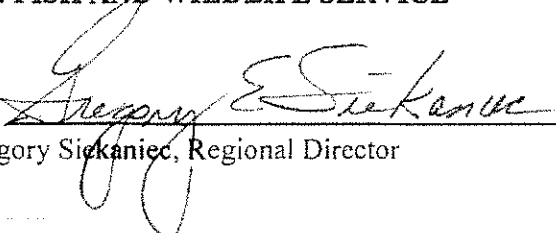
ALASKA STATE HISTORIC PRESERVATION OFFICER

By: _____
Judith E. Bittner, Alaska SHPO Date

U.S. FOREST SERVICE

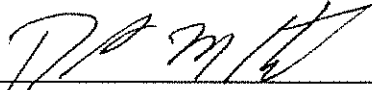
By: _____
Terri Marceron, Chugach National Forest, Forest Supervisor Date

U.S. FISH AND WILDLIFE SERVICE

By:  _____ 1 March 2018
Gregory Siskaniec, Regional Director Date

INVITED SIGNATORIES

ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

By:  3-1-2018
Dave M. Kemp, P.E., Central Region Director Date

COOK INLET REGION, INC.

By: _____
Sophie Minich, President and CEO Date

KENAITZE INDIAN TRIBE

By: _____
Bart Garber, Executive Director Date

CONCURRING PARTIES

KENAI NATIVES ASSOCIATION, INC.

By: _____
Vernon Stanford, President Date

SALAMATOF TRIBAL COUNCIL AND SALAMATOF NATIVE ASSOCIATION, INC.

By: _____
Chris Monfor, President and CEO Date

INVITED SIGNATORIES

ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

By: _____
Dave M. Kemp, P.E., Central Region Director Date

COOK INLET REGION, INC.

By: *Sophie Minich* _____ 3/1/18
Sophie Minich, President and CEO Date

KENAITZE INDIAN TRIBE

By: _____
Bart Garber, Executive Director Date

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By: _____
Dave M. Kemp, P.E., Central Region Director Date

COOK INLET REGION, INC.

By: _____
Sophie Minich, President and CEO Date

KENAITZE INDIAN TRIBE

By: Bart Garber _____ 3/2/2018
Bart Garber, Executive Director Date

CONCURRING PARTIES

KENAI NATIVES ASSOCIATION, INC.

By: _____
Vernon Stanford, President Date

SALAMATOF TRIBAL COUNCIL AND SALAMATOF NATIVE ASSOCIATION, INC.

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Chris Monfor, President and CEO Date

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By: _____
Dave M. Kemp, P.E., Central Region Director Date

COOK INLET REGION, INC.

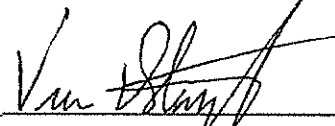
By: _____
Sophie Minich, President and CEO Date

KENAITZE INDIAN TRIBE

By: _____
Bart Garber, Executive Director Date

CONCURRING PARTIES

KENAI NATIVES ASSOCIATION, INC.

By:  _____
Vernon Stanford, President Date 3-1-18

SALAMATOF TRIBAL COUNCIL AND SALAMATOF NATIVE ASSOCIATION, INC.

By: _____
Chris Monfor, President and CEO Date

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APPENDICES

APPENDIX A: Juneau Creek Alternative Area of Potential Effects

APPENDIX B: Roles and Responsibilities of the Signatories

APPENDIX C: Archaeological Monitoring Plan

APPENDIX D: Data Recovery/Historic Properties Treatment Plan for the DOT&PF Sterling
Highway Milepost 45–60 Project Section 106 Programmatic Agreement

APPENDIX E: Contact Information for Agency and Tribal Officials Involved with Human
Remains Consultation

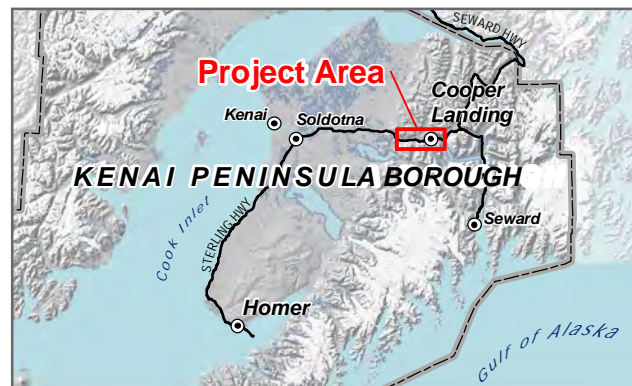
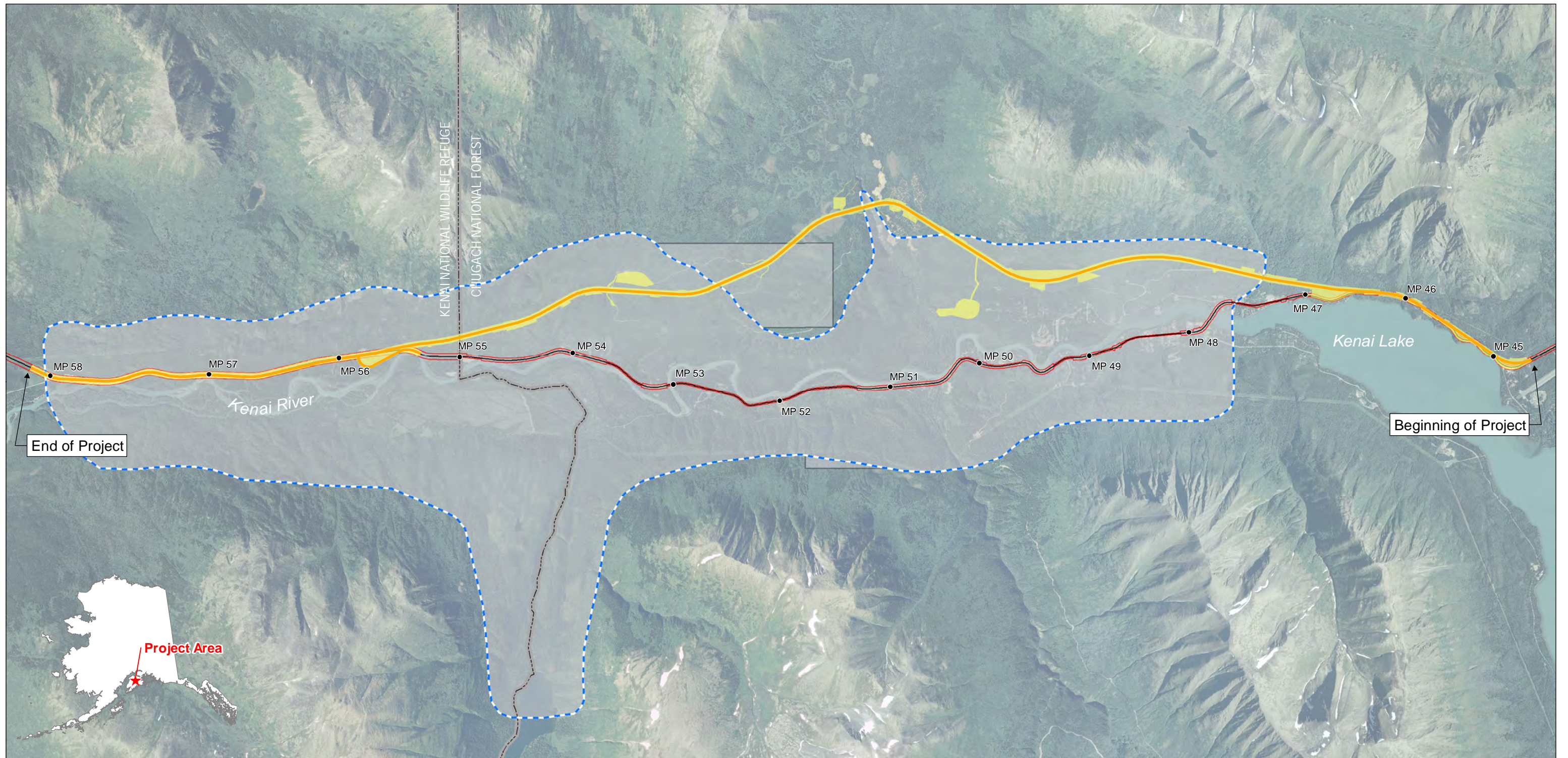
APPENDIX F: Human Remains Protocol

APPENDIX G: Cultural Resources Discovery Plan

APPENDIX H: Curation Plan

APPENDIX I: Acronyms and Abbreviations

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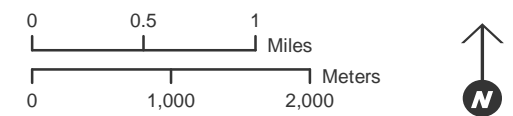
- Juneau Creek Alternative (centerline)
- Juneau Creek Alternative Direct Area of Potential Effects (APE)
- Juneau Creek Alternative Indirect APE
- Sqilantnu Archaeological District (KEN-00156/SEW-00282)
- Sterling Highway
- Sterling Highway Milepost
- Sterling Highway Existing ROW



**Sterling Highway
MP 45 to 60 Project
STP-F-021-2(15)/53014
March 2018**

The Juneau Creek direct Area of Potential Effects (APE) boundary is composed of multiple project components, which includes: proposed rights-of-way (plus a 50 ft. buffer); proposed cut/fill limits; and potential staging, waste, and borrow sites.

**APPENDIX A:
Juneau Creek Alternative
Area of Potential Effects**



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APPENDIX B
Sterling Highway MP 45 to 60 Project
Roles and Responsibilities of the Signatories

1. Federal Highway Administration (FHWA)

As the lead federal agency responsible for implementing Section 106 of the National Historic Preservation Act for the Sterling Highway Milepost (MP) 45 to 60 Project, FHWA has the statutory obligation to fulfill the requirements of Section 106, has ultimate approval authority for the Undertaking, and has the authority to enforce the terms and conditions of this Programmatic Agreement (PA). FHWA retains ultimate responsibility for complying with all federal requirements pertaining to government-to-government consultation with federally recognized Tribes.

Contact: Statewide Programs Team Leader

2. Alaska Department of Transportation and Public Facilities (DOT&PF)

As the project sponsor for this Undertaking, DOT&PF has the principal responsibility for implementing the stipulations of this PA. These responsibilities include the oversight of archaeological monitoring reporting and implementation of the mitigation measures for the resolution of adverse effects to historic properties documented in the PA.

Contact: Central Region Cultural Resources Specialist

3. Advisory Council on Historic Preservation (ACHP)

The ACHP has consulted with and commented to FHWA and DOT&PF on this Undertaking and on its adverse effects to historic properties. Under the terms of this PA, the ACHP shall participate in dispute resolution and advise the PA Signatories of any compliance issues that may be raised by the public to the ACHP. Amendments to the appendices or the addition of new appendices that do not involve an amendment to the body of the PA do not require written approval from the ACHP.

Contact: FHWA Liaison

4. State Historic Preservation Officer (SHPO)

Under the terms of this PA, the SHPO shall advise and assist FHWA and DOT&PF in carrying out their responsibilities, including the reviews of the archaeological monitoring reports and the mitigation deliverables as called for under the PA.

Contact: SHPO

5. Kenaitze Indian Tribe (KIT)

The KIT is a member of the Russian River Land Act Memorandum of Understanding Group (RRLA MOU Group) and shall be involved in the reviews of the archaeological monitoring reports and the mitigation deliverables as called for under the PA.

Contact: Executive Director

6. Cook Inlet Region, Inc. (CIRI)

CIRI is a member of the RRLA MOU Group. Under the RRLA, CIRI has title to the Sqilantnu Archaeological District and all prehistoric and historic archeological and cultural artifacts and resources as defined in the Russian River Section 14(h)(1) Selection Agreement.

FHWA and DOT&PF consulted with CIRI, as the owner of such materials, on the Project's Curation Plan for the disposition of any material collected. CIRI shall also be involved in the reviews of the monitoring reports and the mitigation deliverables as called for under the PA.

Contact: Senior Director, Land and Resources

7. United States Forest Service (Forest Service)

As a federal agency, land manager, and Section 106 consulting party, the Forest Service has permitting authority and right-of-way approval actions that trigger Section 106 and Section 110 responsibilities, as set forth in the National Historic Preservation Act (NHPA). As a federal land-managing agency, the Forest Service may use the terms of this PA to meet its Section 106 and 110 obligations. The Forest Service is a member of the RRLA MOU Group. Inadvertent discoveries from the Chugach National Forest not under jurisdiction of the RRLA will remain under stewardship of the Forest Service. The Forest Service shall be involved in reviews of the monitoring reports and the mitigation deliverables as called for under the PA.

Contact: Forest Supervisor and Heritage Program Manager, Chugach National Forest

8. United States Fish and Wildlife Service (USFWS)

As a federal agency, land manager, and Section 106 consulting party, USFWS has permitting authority and right-of-way approval for actions that trigger Section 106 and Section 110 responsibilities, as set forth in the NHPA. As a federal managing landowner, USFWS may use the terms of this PA to meet its Section 106 and 110 obligations. USFWS is a member of the RRLA MOU Group. Inadvertent discoveries from Kenai National Wildlife Refuge not under jurisdiction of the RRLA will remain under stewardship of USFWS. USFWS shall be involved in the reviews of the monitoring reports and the mitigation deliverables as called for under the PA.

Contact: Kenai National Wildlife Refuge Manager and Regional Historic Preservation Officer

Appendix C
Sterling Highway MP 45 to 60 Project Programmatic Agreement
Archaeological Monitoring Plan

I. Purpose and Scope

This Archaeological Monitoring Plan (Monitoring Plan) provides general procedures and protocols for archaeological monitoring during construction of the Sterling Highway Milepost (MP) 45 to 60 Project. Archaeological monitoring is the stationing of an archaeologist on a construction site to examine construction activity areas for evidence of archaeological remains during ground-disturbing construction activities. The Alaska Department of Transportation and Public Facilities (DOT&PF) is committed to archaeological construction monitoring to protect previously unidentified historic properties and human remains.

II. Cultural Resources, Historic Properties, and Human Remains

For the purposes of this document, cultural resources refers to any archaeological sites; buildings; engineered structures; Native American features and artifacts: round or rectangular structural pit features, basketry, projectile points, stone tools, hearths, grinding rock features, concentrations of human modified bone, horn and antler, beads, cache pits, fire-cracked rock, pottery, shell ornaments, cultural landscape features, and culturally modified trees; and historic-era features and artifacts such as building foundations, mining features, farming and homesteading features, glass bottles, ceramics, metal artifacts, and tin cans. Visible indications of cultural resources may be observed during construction in backhoe trenches, spoil piles, and cleared ground surfaces.

In accordance with Section 106 of the National Historic Preservation Act (NHPA), historic properties are any prehistoric or historic district, site, building, structure, object, or traditional cultural property included in or eligible for inclusion in the National Register of Historic Places (National Register) (36 Code of Federal Regulations [CFR] 800.16(1)(1)). In other words, a historic property is a cultural resource that has been determined to be eligible for listing in the National Register.

Human remains refer to the body of a deceased person, in whole or in parts, regardless of its stage of decomposition and post-mortem treatment. Cremated remains, or cremains, may vary in condition, based on the heat of the fire used, from ash to burned, but identifiable, bone. Visible indications of human remains may be observed during construction in backhoe trenches, spoil piles, and cleared ground surfaces.

III. Professional Qualifications and Standards

Work under the terms of this Monitoring Plan shall be carried out by or under the direct supervision of a person or persons meeting, at a minimum, the Secretary of the Interior's (SOI's) Professional Qualifications Standards for Archaeologists (36 CFR 61, Appendix A; Supervisory Archaeological Monitor). Additionally, all documentation, evaluation, treatment, and reporting of cultural resources as described for these procedures in this PA and its appendices will follow and

meet current professional standards, including but not limited to the SOI *Standards and Guidelines for Archaeology and Historic Preservation* (48 *Federal Register* [FR] 44716).

IV. Tribal Monitor Participation

Important archaeological materials, human remains, and other resources of Tribal interest associated with Alaska Native groups could be disturbed if encountered during Project construction. Tribal Monitors are generally individuals with local Tribal and cultural knowledge who can supplement archaeological knowledge brought by the Archaeological Monitors. DOT&PF shall invite Tribal Monitors to participate in the archaeological construction monitoring. The Federal Highway Administration (FHWA) shall fund two (2) Tribal Monitors, one (1) from the Kenaitze Indian Tribe (KIT) and one (1) from Cook Inlet Region, Inc. (CIRI), for their participation in the monitoring as described in this Monitoring Plan. KIT and CIRI shall select the Tribal Monitors, who shall represent KIT's and CIRI's interests during monitoring activities. Though the Tribal Monitors represent KIT and CIRI, they shall work in conjunction with the Archaeological Monitors to reduce the potential for the Project to affect historic properties.

To allow adequate time for KIT and CIRI to each select a Tribal Monitor, FHWA and DOT&PF shall provide advance written and electronic notice of the construction schedule. The first notice will occur when the Project construction phase is approved within the Statewide Transportation Improvement Program. The second notice will occur within a minimum of ninety (90) days before project construction.

V. Archaeological Construction Monitoring

Archaeological construction monitoring will involve the close inspection of excavations and other ground-disturbing activities within the Project construction footprint. Monitoring will follow excavations and construction as closely as conditions require, making all reasonable efforts for safety and noninterference with construction. The DOT&PF Professionally Qualified Individual¹ (PQI; also referred to in Appendix E as the Central Region Cultural Resources Specialist) shall coordinate with the Project Engineer to ensure that an appropriate Supervisory Archaeological Monitor² is provided and/or contracted prior to the beginning of construction. More than one (1) Archaeological Monitor may be required, depending on how much activity occurs simultaneously. The Supervisory Archaeological Monitor will determine the number and placement of Archaeological Monitors after consultation with the DOT&PF PQI and Project Engineer. Monitoring will continue until the Supervisory Archaeological Monitor has determined that excavation of the identified sensitive areas has reached the maximum depth at which cultural deposits can be expected.

¹ The PQI is an SOI-qualified DOT&PF Cultural Resources Specialist.

² The Supervisory Archaeological Monitor may be the DOT&PF PQI or may be a qualified consultant under contract with DOT&PF or the Construction Contractor.

A. Prior to Construction Activities

1. **Development of Cultural Resources Sensitivity Area Maps.** As the Project is known to encompass areas that are highly sensitive in regard to cultural resources, archaeological construction monitoring will occur in all areas of ground disturbance. DOT&PF shall develop and distribute maps exhibiting areas that contain or have high sensitivity for cultural resources in Project ground-disturbance locations. Archaeological and Tribal Monitors to the PA Signatories and Archaeological and Tribal Monitors for review and comment. Signatories and Monitors will have sixty (60) days to provide comments on the archaeological sensitivity area maps. DOT&PF will provide Archaeological and Tribal Monitors with final cultural resources sensitivity area data prior to monitoring activities.
2. **Acquire Permits for Archaeological Monitoring.** Prior to any monitoring activities, DOT&PF or its qualified consultant shall acquire any permits necessary for conducting monitoring activities from the appropriate land managing agency and/or private landowner. DOT&PF and its contractors shall coordinate with all land-managing agencies. Depending on the location of monitoring activities, permits could include a Cultural Resource Permit from the Alaska Department of Natural Resources Office of History and Archaeology, Archaeological Resources Protection Act or Special Use Permits from the Forest Service, United States Department of Agriculture (Forest Service) and the United States Fish and Wildlife Service (USFWS), a Conditional Use Permit required by the Kenai Peninsula Borough, or a Land Use permit from CIRI. It is the responsibility of the permit holder to comply with any requirements or stipulations set forth in the permit.
3. **Pre-construction Meeting and Cultural Resources Awareness Training.** Prior to the initiation of construction activities on the Project, the DOT&PF Project Engineer, the DOT&PF PQI, Archaeological Monitor(s), and Tribal Monitors shall organize and participate in a pre-construction meeting with the Construction Contractor **and** their subcontractors to explain PA stipulations for the Project and the procedures to follow if Project personnel inadvertently discover or affect historic properties or human remains as well as the roles of the Archaeological Monitor(s) and Tribal Monitors. DOT&PF will invite Signatories³ to attend the preconstruction meeting and DOT&PF will provide written and electronic notice to the Signatories at least fifteen (15) working days prior to the meeting. DOT&PF will notify the Construction Supervisor and other on-site authorities, in writing, of the archaeological presence and authority of the Archaeological and Tribal Monitors to halt construction work in the event of an inadvertent discovery or inadvertent effect to a historic property. The Construction Supervisor shall inform all construction personnel of the roles of the monitors.

Additionally, prior to the beginning of construction activities on the Project, the DOT&PF PQI or the Supervisory Archaeological Monitor shall conduct cultural resources awareness training to ensure that construction personnel understand the terms

³ The PA Signatories are identified in Appendix B.

of the PA and the types of resources that could be inadvertently discovered or affected during Project construction activities. The training will provide guidance regarding the recognition of archaeological material and identify procedures for notifying supervisory personnel in the event suspicious or sensitive materials are encountered. Construction personnel will be shown examples of the types of sites, artifacts, and features that might be encountered in the Project area. The training will also include a discussion of pertinent federal, State, and local laws. The cultural resources training may occur concurrently with the pre-construction meeting.

4. **Historic Property Protection Measures.** DOT&PF shall avoid historic properties when possible during Project activities. Prior to construction, the Archaeological Monitors will flag or guide the placement of construction fencing around historic properties as “avoidance areas” for construction personnel. No construction activities may occur in these areas. No one shall remove the flagging material and/or construction fencing from the “avoidance areas” until construction activities at the location are complete, and the flagging material and/or construction fencing will be removed only by or under the guidance of the Supervisory Archaeological Monitor. The Supervisory Archaeological Monitor or PQI may employ other means at his or her discretion to avoid and minimize adverse effects to historic properties.

B. On-Site Archaeological Construction Monitoring Responsibilities

1. Both the Archaeological Monitors and Tribal Monitors have “stop-work” authority if they believe sensitive archaeological materials are at risk of being impacted by construction activities. Archaeological Monitors and Tribal Monitors are to immediately notify the Supervisory Archaeological Monitor. The Supervisory Archaeological Monitor shall carefully consider the evidence or information presented and take appropriate action to protect archaeological deposits and potentially eligible historic properties. The Archaeological Monitor(s) shall remain on-site in the delineated areas unless the Supervising Archaeological Monitor determines after field observations, in consultation with the Tribal Monitors, and in consultation with PA Signatories, that monitoring is not necessary in a particular location. During construction, at least one (1) SOI-qualified Archaeological Monitor and Tribal Monitor shall be on the Project site while all ground-disturbing activities are occurring. Following completion of the ground-disturbing activities, the Archaeological Monitor and Tribal Monitor shall conduct a final site check for any inadvertently discovered or affected historic properties and human remains.
2. No construction or related activities will occur within the boundaries of historic properties that have been flagged or fenced as “avoidance areas.” The Archaeological and Tribal Monitor(s) will have maps and global positioning system (GPS) units with sub-meter accuracy, loaded with the historic property boundaries and grave locations, during construction to ensure avoidance.
3. The Archaeological and Tribal Monitor(s) shall maintain daily logs documenting construction and ground-disturbing activities; communications with construction

- personnel, descriptions and provenience of any inadvertent discoveries or artifacts collected; historic properties inadvertently affected; and other pertinent information. If the Supervisory Archaeological Monitor and Tribal Monitor(s) disagree regarding the potential for inadvertent adverse effects to historic properties and human remains, construction activities shall stop, and consultation with the Signatories shall occur immediately.
4. If a previously unidentified cultural resource, including but not limited to any associated or unassociated funerary objects, sacred objects, or objects of cultural patrimony as defined by the Native American Graves Protection and Repatriation Act (25 U.S. Code 3001; NAGPRA) and KIT's *NAGPRA Definitions Policy* (see Appendix F), is encountered during construction activities, or a historic property is affected in an unanticipated manner, the Archaeological Monitor(s), Tribal Monitors, and construction personnel shall follow the procedures and protocols outlined in PA Stipulation VII, *Inadvertent Discoveries and Unanticipated Effects*, and Appendix G, *Cultural Resources Discovery Plan*.
 5. If human remains/cremains (i.e., cremated human remains) are inadvertently discovered or affected during monitoring or any construction activities, the Archaeological Monitor(s), Tribal Monitors, and construction personnel shall follow the procedures and protocols outlined in Stipulation VI, *Treatment of Human Remains*, and Appendix F, *Human Remains Protocol*.
 6. In the event that a previously unidentified cultural resource is inadvertently discovered during Project activities, archaeological construction monitoring will occur within a two-hundred (200)-foot buffer of the discovery boundary once the resource has been fully documented, in accordance with Appendix G, *Cultural Resources Discovery Plan*, and construction activities have resumed in that location.
 7. Construction activities may continue elsewhere in the Project area. Construction personnel and subcontractors may conduct no further work at the discovery site until the DOT&PF Project Engineer, in consultation with the Supervising Archaeological Monitor, Tribal Monitors and Signatories, provides authorization to resume Project construction activities. DOT&PF shall not permit vehicles, equipment, and unauthorized personnel to traverse the discovery site.

C. Reporting Requirements

1. **Weekly Monitoring Memos.** The Supervising Archaeological Monitor and Tribal Monitors shall provide a summary construction monitoring memorandum on a weekly basis to the DOT&PF Project Engineer and the PQI. The memorandums will summarize monitoring activities, including items such as times and locations of monitoring, inadvertently discovered or affected historic properties or burials, and other observations related to the monitoring. The PQI shall submit an electronic copy of the memo to the PA Signatories within two (2) days of its receipt for their ongoing information.

2. **Summary Monitoring Report.** When the construction monitoring is complete, the Supervisory Archaeological Monitor, with input from the Tribal Monitors, shall provide to the Project Engineer and PQI a draft monitoring report summarizing the construction monitoring activities (detailing the overall monitoring effort and locations, inadvertent discoveries made, inadvertent effects to historic properties and graves, avoidance or minimization of effects recommendation and/or measures if possible, and relevant field observations) within ninety (90) days. The report is to meet contemporary professional standards and the SOI *Standards and Guidelines for Archaeological Documentation* (48 FR 44734–44737). The PQI shall provide the draft monitoring report to the PA Signatories for review and comment. Signatories shall have ninety (90) days to review and provide comments on the draft monitoring report to DOT&PF. DOT&PF shall address comments received during the review period, and will submit a final report to the Signatories within one (1) year after completion of all archaeological construction monitoring and prior to the conclusion of this PA. If construction monitoring occurs over several years, the Supervisory Archaeological Monitor shall provide to the Project Engineer and PQI annual monitoring reports and one (1) final report summarizing the annual reports following the timeframes provided in this section.



Appendix D: Data Recovery/Historic Property Treatment Plan for the DOT&PF Sterling Highway Milepost 45–60 Project Section 106 Programmatic Agreement

Project No. STP-F-021-2(15)/
Z530140000

Prepared for the Alaska Department of
Transportation and Public Facilities,
Central Region

March 2018

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Appendix D: Data Recovery/Historic Properties Treatment Plan for the DOT&PF Sterling Highway Milepost 45–60 Project Section 106 Programmatic Agreement

March 2018

PREPARED FOR



Alaska Department of
Transportation and
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Plan Summary

The Alaska Department of Transportation and Public Facilities (DOT&PF) is proposing to realign the Sterling Highway between Mileposts 45 and 60 (Project). The Project is funded by the Federal Highway Administration (FHWA) and is therefore considered a federal undertaking subject to Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations found in 36 Code of Federal Regulations 800.

DOT&PF and FHWA have determined that construction of the Project will have an adverse effect on historic properties associated with the Sqilantnu Archaeological District (KEN-00126/SEW-00282). Currently, DOT&PF and FHWA are in the process of developing a Programmatic Agreement to resolve adverse effects to historic properties. The development of a Historic Properties Data Recovery and Treatment Plan (Treatment Plan) is stipulated in the Programmatic Agreement. The goal of data recovery is to recover significant data from the sites within the direct area of potential effects through systematic archaeological excavation and analyses before partial or total destruction of the sites' cultural remains by Project construction activities.

The following document presents methods to conduct data recovery at sites associated with the Sqilantnu Archaeological District that will be adversely affected by the proposed Project. The Treatment Plan includes a synopsis of previously conducted cultural resources investigations within the Project vicinity with an overview of the regional cultural chronology, and identifies research themes that guide the research design. The Treatment Plan also describes general field methods, and laboratory and analytical techniques to be used in the discovery, excavation, and interpretation of archaeological data, as well as tribal and agency coordination. Finally, the Treatment Plan discusses reporting and a summary of curation measures following the completion of data recovery efforts.

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Acronyms and Abbreviations

ADGGS	Alaska Division of Geological and Geophysical Survey
AHPA	Alaska Historic Preservation Act
AHRS	Alaska Heritage Resources Survey
ANC	United States Geological Survey Anchorage quadrangle as part of an AHRS-assigned site number
ANCSA	Alaska Native Claims Settlement Act
APE	Area of Potential Effects
ARPA	Archaeological Resources Protection Act
AS	Alaska Statute
ASTt	Arctic Small Tool Tradition
BIA	Bureau of Indian Affairs
BP	Before Present
CIRI	Cook Inlet Region, Inc.
CFR	Code of Federal Regulations
CRC	Cultural Resources Consultants, LLC
DOE	Determination of Eligibility
DOT&PF	Alaska Department of Transportation and Public Facilities
Forest Service	United States Forest Service
FR	Federal Register
FHWA	Federal Highway Administration
GPS	Global Positioning Systems
HDR	HDR Alaska, Inc.
KEN	United States Geological Survey Kenai quadrangle as part of an AHRS-assigned site number
KIT	Kenaitze Indian Tribe
KNWR	Kenai Wilderness Refuge
KPB	Kenai Peninsula Borough
mm	Millimeter
MP	Milepost
NAGPRA	Native American Graves Protection and Repatriation Act
National Register	National Register of Historic Places
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
OHA	Office of History and Archaeology
PA	Programmatic Agreement
Project	Sterling Highway MP 45–60 Project
ROW	Right-of-way
RRLA	Russian River Lands Act
SEW	United States Geological Survey Seward quadrangle as part of an AHRS-assigned site number

SOI	Secretary of the Interior
Treatment Plan	Data Recovery/Historic Properties Treatment Plan
UAMN	University of Alaska Museum of the North
USFWS	United States Fish and Wildlife Service

1.0 Introduction

1.1 Purpose and Scope

The Alaska Department of Transportation and Public Facilities (DOT&PF) is proposing to realign the Sterling Highway between Milepost (MP) 45 and 60. The Sterling Highway MP 45–60 Project (Project) is funded by the Federal Highway Administration (FHWA) and is therefore considered a federal undertaking subject to Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, and its implementing regulations found in 36 Code of Federal Regulations (CFR) 800. As a State project, it is also subject to the Alaska Historic Preservation Act (AHPA; Alaska Statute [AS] 41.35.01). DOT&PF and the FHWA, as the lead federal agency, have determined that construction of the Project will have an adverse effect on historic properties associated with the Sqilantnu Archaeological District (KEN-00126/SEW-00282¹). This document presents a Data Recovery/Historic Properties Treatment Plan (Treatment Plan) to resolve adverse effects to historic properties associated with and located within the Sqilantnu Archaeological District that will be directly affected by construction of the Project.

The development of a Treatment Plan is proposed in Stipulation V, *Mitigation*, in the Sterling Highway MP 45–60 Project Programmatic Agreement (PA). The Treatment Plan is intended to provide general guidelines for the treatment of historic properties within the area of potential effects (APE). This plan addresses historic properties already identified within the APE that will be adversely affected by the proposed Project, as well as any historic properties that may be located and identified during construction. Specifically, the Treatment Plan describes a mitigation approach for the adversely affected Alaska Native historic properties, associated with the Sqilantnu Archaeological District, located within the APE. Euro-American historic properties within the APE are not included in this Treatment Plan. Ultimately, the objective of data recovery is to recover significant² data from the sites within the Direct APE of the selected Project alternative through systematic archaeological excavation and analyses as a means of mitigation prior to partial or total destruction of the cultural remains by construction of the Project.

Included in the Treatment Plan is a synopsis of previously conducted cultural resources investigations within the vicinity of the proposed Project, with an overview of the regional cultural chronology used to identify research themes to guide the research design. The Treatment Plan also describes general field methods, and laboratory and analytical techniques to be used in the discovery, excavation, and interpretation of archaeological data, as well as Tribal and agency coordination. Finally, the Treatment Plan discusses reporting and provides summary curation measures following the completion of data recovery.

Currently, there are four proposed build alternatives being considered as viable for the Project. FHWA and DOT&PF have identified the Juneau Creek Alternative as the preferred build alternative. However, the build alternative will not be selected until the Record of Decision is signed. As such, this Treatment Plan has a general structure so that it is applicable to all four proposed Project alternatives. After the build alternative is selected, the Treatment Plan will be amended to include a description of the historic properties specific to the selected alternative,

¹ KEN = United States Geological Survey Kenai quadrangle as part of an AHRS-assigned site number; SEW = United States Geological Survey Seward quadrangle as part of an AHRS-assigned site number.

² “Significant,” for the purposes of data recovery, refers to data that can be used to address research questions and domains outlined in Section 4.0, and to help broaden understanding of themes related to Alaska’s prehistory in the central Kenai Peninsula.

along with an expanded and more detailed cultural context, and more specific field and analysis measures for data recovery.

1.2 Project Description

Originally completed in 1950, the Sterling Highway is the only road that links western Kenai Peninsula communities (e.g., Kenai, Soldotna, and Homer) to the rest of the State of Alaska. Since 1978, DOT&PF has recognized the need for improved safety and traffic flow to accommodate the increased Kenai Peninsula Borough (KPB) population growth, recreation, and tourism. DOT&PF is proposing the construction of a new and rebuilt highway alignment within the Sterling Highway MP 45–60 Project corridor (Figure 1). DOT&PF has identified four proposed build alternatives and a No Build Alternative for the Project. These build alternatives include (1) the Cooper Creek Alternative, (2) the G South Alternative, (3) the Juneau Creek Alternative, and (4) the Juneau Creek Variant Alternative. FHWA and DOT&PF have identified the Juneau Creek Alternative as the preferred build alternative, as it has the least overall harm to Section 4(f) properties³ as determined in the Environmental Impact Statement.

The **Cooper Creek Alternative** follows the existing alignment for most of its length. Only about 4.0 miles would be located on a new alignment, routed south of Cooper Landing. This alternative would include construction of three large bridges: two that would replace existing Kenai River bridges and one new large bridge over Cooper Creek. It includes about 10.0 miles of reconstruction of the existing highway as well.

The **G South Alternative** would construct 5.5 miles of new alignment skirting north of Cooper Landing and the Kenai River, reconnecting with the existing alignment near MP 52. This alternative was designed to avoid impacts to the Resurrection Pass Trail and Juneau Creek Falls Recreation Area. This alternative would include construction of three bridges: one replacing an existing bridge over the Kenai River, one new large bridge over lower Juneau Creek, and one new bridge over the Kenai River. It includes 8.0 miles of reconstruction of the existing highway as well.

The **Juneau Creek Alternative** deviates from the existing alignment more than the other alternatives—10 of 14.6 miles would be on new alignment. It would run north of Cooper Landing and the Kenai River, climbing the hillside and crossing Juneau Creek Canyon with a new bridge south of Juneau Creek Falls. The new segment would cross Mystery Creek Wilderness in the Kenai National Wilderness Refuge (KNWR) and would rejoin the existing highway at about MP 56. The alternative includes one large bridge spanning the Juneau Creek Canyon. It would be the longest single-span bridge in Alaska. It includes 4.0 miles of reconstruction of the existing highway as well.

The **Juneau Creek Variant Alternative** is almost the same as the Juneau Creek Alternative but was specifically designed to avoid use of the KNWR and the Mystery Creek Wilderness. About 9.0 miles would be located on a new alignment. The Juneau Creek Variant Alternative would rejoin the existing alignment at MP 55 of the existing highway near Sportsman’s Landing. The alternative includes one large bridge crossing Juneau Creek Canyon. It would be the longest single-span bridge in Alaska. It includes 5.0 miles of reconstruction of the existing highway as well.

³ Section 4(f) properties include publicly owned public parks, recreation areas, and wildlife or waterfowl refuges, or any publicly or privately owned historic site listed or eligible for listing on the National Register of Historic Places.

1.3 Area of Potential Effects

Under 36 CFR 800.16(d), the APE is defined as “the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historical properties, if any such properties exist.” For each build alternative, the Direct APE is identified as the area where the Project could have direct impacts to historic properties. The Direct APE is defined as the right-of-way (ROW) for the selected alternative, which in most cases is 300 feet wide, although in some areas it is as much as 500 feet wide to accommodate cut or fill sections. The Project footprint also encompasses all aspects of proposed construction staging and access for the Project. For the purposes of the Treatment Plan, historic properties located wholly or partially within the Project footprint are regarded as being adversely affected and will be treated in accordance with this plan.

The Indirect APE is the area where secondary effects to historic properties may occur, such as impacts to setting, association, or feeling. The Indirect APE is defined as the entire Squalantnu Archaeological District, which encompasses sites that are individually and collectively important to the study of prehistoric and historic settlement and subsistence in the vicinity of the confluence of the Russian and Kenai rivers, from Jim’s Landing (MP 58) to the outlet on the Kenai Lake (MP 47.8), on both sides of the valley (up to the 1,000-foot contour line).

1.4 Regulatory Context

The proposed Project is considered a federal undertaking⁴ subject to compliance with Section 106 of the NHPA of 1966, as amended, and its implementing regulations found in 36 CFR Part 800. Section 106 requires federal agencies to take into account the effects of their undertakings on historic properties (36 CFR 800.1[a]). Historic properties are any prehistoric or historic district, site, building, structure, object, or traditional cultural property included in or eligible for inclusion in the National Register of Historic Places (National Register; 36 CFR 800.16(l)(1)).

In addition to Section 106, the Project is also required to adhere to other environmental and cultural resources regulatory requirements, including, but not limited to, the National Environmental Policy Act (NEPA), the Archaeological Resources Protection Act (ARPA), the American Indian Religious Freedom Act, the Native American Graves Protection and Repatriation Act (NAGPRA), Executive Order 11593 (Protection and Enhancement of the Cultural Environment), the American Antiquities Act of 1906, Executive Order 13007 (Indian Sacred Sites), and Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments).

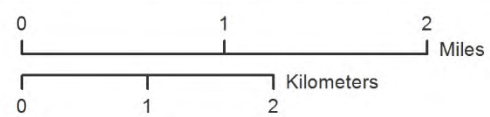
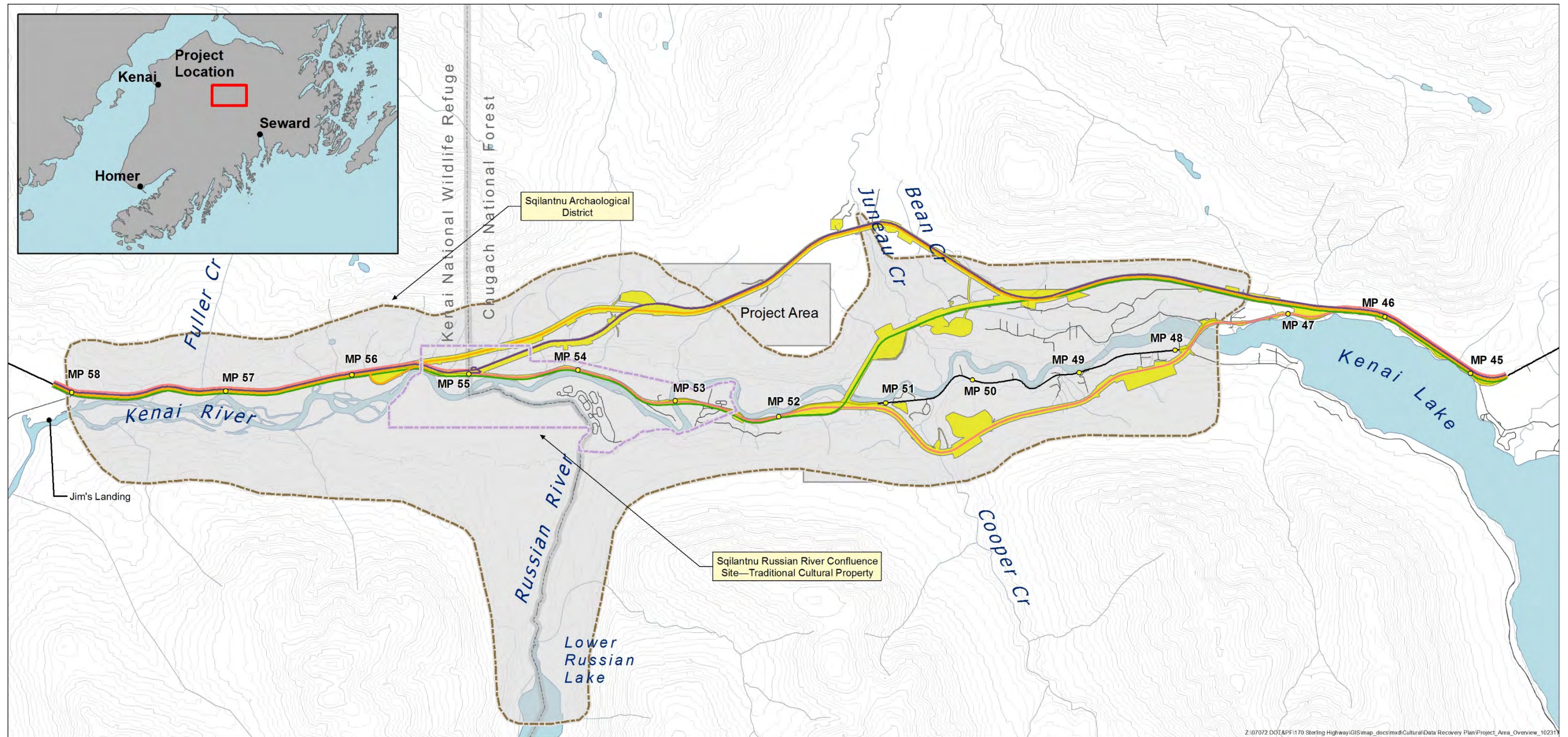
1.5 Professional Qualifications Standards

Archaeological data recovery, human remains recovery, laboratory analyses, associated reporting, and all other cultural resources investigations, agreed to in the Sterling Highway MP 45–60 PA, will be conducted by, or be prepared by or under, the direct supervision of a qualified individual(s) meeting the Secretary of the Interior’s (SOI’s) Professional Qualification Standards (36 CFR 61, Appendix A) with expertise in the appropriate field(s).

All documentation, including data recovery reports, archaeological construction monitoring reports, and any other associated documentation, will be consistent with the SOI *Standards and Guidelines for Archaeology and Historic Preservation* (48 Federal Register [FR] 44716) and the

⁴ Per 36 CFR 800.16(y), “Undertaking means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license or approval.”

SOI Standards and Guidelines for Archaeological Documentation (48 FR 44734–44737), and also meet the Alaska Office of History and Archaeology (OHA) Standards and Guidelines for Investigating and Reporting Archaeological and Historic Properties in Alaska.



LEGEND	
 	Direct Area of Potential Effects (APE)
 	Indirect Area of Potential Effects
 	Sqiłantnu Archaeological District
 	Confluence TCP
	Existing Highway
	Local Road
	Cooper Creek
	G South
	Juneau Creek
	Juneau Creek Variant

*The Area of Potential Effects (APE) boundary for each alignment is composed of multiple project components, which includes: proposed right-of-way; proposed cut/fill limits; and potential staging, waste, and borrow sites. This figure depicts alternative centerlines only.

This data contains confidential and/or restricted information and is not intended for public distribution.



**Sterling Highway
MP 45 to 60 Project
STP-F-021-2(15)/53014
October 2017**

Project Area Overview

Figure 1. Project Area Overview

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2.0 Background

2.1 Previous Cultural Resources Investigations

Numerous cultural resources investigations, including pedestrian survey, subsurface testing, and excavation, have occurred in the general Project area over the past four decades.

The Bureau of Indian Affairs (BIA) conducted cultural resources investigations in 1979 to locate and map historic and cemetery sites eligible for selection by the Cook Inlet Region, Inc. (CIRI), under the Alaska Native Claims Settlement Act (ANCSA) 14(h)(1) (Fall and Lynch 1980). Other BIA ANCSA surveys in the area were conducted by Clark (1988) and Kent (1995a, 1995b).

The United States Forest Service (Forest Service) and United States Fish and Wildlife Service (USFWS) have conducted cultural resources investigations, including excavation, on lands under their respective jurisdictions (e.g., Matson 1988; Bailey 1991; Ludwig 1996, 1998; Corbett 1998, 2000; Schick 2002a, 2002b; Forest Service 2002).

The State of Alaska OHA first conducted cultural resources investigations for proposed realignments of the Sterling Highway in 1978 (Pittenger and Thomas 1980) and 1979 (Pittenger 1981). DOT&PF contracted subsequent cultural resources investigations in the Project area in 1983 (Yarborough 1983), and then again, by the Alaska Division of Geological and Geophysical Survey (ADGGS) or the OHA, every year between 1984 and 1989 (Gibson 1985; Holmes 1985; Dale et al. 1987; McMahan et al. 1991). Surveys specific to NEPA alternative alignments were commissioned as the environmental process continued to its present status.

The Juneau Creek Alternative was surveyed by the OHA in 2000 (Holmes 2000), and several DOT&PF-sponsored surveys have occurred within the Project area over the past decade (e.g., Reger 2004a). The majority of the G South Alternative was surveyed by Cultural Resources Consultants, LLC (CRC), in 2005 and 2009 (Pendleton et al. 2010). CRC also conducted determinations of eligibility (DOEs) for sites within the Charles G. Hubbard Mining Claims Historic District (SEW-01268; Pendleton and Yarborough 2007), and for additions to the Sqilantnu Archaeological District (KEN-00156/SEW-00282; Pendleton and Yarborough 2005b).

HDR Alaska, Inc. (HDR) conducted a small survey of the approximately 20 acres of the G South Alignment in 2014 to explore avoidance options of the New Village Site (Anderson and Davis 2014). In 2016, HDR cultural resources specialists surveyed 74 acres of land within the G South Alternative that had not been previously investigated (Teeter and Ramsey Ford 2016).

A summary of relevant reports prepared for the Sterling Highway MP 45–60 Project, as well as other relevant reports prepared for the various land managers within the Project area, is provided in Table 1.

Table 1. Prior Cultural Resources Investigations in the Vicinity of the Project

Year	Agency/Affiliation	Author	Report Title
1980	BIA	Fall and Lynch	Sqilantnu, AA-11098 Site File: Alaska Native Claims Settlement Act (ANCSA), Sec. 14(h)(1) Project
1980	OHA	Pittenger and Thomas	Cultural Resource Survey of the Sterling Highway from Milepost 37 to Milepost 60. In <i>Archaeological Survey Projects, 1978</i>
1981	OHA	Pittenger	Continued Cultural Resource Survey of Sterling Highway, MP 37 to 60. In, <i>Archaeological Survey Projects, 1979</i>

Year	Agency/Affiliation	Author	Report Title
1983	DOT&PF	Yarborough	Survey and Testing on SEW 175-176 and SEW 187, Kenai Peninsula, Alaska
1985	ADGGS ^a	Holmes (editor)	Progress Report, Project F-021-0(15)/(A09812) Sterling Highway Archaeological Mitigation: Phase I Excavations at Four Sites on the Kenai Peninsula
1985	ADGGS	Reger	Chapter XI, Cultural History of the Kenai River Drainage: A Preliminary Framework
1985	ADGGS	McMahan	Excavation Results for SEW-214 and SEW-216
1986	Forest Service	Matson	DOT&PF Material Source Surveys (M.S. 21-2-053-1 and M.S 21-2-052-1)
1986	ADGGS	Holmes	Supplemental Report: Sterling Highway Archaeology, 1985–1986
1986	OHA	McMahan and Buzzell	Cultural Resource Survey of Alternative F, Sterling Highway Mile 46–55
1987	OHA	Dale et al.	Cultural Resources of the Sterling Highway Milepost 37–60, Kenai Peninsula, Alaska, 1987 (Project 53014)
1988	BIA	Clark	Report of Investigations for Russian River Campground, Cook Inlet Region Inc., AA1096
1988	Forest Service	Matson	Revised Russian River Campground Entry Road and Overflow Parking; field notes on file
1991	Forest Service	Bailey	<i>Survey of Stetson Creek (MPO Claim #A905588) for Cultural Resources</i> ; ms. on file, USDA Forest Service
1991	Forest Service	Mattson	Unpublished field notes for the Lower Stetson Creek Timber Salvage Sale, August 31, 1991; ms. on file, Chugach National Forest, Anchorage
1991	OHA	McMahan et al.	Cultural Resource Testing and Evaluation of Selected Sites Along the Sterling Highway Milepost 37–60, Kenai Peninsula
1995	BIA	Kent and Johnson	Miscellaneous Field Notes from the 1995 Field Season in the Vicinity of AA-11096. On file, BIA ANCSA Office, Anchorage.
1995a	Mobley and Associates	Kent	A Phase I Analysis of CIRI 14(h)(1) Application Investigations, Russian River Campground, AA-11096
1995b	CIRI ^b	Kent	Review of ANCSA 14(h)(1) Investigations at the Chunuk'tnu Hdakaq' Site Complex, BLM AA-110906, For Cook Inlet Region, Inc.
1996	CIRI	Kent	Data Synthesis and Mapping of ANCSA 14(h)(1) Application AA-11906, Located Near the Confluence of the Russian and Kenai Rivers, Alaska
1996	Forest Service	Ludwig	Cultural Resources Project Clearance Abstract/Summary Footprints Interpretive Site
1998	USFWS	Corbett	Riverine Kachemak on the Upper Kenai River
1998	Forest Service	Ludwig	Archaeological Monitoring and Clearance for Construction of the K'Beq Footprints Heritage Site

Year	Agency/Affiliation	Author	Report Title
2000	USFWS	Corbett	FWS and Kenaitze Tribe Russian River Excavations, 1977–2000
2000	OHA	Holmes	Archaeological Survey of Sterling Highway, Milepost 45–60, Project No. F-0212 (15)/53014
2002	Forest Service	Nelson	Fuller Burn Survey Fieldnotes. On file, Chugach National Forest
2002	CRC/ HDR/ Reger Archaeological Consulting	Reger	Archaeology Along the Sterling Highway Project: Cooper Creek Alternative
2002a	Forest Service	Schick	Fuller Burn Survey Fieldnotes
2002b	Forest Service	Schick	Cultural Resources Survey Results for Russian Lakes Trail Reroute, Chugach National Forest, Seward Ranger District
2002	Forest Service	Forest Service	Cultural Resources Survey Results for the Fuller Prescribed Burn Project Chugach National Forest, Seward Ranger District
2004c	CRC/ HDR/ Reger Archaeological Consulting	Reger	Archaeological Survey of Alternative G South, Sterling Highway Project, Mile 45–60
2004d	McLane, KPB	Reger	Archaeological Survey of the East Access Road and Driveways, Bean Creek Subdivision, Birch Ridge Addition
2005	DOT&PF	Macy	Documentation for Determination of Eligibility for Gwinn's Lodge/Roadhouse (SEW-00646)
2005	Telalaska	Reger	Cultural Resource Investigation for Telalaska Quartz Creek to Tern Lake Fiber Optic Cable Project
2005a	DOT&PF	Pendleton and Yarborough	Documentation for Determination of Eligibility: Mining Features on Claims Ava, Ace, and Ada (SEW-1250); Mining Features on Claims Fern and Robin (SEW-1257); and Mining Features on Claim Alpha (SEW-1269)
2005b	DOT&PF	Pendleton and Yarborough	Documentation for Determination of Eligibility; Additions to the Sqilantnu Archaeological District (KEN-156/SEW-282)
2005c	DOT&PF	Pendleton and Yarborough	Documentation for Determination of Eligibility: Nixon's Ranch (SEW-00171)
2007	DOT&PF	Pendleton and Yarborough	Documentation and Determination of Eligibility Charles Hubbard Mining Claims Historic District (SEW-1268)
2007	DOT&PF	Rider et al.	Documentation for Determination of Eligibility for the Berger Homesite (SEW-01198)
2010	DOT&PF	Pendleton et al.	Archeological Field Survey of the Sterling Highway Project Milepost 45 to 60
2010	DOT&PF	Anderson	Visual Effects Assessment and Survey for Potential Indirect Effects to Identified Cultural and Historic Built Environment Resources
2014	DOT&PF	Anderson and Davis	"G South" Realignment Cultural Resources Survey

Year	Agency/Affiliation	Author	Report Title
2016	DOT&PF	Teeter, Ramsey-Ford	Cultural Resources Field Survey for the DOT&PF Sterling 45–60 G-South Alignment

^a Alaska Division of Geological and Geophysical Surveys

^b Cook Inlet Region, Inc.

2.2 Adversely Affected Sqilantnu Archaeological District Resources within the Project Alternatives

For the purposes of this Treatment Plan, only adversely affected historic properties associated with the Sqilantnu Archaeological District that are believed to be of Alaska Native origin are being considered. Other historic properties will be adversely affected by the proposed Project; adverse effects to those resources are directly addressed in the PA. There are a combined total of 57 Alaska Heritage Resource Survey (AHRs) sites within the Direct APEs of the four proposed build alternatives. Many of the sites are located within the Direct APE of multiple alternatives. The Sqilantnu Archaeological District is one of the 57 total resources. The remaining 56 sites are being treated as eligible as contributing elements to the Sqilantnu Archaeological District under National Register Criteria A and D.

Of the 56 eligible sites within Sqilantnu Archaeological District, 40 sites are being adversely affected by the Project (Table 2). Data recovery will focus on locations within the Direct APE where the historic property is in threat of destruction through construction activities. Data recovery will not occur at sites within the Direct APE that can be avoided during construction activities or at sites located entirely within the Indirect APE.

Pit features (e.g., house pits, cache pits, and surface depressions) are present at all 40 of the sites within the Direct APE of the proposed alternatives. Several sites with pit features have received some level of excavation and/or testing during previous cultural resource investigations. Other features found within the Direct APE of multiple alternatives include a mound feature that is present at a single site (adversely affected by three of the proposed alternatives). The mound was excavated in 2010 and found to be comprised of fire-cracked rock (Pendleton et al. 2010). Both flexed and cremated human remains are present at one site in the Juneau Creek Variant Alternative Direct APE. Three burials (two flexed and one cremated) have been excavated. An additional 29 similar surface depressions have been interpreted as possible burials; these are still present at this location (McMahan 1985). Unknown burials may exist in any of the Direct APEs of the proposed alternatives.

Table 2. Historic Properties Associated with the Sqilantnu Archaeological District Adversely Affected by the Project

AHRS Number	Site Description	Alternative
KEN-00081	4 House Pits, 23 Features	Juneau Creek
KEN-00092	8 House Pits And 3 Features	Cooper Creek; G South; Juneau Creek; June Creek Variant
KEN-00093	4 House Pits, many Cache Pits/Features	Juneau Creek
KEN-00094	House Pits, Associated Features	Cooper Creek; G South; June Creek Variant
KEN-00126/ SEW-00282	Sqilantnu Archaeological District	Cooper Creek; G South; Juneau Creek; Juneau Creek Variant
KEN-00133	9 Cache Pits	Cooper Creek; G South; Juneau Creek; June Creek Variant
KEN-00215	5 Surface Depressions	Juneau Creek
KEN-00228	1 House Pit and 4 Cache Pits	Cooper Creek; G South; Juneau Creek Variant
KEN-00247	Four Cache Pits	Cooper Creek; G South; Juneau Creek Variant
KEN-00248	82 Features (House Pits and Cache Pits)	Cooper Creek; G South; Juneau Creek Variant
KEN-00249	3 Cache Pits	Cooper Creek; G South; Juneau Creek Variant
KEN-00250	5 Cache Pits, 1 Possible House Pit	Cooper Creek; G South; Juneau Creek Variant
KEN-00282	6 House Pits and 16 Cache Pits	Cooper Creek; G South; Juneau Creek; Juneau Creek Variant
KEN-00319	1 House Pit, 3 Cache Pits	Juneau Creek Variant
KEN-00321	6 Cache Pits	Cooper Creek; G South; Juneau Creek Variant
KEN-00396	1 Cache Pit	Cooper Creek; G South; Juneau Creek; Juneau Creek Variant
KEN-00402	1 House Pit and 16 Cache Pits	Cooper Creek; G South; Juneau Creek; Juneau Creek Variant
KEN-00702/ SEW-01497	Sqilantnu Russian River Confluence Site	Cooper Creek; G South; Juneau Creek; Juneau Creek Variant
SEW-00214	1 House Pit, 14 Cache Pits (Includes Burial)	Juneau Creek Variant
SEW-00216	35 Features (Mortuary)	Juneau Creek Variant
SEW-00217	4 House Pits, 39 Pit Features	Cooper Creek; G South
SEW-00268	5 Subrectangular Pits	Cooper Creek; G South
SEW-00404	9 Cache Pits	Juneau Creek Variant
SEW-00405	1 Cache Pits	Juneau Creek Variant
SEW-00406	4 Cache Pits	Juneau Creek Variant
SEW-00615	1 Cache Pit	G South
SEW-00620	1 Cache Pit	Cooper Creek; G South
SEW-00621	1 House Pit and 8 Cache Pits	Cooper Creek; G South
SEW-00627	1 Cache Pit	Cooper Creek; G South
SEW-00628	1 Cache Pit	Cooper Creek; G South
SEW-00633	4 Cache Pits	Cooper Creek; G South
SEW-00634	1 House Pit	Cooper Creek; G South

AHRS Number	Site Description	Alternative
SEW-00635	1 House Pit and 3 Cache Pits	Cooper Creek; G South
SEW-00699	2 House Pits	Cooper Creek; G South
SEW-00701	2 House Pits and 3 Cache Pits	Cooper Creek; G South
SEW-00702	2 House Pits and 3 Cache Pits	Cooper Creek; G South
SEW-00706	3 Cache Pits and 1 Mound	Cooper Creek; G South
SEW-01251	1 Cache Pit	Cooper Creek
SEW-01258	1 Cache Pit	Cooper Creek
SEW-01270	1 House Pit, 4 Cache Pits	Juneau Creek
SEW-01439	3 Small Depressions	Juneau Creek Variant
SEW-01441	2 Small Depressions	Juneau Creek Variant

3.0 Synopsis of the Regional Cultural Chronology

This section provides a general overview of the region’s cultural history. An in-depth synthesis of existing archaeological and historic information, including oral histories, will be researched and published as part of the suite of mitigation measures for the Project once the Record of Decision concludes the NEPA process. The final report should incorporate archaeological, historic, indigenous, and local domains of knowledge into the final work product. Additional information gathered through data recovery as part of mitigation for construction of a build alternative will be incorporated into the data recovery report(s), which should present a refined chronological sequence of human activity in the corridor.

The Kenai Mountains and lakes area were covered with ice for millennia. Human habitation in the region began after the late Pleistocene geological epoch as the ice melted and lands emerged. Extensive glaciation existed in the Cook Inlet Basin until approximately 10,000 years ago, making the region a difficult place for ancient human settlement (Reger et al. 2007; Workman 1996). Glaciers retreated from the landscape to primarily alpine regions, leaving a new landscape in the lowland areas. An overview of the archaeological sequence of occupations in the Cook Inlet basin is presented as Table 3.

Table 3. Holocene Archaeological Culture Sequence for Cook Inlet, Alaska*

Tradition	Date	Finds	Sites
Euro-American	1780-present	Mass produced goods made using metal, glass, plastic, and ceramic	Charles Hubbard Mining District
Chugach	800 Before Present (BP) -1780 AD	Polished slate blades and points; contemporaneous with Athabascan	Beluga Point
Athabascan	1,500 BP-1780 AD (segues to present)	Percussion technique lithic tools, with organic and native copper material use increasing up to contact; archery replaces dart throwers	New Village site
Kachemak (including Riverine Kachemak)	3,000-1,400 BP	Grooved/notched pebbles and cobbles, toggling harpoon points, ground slate and cobble spall tools, adzes	SEW-214
Arctic Small Tool Tradition (ASTt)	4,000-3000 BP	Burins, graters, abraders, small bifaces, and unifacially worked tools; no ground slate	Beluga Point North II
Late Ocean Bay	4,000-5,000 BP	Ground slate lance heads and knives, flaked projectile points, bifaces and unifaces, retouched flakes, stone wedges and cores	SEW-00214, Beluga Point South 1 and North II
Late Mid-Holocene (Northern Archaic-like)	4,000-5,000 BP	Side notched points, unifaces, cobble choppers	SEW-00214, Beluga Point component South III
Early Holocene Core and Blade	10,000-5,000 BP	Microblades struck from wedge-shaped cores, burins, scrapers, and bifaces	SEW-00214, KEN-00094, SEW-00187, Beluga Point

*Table based on U.S. Army Corps of Engineers 2012: 5.13-21 with sites selected to reflect the project corridor.

3.1 Early and Middle Holocene Traditions

Archaeological evidence for the earliest human occupation in the Cook Inlet region has been found along Turnagain Arm at the Beluga Point site (ANC-00054⁵), near the confluence of the Russian and Kenai rivers at the Round Mountain site (KEN-00094), and at the Quartz Creek site (SEW-00187) in the Quartz Creek drainage (Gibson 1985; Holmes 1985; Reger 1985, 1998; Pipkin 1989; Reger and Pipkin 1996). All three of these sites have core and blade technology present, the form and manufacture of which are stylistically contemporaneous with the form and manufacture of the Denali complex of interior Alaska. The possible age of these sites is between 8,000 and 10,000 years Before Present⁶ (BP; Reger and Pipkin 1996).

Archaeologists infer that this technology reflects a dependence on large mammal hunting for sustenance, though little faunal evidence has been recovered to date. Clark (1984:140) suggests a focus on marine and riverine resources based on the site locations, while Workman (1996:42) suggests that Turnagain Arm is a “dangerous body of water” and posits that the Beluga Point location may relate to ungulate hunting in the adjacent uplands.

The Round Mountain II site (SEW-00214) is the next-oldest site known on the central Kenai Peninsula. Two side-notched projectile points, often associated with the Northern Archaic Tradition, were found at the Round Mountain II site (SEW-00214). These projectile points, along with a projectile point from Component III at the Beluga Point site (ANC-00054), show morphological similarities to projectile points found on the Alaska Peninsula that date from 4,500 to 4,000 BP (Reger 1998; Workman 1996). The two side-notched projectile points at SEW-00214 were found above soil horizons that were radiocarbon dated to 4,500–4,900 BP (McMahan 1985). The Beluga Point site (ANC-00054) projectile point was located stratigraphically above materials radiocarbon dated to approximately 4,100–4,200 BP (Reger 1981).

Changes in artifact assemblages in the region can be seen from approximately 5,000 BP. These changes include changes in flaked stone tool manufacture, the use of ground stone tools, and a prevalence of notched pebbles likely used as fishing weights (Reger 1998). The first use of slate tools in association with chipped stone technology was found at Beluga Point components South I and II (ANC-00054). These components include stemmed projectile points of ground slate with rounded shoulders (Reger 1998). Reger (1998) wrote that these materials suggest a relationship with various technological traditions, including Norton/Arctic Small Tool Tradition (ASTt) and Ocean Bay. Radiocarbon dates of Beluga Point South I and II range from 4,205 to 4,130 BP (Reger 1998).

3.2 Late Holocene Traditions

3.2.1 Riverine Kachemak

A gap of approximately 1,000 to 1,500 years separates the Northern Archaic from the subsequent Riverine Kachemak culture on the Kenai River. The Riverine Kachemak Culture is an inland variant of the Kachemak Tradition, whose sites along the Kenai River, many of which have been radiocarbon dated, range in age from approximately 3,000 to 1,000 BP (Reger and Boraas 1996; Reger 2004a, 2004b). The Kachemak Tradition was originally defined as a marine-adapted

⁵ ANC = United States Geological Survey Anchorage quadrangle as part of an AHRs-assigned site number.

⁶ Before present (BP) is a time scale used in archaeology, geology, and other scientific disciplines to specify when events in the past occurred. Because the “present” time changes, standard practice is to use the year 1950 as the arbitrary origin of the age scale.

people; Workman and Workman (2010) argue that the marine and riverine expressions are linked based on a regional radiocarbon chronology. Riverine Kachemak sites appear not to have been dependent on marine resources to any great degree, instead subsisting on salmon and terrestrial mammals.

Riverine Kachemak sites exhibit technological similarities to Kachemak Tradition sites of Kachemak Bay, Kodiak Island, and the Alaska Peninsula, such as the use of ground slate, small chipped bipoints, notched stone weights, stone oil lamps, and ground slate awls (Reger and Boraas 1996). Although variation in assemblages at Riverine Kachemak sites occurs through time, these sites are characterized by a greater emphasis on chipped stone, as compared to Marine Kachemak. Chipped stone artifacts include small bifacially worked points, large knives, and side scrapers. Ground slate artifacts include ground slate ulus, pumice abraders, stone saws, and whetstones, as well as awls and various scrapers. According to Reger (1998), the most common artifact type is small notched pebbles.

Riverine Kachemak people were highly dependent on salmon, as evidenced by the presence of salmon remains recovered from pits within houses, a high prevalence of net sinkers (notched pebbles), and a consistent placement of habitations at optimal locations for salmon harvesting (Reger 1998). Reger (2004b:29-30) notes that for the Riverine Kachemak Culture, “the pattern shows permanent village sites along the river, probably at good fishing locations, with summer fish camps at additional good fishing locations.” Riverine Kachemak houses usually consist of large, rectangular single-room structures measuring approximately 6 by 8 meters, with stone-lined, centrally located hearths (Reger 1998). The house size indicates that houses possibly had 10 to 15 occupants, and the number and orientation of structures may suggest kinship ties between neighboring households (Reger 2004a).

3.2.2 Dena’ina

Reger (1998) refers to the period following the decline of the Riverine Kachemak on the upper Kenai Peninsula as the Late Prehistoric Period, which ranges from approximately 1,000 to 800 BP, and includes elements related to both Pacific Eskimo and Dena’ina Cultures (Workman and Workman 2010; Reger and Boraas 1996; Reger 1998). Common characteristics identified at Late Prehistoric sites include “grooved splitting adzes or narrow chisel-like adzes, tabular whetstones, the occurrence of marine shell, interior open hearths with no structure restricting the spread of ashes, and large amounts of fire cracked rock” (Reger 1998:166–167). Items less commonly identified at Late Prehistoric sites include ground slate and copper points and artifacts, houses with multiple rooms and entry tunnels, and notched stones (Reger 1998).

By 1,000 BP, numerous archaeological sites in the Cook Inlet region reflected the material culture of Dena’ina Athabascans who had moved into the area (Reger 1998). Common characteristics of Dena’ina sites include marine shell, interior open hearths, and large amounts of fire-cracked rock. Dena’ina sites are distinguished ethnographically by semi-subterranean, multi-room houses with log-sided hearths; use of copper; leg bone fleshers; low-quality ground slate projectiles; and a general paucity of artifacts (Reger and Boraas 1996). The sparsity of artifactual material may have a cultural basis in the historically recorded tradition of *beggesh* (Boraas and Peter 2008⁷).

Radiocarbon-dated Late Prehistoric Dena’ina sites have been documented at many locations on the Kenai Peninsula, such as the Moose River site (KEN-00043), Clam Gulch site (KEN-00045),

⁷ “To the Dena’ina *beggesh* is a trace, like a scent, carried by humans and their artifacts or attributed to a place, and transmits information about past events associated with the thing or place, or it can express an abstract idea.” Boraas and Peter 2008:215.

and near Kachemak Bay (SEL-00010 and SEL-00079) (Reger and Boraas 1996). The majority of radiocarbon dates at Dena'ina sites post-date 500 BP. In addition, only one-third of the radiocarbon dates generated from Dena'ina sites produced a midpoint prior to 500 BP. The relative lateness of most Dena'ina radiocarbon samples may indicate that Dena'ina use of the area increased in the latter portion of the Late Prehistoric Period and may indicate that the Athabascans never met the Kachemak people who formerly resided there (Workman and Workman 2010).

Radiocarbon-dated sites near the confluence of the Russian and Kenai rivers contain elements of both Dena'ina and Eskimo material cultures. Material cultural traits, including house forms, mortuary practices, shell artifacts, and the presence of individual artifact types such as a toggling harpoon head at SEW-00214, appear to co-occur in the sites. House pits observed at KEN-00094 and SEW-00214 are similar in form to Dena'ina houses observed elsewhere in the Cook Inlet region. Conversely, these sites also contained shell beads originating in the Prince William Sound region. In addition, flexed inhumations (usually associated with Eskimo mortuary practices) were discovered at SEW-00216, in proximity to SEW-00214 (Holmes 1985). Further research in this important travel and trade route could support a variety of explanatory schemes, including trade, warfare, or a cultural synthesis.

Historical period Native occupation of the Sqilantnu Archaeological District area has been identified both from ethnographic sources and the archaeological record, which has Euro-American items present in artifact assemblages. Ethnographical information emphasizes the Dena'ina seasonal round on the Kenai Peninsula, moving seasonally between the interior mountains and the coast (Mishler 1985). Several sources report that the Dena'ina gathered "near the confluence of the Russian and Kenai Rivers in the fall to hunt for Dall sheep and spend the winter hunting and trapping" (Mishler 1985:33). Osgood (1966) describes Dena'ina winter homes during the contact period as rectangular, gabled, multi-room, semi-subterranean pits with entryways up to 10 feet long. Other sources of ethnohistoric information are yet to be examined in depth and could contribute to a richer understanding of post-contact Dena'ina on the Kenai Peninsula. Dena'ina use of the Sqilantnu Archaeological District area continues, and the area is meaningful and significant to Kenaitze and other Dena'ina people as an area of their homeland.

4.0 Research Design

A research design identifies important regional research issues and relevant data requirements for historic properties. Relevant research questions and domains vary according to site types, composition, and age. The design described in this section provides themes that are relevant to all archaeological resources associated with the Sqilantnu Archaeological District identified to date within the Project APE. Some themes are relevant only to a certain site type (e.g., cache pits), while others may be important to consider for a variety of sites and site types.

In reference to the upper Kenai River area, McMahan et al. (1991:6) state that “significant data gaps are present in the site inventory record. Further, because few subsurface excavations have been carried out existing data is biased toward later, highly visible sites delineated by surface depressions.” McMahan’s comment, made 15 years ago, is still relevant today. Over the past three decades, numerous cultural resources investigations have occurred within and adjacent to the proposed Project area. However, our understanding of early inhabitants of the area and past land use within the region remains limited.

An objective of the Treatment Plan is to recover significant data to better understand broad themes of Alaska’s prehistory as they relate to the central Kenai Peninsula. Clark (1988:4) notes that within the Sqilantnu Archaeological District, “cultural material spanning most of the Holocene has been recovered there, but it is the protohistoric and historic periods which are evident at the surface.” The data recovery from cultural deposits within the Direct APE for the Project has enormous potential to contribute substantially to our understanding of the archaeological sequence of the central Kenai Peninsula and its place in the broader regional cultural chronology; population movements and settlements within the vicinity of the Project area; and survival and adaptation mechanisms, including subsistence and trade activities, of the people of the upper Kenai River area.

4.1 Research Questions

4.1.1 *Culture Chronology*

While there is a generalized cultural chronology for the broader Cook Inlet region (Table 3; see also, e.g., Reger 1998; Workman 1996, 1998), data recovery may provide a more specific regional archaeological sequence for the central Kenai Peninsula and resolve technical questions specific to archaeological inquiry and method. Early and Middle Holocene sites in the region—including Round Mountain (KEN-00094) and Quartz Creek (SEW-00187), which may date to 8,000–10,000 BP (Reger 1994a), and the Round Mountain II site (SEW-00214), which may date to approximately 4,500 BP (McMahan 1985)—suggest at least ephemeral use of the area by early hunters. However, dating of these sites is based largely on artifact typological similarities with artifacts from other dated sites. Radiocarbon dates obtained from charcoal at the Round Mountain site (KEN-00094) give much more recent dates for the assemblage than typology suggests (McMahan 1985:251). Systematic careful excavation of stratified, intact archaeological sites in context with datable organic material and artifacts could not only inform Kenai Peninsula archaeology, it could also contribute to world archaeological inquiry.

Our understanding of Early and Middle Holocene sites in the Project area is based on the typology of a limited number of lithic artifacts. Similarly, our understanding of the vast majority of known sites in the Project area, which are largely represented by surface depressions, is limited to a few subsurface investigations of house pits and pit features, a small number of which have proven to be burial sites. House pits and burials show diversity in type and provide strong evidence for use of the area by both Eskimo and Athabascan groups (McMahan 1985). While both groups are

represented in the archaeological record in the region, questions remain regarding each group's use of the Sqilantnu Archaeological District area.

Research questions to be explored through the data include:

- Is there any further evidence of Early Holocene site use or occupation within the Project area?
- Is there any further evidence of Northern Archaic Tradition sites within the Project area? ASTt? Denali?
- How do Early and Middle Holocene activities in the lake and river areas differ from coastal adaptations?
- What, if any, was the chronological overlap on the upper Kenai River between Riverine Kachemak and Dena'ina groups?
 - Is it associated with climactic conditions?
- What material culture evidence exists for Riverine Kachemak? Why did they leave the Sqilantnu Archaeological District area?
- Could any of the sites provide better information about site use by employing different excavation strategies?
 - Systematic screening and floatation
 - Excavation outside of house pits
 - Deep testing
 - Remote sensing techniques
 - Soil and stratigraphic analysis
 - Intensive testing of recovered material
 - X-ray diffraction
 - DNA testing
 - Microscopy

4.1.2 Settlement and Subsistence Patterns

Numerous house and cache pits and other unidentified pit features have been discovered and recorded within the general vicinity of the Project area. Ethnographic and archaeological information provide some indication of settlement and subsistence patterns for the region; however, correlation of this data with data recovered from the proposed Project has the potential to clarify and refine our understanding of these patterns in much more detail.

Faunal remains recovered from Riverine Kachemak sites have shown the importance of salmon to this culture, while chemical analysis conducted on a human rib bone indicates that terrestrial animals were also an important resource to the Riverine Kachemak Culture (Reger 2004b). Faunal remains from Kenaitze sites show a prevalence of salmon and snowshoe hare, indicating the importance of both fish and small mammals to this culture. Skeletal elements of large mammals and birds are not as well represented in the archaeological record (Reger 2004b).

Research questions to be addressed by the data include:

- What can we learn about the regional settlement and subsistence patterns of the cultures that utilized the area from data recovery?

- How can modern faunal analysis techniques refine our knowledge of subsistence practices and provide information about seasons of use, and methods of processing and cooking?
- How did the Sqilantnu Archaeological District area play into the seasonal round for the various cultures that are represented there?
 - Could it have been a year-round homeland for a land-based Riverine Kachemak group or a seasonal stop?
 - Can we contrast Riverine Kachemak with Maritime Kachemak to tease out differences and similarities?
- Can we better define the subsistence pursuits of the inhabitants of the area from the Early Holocene to the Historic periods?
- What are the functions of the smaller pit features?
 - Are they all cache pits, or did they serve another purpose?
 - Can we see a variety of cache pit functions, such as being used for different resources (e.g., fermented fish heads, and dried fish)?
- By analyzing fire-cracked rock in context:
 - Can we ascertain if these were used solely for cooking purposes (e.g., hearths, earth ovens, and boiling stones)?
 - Can another function be identified, such as funerary activities (e.g., cremation)?

4.1.3 Trade Networks

McMahan (1985) noted that in excavations at KEN-00094, SEW-00214, and SEW-00216, the presence of exotic artifacts (e.g., marine shell, amber, iron, and copper) is indicative of trade networks; however, the data was not sufficient to reveal where the items may have originated and/or the trade networks that might have brought them to the upper Kenai River. Similarly, other excavations in the region have revealed exotic materials with unclear origins. For example, at the Nilnunqa Site (KEN-00066) near the confluence of the Kenai and Moose rivers, copper artifacts were identified within stratigraphic lenses attributed to Dena'ina. This suggests that copper was obtained from more than one source, potentially with European and Copper River origins (Reger 2004b). Cooper (2011) has explored an indigenous-use biography approach to copper artifacts that could be applied here as well. Previously recovered copper artifacts at these sites have been subjected to trace element analysis in the past (Harritt 2011), which could be used for comparison to newly identifiable materials. The paucity of data available from only a few excavations over the last several decades makes drawing conclusions on regional interactions a speculatively broad model at best.

Research questions to be explored by the data include:

- Can we better define interactions between regional cultures based on the presence of identifiable archaeological remains?
- Is the presence of unique, previously identified non-local materials an anomaly, or can geographically extensive cultural activity patterns be generated with materials from new investigations?
- Can trace element analysis of copper and other artifacts be used to identify source locations for imported materials?

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5.0 Field and Laboratory Methods

Once an alternative has been selected, the field and laboratory methods can be refined based on known historic properties within that alternative's alignment. A complete analytical review of prior cultural resources investigations literature will be done, in consultation with the Signatories to this PA, to aid in determining the areas to receive concentrated data recovery and how best to approach those efforts. However, relevant general field and laboratory methods are presented in this section and will be used, regardless of the final highway alignment.

A few sites within the Sqilantnu Archaeological District have previously received extensive excavation and subsurface testing. However, only a portion of the prior studies have recovered chronologically diagnostic artifacts and datable radiocarbon samples, and recorded geomorphological data that may indicate chronological limits to site occupation periods within the Project area. Collections and documentation (e.g., artifacts, soil samples, field notes, and photographs) that are associated with previous excavations will be located and analyzed as part of the data recovery efforts.

The literature and collections review will be followed by systematic excavation and subsurface testing of known archaeological sites within the Direct APE for the selected alternative. Where feasible, avoidance of sites will be considered as an alternative to excavation. Avoidance may be possible at sites that have a small footprint (e.g., less than 2 meters) within the ROW. Sites that may be recommended for avoidance may still receive testing to help delineate site boundaries. Post-fieldwork efforts will be focused on analysis of the data collected during the data recovery phase.

A consolidated approach to data recovery for the Project will be employed in an effort to answer the research questions posed in Section 4.0. With the consolidated approach, the testing and mitigation efforts are collapsed into a single phase. First, a testing program will be employed at sites with unknown data potential. Where applicable, hand excavation will be used to (1) cross-section or sample and further expose features or cultural deposits, (2) collect information regarding probable function and age of the deposit, and (3) ascertain its level of physical intactness. In-field determinations of eligibility will then be made by a Principal Investigator who meets SOI professional qualifications standards for archaeology. The evaluation will be made in regard to the following:

- The potential of the resource to address stated research domains;
- The intactness (integrity) of each resource;
- The variety and range of artifact types and amounts of materials, where applicable;
- The level of discrete horizontal and vertical stratigraphy, where applicable; and
- The relative rarity of resource type (Maniery and Hildebrandt 2013).

While testing of an archaeological resource requires only enough excavation to determine if a site has data potential, data recovery must be complete enough to realize this potential. Subsurface testing at sites with unknown data potential will provide information on site structure (e.g., depth, extent, stratigraphy, and types of artifacts and features), and this information will be used to determine the appropriate methods and amount of data recovery necessary to adequately address the proposed research questions. The level of effort that may be required to mitigate impacts to archaeological sites depends on the type of potential impact, amount of exposure of a feature or deposit, and intactness of a deposit.

Data will be gathered through systematic site recording, subsurface testing, and excavation units. A sampling strategy based on the inventory of surface-visible depressions will be devised, and testing conducted will be sufficient to give adequate representation for each category in the overall survey. Testing will not only include the interior of surface depressions but also represent areas outside the depressions where midden deposits, wood and bone working, and other activities may have taken place in the past. The data recovery will focus on classes of data that can aid in answering the research questions developed in the Treatment Plan.

Data required to address the research domains includes spatial data for each site, artifacts for chronological dating purposes and comparative studies (e.g., lithic, antler, bone, or ivory tools and utensils), artifacts of nonlocal materials that might indicate trade networks (e.g., shell, copper, and obsidian), faunal material that might indicate subsistence patterns, and soil samples for dating purposes. Data from recovered remains may also be utilized to address chronological regional changes in technology and subsistence practices.

5.1 Field Methods

DOT&PF will design the archaeological fieldwork strategy to answer the research questions discussed in Section 4.1. DOT&PF and its contractors will complete archaeological excavations prior to construction activities. During data recovery efforts, it may be necessary to fence or secure each site during the field phase for safety measures. In addition, DOT&PF will arrange and fund security during off-work hours as a protection against artifact collecting or vandalism in easily accessible areas or recreational areas with a high volume of use.

During the initial phase of field work, archaeologists will use information gleaned from the comprehensive literature review regarding the known cultural resources from which data will be recovered. They will clear vegetation (where necessary) to allow for subsequent documentation of the surface features through mapping, photographs, field notes, and drawings, including depression measurements and observations. Archaeologists will plot all features on a site base map using Global Positioning Systems (GPS) units with sub-meter accuracy.

Following the initial documentary stage, archaeologists will establish site datum and grid systems for excavation and subsurface testing at the locations within the Direct APE for additional investigation. Archaeologists will excavate all house pits and suspected house pit depressions, and may excavate cache pit and suspected cache pit depressions within the Direct APE of the selected build alternative. They will conduct subsurface testing at all cache pit and suspected cache pit locations, as well as in the areas surrounding house pit features. Archaeologists will follow standard archaeological methods for excavation and will conduct hand excavation with shovels and trowels for test units and block excavation units at each site to be investigated. They will screen sediment with 1/8-inch mesh hardware cloth in shaker screens and retain sediment as appropriate for site reclamation.

Archaeologists will conduct subsurface testing to identify and document additional buried cultural materials that may not have a surface indication in a grid pattern at regularly spaced intervals (e.g., 10-meter intervals) appropriate to the site type and testing effort. Archaeologists will conduct subsurface testing with shovels and trowels in the manner described above. Shovel test units will be 50 centimeters square and will be excavated to bedrock, glacial till, or to the extent possible with hand tools. Archaeologists will expand positive test units to 1 × 1-meter units as appropriate to the data recovery program for that site.

A primary objective of data recovery will be to explore intact, single-component deposits or features, since these have the greatest potential to provide clear, unambiguous information. Archaeologists will excavate block exposures in these areas to collect the most data in the most

efficient way. The appropriate amount of block excavation will depend on site/locus size and depth, and will be determined on a site-specific basis.

Archaeologists will begin with 1 × 1-meter excavation units within large (greater than 2 meters in any dimension) pit features, and will expand them as necessary at each house pit site for optimal data recovery. The size and location of block units will vary with the resource type. Archaeologists will excavate units primarily by natural stratigraphic layers where possible, and secondarily in arbitrary 10-centimeter levels. Excavations will occur to a depth of 20 centimeters below the deepest cultural deposits. Excavation units for pits less than 2 meters in any dimension will be 50 × 50 centimeters and excavated in the same manner as house pit features, primarily by stratigraphic layers where possible, and secondarily in arbitrary 10-centimeter levels to a depth of 20 centimeters below the deepest cultural deposits. Archaeologists will adjust the excavation strategy for cache pits with evidence of cultural material (e.g., birch bark, faunal remains) as necessary, and may conduct expanded testing at these locations.

Archaeologists will screen all sediments through a 1/8-inch mesh. They will document each stratum through field forms, drawings, and color-checked digital photographs of plan and profile views. Archaeologists will document artifacts *in situ* before removing them, and will appropriately bag and catalog the artifacts. Backfill material produced during excavation and screening activities will be placed on plastic tarps during excavation. When excavation is complete, archaeologists will return excavated sediment to the unit and replace removed surface materials.

Archaeologists will record all cultural resources in detailed field notes or forms with descriptions of features and artifacts, photographs and photographic logs, GPS data logs, and sketch maps. They will also record attribute information such as the provenience (location), artifact class, quantity, and material type. For lithic artifacts, they will identify lithic reduction phase. Diagnostic artifacts such as complete projectile points will be photographed, measured, and bagged separately. Charcoal samples obtained from soil levels where radiocarbon dating could help determine the age of associated artifacts, or stratigraphic lenses will be wrapped in foil to prevent contamination. Where appropriate, archaeologists will take soil or flotation samples to detect the presence of floral and faunal remains.

Archaeologists will record locational information of features, artifacts, isolates, and test pits with SX Blue GPS receivers capable of sub-meter accuracy. The SX Blue GPS communicates with a computer tablet, in this case an iPad, via Bluetooth. The iPad, in turn, uses a custom-built iPad application, "Csurvey," to record position information. Other comparable GPS recording devices capable of sub-meter accuracy, such as the Trimble XT series, would also be acceptable. Data will be stored to portable media or online repositories and copied off-site daily and alternative means of data recordation will be kept by each field crew should the devices fail.

5.2 Laboratory Methods

Materials collected during field work will undergo a variety of laboratory analysis to address the research questions. The types of analysis conducted will be dependent on the artifacts and samples collected during field work, but may include radiocarbon dating of charcoal and bone samples, x-ray fluorescence, and hydration analysis if obsidian artifacts are collected; studies of faunal material (e.g., species identification, evidence of butchering or modification); studies of macrobotanical remains from flotation samples; lithic analysis (e.g., identifying artifacts as diagnostic to specific cultures and/or time periods, identifying raw materials represented among the assemblage); and trace element analysis of copper, if any is identified during the investigations. Though not exhaustive, examples of analyses to be conducted as part of data

recovery are provided below.⁸ The specific types of analyses will be refined in the amended Treatment Plan.

Flaked Stone Artifacts

Flaked stone analyses should have two main objectives: documenting the flaked stone assemblages at sites/loci, and identifying the kinds of lithic-reduction activities that occurred there. Toward this end, archaeologists will measure and weigh all formed tools, record edge type and modification, and document tool condition (e.g., whole, distal fragment, margin). Debitage samples from single component areas will receive technological analysis designed to identify the types of flaking debris and reduction activities represented at different sites. Analysis may also include identifying procurement sources for the lithic material.

Other Artifacts

A variety of other artifacts, including beads, ornaments, bone implements/tools, quartz crystals, ceramics, and perishable remains (e.g., cordage, basketry), may also be recovered during the course of the Project. If beads are encountered, archaeologists will record material, color, basic measurements that include length and width (or diameter), thickness (or curvature), and perforation size and type (e.g., conical, biconical, conical with retouch from the opposite side). Additional observations will include the material employed, details of manufacture (e.g., wire-wound, edge ground, scored and snapped), condition, color and tinge, and whether or not the piece appears to have been worn (e.g., asymmetrical wear of the perforation or evidence of polish). Archaeologists will measure bone tools and sort them into functional categories based on their morphology and use-wear. Other less-common or unique artifacts (e.g., shaft straighteners, quartz crystals, minerals) will be described individually.

Vertebrate Fauna

After cataloguing and transmittal to the appropriate analyst, archaeologists will initially separate vertebrate faunal remains into identifiable and unidentifiable specimens. Identifiable pieces will then be classified in terms of skeletal element (e.g., femur, tibia), side (right, left, center in the case of axial bones), fragment type (proximal, distal, medial section), and taxonomic affinity (species, Genus, Order, as applicable). The analyst will make identifications using comparative collections. Unidentifiable specimens will be separated into grosser categories (e.g., “large” mammal, “small” mammal, bird, fish). Finally, archaeologists will characterize all identifiable and unidentifiable elements as burned or unburned, with additional observations regarding cultural modification (e.g., cuts marks, polish) and taphonomy (e.g., intrusive elements, degree of weathering) noted as appropriate.

Plant Macrofossils—Flotation Studies

Two general principals guide the collection of flotation samples: archaeologists will take samples only from contexts that (1) appear stratigraphically intact (e.g., features, sealed deposits) and (2) evince organic-rich sediments containing carbonized plant remains (e.g., midden deposits). The water separation technique used to process samples is relatively straightforward: a measured volume of soil is poured into a 5-gallon bucket filled with water, and the light, organic material floating to the surface is skimmed off. Charcoal and other organic debris left in suspension is then decanted through 0.38-millimeter (mm) (40-inch) mesh screen. This process is repeated until few organics remain, at which point the sample (light fraction) is left to slowly air dry, minimizing the

⁸ The specific analytical methods described in Section 5.2 are excerpted from Maniery and Hildebrandt 2013.

breakage of delicate seeds and other charred macrofossils. The residual mix of sand, gravel, and other material (heavy fraction) is subsequently washed through a series of screens to recover additional plant remains and is checked for other micro-constituents (e.g., bone, debitage). After drying, the light fraction is passed through a column of nested screens (1.75 mm, 1.0 mm, and 0.5 mm) and each size-grade is examined under a binocular microscope at magnifications of 10–20X. Archaeologists will separate, count, and weigh all charred seeds, nut shell, and other economically important plant remains, and store them in separate vials.

5.3 Human Remains

Human remains and associated funerary objects may be encountered during the data recovery phase of the Project. All human remains/cremains inadvertently discovered during the data recovery phase of the Project will be treated with dignity and respect at all times. If human remains are discovered, DOT&PF will follow Appendix F, *Human Remains Protocol* of the Sterling Highway MP 45–60 Project Section 106 PA, which outlines responsibilities and procedures for notifications, consultation, and treatment of human remains.

Human remains and associated funerary objects have scientific, cultural, and/or religious values that need to be considered in consultation with Tribes for all human remains finds that are determined to be Native in origin. This consultation will include specific protocols for excavation, removal from the site they were found, transportation and storage, and any forensic testing. However, general treatment will include carefully exposing the remains by using wooden tools to document position and orientation and to obtain pertinent osteological information (e.g., age, sex, pathologies). Archaeologists will take measurements and render plan-view illustrations. The burials will then be fully excavated with a trowel, and each bone will be carefully removed and placed in a container along with items found in immediate association or within a defined burial pit, if apparent. Depending on input from the Most Likely Descendant, FHWA and DOT&PF may undertake additional analyses at a designated location (e.g., university laboratory), including a more complete non-destructive documentation of the remains (e.g., complete list of elements, state of preservation, general health, condition of teeth, additional evidence of age, racial identity, and sex).

Burial sites can provide osteological data that has the potential to reveal information regarding past human health, behavior, and population history. For example, burial sites may help answer questions about the archaeological sequence of the area. Ethnographic information obtained by Osgood (1966) indicates that protohistoric mortuary practices were discernable between Eskimo and Athabaskan groups. This ethnographic information, in conjunction with human remains finds within the Sqilantnu Archaeological District discovered in 1985, provide the “strongest evidence for both Riverine Kachemak and Dena’ina occupations along the Russian and Kenai Rivers” (Holmes 1985:252). Other examples of information that can be derived from osteological analysis include dietary habits, gender-based activity stress wear patterns, the presence of disease or other illnesses, age longevity expectancies, child mortality rates, and possible inferences of social status. Funerary objects may help answer questions about settlement, subsistence, or trade.

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6.0 Tribal and Agency Consultation

6.1 Tribal and Agency Consultation for the Treatment Plan

DOT&PF convened two working group meetings with PA Signatories/consulting parties in an effort to develop the protocols outlined in the Treatment Plan. The intention of these meetings was to bring together the expertise of archaeologists, cultural resource specialists, and Tribal members to provide technical input and cultural knowledge that would be folded into the Treatment Plan. The first meeting was conducted in August 2016, and the second in November 2016. Consulting parties in attendance for the working group meetings included representatives of DOT&PF, FHWA, Kenaitze Indian Tribe (KIT), CIRI, Forest Service, the Alaska State Historic Preservation Officer, and HDR.⁹

6.2 Tribal Participation in Data Recovery

KIT has been working with USFWS for decades to excavate sites within the Sqilantnu Archaeological District, and has expressed interest in Tribal participation in this Project's data recovery efforts. Participation in the data recovery could be achieved in a variety of ways, such as through youth and elder participation and Tribal monitoring.

During consultation, CIRI and KIT expressed interest in Tribal youth participation during data recovery activities, and suggested several means of achieving this objective. These include the possible creation of camps for children, and participation in data recovery efforts as part of school curriculum or youth employment initiative. For example, offering high school or college credits might incentivize Tribal youth to participate in field activities. In turn, students would gain knowledge of cultural resources in the area and would have the opportunity to interact with Tribal members and other professionals. Development of youth participation activities should occur following the selection of a Project alternative.

Important archaeological materials, human remains, and other resources of Tribal interest associated with Native Alaskan groups may be encountered during data recovery efforts. Tribal Monitors are generally individuals with local Tribal and cultural knowledge that can supplement the archeological knowledge of the field crews. DOT&PF will invite and fund two (2) Tribal Monitors to participate in data recovery. The Tribal Monitors will be selected by KIT and CIRI and will represent their interests during the data recovery. Though the Tribal Monitors represent KIT and CIRI, they will work in conjunction with the archaeological field crew to perform data recovery activities and advise on culturally appropriate treatment of cultural materials.

6.3 Agency Coordination

Prior to any fieldwork, DOT&PF and its contractors shall coordinate with all land-managing agencies. DOT&PF and its contractors shall obtain permits from OHA, the Forest Service, USFWS, and the KPB, as appropriate. Depending on where the data recovery occurs, permits could include a Cultural Resource Permit from OHA, ARPA Permit from the Forest Service, Special Use Permits from USFWS and the Forest Service, and a Conditional Use Permit required by the KPB.

⁹ FHWA was in attendance only for the first working group meeting, and representatives of USFWS were unable to attend either meeting.

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7.0 Reporting and Curation

7.1 Reporting

The reporting of field investigations will begin following the completion of data recovery field work. Due to the number of sites, potential construction phases, and analyses to be conducted, there will likely be multiple data recovery reports produced. Reporting will be conducted in accordance with the PA Stipulation V. A, *Data Recovery/Historic Properties Treatment Plan*, and will include a draft and final data recovery report(s). The data recovery report(s) will be intended to provide detailed information regarding the data recovery investigations, including descriptions of methods and results of the feature excavation and subsurface shovel testing, and laboratory analyses, including artifact analyses and any specialized testing. Research domains will also be addressed in the report(s). Minimally, the report(s) will include the following:

- Introduction;
- Environmental and cultural contexts;
- Research design/methods;
- Physical descriptions and results of analysis;
- Review of National Register eligibility in accordance with 36 CFR 800.5 and the research design;
- Discussion of data as relevant to research issues and domains;
- Summary and recommendations; and
- Relevant appendices, including, but not limited to, updated AHRs forms, analyses spreadsheets, and drawings and photographs.

The data recovery report(s) will be consistent with the *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation* (48 FR 44716) and the *Secretary of the Interior's Standards and Guidelines for Archaeological Documentation* (48 FR 44734–44737), and will also meet the OHA *Standards and Guidelines for Investigating and Reporting Archaeological and Historic Properties in Alaska*.

DOT&PF shall provide the draft report(s) to the Signatories within nine (9) months of completion of all data recovery. FHWA and DOT&PF shall seek written comments on the report(s) from the Signatories with a ninety (90)-day review period. DOT&PF shall review comments from the Signatories and incorporate comments into the report(s) as appropriate. DOT&PF shall submit final Data Recovery Report(s) to the Signatories within fifteen (15) months after completion of all data recovery and prior to the conclusion of the PA. Since data recovery is anticipated to occur over multiple years, DOT&PF shall produce annual reports and a final report summarizing the annual reports following the same timeline as described above (draft report within nine (9) months and final report within fifteen (15) months of data recovery completion). DOT&PF shall provide geospatial data resulting from the data recovery efforts to land managing agencies and landowners as required.

7.2 Curation

The agreed-upon *Curation Plan* is contained in Appendix H of the Sterling Highway MP 45–60 Project Section 106 PA and is summarized below. The Curation Plan clarifies ownership and disposition of artifacts and materials. It addresses the disposition of artifacts, faunal materials,

and/or samples collected, along with photographs, field notes, and other related materials from activities covered by the PA.

Preparing a collection for curation will follow guidelines presented in *Curation of Federally-Owned and Administered Archaeological Collections* (36 CFR 79 published in FR Volume 55, No. 177, September 12, 1990) for collections from sites on federally owned or managed lands. Materials from sites not excavated in compliance with federal laws will be curated in accordance with the University of Alaska Museum of the North (UAMN) curation guidelines. Artifacts, faunal materials, and/or samples collected; photographs; field notes; and related items resulting from the field work for the Project will be deposited for the purposes of preservation, research, and education per the Curation Plan. The Curation Plan stipulates that:

1. All artifacts and resources associated with the Sqilantnu Archaeological District as defined in the Russian River Lands Act (RRLA) Selection Agreement are under CIRI's ownership. In accordance with Section A.4 of Russian River Section 14(h)(1) Selection Agreement, unless requested by USFWS or the Forest Service, CIRI shall not take possession of artifacts until adequate facilities for curation are available. Additionally, if artifacts are identified as cultural items that are Dena'ina Athabascan in origin that would normally be covered under NAGPRA, USFWS or the Forest Service shall offer such cultural items to KIT. If KIT declines to accept such cultural items, then CIRI shall own the items. Artifacts and resources from land under management of the Forest Service or USFWS not under jurisdiction of the RRLA will remain under the stewardship of the respective federal agencies.
2. All artifacts, faunal remains, and related materials recovered on land owned or controlled by the State or KPB will be accessioned to UAMN. DOT&PF has a standing Memorandum of Understanding curation agreement with UAMN. Section 41.35.20(a) of the AHPA recognizes the cultural rights of persons of aboriginal descent for possession and use of their valued historic, prehistoric, and archeological resources. AS 41.35.020(b) has provisions for local cultural groups to retain materials from their respective cultures in coordination with the State.

Specific information regarding curation and disposition of artifacts and any other materials obtained through data recovery will be provided in the amended Treatment Plan, once the build alternative has been selected.

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APPENDIX E
Sterling Highway MP 45 to 60 Project Programmatic Agreement
Contact Information for Agency and Tribal Officials
Involved With Human Remains Consultation

State Medical Examiner
Operations Administrator
4500 South Boniface Parkway
Anchorage, AK 99508-1264
Phone: (907) 334-2202
Fax: (907) 334-2216

Alaska State Troopers
Missing Persons Bureau
5700 East Tudor Road
Anchorage, AK 99507
Phone: (907) 269-5058
Fax: (907) 248-9834

Alaska Bureau of Vital Statistics
Section Chief
Supervisor of the Anchorage Bureau
3601 C Street, Suite 128
Anchorage, AK 99503
Phone: (907) 465-8643
Fax: (907) 465-4689

DOT&PF
Central Region Environmental Manager
P.O. Box 196900
Anchorage, AK 99519-6900
Phone: (907) 269-0542
Fax: (907) 243-6927

Central Region Cultural Resources Specialist
P.O. Box 196900
Anchorage, AK 99519-6900
Phone: (907) 269-0534
Fax: (907) 243-6927

Federal Highways Administration
Statewide Programs Team Leader
P.O. Box 21648
Juneau, AK 99802
Phone: (907) 586-7428

Office of History and Archaeology
State Historic Preservation Officer
550 West 7th Avenue, Suite 1310

Anchorage, AK 99501
Phone: (907) 269-8700

Kenaitze Indian Tribe
Executive Director
P.O. Box 988
Kenai, AK 99611
Phone: (907) 335-7200

Cook Inlet Regional, Inc.
Senior Director, Land and Resources
P.O. Box 93330
Anchorage, AK 99509
Phone: (907) 263-5604
Fax: (907) 279-8836

Salamatof Tribal Council
President/CEO
P.O. Box 2682
Kenai, AK 99611
Phone: (907) 283-4851

U.S. Forest Service, Chugach National Forest
Patrol Captain
161 1st Avenue, Door 8
Anchorage, AK 99501
Phone: (907) 440-5175
Fax: (907) 743-9476

Heritage Program Manager
161 1st Avenue, Door 8
Anchorage, AK 99501
Phone: (907) 743-9522
Fax: (907) 743-9476

U.S. Fish and Wildlife Service
Regional Historic Preservation Officer
1011 East Tudor Road, MS-235
Anchorage, AK 99503
Phone: (907) 786-3399

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APPENDIX F
Sterling Highway Milepost 45 to 60 Project Programmatic Agreement
Human Remains Protocol

I. Purpose and Scope

The following documentation describes the general procedures and protocols for coordination in the event of an inadvertent discovery of human remains under the Programmatic Agreement (PA) among the Alaska Department of Transportation and Public Facilities (DOT&PF), the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation, the Alaska State Historic Preservation Officer (SHPO), the United States Fish and Wildlife Service (USFWS), the United States Forest Service (Forest Service), the Kenaitze Indian Tribe (KIT), and the Cook Inlet Region, Inc. (CIRI), regarding the Sterling Highway Milepost (MP) 45 to 60 Project.

II. Human Remains

Human remains refer to the body of a deceased person, in whole or in parts, regardless of its stage of decomposition, and cremated remains. Cremated remains, or cremains, are generally ash, but can include bone and teeth fragments. Visible indications of human remains may be observed during ground-disturbing activities.

III. Professional Qualifications and Standards

Work under the terms of the Human Remains Protocol will be carried out by or under the direct supervision of a person or persons qualified as a biological/physical anthropologist or archaeologist, with training in osteological analysis and experience in the evaluation of human remains. The archaeologist must also meet the minimum requirements under the Secretary of the Interior's (SOI's) *Professional Qualifications Standards* (36 Code of Federal Regulations 61, Appendix A; SOI-qualified Archaeologist). Additionally, all documentation, evaluation, treatment, and reporting associated with a human remains discovery will follow and meet current professional standards, including, but not limited to, the SOI's *Standards and Guidelines for Archaeology and Historic Preservation* (48 Federal Register 44716).

IV. Protocols at the time of Discovery of Human Remains

In the event that unanticipated human remains are encountered, the appropriate responsible parties shall take the following steps, outlined below.

A. On-Site Construction Contractor Responsibilities

Step 1: Stop Work at a Discovery Site. If human remains are inadvertently discovered during the Project, all work that may further disturb the human remains will cease immediately within a minimum 200-foot radius of the discovery. In the event that an Archaeological or Tribal Monitor is not present, the discovery site is to be secured and protected by the Construction Contractor or Subcontractor until the DOT&PF Project Engineer and the DOT&PF

Professionally Qualified Individual (PQI)¹ can assume responsibility. **All human remains will be treated with dignity and respect at all times.** All remains identified through inadvertent discovery will be treated as human until a qualified anthropologist/archaeologist can make a determination. Human remains will be covered for protection. No further work may be conducted at the discovery site until the DOT&PF Project Engineer provides authorization to resume project construction activities. DOT&PF shall be responsible for enforcing that no vehicles, equipment, and unauthorized personnel be permitted to traverse the discovery site.

Step 2: Notify the DOT&PF Project Engineer. The Construction Contractor shall immediately notify the DOT&PF Project Engineer regarding the discovery. If the Project Engineer cannot be reached, the Construction Contractor shall contact the PQI and/or the Regional Environmental Manager (REM). DOT&PF staff will make all other calls and notifications.

B. DOT&PF Project Engineer Responsibilities

Step 1: Ensure Protection of Discovery Site. The DOT&PF Project Engineer is responsible for taking appropriate steps to protect the discovery site. All work will stop in an area adequate to provide for the security, protection, integrity, and dignity of the human remains.

Step 2: Notifications. The DOT&PF Project Engineer shall immediately notify the DOT&PF Central Region REM and/or PQI with location and all pertinent details regarding the discovery. The DOT&PF Project Engineer and the PQI shall immediately notify and provide information about the discovery to the following parties:

- Alaska State Troopers (AST);
- State Medical Examiner (SME);
- FHWA;
- SHPO;
- KIT and Salamatof Tribal Council (STC);
- Forest Service for lands within the Chugach National Forest or lands associated with the Russian River Land Act (RRLA);
- USFWS for lands within the Kenai National Wildlife Refuge or associated with the RRLA; and
- CIRI.

See Appendix E of the PA for specific contact information for agency and Tribal officials involved with human remains notifications. The PQI will be the primary point of contact for the PA Signatories.² For any human remains discoveries encountered on State of Alaska or Kenai Peninsula Borough lands, DOT&PF will contact the land-managing State agencies and the Borough as appropriate.

¹ The PQI is an SOI-qualified DOT&PF Cultural Resources Specialist.

² Though the DOT&PF PQI is the primary point of contact and shall ensure that the stipulations outlined in the Human Remains Protocol will be implemented, it is the responsibility of FHWA, as the lead federal agency, to ensure that the Project meets its compliance requirements under the National Historic Preservation Act.

Step 3: Direct Construction Elsewhere from Discovery Site. The DOT&PF Project Engineer may direct construction away from the discovery site to other areas after contacting the discovery notification consulting parties in Step 2.

V. Identification of the Human Remains

- A. DOT&PF shall defer to local law enforcement, the AST, and/or the SME for a determination of whether the remains are of a forensic nature and/or subject to criminal investigation.
- B. If the AST and/or SME determine that the remains are neither of a forensic nature nor subject to a criminal investigation, a qualified anthropologist/archaeologist shall examine the human remains to determine racial identity.³ The anthropologist/archaeologist shall be the responsible party for securely transporting the remains to their analysis site if warranted.⁴ The anthropologist/archaeologist shall provide DOT&PF information regarding their facility storage and security protocols prior to transport to ensure adequate and sensitive treatment of the remains. The anthropologist/archaeologist shall document, analyze, and photograph the remains so that an independent assessment of racial identity can be made. DOT&PF shall consult with the Signatories on facility storage, security, analysis methods, place of analysis, and reporting of analysis to ensure all are carried out in a culturally appropriate manner. The anthropologist/archaeologist shall be afforded ninety (90) days to conduct their analysis and provide a written report of findings to DOT&PF. The Signatories will be afforded ninety (90) days to review and provide written comments to DOT&PF on the anthropologist/archaeologist's report.
- C. When the AST and the SME have made a determination that a death investigation is not warranted and the remains are not of Native origin, then DOT&PF and FHWA in consultation with the SME shall attempt to identify, locate, and consult with descendants of the deceased. If no descendants are found, any necessary permits from the Alaska State Bureau of Vital Statistics will be obtained and the remains re-interred in a designated area to be determined with the landowner or land-managing agency associated with the property on which the remains were discovered.
- D. When the AST and the SME have made a determination that a death investigation is not warranted and the remains are of Native origin, then DOT&PF and FHWA shall consult in accordance with the protocol described in this document, in PA Stipulation VI, *Treatment of Human Remains*, and KIT's *Policy on Planned Disturbance or Inadvertent Discovery of Human Remains or Cremains* (see attached).

VI. Consultation

³ The DOT&PF Project Engineer and PQI shall coordinate to procure the services of a SOI-qualified anthropologist/archaeologist for the analysis and documentation of the human remains discovery.

⁴ Prior to the removal of the remains, DOT&PF shall coordinate with the PA Signatories on any blessing ceremonies to be performed at the discovery site.

- A. If the human remains are inadvertently discovered during Project activities, the PQI shall notify FHWA and the PA Signatories within twenty-four (24) hours and expeditiously consult on the treatment and disposition of such remains.
- B. Should any associated or unassociated funerary objects, sacred objects, or objects of cultural patrimony as defined by the Native American Graves Protection and Repatriation Act (NAGPRA; 25 United States Code [USC] 3001 et seq.) and KIT's *NAGPRA Definitions Policy* (see attached) be encountered, DOT&PF shall immediately notify the landowner or land managing agency and all Signatories and proceed in accordance with PA Stipulation VII, *Inadvertent Discoveries and Unanticipated Effects*, and Appendix G, *Cultural Resources Discovery Plan*.

VII. Proceeding with Construction

- A. Project construction outside the human remains discovery site may continue as directed by the DOT&PF Project Engineer and Construction Contractor while documentation and assessment of the human remains at the discovery site proceeds.
- B. When the PQI ensures that the protocols outlined in this plan have been followed and that compliance with State and federal cultural resources laws has been completed, the DOT&PF Project Engineer may allow construction at the discovery site to resume.

VIII. Federal and State Regulations Regarding Human Remains

The DOT&PF shall also adhere to State laws and protocols in accordance with Alaska Statute (AS) 11.46.482(a)(6), AS 12.65.5, AS 41.35.200, and AS 18.50.250 pertaining to the discovery of human remains within the State of Alaska. Furthermore, if human remains are identified on federal lands, DOT&F shall adhere to federal laws and protocols in accordance with the Archaeological Resources Protection Act (ARPA, 16 USC 470) and NAGPRA (25 USC 3001 et seq.). Also see the attached KIT *NAGPRA Definitions Policy*.

A. State (Alaska Statute) Laws

- 1. **AS 11.46.482(a)(3):** Applies to all lands in Alaska; makes the “intentional and unauthorized destruction or removal of any human remains or the intentional disturbance of a grave” a Class C felony.
- 2. **AS 12.65.5:** Requires immediate notification of a peace officer of the State (police, Village Public Safety Officer, or AST) and the SME when death has “been caused by unknown or criminal means, during the commission of a crime, or by suicide, accident, or poisoning.” The AST has interpreted notification procedures as applicable to all remains, including ancient remains. In addition to a local peace officer (if within a local jurisdiction), notification should include the AST Criminal Investigation Bureau.
- 3. **AS 41.35.200:** Applies only to State lands; makes the disturbance of “historic, prehistoric and archeological resources” (including “graves”) a Class A misdemeanor.

4. **AS 18.50.250:** Requires the issuance of burial-transit and disinterment and re-interment permits by the State Registrar of Vital Statistics or an authorized local registrar under certain circumstances.

B. Federal (United State Code) Laws

1. **16 USC 470 (ARPA):** Prohibits the unauthorized destruction or removal of archaeological materials, including human remains (i.e., more than 100 years old) on federal lands and federal trust lands. Violations may be prosecuted as a misdemeanor or felony, as warranted by the severity of the violation. Violations of State or local laws, regardless of land ownership, may be prosecuted under ARPA if the archaeological materials are transported across State boundaries.
2. **25 USC 3001 et seq. (NAGPRA):** Governs the treatment and disposition of human remains on federal or federal trust lands that are determined to be Native American. NAGPRA also applies to Native American human remains from any lands if the remains are curated in an institution that receives federal funds.

Attachments:

Policy on Planned Disturbance or Inadvertent Discovery of Human Remains or Cremains,
Kenaitze Indian Tribe

NAGPRA Definitions Policy, Kenaitze Indian Tribe

Title: Planned Disturbance or Inadvertent Discovery of Human Remains or Cremains	Effective Date: Draft
Policy Classification: Tribal Wide	Function: Tribal Government

Purpose: This policy defines the Kenaitze Indian Tribe's position and protocol when the planned disturbance or inadvertent discovery of human remains or cremains occurs. It also provides instructions on handling, testing, and transportation.

Applies To: This policy applies to all tribal, federal, and state undertakings and projects in the territory of the Kenaitze Indian Tribe and when individual land owners have notified the Kenaitze Indian Tribe of the presence of human remains or cremains on their private property.

Definitions: Human remains, the full or partial skeleton.
Cremains: bone fragments found in ashes, charcoal, or fire-cracked rocks.
For the definition of sacred, of cultural patrimony, associated and non-associated funerary objects refer to the NAGPRA Definitions Policy.

Policy Statement: It is the policy of the Kenaitze Indian Tribe that all human remains and cremains be treated with respect at all times. This includes the presence of a Kenaitze Elder, Council Member, or Tribal Member during removal from the site they were found; during forensic testing if possible and allowed; and during scientific study and procedures when possible.

When human remains and cremains are discovered that may be associated with the Kenaitze Indian Tribe all project activities are stopped in the immediate vicinity and the Tribe is notified.

It is the policy of the Kenaitze Indian Tribe that only appropriate agency and tribal representatives be allowed to photograph the remains and associated or unassociated funerary objects, sacred objects, or objects of cultural patrimony found with or near the remains or cremains.

When human remains and cremains are discovered that may be associated with the Kenaitze Indian Tribe are removed from their discovery site the Tribe is notified as to who will have physical custody and where the remains and cremains will be housed and the manner of their transport.

It is the policy of the Kenaitze Indian Tribe that at no time are remains and cremains transported as checked baggage.

The NAGPRA Officer may be contacted if assistance or additional information about the policy is required

References:

- NAGPRA Definition Policy
- National Historic Act Section 106
- Native American Graves and Repatriation Act

Contact: Kenaitze Indian Tribe Executive Director

Policy History: Origination Date: 06/28/16

Title: NAGPRA Definitions Policy	Effective Date: 5/19/2016
Policy Classification: Tribal Government	Function: Administrative

Purpose: The Kenaitze Indian Tribe adopted by motion definitions of sacred, cultural patrimony, funerary objects in 1994 and revisited the definitions in 2009. NAGPRA provides for the return of objects that meet these definitions to the Tribe in a variety of circumstances.

Applies To: Tribal Wide

Definitions: NAGRPA Native American Graves and Repatriation Act

Sacred Object: An object used in Kenaitze Indian Tribe ceremonies and celebrations. Note: Interviews were conducted of 28 Kenaitze and Salamatof Tribal Elders in 1994, asked for a definition of a "sacred object" they responded that everything is sacred.

Cultural Patrimony Object: An object used in ceremonial and healing practices.

Funerary Objects: Objects placed in or adjacent to burial of human remains and cremains.

Endi'ina Ya Ida'ina Committee: A group formed in response to the passage of NAGPRA with representatives from the Kenaitze Indian Tribe, Kenai Natives Association, Salamatof Tribal Council, and Salamatof Native Association, and the CIRI Foundation who met to formulate definitions and to provide guidance and direction for the return of Dena'ina culturally associated human remains and objects.

Policy Statement: The Kenaitze Indian Tribe adopts these definitions to guide and direct efforts for the return of Kenaitze Dena'ina culturally affiliated objects to the Tribe's control and/or final disposition.

References: Interviews of Kenaitze and Salamatof Tribal Elders
Records of the Endi'ina Ya Ida'ina Committee

Contact: Tribal Government

Policy History: Origination Date: 5/19/2016

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APPENDIX G
Sterling Highway Milepost 45 to 60 Project Programmatic Agreement
Cultural Resources Discovery Plan

I. Purpose and Scope

The Cultural Resources Discovery Plan (Discovery Plan) describes the general procedures and protocols for coordination in the event of an inadvertent discovery of cultural resources during the construction of the Sterling Highway Milepost (MP) 45 to 60 Project. The Discovery Plan outlines procedures to be followed if previously unidentified cultural resources are encountered after the Section 106 process has been completed or if inadvertent effects to historic properties occur during Project construction.

This Discovery Plan is intended to address typical cultural resources that are most likely to be discovered during ground-disturbing activities. Discoveries can also take other forms, including activities that go beyond permitted boundaries and encroach upon a historic property or an unevaluated site, and/or activities that cause unexpected additional effects (physical, visual, audible, or atmospheric effects) to a historic property.

II. Cultural Resources and Historic Properties

For the purposes of this document, cultural resources refers to any archaeological sites; buildings; engineered structures; Native American features and artifacts: round or rectangular structural pit features, basketry, projectile points, stone tools, hearths, grinding rock features, concentrations of human modified bone, horn and antler, beads, cache pits, fire-cracked rock, pottery, shell ornaments, cultural landscape features, and culturally modified trees; and historic-era features and artifacts: building foundations, mining features, farming and homesteading features, glass bottles, ceramics, metal artifacts, and tin cans. Visible indications of cultural resources may be observed during construction in backhoe trenches, spoil piles, cleared ground surfaces, and vegetation.

In accordance with Section 106 of the National Historic Preservation Act (NHPA), historic properties are any prehistoric or historic district, site, building, structure, object, or traditional cultural property included in or eligible for inclusion in the National Register of Historic Places (National Register; 36 Code of Federal Regulations [CFR] 800.16(l)(1)). In other words, a historic property is a cultural resource that has been determined to be eligible for listing in the National Register.

III. Human Remains and Objects of Cultural Patrimony

- A. If human remains/cremains (i.e., cremated human remains) are encountered, treat them with dignity and respect and follow the protocols outlined in Programmatic Agreement (PA) Stipulation VI, *Treatment of Humans Remains* and Appendix F, *Human Remains Protocol*.
- B. Should any associated or unassociated funerary objects, sacred objects, or objects of cultural patrimony as defined by the Native American Graves Protection and Repatriation

Act (NAGPRA; 25 United States Code 3001 et seq.) and KIT’s *NAGPRA Definitions Policy* (Appendix F attachment) be encountered, the Alaska Department of Transportation and Public Facilities (DOT&PF) shall immediately notify the landowner or land managing agency and all Signatories and proceed in accordance with Stipulation VII, *Inadvertent Discoveries*, and Appendix G, *Cultural Resources Discovery Plan*, of the PA.

IV. Professional Qualifications and Standards

Cultural resources investigations conducted under the terms of the Discovery Plan will be carried out by or under the direct supervision of a person or persons meeting at a minimum the Secretary of the Interior’s (SOI’s) *Professional Qualifications Standards* (36 CFR 61, Appendix A) with expertise in the appropriate field(s). Additionally, all documentation, evaluation, treatment, and reporting of cultural resources as described for these procedures will follow and meet current professional standards and the SOI *Standards and Guidelines for Archaeology and Historic Preservation* (48 *Federal Register* [FR] 44716).

V. Prior to Construction Activities

Though a project site may have been thoroughly investigated for cultural resources prior to any construction activities, there is always the possibility that unanticipated cultural resources and/or human remains will be inadvertently discovered or historic properties inadvertently affected during ground-disturbing activities. In the event that buried cultural deposits and/or human remains are inadvertently discovered or historic properties inadvertently affected during Project activities, work must stop immediately at the discovery site until a professional archaeologist can determine the nature of the discovery or effects and consult with the Signatories to this PA.

Prior to any on-site Project activities, particularly ground-disturbing activities, construction personnel and any contractors will be briefed by DOT&PF on procedures to follow if buried human remains or cultural resources are encountered or historic properties are affected. Please refer to Appendix C, *Archaeological Monitoring Plan*, of the PA for detailed information on cultural resources awareness training for construction personnel and subcontractors.

VI. Protocols at the time of Discovery of Cultural Resources or Effects to Historic Properties

The steps outlined below will be taken by the appropriate responsible parties in the event that unanticipated cultural resources are encountered or affected.

A. On-Site Construction Contractor Responsibilities

Step 1: Stop Work at a Discovery Site. If a cultural resource is inadvertently discovered or historic property is affected during the Project, ground-disturbing activities will be halted in an area large enough to ensure that the integrity of the find is not compromised and to ensure safety of archaeological staff investigating the find. If an Archaeological Monitor is on site, they shall define the size of the stop work buffer area at their discretion and may expand this area to provide additional working areas or added margin for safety as deemed necessary in

consultation with the on-site Construction Supervisor. The Archaeological Monitor may request fencing or other materials to define the boundary of the buffer area.

If no Archaeological Monitor is present when the cultural resource is discovered or historic property affected, the Construction Contractor shall be responsible for securing and protecting the discovery and cease all work within a minimum two hundred (200)-foot buffer. Exposed cultural resources will be covered for protection. The location of the cultural resource will not be revealed to the public or any other unauthorized personnel.

Construction activities may continue elsewhere in the Project area. No further work may be conducted at the discovery site until the DOT&PF Project Engineer provides authorization to resume Project construction activities. DOT&PF shall be responsible for enforcing that no vehicles, equipment, and unauthorized personnel be permitted to traverse the inadvertent discovery or affected historic property.

Step 2: Notify the DOT&PF Project Engineer. The Construction Contractor shall immediately notify the DOT&PF Project Engineer regarding the inadvertent discovery or effect to a historic property. If the Project Engineer cannot be reached, contact the DOT&PF Professionally Qualified Individual (PQI)¹ and/or the Regional Environmental Manager (REM). DOT&PF staff shall make all other calls and notifications.

B. DOT&PF Project Engineer Responsibilities

Step 1: Ensure Protection of Discovery Site. The DOT&PF Project Engineer is responsible for taking appropriate steps to protect the discovery site. All work will stop in an area adequate to provide for the security, protection, and integrity of the cultural resource.

Step 2: Direct Construction Elsewhere from Discovery Site. The DOT&PF Project Engineer may direct construction away from cultural resources to work in other areas prior to contacting the PA Signatories.

Step 3: Notify the DOT&PF Central Region REM and PQI. The DOT&PF Project Engineer shall immediately notify the DOT&PF Central Region REM and PQI with location and all pertinent details regarding inadvertent discoveries or effects.

C. DOT&PF PQI Responsibilities

Step 1: Identify Discovery. The PQI shall coordinate with the DOT&PF Project Engineer to ensure that an SOI-Qualified Archaeologist and Tribal Monitor examine the discovery to determine if it is a cultural resource or assess the effects to the historic property.²

¹ The PQI is an SOI-qualified DOT&PF Cultural Resources Specialist.

² The SOI-Qualified Archaeologist may be the DOT&PF PQI or may be a qualified consultant under contract with DOT&PF or the Construction Contractor. The Project Engineer and the PQI shall coordinate to procure cultural resources services for the investigation and documentation of the discovery.

- If it is determined to not be a cultural resource or that no effects occurred to a historic property, the PQI shall notify the DOT&PF Project Engineer, and work may proceed with no further delay.
- If it is determined to be a cultural resource, including human remains discovery, or if effects to a historic property have occurred, the PQI shall notify the DOT&PF Project Engineer. No Project activities may occur at the discovery site until the PQI provides the Project Engineer with approval to resume activities.

Step 2: Notify PA Signatories and Other Consulting Parties. The PQI shall notify the PA Signatories³ and other consulting parties, as appropriate, each time there is an inadvertent discovery or affect to a historic property. The PQI shall be responsible for contacting these parties within forty-eight (48) hours of the discovery in accordance with 36 CFR 800.13(b)(3). The PQI shall provide an assessment of National Register eligibility of the discovery and proposed actions to resolve the adverse effects. Also in accordance with 36 CFR 800.13(b)(3), the PA Signatories and other consulting parties shall have forty-eight (48) hours to respond to the notification of the new discovery.

The DOT&PF PQI shall be the point of contact for all consultation with the PA Signatories and other consulting parties, as appropriate, each time there is an inadvertent discovery or effect to a historic property to ensure that the previously unidentified resource or unanticipated effect is evaluated, and an appropriate treatment plan is developed.⁴

VII. Documentation, Evaluation, and Treatment of the Discovery

A. Documentation

The PQI and SOI-Qualified Archaeologist shall ensure the proper documentation and assessment of inadvertently discovered or affected historic property in consultation with the PA Signatories and other consulting parties each time an inadvertent discovery or adverse effect occurs.

1. The PQI or the SOI-Qualified Archaeologist shall record relevant cultural material at the discovery site in accordance with professional standards. Site overviews, features, and artifacts will be photographed, and stratigraphic profiles and soil/sediment descriptions will be prepared for subsurface exposures. Inadvertent discoveries or affected historic properties will be documented on scaled site plans and site location maps. Inadvertent discoveries or affected historic properties will be recorded using Global Positioning Systems (GPS) units with sub-meter recording capabilities. Subsurface testing may be conducted through test probes to determine the extent of subsurface deposits or to delineate boundaries as necessary.

³ The PA Signatories are identified in Appendix B of the PA and include DOT&PF, Federal Highway Administration (FHWA), the State Historic Preservation Officer, the Advisory Council for Historic Preservation, the Kenaitze Tribe, Cook Inlet Region, Inc., United States Forest Service, and United States Fish and Wildlife Service.

⁴ Though the DOT&PF PQI is the primary point of contact and shall ensure that the stipulations outlined in the Discovery Plan will be implemented, it is the responsibility of FHWA, as the lead federal agency, to ensure that the Project meets its compliance requirements under the NHPA.

2. All artifacts collected from the surface and test probes will be analyzed and catalogued. Artifacts will be curated in accordance with PA Stipulation VIII, *Curation*, and Appendix H, *Curation Plan*.
3. Within five (5) business days of concluding fieldwork, the SOI-Qualified Archaeologist shall provide the PQI and DOT&PF Project Engineer a summary memorandum describing the documentation of inadvertent discoveries or affected historic properties, and management recommendations. DOT&PF shall consult with the PA Signatories and other consulting parties on the summary findings.
4. The SOI-Qualified Archaeologist shall produce a technical report, consistent with the *SOI Standards and Guidelines for Archaeological Documentation* (48 FR 44734–44737), and the State of Alaska Office of History and Archaeology *Standards and Guidelines for Investigating and Reporting Archaeological and Historic Properties in Alaska*, describing the documentation of inadvertent discoveries or affected historic properties, and the resultant cultural resources investigation, and provide the report to the PQI. The PQI shall consult with the PA Signatories and other consulting parties on the report findings as appropriate.
5. If it is determined in consultation between the PA Signatories and other consulting parties that the discovery is not eligible for inclusion in the National Register or effects did not occur to a historic property, no further analysis is warranted and the DOT&PF Project Engineer may authorize construction activities to resume at the discovery site.

VIII. Evaluation and Treatment

The PQI and SOI-Qualified Archaeologist shall ensure that any evaluation and treatment of inadvertent discoveries or affected historic properties occur in consultation with the PA Signatories and other consulting parties.

- A. In the event that inadvertent discoveries or affected historic properties cannot be avoided by Project activities, the discovery will be treated as eligible for inclusion in the National Register.
- B. If the discovery cannot be avoided by Project activities, it will be treated as if adversely affected by the Project pursuant to 36 CFR 800.5(d)(2) in consultation with the PA Signatories. The resource will be treated in accordance with PA Stipulation V.A, *Data Recovery/Historic Properties Treatment Plan*, and Appendix D, *Data Recovery/Historic Properties Treatment Plan*.
- C. Should data recovery be required, it will be implemented prior to any continued construction at the discovery site.
 1. All artifacts collected as part of the treatment plan will be curated in accordance with PA Stipulation VIII, *Curation*, and Appendix H, *Curation Plan*.
 2. Once data recovery activities are complete, the PQI shall coordinate with the DOT&PF Project Engineer and the Signatories on the authorization for construction activities to resume at the discovery site.

IX. Proceeding with Construction

Project construction outside the discovery site may continue as directed by the DOT&PF Project Engineer and Construction Contractor while documentation and assessment of the inadvertent discoveries or affected historic properties at the discovery site proceeds. When the PQI ensures that the protocols outlined in this plan have been followed and that compliance with State and federal cultural resources laws has been completed, the DOT&PF Project Engineer may allow construction at the discovery site to resume.

APPENDIX H
Sterling Highway Milepost 45 to 60 Project Programmatic Agreement
Curation Plan

I. Purpose and Scope

The Curation Plan describes the general procedures to be followed for the curation of cultural resource materials and the clarification of material ownership, collected as part of cultural resources investigations for the Sterling Highway Milepost 45 to 60 (MP) Project. These procedures apply to all materials collected from lands owned or administered by federal, State, and local agencies, as well as collections from the Sqilantnu Archaeological District that are owned by Cook Inlet Region, Inc. (CIRI). The purpose of these guidelines is to ensure that archaeological collections and associated records are preserved and managed adequately so that future generations might use them to (1) enhance cultural traditions, (2) conduct scientific research, and (3) aid in educational and heritage appreciation programs.

II. Professional Qualifications

Work under the terms of the Curation Plan is to be carried out by or under the direct supervision of a person or persons working for designated collection facilities. These include the University of Alaska Museum of the North (UAMN) in Fairbanks, facilities qualified federally under 36 Code of Federal Regulations (CFR) 79 guidelines, and designated members of CIRI for the Sqilantnu Archaeological District collections. Individuals performing curation duties are required to be properly trained in archival and artifact curatorial procedures.

III. Archaeological Curation

Archaeological curation is the conservation, preservation, cataloguing, and maintaining of any collected artifacts, faunal materials, and/or samples collected, along with photographs, field notes, and related documentary items (materials) at a curatorial facility. The materials are curated for the purposes of preservation, research, and education. Collections from federally managed lands will be curated under *Curation of Federally-Owned and Administered Archaeological Collections* (36 CFR 79 published in *Federal Register* Volume 55, No. 177, September 12, 1990) requirements. Collections from State lands will be curated under the Alaska Department of Transportation and Public Facilities' (DOT&PF's) Memorandum of Understanding curation agreement with UAMN. Disposition of collections associated with the Sqilantnu Archaeological District are governed under the Russian River Section 14(h)(1) Selection Agreement.

Once an alternative is selected for the Project, the Data Recovery/Historic Properties Treatment Plan in Appendix D of the Programmatic Agreement (PA) will be updated and will include information on the maintenance and treatment of collections prior to disposition at UAMN or another approved curation facility. A curation agreement with UAMN and the appropriate land-managing agency and/or owner will be developed prior to any activities that require archaeological curation.

Collections for curation will be prepared following guidelines presented in 36 CFR 79 for collections from sites on federally owned or managed lands. Materials from sites not excavated in compliance with federal laws will be curated in accordance with UAMN curation guidelines. Collections will be provided to UAMN within sixty (60) days once curation reporting is finalized (see Section VI, *Reporting Requirements*). Archaeologists shall provide true legible copies of field notes, reports, correspondence, and other printed matter to DOT&PF, the SHPO, and the University of Alaska Museum of the North (UAMN).

For the Sterling Highway Milepost 45 to 60 Project, materials curated at UAMN and subject to 36 CFR 79 will be available to researchers with clear research goals and institutional affiliations for legitimate research and educational purposes with written consent from the federal agency with stewardship over the collections or owner. Individuals seeking to have access to collections from the Project should consult the stipulations and requirements outlined in the agreements between UAMN and the appropriate federal agency or owner. Access will also be allowed for religious use as mandated in 36 CFR 79.

IV. Ownership

- A. All artifacts associated with the Sqilantnu Archaeological District as defined in the Russian River Section 14(h)(1) Selection Agreement are under CIRI's direct control and ownership in conformance with the terms set out in the RRLA and related agreements¹, and will be temporarily housed at the UAMN under an agreement/contract to be negotiated among CIRI, DOT&PF, the Federal Highway Administration (FHWA), and UAMN. This agreement/contract will be in effect prior to the commencement of data recovery. These collections will be housed at UAMN until such time that CIRI takes possession of said collections. In accordance with Section A.4 of the Russian River Section 14(h)(1) Selection Agreement, unless requested by the United States Fish and Wildlife Service (USFWS) or the United States Forest Service (Forest Service). Additionally, if artifacts are identified as cultural items that are Dena'ina Athabascan in origin that would normally be covered under the Native American Graves Protection and Repatriation Act, USFWS or the Forest Service shall offer such cultural items to the Kenaitze Indian Tribe (KIT). If KIT declines to accept such cultural items, then CIRI shall own such cultural items.
- B. Collections associated with lands under management of the Forest Service or USFWS, not under jurisdiction of the Russian River Land Act (RRLA), will remain under the stewardship of the respective federal agencies.
- C. All artifacts, including culturally modified faunal remains, collected samples, and associated records recovered from or pertaining to land owned or controlled by the State and not under jurisdiction of the RRLA, will be accessioned to UAMN. The Alaska Historic Preservation Act (AHPA; Alaska Statute [AS] 41.35.20[a]) recognizes the cultural rights of persons of aboriginal descent for possession and use of their valued cultural resources. AS 41.35.020(b)(1) has provisions for local cultural groups to retain materials from their respective cultures in coordination with the State.

¹ E.g., Forest Service Agreement No. 10-MU-11100400-089 CIRI No. 031.543.091; Agreement among CIRI, Forest Service, and USFWS of 26 July, 2001 (Russian River Section 14(h)(1) Selection Agreement).

V. Curation Funding

FHWA shall provide one-time funding for the initial costs associated with curation of all materials collected in conjunction with the recovery actions under the PA, regardless of ownership, when they are transferred for deposition and organization at an acceptable receiving institution as defined by 36 CFR 79. The initial costs may include accessioning fees and an initial curation fee. Unless otherwise noted in the PA, FHWA shall fund any long-term maintenance fees, should those be identified, for materials owned by CIRI, Forest Service, or USFWS as negotiated through a curation agreement with UAMN and the appropriate land-managing agency and/or owner. DOT&PF shall fund long-term maintenance fees, should they be identified, for materials under stewardship by DOT&PF.

VI. Reporting Requirements

When curation is complete, UAMN shall provide the draft and final summary curation reports detailing the completed curation activities to the DOT&PF Project Engineer and Professionally Qualified Individual (PQI)². The report is to meet current professional standards and the Secretary of the Interior's *Standards and Guidelines for Archaeological Documentation (Federal Register Volume 48, Number 190, pp. 44734–44737)*. The PQI shall provide the draft summary report to the PA Signatories and other consulting parties for review and comment as appropriate. Signatories shall provide comments within ninety (90) days of receiving the draft report. DOT&PF shall ensure that comments received during the review period are addressed, and shall submit a final report to the Signatories within one (1) year after completion of all curation activities.

Attachment:

Memorandum of Understanding between the Department of Transportation and Public Facilities and the University of Alaska Museum of the North, Fairbanks, Alaska

² The PQI is a Secretary of the Interior-qualified DOT&PF Cultural Resources Specialist.

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
AND
THE UNIVERSITY OF ALASKA MUSEUM OF THE NORTH
FAIRBANKS, ALASKA**

THIS MEMORANDUM OF UNDERSTANDING (Agreement) is hereby entered into by and between the Alaska Department of Transportation and Public Facilities (DOT&PF) Statewide Environmental Office, representing the three DOT&PF regions (i.e., Central, Northern, and Southeast), and the University of Alaska Museum of the North, Fairbanks, Alaska, herein referred to as the Museum.

WHEREAS, the purpose of this Agreement is to provide the framework for the effective museum curation and storage of cultural material collected or excavated during the development of DOT&PF sponsored projects in accordance with the stipulations outlined below.

WHEREAS, the DOT&PF administers federally funded projects that are subject to Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800 Protection of Historic Properties) and State funded projects subject to the Alaska Historic Preservation Act of 1970 (specifically AS 41.35.070 Preservation of Historic, Prehistoric, and Archaeological Resources Threatened by Public Construction); and

WHEREAS, the development of said projects can result in certain cultural material recovered during archaeological survey, excavation, and data recovery, and the creation of associated field records (herein called Collections); and

WHEREAS, DOT&PF as the sponsor for federal and State funded projects has the responsibility under federal and State law to ensure proper care of Collections; and

WHEREAS, the Museum is an accredited institution that has requisite facilities that meet and operate in accordance with the federal standards published in 36 CFR 79 to provide physical security and a controlled environment for Collections, has an established Collection Management Policy that provides procedures and requirements to curate archaeological collections for future research, exhibit, and instruction, and has qualified Museum professionals with the expertise for the curation of Collections; and

WHEREAS, the Parties hereto recognize the mutual benefits to be derived by having Collections from DOT&PF suitably housed and maintained by the Museum; and

WHEREAS, the Parties hereto recognize the continued State legal title to Collections from lands owned or controlled by the State (pursuant to AS 41.35.020 and 11 AAC 16.020) and the responsibility to ensure that the Collections are suitably managed and preserved for the public good; and

WHEREAS, the Parties hereto recognize that DOT&PF sponsored surveys and archaeological excavations on properties not owned or controlled by the State require a separate Right-of-Entry agreement with the land owner or managing entity; and

WHEREAS, Right-of Entry agreements will identify the party holding legal title to the cultural materials, and contain terms and conditions to ensure proper care and curation of any recovered Collections; and

NOW THEREFORE, the DOT&PF and the Museum as signatories to this Agreement mutually agree to promote a unified approach to preservation and protection of cultural materials in accordance with the following stipulations until this Agreement expires or is terminated.

STIPULATIONS

I. RESPONSIBILITIES

A. The Museum

1. In accordance with the Museum's Collections Management Policy, the Museum agrees to act as repository for appropriately accessioned and cataloged cultural material, and to provide proper space, facilities and personnel for curation, storage and maintenance of the materials.
2. Collections made on State lands remain the property of the State, while the Right-of-Entry agreements will contain the terms and conditions of Collections from properties not owned or controlled by the State. The Museum shall not transfer or discard a State Collection without written permission of the State. The Museum may not sell any State Collection.
3. The Museum assumes no responsibility for cultural specimens from DOT&PF sponsored projects that have not been accessioned and cataloged according to the Museum's Curation Guidelines accession system and that have not been physically deposited in the Museum. The Museum reserves the right to refuse to accept a Collection.

B. The DOT&PF

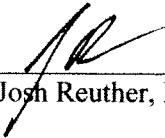
1. In accordance with the Museum's Curation Guidelines, the DOT&PF will be responsible to coordinate with the Museum for the proper accessioning and cataloging and processing for long-term museum storage of Collections from DOT&PF sponsored projects that are to be deposited with the Museum. This will be accomplished by a qualified consultant(s) under contract to the DOT&PF.
2. All associated records will be deposited at the Museum at the same time as the Collection(s). These records will include (but not necessarily be limited to) catalog ledgers and copies of all reports, papers, field notes, photographs, profiles, etc. In accordance with applicable federal and State laws, the Museum will restrict access to information about the location of heritage resource sites from which DOT&PF Collections are obtained.

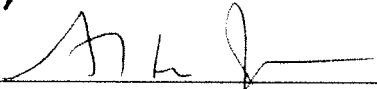
II. ADMINISTRATION

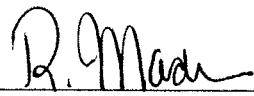
- A. Duration of Agreement: The Agreement shall remain in effect for a period of ten (10) years after the date it takes effect. The Museum and the DOT&PF will review this Agreement in five (5) years and make any necessary adjustments unless it is terminated prior to that time. If there are no objections from the parties, the term of the Agreement will automatically be extended for an additional ten (10) years. The procedures, terms and conditions of this Agreement may be modified at any time by joint written consent of the parties.
- B. Fees: The DOT&PF and the Museum recognize that fees will be required for the DOT&PF sponsored Collections when they are transferred for deposition and organization at the Museum. The fees for these services will be in accordance with the Museum's Curation Guidelines.
- C. Amendment: Parties to this Agreement may at any time propose amendments, whereupon the parties will consult to consider such amendment. This Agreement may be amended only upon written concurrence of the signatory parties. Amendments go into effect on the date of the last signature.
- D. Termination: This Agreement becomes effective when final signature is received. A party may terminate this Agreement at any time by giving written notice to the other parties not less than one hundred twenty (120) days in advance of the effective date of termination. If any party proposes termination of this Agreement, the party proposing termination will consult with the other parties to seek alternatives to termination. Should such consultation result in an agreement on an alternative to termination, the parties will proceed in accordance with that agreement.

THE PARTIES HERETO have executed this Memorandum of Understanding.

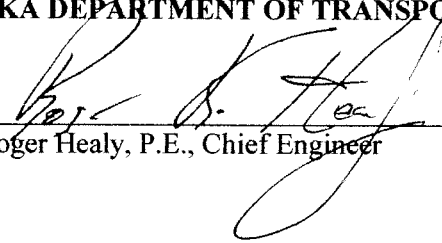
UNIVERSITY OF ALASKA MUSEUM, FAIRBANKS

By:  Date: 1/27/14
Josh Reuther, Ph.D., Curator of Archaeology

By:  Date: 1/27/14
Aldona Jonaitis, Ph.D., Museum Director

By:  Date: 1/31/14
Rosemary Madnick, Grant and Contract Services Director

ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

By:  Date: 12/12/13
Roger Healy, P.E., Chief Engineer

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APPENDIX I
Sterling Highway MP 45 to 60 Project Programmatic Agreement
Acronyms and Abbreviations

ACHP	Advisory Council on Historic Preservation
ADGGS	Alaska Division of Geological and Geophysical Survey
AHRS	Alaska Heritage Resources Survey
ANC	United States Geological Survey Anchorage quadrangle as part of an AHRS-assigned site number
ANCSA	Alaska Native Claims Settlement Act
APE	Area of Potential Effects
ARPA	Archaeological Resources Protection Act
AS	Alaska Statute
AST	Alaska State Troopers
ASTt	Arctic Small Tool Tradition
BIA	Bureau of Indian Affairs
Booklet	Public Education Booklet on the Sqilantnu Archeological District
BP	Before Present
CFR	Code of Federal Regulations
CIRI	Cook Inlet Region, Incorporated
CRC	Cultural Resources Consultants, LLC
DOT&PF	Alaska Department of Transportation and Public Facilities
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
Forest Service	United States Forest Service
FR	<i>Federal Register</i>
GPS	Global Positioning Systems
KEN	United States Geological Survey Kenai quadrangle as part of an AHRS-assigned site number
KIT	Kenaitze Indian Tribe
KNA	Kenai Native Association, Inc.
KNWR	Kenai Wilderness Refuge
KPB	Kenai Peninsula Borough
MLD	Most Likely Descendant
mm	Millimeter
MOU	Memorandum of Understanding
MP	Milepost
NAGPRA	Native American Graves Protection and Repatriation Act
NHPA	National Historic Preservation Act
National Register	National Register of Historic Places
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NPS	National Park Service
OHA	Alaska Office of History and Archaeology
PA	Programmatic Agreement

Sterling Highway MP 45-60 Project – Acronyms and Abbreviations
STP-F-021-2(15)/Z530140000

PQI	Professionally Qualified Individual
Project	Sterling Highway MP 45–60 Project
Publication	Professional Publication that compiles existing Sqiilantnu Archaeological District research and investigations
REM	Regional Environmental Manager
ROD	Record of Decision
ROW	Right-of-way
RRLA	Russian River Land Act
Section 4(f)	Section 4(f) of the Department of Transportation Act
Section 106	Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR 800
SEW	United States Geological Survey Seward quadrangle as part of an AHRs-assigned site number
SHPO	Alaska State Historic Preservation Officer
SME	Alaska State Medical Examiner
SNA	Salamatof Native Association, Inc.
SOI	Secretary of the Interior
SOL	Statute of Limitations
STC	Salamatof Tribal Council
STIP	Statewide Transportation Improvement Plan
TCP	Traditional Cultural Property
Treatment Plan	Data Recovery/Historic Properties Treatment Plan
UAF	University of Alaska Museum in Fairbanks
UAMN	University of Alaska Museum of the North
USC	United States Code
USFWS	United States Fish and Wildlife Service