



STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

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August 20, 2008

Mr. Dan Valoff
Staff Planner
Kittitas County Development Services
411 Ruby St., Ste 2
Ellensburg/WA/98926

In future correspondence please refer to:

Log: 082008-09-KT

Property: Black Gold PUD Rezone (Z-08-07) Black Gold PUD Phase I Short Plat (SP-08-29)

Re: Archaeology - Survey Requested

Dear Mr. Valoff:

We have reviewed the materials forwarded to our office for the proposed project referenced above. The area has a high potential for archaeological resources. There are six previously recorded historic and precontact archaeological sites within one mile of the project area. The Rosalyn Historic District is also within one mile. Significant archaeological resources in the form of historic mining properties such as adits, spurs, hoist foundations, mining cabins, and gravesites may be extant within the project area. In addition, precontact archaeological resources such as petroglyphs, stone tools, camp sites, among other may be present. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeologist conduct a comprehensive cultural resources survey of the project area to identify archaeological resources and make recommendations for their management and protection. We also recommend consultation with the concerned Tribes' cultural committees and staff regarding cultural resource issues.

Please be aware that archaeological resources are protected from knowing disturbance on both public and private lands in Washington States. Chapter 27.53.095 RCW allows the Department of Archaeology and Historic Preservation to issue civil penalties for the violation of this statute in an amount up to five thousand dollars, in addition to site restoration costs and investigative costs. Also, these remedies do not prevent concerned tribes from undertaking civil action in state or federal court, or law enforcement agencies from undertaking criminal investigation or prosecution. Chapter 27.44.050 RCW allows the affected Indian Tribe to undertake civil action apart from any criminal prosecution if burials are disturbed.

If any federal funds or permits are involved Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36CFR800, must be followed. This is a separate process from SEPA and requires formal government-to-government consultation with the affected Tribes and this agency. We would appreciate receiving any correspondence or comments from concerned tribes or other parties concerning cultural resource issues that you receive.

These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer. Should additional information become available, our assessment may be revised. Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Should you have any questions, please feel free to contact me at (360) 586-3088 or Gretchen.Kaehler@dahp.wa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Gretchen Kaehler". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Gretchen Kaehler
Assistant State Archaeologist
(360) 586-3088
gretchen.kaehler@dahp.wa.gov

CC. Johnson Meninick, Yakama Nation