



ititamapama

Yakama Nation Cultural Resource Program

Na-Mi-Ta-Man-Wit Nak-Nu-Wit Owt-Nee At-Tow

Confederated Tribes and Bands of the Yakama Nation

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September 13, 2021

Subject: Suncadia Phase 3 Div 17 Tumble Creek (LP-21-00002)

Thank you for contacting the Yakama Nation Cultural Resource Program (CRP) regarding the Suncadia Phase 3 Div 17 Tumble Creek in Kittitas County. The project is located within the Ceded Lands of the Yakama Nation, the legal rights to which were established by the Treaty of 1855 (12 Stat. 951), between the Yakama Nation and the United States Government. The Treaty set forth that the Yakama Nation shall retain the rights to resources upon these lands and, therefore, it is with the assistance and backing of the United States Federal Government that Yakama Nation claims authority to protect traditional resources.

The proposed undertaking lies within the traditional territory of the *Pshwanapam* (Kittitas or Upper Yakama), signatory to the Yakama Treaty and represented by the Confederated Tribes and Bands of the Yakama Nation. Previously recorded site 45KT1363 is within the proposed development area. Yakama Nation CRP met with Suncadia and Central Washington University on May 16, 2019 at 45KT1363 to discuss our concerns. Yakama elders have identified the significance of this site and its association with Yakama Traditional Cultural Properties. While on site, Yakama Nation identified surface artifacts outside of the known site boundaries and recommended re-survey and subsurface testing of the entire proposed area. Subsequent to our field meeting, Suncadia indicated they were not proceeding forward with the proposal and therefore would not seek permitting at 45KT1363.

We are concerned the permit states an intended "reduction of the site buffer". The entirety of 45KT1363 is within a conservation area designated as 'managed open-space'. Archaeological sites are not renewable resources and protected under State Law. 45KT1363 was recommended eligible to the NRHP in 1998 and received concurrence by the Department of Archaeology and Historic Preservation on January 27, 1999. Any disturbances to this site is considered 'knowingly and willingly' – a violation of State Law RCW 27.53 with violators subject to criminal and civil penalties.

It is unclear from the application where the proposed housing phase is in relation to the managed open-space conservation areas. Please have additional information submitted to our program so we can better understand impacts.

The cultural resources investigations should inform the permitting process. The County should ensure compliance with state and federal laws prior to issuing permits. Please contact me at 509-865-5121 ext. 4378 or staff archaeologists if you have questions regarding the above. We look forward to receiving additional information regarding this permit.

Sincerely,

Casey Barney
Cultural Resources Program Manager
Yakama Nation
509-865-5121 ext. 4738