

**MEMORANDUM OF AGREEMENT
AMONG
THE ENVIRONMENTAL PROTECTION AGENCY,
THE CITY OF PONDERAY,
AND THE IDAHO STATE HISTORIC PRESERVATION OFFICE,
REGARDING
THE CITY OF PONDERAY BROWNFIELD CLEANUP OF THE
PANHANDLE SMELTING AND REFINERY COMPANY SITE
(10BR539) IN PONDERAY, BONNER COUNTY, IDAHO**

SUBJECT: National Historic Preservation Act Section 106 Memorandum of Agreement for the City of Ponderay Brownfield Cleanup of the Panhandle Smelting and Refinery Company Ponderay, Bonner County, Idaho

WHEREAS, the City of Ponderay is the recipient of the Environmental Protection Agency (EPA) Brownfield Multipurpose grant (#BF-01J67401) to clean up the Panhandle Smelting and Refinery Company Site (Undertaking) pursuant to the 36 CFR § 800, regulations implementing Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108; and

WHEREAS, pursuant to 36 CFR § 800.16(y), both the use of federal funds and the requirement for a U.S. Army Corps of Engineers regulatory permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. § 1344) establish a federal undertaking and require the EPA, as the lead federal agency, to take into account the effects of the undertaking on historic properties; and

WHEREAS, the City of Ponderay is undertaking the cleanup and remediation of the former Panhandle Smelting and Refinery Company (PSRC) Site (10BR539) along the shoreline of Lake Pend Oreille, Bonner County, Idaho (see **Attachment A**). The property contains smelter ruins, a small pile of unprocessed ore, building depressions, and a slag dump pile known locally as "Black Rock," which extends into the lake. Past smelting activities have resulted in high levels of lead and arsenic contamination in the soil and have the potential to impact the lake's water quality; and

WHEREAS, the City of Ponderay is proposing the cleanup to protect human health and the environment and to prepare the site for redevelopment into a community park that incorporates existing PSRC (10BR539) features. Brownfield Multipurpose grant funds will be used to excavate and remove contaminated materials for hazardous waste disposal. The feature known as Black Rock will be stabilized with a 4-inch-thick reinforced concrete cap to prevent water infiltration and to isolate the slag pile, supplemented by black powder-coated metal fencing along the waterside perimeter for fall protection and further access restriction.

WHEREAS, the EPA, in coordination with the City of Ponderay, have committed to incorporating steps to minimize the adverse effects on site PSRC (10BR539) in the technical design by preserving existing concrete ruins from the smelter buildings and infrastructures in their current state of decay to retain some of the site's physical history, and by protecting the ruins during construction through specialized excavation and fill procedures within 6 feet of the ruins, and by installing permanent "Keep Off" signs for safety and to limit potential pedestrian damage. The City of Ponderay has also committed to installing signage as part of the park development to provide information and insight on the PSRC (10BR539) site history and surrounding area. Furthermore, to minimize the adverse effects to PSRC (10BR539), the EPA has also committed to having an archaeological monitor present during subsurface cleanup and remediation activities;

SUBJECT: National Historic Preservation Act Section 106 Memorandum of Agreement for the City of Ponderay Brownfield Cleanup of the Panhandle Smelting and Refinery Company Ponderay, Bonner County, Idaho.

and

WHEREAS, the PSRC (10BR539) was determined eligible for listing in the National Register of Historic Places (NRHP) under Criterion A and D; and

WHEREAS, SHPO provided concurrence on the PSRC (10BR539) eligibility to the NRHP under Criteria A and D and concurred on the undertaking's adverse effect to PSRC (10BR539).

WHEREAS, in accordance with 36 CFR § 800.4(a)(4), the EPA has consulted with the Kalispel Tribe of Indians and the Coeur d'Alene Tribe of Indians; and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), the EPA has notified the Advisory Council on Historic Preservation (ACHP), on December 16, 2025, of its adverse effect determination, and the ACHP responded on December 30, 2025 and has chosen *not* to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

WHEREAS, the EPA invited the SHPO, the Kalispel Tribe of Indians, the Coeur d'Alene Tribe of Indians, the City of Ponderay, the Idaho Department of Environmental Quality, Alta Science and Engineering, the Kootenai County Historic Preservation Commission, and US Army Corps of Engineers to be consulting parties (see **Attachment B**); and

WHEREAS, the EPA, the SHPO, the Kalispel Tribe of Indians, the City of Ponderay, the Idaho Department of Environmental Quality, Alta Science and Engineering, the Kootenai County Historic Preservation Commission, and the US Army Corps of Engineers participated in a mitigation meeting and mutually concurred on the below referenced stipulation; and

WHEREAS, the EPA has invited the City of Ponderay to sign this MOA as an invited signatory, and none of the other participants have elected to sign this MOA as a concurring party; and

NOW, THEREFORE, the EPA and the SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the adverse effects to historic properties associated with the undertaking, and that these stipulations shall govern the Project and all its parts unless this MOA is terminated.

I. STIPULATIONS

The EPA shall ensure that the following measures are carried out:

1. The City of Ponderay will provide content panels that are 600 square inches or larger to be placed in low profile signs to be installed in accordance with the proposed signage plan (see **Attachment C**).
2. The panels will be mounted in the City of Ponderay's chosen low-profile sign structure to be installed along the pathway as outlined in **Attachment C**.
3. The City of Ponderay will develop an interpretive plan in coordination with the consulting parties to include information regarding the creation of Lake Pend Oreille, the history of the Northern Pacific Railroad (10BR969), and history of the Kalispel Tribe of Indians in a series of three signs to be placed along the Pend d' Oreille Bay Trail south of PSRC (10BR539) and not closer than quarter mile intervals within the one-mile stretch identified in **Attachment D**.
4. Content, including text and images, for the panels will be developed by the City of Ponderay in

SUBJECT: National Historic Preservation Act Section 106 Memorandum of Agreement for the City of Ponderay Brownfield Cleanup of the Panhandle Smelting and Refinery Company Ponderay, Bonner County, Idaho.

coordination with the Bonner County Historical Society and Museum as well as the Kalispel Tribe of Indians, with one of those parties meeting the Secretary of the Interior's Professional Qualifications Standards. The City of Ponderay will provide a draft image of all panels to consulting parties for comment for a period of 45-days. The City of Ponderay will consider all timely comments when developing final designs and text for the panels.

5. Within five (5) years of execution of this MOA, the City of Ponderay will install all three (3) panels. The City of Ponderay shall ensure maintenance of the panels as part of the city maintenance program. Cleaning and maintenance shall occur as needed but not less than twice per year for a period of no less than fifteen (15) years.

II. DURATION

This MOA is effective on the date a copy of the MOA signed by all signatories is filed with the ACHP. This MOA will expire if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, the EPA may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VIII below.

III. POST-REVIEW DISCOVERIES

If properties are discovered that may be historically significant or unanticipated effects on historic properties found, the EPA shall implement the inadvertent discovery plan included as **Attachment E** of this MOA.

IV. ANNUAL MONITORING AND REPORTING

Each fiscal year, following the execution of this MOA until it expires or is terminated, the EPA shall provide all parties to this MOA with a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in the EPA's efforts to carry out the terms of this MOA. Each report will be uploaded to the ICRIS under SHPO Project No. 2024-984. The EPA will be responsible for updating the MOA stipulation tracking in ICRIS.

V. DISPUTE RESOLUTION

Should any signatory or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the EPA shall consult with such party to resolve the objection. If the EPA determines that such objection cannot be resolved, the EPA will:

1. Forward all documentation relevant to the dispute, including the EPA's proposed resolution, to the ACHP. The ACHP shall provide the EPA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the EPA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. the EPA will then proceed according to its final decision.
2. If the ACHP does not provide its advice regarding the dispute within the thirty (30) daytime period, the EPA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the EPA shall prepare a written response that takes into

account any timely comments regarding the dispute from the signatories and concurring parties to the MOA and provide them and the ACHP with a copy of such written response.

3. The EPA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remains unchanged.

VI. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

VII. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Stipulation VIII, above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, the EPA must either (a) execute an MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. The EPA shall notify the signatories as to the course of action it will pursue.

Execution of this MOA by the EPA and SHPO and implementation of its terms evidence that the EPA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

VIII. EXECUTION IN COUNTERPART

This MOA may be executed in counterparts, with a separate page for each Signatory. The EPA will ensure that each party is provided with a copy of the fully executed Agreement.

IX. CONTACT INFORMATION

The contact information for each Signatory and Invited Signatory (collectively referenced as Signatories) to this MOA and for consulting parties may be updated without requiring an amendment to this MOA. An electronic message (email) exchanged among the contacts, indicating the updated information, shall be sufficient provided the signature authority for each Party is included in such communication.

X. EXECUTION

Execution of this MOA by the EPA and implementation of its terms are evidence that the EPA took into account the effects of the undertaking on historic properties and afforded the ACHP and all concerned parties an opportunity to comment and satisfied the requirements of Section 106 of the NHPA (54 U.S.C. 306108) and applicable implementing regulations.

SUBJECT: National Historic Preservation Act Section 106 Memorandum of Agreement for the City of Ponderay Brownfield Cleanup of the Panhandle Smelting and Refinery Company Ponderay, Bonner County, Idaho.

**MEMORANDUM OF AGREEMENT
AMONG
THE ENVIRONMENTAL PROTECTION AGENCY,
THE CITY OF PONDERAY,
AND THE IDAHO STATE HISTORIC PRESERVATION OFFICE,
REGARDING
THE CITY OF PONDERAY BROWNFIELD CLEANUP OF THE
PANHANDLE SMELTING AND REFINERY COMPANY SITE (10BR539)
IN PONDERAY, BONNER COUNTY, IDAHO**

SIGNATORIES:

Environmental Protection Agency, Region 10



Digitally signed by DAVIS ZHEN
Date: 2026.03.11 08:35:04
-07'00'

Date: 3/11/2026

**Davis Zhen, Director
Land, Chemicals, and Redevelopment Division**

SUBJECT: National Historic Preservation Act Section 106 Memorandum of Agreement for the City of Ponderay Brownfield Cleanup of the Panhandle Smelting and Refinery Company Ponderay, Bonner County, Idaho.

**MEMORANDUM OF AGREEMENT
AMONG
THE ENVIRONMENTAL PROTECTION AGENCY,
THE CITY OF PONDERAY,
AND THE IDAHO STATE HISTORIC PRESERVATION OFFICE,
REGARDING
THE CITY OF PONDERAY BROWNFIELD CLEANUP OF THE
PANHANDLE SMELTING AND REFINERY COMPANY SITE (10BR539)
IN PONDERAY, BONNER COUNTY, IDAHO**

Idaho State Historic Preservation Officer



Janet Gallimore, Executive Director Date March 11, 2026

SUBJECT: National Historic Preservation Act Section 106 Memorandum of Agreement for the City of Ponderay Brownfield Cleanup of the Panhandle Smelting and Refinery Company Ponderay, Bonner County, Idaho.

**MEMORANDUM OF AGREEMENT
AMONG
THE ENVIRONMENTAL PROTECTION AGENCY,
THE CITY OF PONDERAY,
AND THE IDAHO STATE HISTORIC PRESERVATION OFFICE,
REGARDING
THE CITY OF PONDERAY BROWNFIELD CLEANUP OF THE
PANHANDLE SMELTING AND REFINERY COMPANY SITE (10BR539)
IN PONDERAY, BONNER COUNTY, IDAHO**

INVITED SIGNATORY:

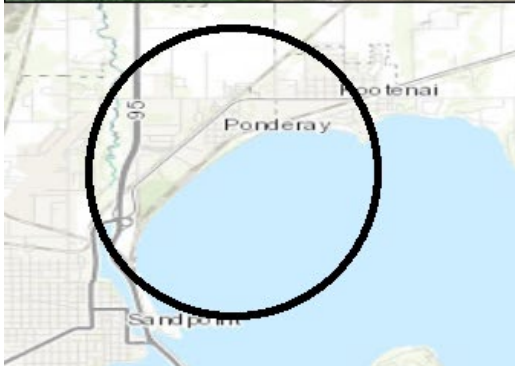
City of Ponderay, Idaho

Steve Geiger Date 3-10-26
Steve Geiger, Mayor

SUBJECT: National Historic Preservation Act Section 106 Memorandum of Agreement for the City of Ponderay Brownfield Cleanup of the Panhandle Smelting and Refinery Company Ponderay, Bonner County, Idaho.

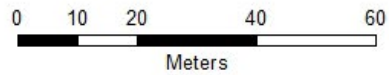
ATTACHMENT A
Area of Potential Effects (APE) MAP

SUBJECT: National Historic Preservation Act Section 106 Memorandum of Agreement for the City of Ponderay Brownfield Cleanup of the Panhandle Smelting and Refinery Company Ponderay, Bonner County, Idaho.



Ponderay Panhandle Smelting and Refinery Company Cleanup Project

 APE



SUBJECT: National Historic Preservation Act Section 106 Memorandum of Agreement for the City of Ponderay Brownfield Cleanup of the Panhandle Smelting and Refinery Company Ponderay, Bonner County, Idaho.

ATTACHMENT B
Consulting Parties

SUBJECT: National Historic Preservation Act Section 106 Memorandum of Agreement for the City of Ponderay Brownfield Cleanup of the Panhandle Smelting and Refinery Company Ponderay, Bonner County, Idaho.

Name and Title	Organization	Email	Phone #
Terri Griffith <i>Project Manager</i>	EPA, Region 10 Brownfield Program	Griffith.Terri@epa.gov	(206) 553-8511
Christopher Shaver <i>Compliance Archaeologist</i>	Idaho SHPO	Chris.Shaver@ishs.idaho.gov	(208) 488-7467
Alexis Matrone <i>Historic Preservation Planner</i>	Idaho SHPO	alexis.matrone@ishs.idaho.gov	(208) 488-7471
KayLeigh Miller <i>Planning Director and Project Manager</i>	City of Ponderay	klmiller@ponderay.org	(208) 265-5468
Eric Traynor <i>Brownfield Program Manager</i>	Idaho Department of Environmental Quality	Eric.Traynor@deq.idaho.gov	(208) 373-0565
Kevin J. Lyons <i>Cultural Resources Program Manager</i>	Kalispel Tribe of Indians	kjlyons@kalispeltribe.com	(509) 447-1147
Jill Wagner, PhD <i>THPO</i>	The Coeur d'Alene Tribe of Indians	Jill.wagner@cdatribe-nsn.gov	(208) 686-1572
Nicholas Kager <i>Deputy THPO</i>	The Coeur d'Alene Tribe of Indians	Nicholas.kager@cdatribe-nsn.gov	(208) 686-2100
Jonathan (Jon) Mueller <i>Chairperson</i>	Kootenai County Historic Preservation Commission	Joe.nathan54@hotmail.com	
Courtney Beebe <i>Member</i>	Kootenai County Historic Preservation Commission		
Derek Forseth <i>Chief Executive Officer and Principal Engineer</i>	Alta Science & Engineering	Derek.Forseth@alta-se.com	(509) 330-0344
Joshua Moore <i>Environmental Resources Specialist</i>	USACE, Walla Walla	joshua.m.moore@usace.army.mil	(208) 446-4237
Sarah MacIntosh, PhD <i>Project Archaeologist</i>	USACE, Seattle	Sarah.macintosh@usace.army.mil	(206) 561-6736
Nathaniel Perhay <i>Project Archaeologist</i>	USACE, Seattle	Nathaniel.l.perhay@usace.army.mil	(206) 586-2358

SUBJECT: National Historic Preservation Act Section 106 Memorandum of Agreement for the City of Ponderay Brownfield Cleanup of the Panhandle Smelting and Refinery Company Ponderay, Bonner County, Idaho.

ATTACHMENT C
City of Ponderay Signage Plan

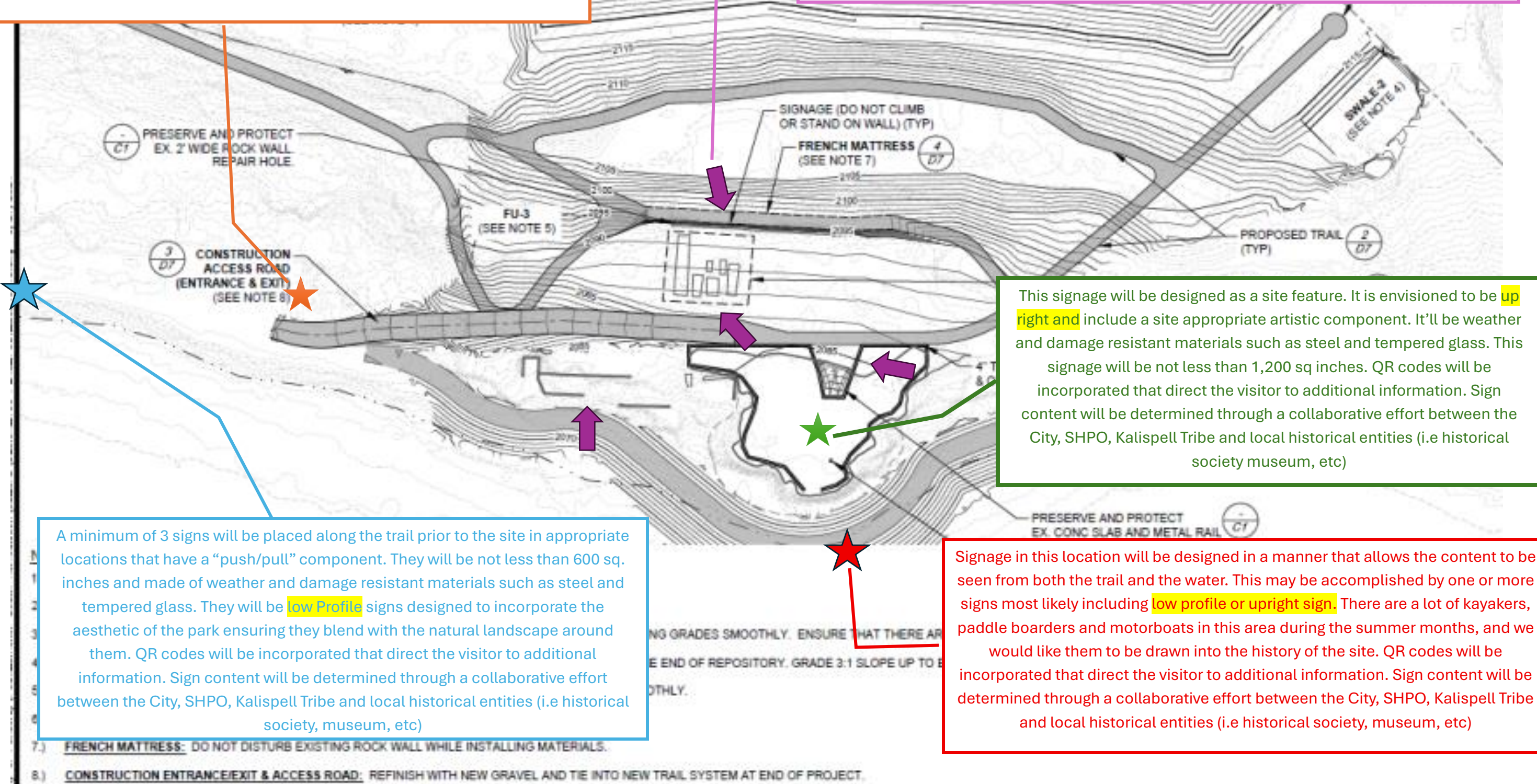
Signage in this location will be not less than 1,200 sq inches. It will be double sided Upright (or similar) signage. Construction will be of low maintenance, protective and weather resistant materials such as steel and tempered glass. It will be located in an appropriate area to act as a “gateway” to the site. They will be designed to incorporate the aesthetic of the park ensuring they blend with the natural landscape around them. QR codes will be incorporated that direct the visitor to additional information. Sign content will be determined through a collaborative effort between the City, SHPO, Kalispell Tribe and local historical entities (i.e historical society, museum, etc)

Approximate locations indicated with the purple arrows will have single sided (unless double sided is deemed appropriate) **Low Profile style** signage not less than 600 sq. inches. They’ll be made of protective, weather and damage resistant materials such as steel and tempered glass. They will be designed to incorporate the aesthetic of the park ensuring they blend with the natural landscape around them. QR codes will be incorporated that direct the visitor to additional information. Sign content will be determined through a collaborative effort between the City, SHPO, Kalispell Tribe and local historical entities (i.e historical society, museum, etc)

This signage will be designed as a site feature. It is envisioned to be **up right and** include a site appropriate artistic component. It’ll be weather and damage resistant materials such as steel and tempered glass. This signage will be not less than 1,200 sq inches. QR codes will be incorporated that direct the visitor to additional information. Sign content will be determined through a collaborative effort between the City, SHPO, Kalispell Tribe and local historical entities (i.e historical society museum, etc)

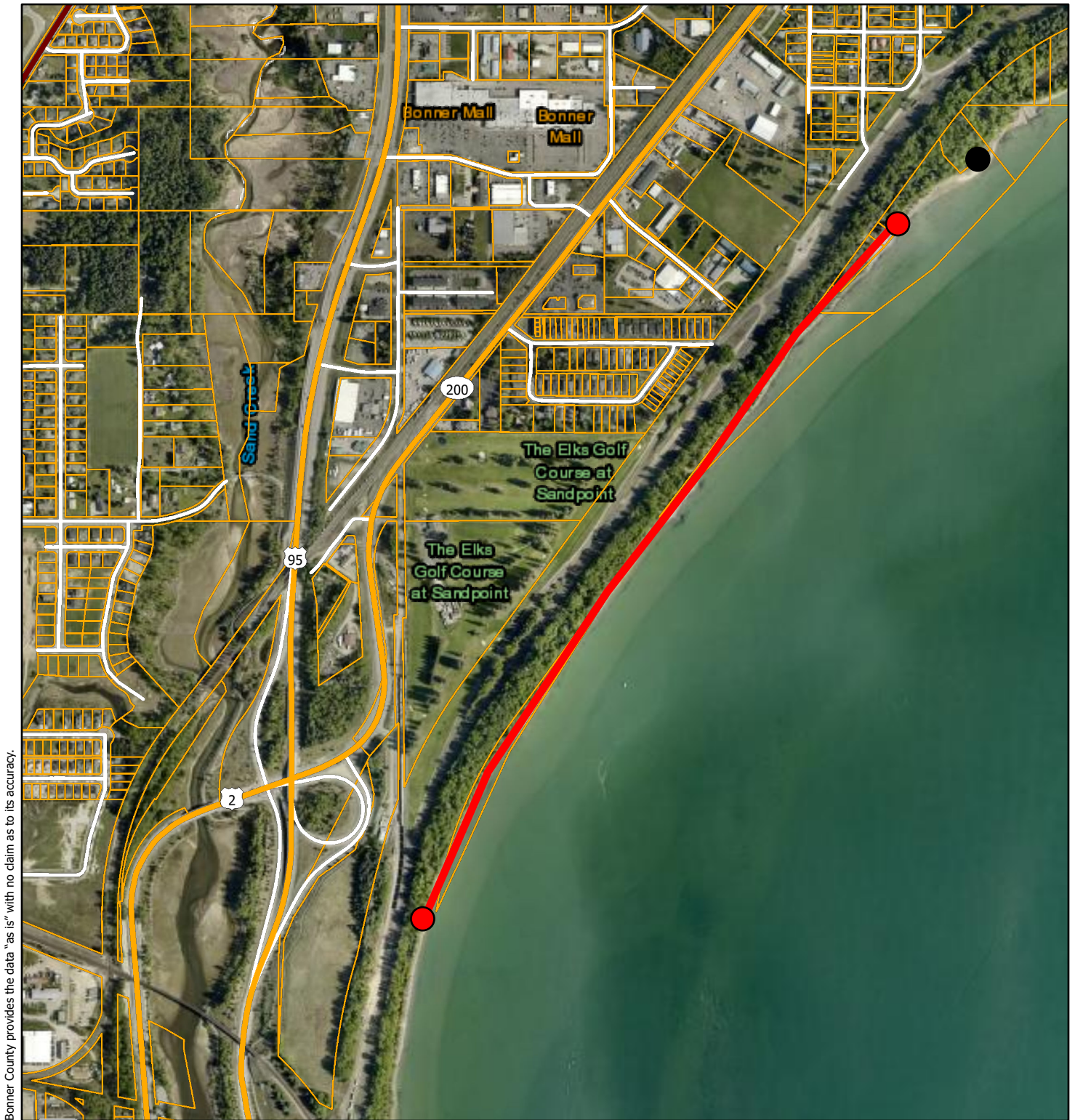
A minimum of 3 signs will be placed along the trail prior to the site in appropriate locations that have a “push/pull” component. They will be not less than 600 sq. inches and made of weather and damage resistant materials such as steel and tempered glass. They will be **low Profile** signs designed to incorporate the aesthetic of the park ensuring they blend with the natural landscape around them. QR codes will be incorporated that direct the visitor to additional information. Sign content will be determined through a collaborative effort between the City, SHPO, Kalispell Tribe and local historical entities (i.e historical society, museum, etc)

Signage in this location will be designed in a manner that allows the content to be seen from both the trail and the water. This may be accomplished by one or more signs most likely including **low profile or upright sign**. There are a lot of kayakers, paddle boarders and motorboats in this area during the summer months, and we would like them to be drawn into the history of the site. QR codes will be incorporated that direct the visitor to additional information. Sign content will be determined through a collaborative effort between the City, SHPO, Kalispell Tribe and local historical entities (i.e historical society, museum, etc)



SUBJECT: National Historic Preservation Act Section 106 Memorandum of Agreement for the City of Ponderay Brownfield Cleanup of the Panhandle Smelting and Refinery Company Ponderay, Bonner County, Idaho.

ATTACHMENT D
City of Ponderay Proposed Map Location



Bonner County provides the data "as is" with no claim as to its accuracy.

2/3/2026

1:16,050



Parcels

World_Boundaries_and_Places

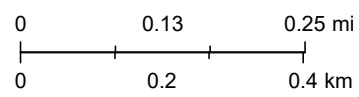
World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations



SUBJECT: National Historic Preservation Act Section 106 Memorandum of Agreement for the City of Ponderay Brownfield Cleanup of the Panhandle Smelting and Refinery Company Ponderay, Bonner County, Idaho.

ATTACHMENT E
Inadvertent Discovery Plan (IDP)

Inadvertent Discovery Plan

The Inadvertent Discovery Plan (IDP) protocol must be adhered to if cultural materials, including human remains, are encountered during construction

Project: Panhandle Smelting & Refining Company Site, Ponderay, Bonner County, Idaho – EPA Brownfields Cleanup & Remediation

SHPO Review No.: 2024-984

Project Manager: Kayleigh Miller, City Planning Director and Project Manager, City of Ponderay, klmiller@ponderay.org, 208.265.5468

Location: Panhandle Smelting and Refining Company (PSRC) Site (10BR539), City of Ponderay, Bonner County, Idaho, 83852

Cultural Resources

Construction work may uncover previously unidentified Native American or Euro-American artifacts. This could occur for a variety of reasons, but may be associated with deeply buried cultural material, access restrictions during project development, or if the area contains impervious surfaces throughout most of the project area which would have prevented standard archaeological site discovery methods. Work must stop and the IDP protocol followed when archaeological artifacts and/or features are encountered.

Native American artifacts may include (but are not limited to):

- Flaked stone tools (e.g. arrowheads, knives scrapers etc.);
- Waste flakes that resulted from the construction of flaked stone tools;
- Modified, shaped, or perforated stones like net anchors, pendants;
- Ground stone tools like mortars and pestles;
- Layers (strata) of discolored earth resulting from fire hearths. May be black, red or mottled brown and often contain discolored cracked rocks or dark soil in association with other artifacts;
- Human remains; and/or
- Structural remains (e.g. wooden beams, post holes, fish weirs).

Euro-American artifacts may include (but are not limited to):

- Glass (e.g. bottles, vessels, windows etc.);
- Ceramic (e.g. dinnerware, vessels etc.);
- Metal (e.g. nails, drink/food cans, tobacco tins, industrial parts etc.);
- Building materials (e.g. bricks, shingles etc.);
- Building remains (e.g. foundations, architectural components etc.);
- Old wooden posts, pilings, or planks (these may be encountered above or below water);
- Old farm equipment may indicate historic resources in the area.

Even what looks to be old garbage could very well be an important archaeological resource.

When in doubt, call it in!

Protocol

I. Stop Work Immediately

In the event of an inadvertent discovery of possible cultural materials, including human remains, all work will stop immediately in the vicinity of the find. The area will then be secured and protected with a 100-foot buffer around the discovery. Work can proceed outside of this buffered area unless additional cultural materials are encountered.

Special Procedures for the Discovery of Human Skeletal Material

Any human skeletal remains, regardless of antiquity or ethnic origin, will always be treated with dignity and respect. Cover the remains with a tarp or other materials (not soil or rocks) for temporary protection and to shield them from being photographed. **Do not call 911 or speak with the media. Do not take pictures.**

II. Notify Appropriate Parties

The project manager must be notified immediately, who will then notify the State Historic Preservation Office (SHPO), the local police or sheriff’s department, and the project Archaeologist, as appropriate.

If potential human remains are encountered, the local police or sheriff’s department must be notified and they will coordinate with the Idaho State Police (ISP), the local Medical Examiner/Coroner, and appropriate Tribal Governments. Call the non-emergent line and request the Watch Commander or Officer-In-Charge.

<p>Project Manager – City of Ponderay (Land Owner) Name: Kayleigh Miller Phone: 208.265.5468 Email: klmiller@ponderay.org</p>	<p>Project Archaeologist, U.S. Army Corps of Engineers Name: Sarah MacIntosh, PhD Phone: (206) 561-6736 Email: Sarah.macintosh@usace.army.mil</p> <p>Name: Nathaniel Perhay Phone: 206.586.2358 Email: Nathaniel.I.perhay@usace.army.mil</p>
<p>State Historic Preservation Office Name: Susan Lynn White Phone: 208.488.7470 Email: ISHSCompliance@ishs.idaho.gov</p>	<p>State Project Manager - Idaho Department of Environmental Quality Name: Eric Traynor Phone: 208.373.0565 Email: eric.traynor@deq.idaho.gov</p>

<p>Local Law Enforcement Name: Joseph Kaufman, Chief of Police Phone: 208.265.4251 Email: JKaufman@Ponderaypd.org</p>	<p>Local Medical Examiner/Coroner Name: Robert Beers Phone: 208.263.6714 ext. 2101 Email: Robert.beers@bonnercountyyid.gov</p>
<p>Federal Project Manager- U.S. Environmental Protection Agency Name: Terri Griffith, EPA Region 10 Phone: 206.553.8511 Email: griffith.terri@epa.gov</p>	<p>Project Manager – Environmental Contractor, Alta Science & Engineering Name: Derek Forseth Phone: 208.882.7858 or 509.330.0344 Email: Derek.Forseth@alta-se.com</p>

III. Wait for Guidance

No work in the buffered area may resume until consultation has occurred. If a professional archaeologist is needed to assess the discovery, they will consult with the SHPO and appropriate Tribal Governments to facilitate determination of an appropriate course of action. Archaeological investigation or excavations may be required. Until a formal determination can be made, archaeological deposits discovered during construction will be assumed eligible for listing in the National Register of Historic Places and should be protected. The professional archaeologist and project manager, in consultation with SHPO and Tribal Governments, handles this on a case-by-case basis.

IV. Proceed with Construction

Construction can proceed only after the proper archaeological inspections have occurred and environmental clearances are obtained if necessary and clearance has been received from all parties involved. This requires close coordination with SHPO and the Tribal Governments.

After an inadvertent discovery, some areas may be specified for close monitoring or 'no work zones.' Any such areas will be identified by the professional archaeologist to the Project Manager, and appropriate Contractor personnel. In coordination with the SHPO, the Project Manager will verify these identified areas and be sure that the areas are clearly demarcated in the field.

Confidentiality

This project and its employees, contractors, and subcontractors shall make their best efforts, in accordance with federal and state law, to ensure that its personnel keep the discovery confidential. The media, or any third-party member or members of the public are not to be contacted or have information regarding the discovery. Prior to any release, the responsible agencies and Tribes shall consult on the amount of information, if any, to be released to the public.

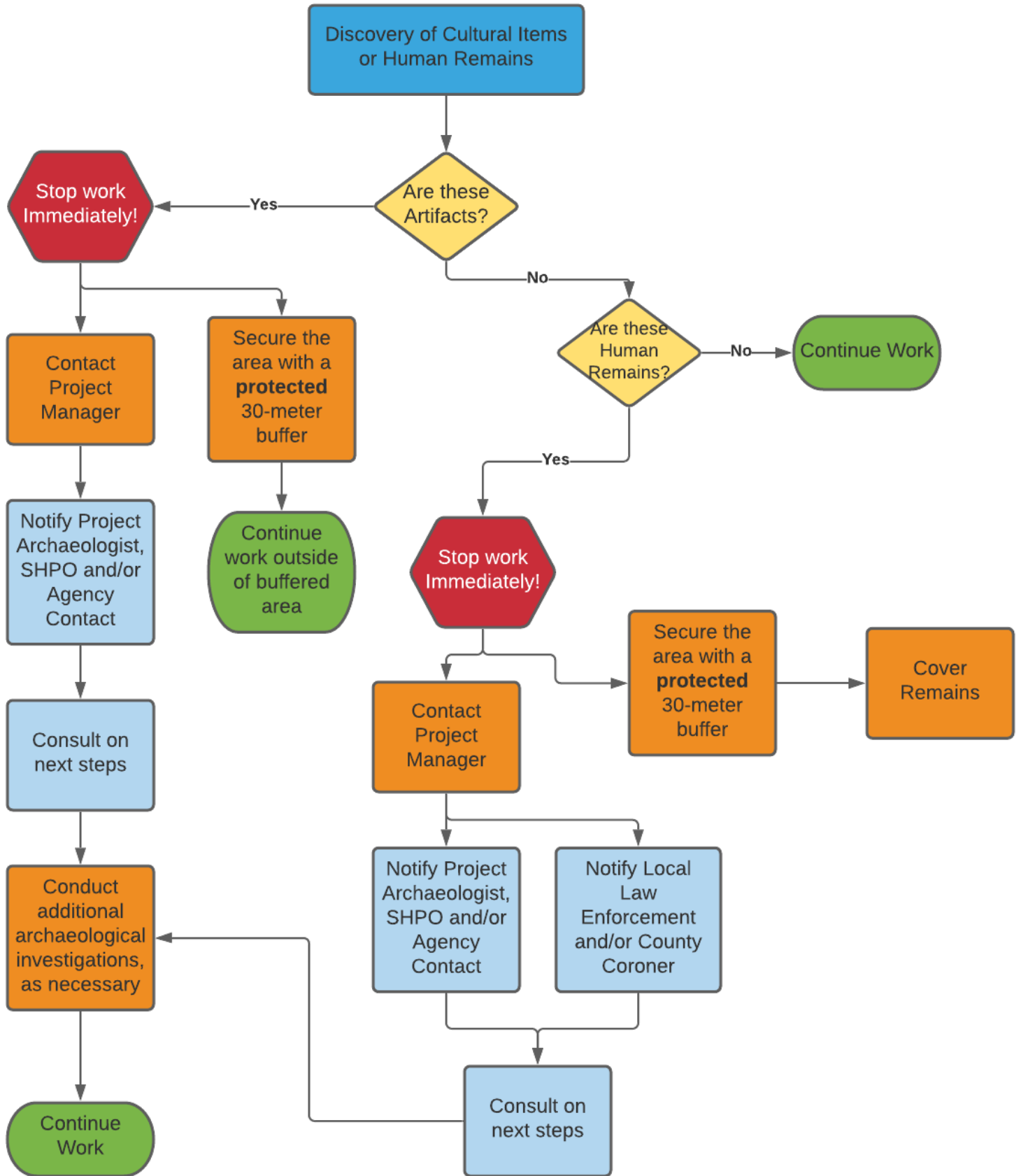
As the designated representative for the project, I acknowledge that I have received this inadvertent discovery plan and will, to the best of my abilities, ensure that it is implemented appropriately.

Signature:  _____

Name: Kayleigh Miller, Planner and Project Manager, City of Ponderay

Date: March 3, 2026

Appendix A: Process Flow Chart



Appendix B: Visual References and Examples of Potential Discoveries

Implement the IDP if ... You see chipped stone artifacts.



- Glass-like material
- Angular
- “Unusual” material for area
- “Unusual” shape
- Regularity of flaking
- Variability of size



Implement the IDP if ...

You see ground or pecked stone artifacts.



- Striations or scratching
- Unusual or unnatural shapes
- Unusual stone
- Etching
- Perforations
- Pecking
- Regularity in modifications
- Variability of size, function, and complexity



Stone Artifacts from Oregon



Implement the IDP if ... You see bone or shell artifacts.



- Often smooth
- Unusual shape
- Carved
- Often pointed if used as a tool
- Often wedge shaped like a “shoehorn”



Bone Awls from Oregon and Bone Wedge from California

Implement the IDP if ... You see bone or shell artifacts.



- Often smooth
- Unusual shape
- Perforated
- Variability of size



Tooth Pendant and Bone Pendants from Oregon and Washington

Implement the IDP if ... You see fiber or wood artifacts.



- Wet environments needed for preservation
- Variability of size, function, and complexity
- Rare



Artifacts by Mud Bay, Olympia, Washington

Implement the IDP if ... You see historic period artifacts.



Artifacts from Downtown Seattle, Alaskan Way Viaduct (Upper Left and Lower) and Unknown Site (Upper Right)

Implement the IDP if ...

You see strange, different, or interesting looking dirt, rocks, or shells.



- Human activities leave traces in the ground that may or may not have artifacts associated with them
- “Unusual” accumulations of rock (especially fire-cracked rock)
- “Unusual” shaped accumulations of rock (e.g., similar to a fire ring)
- Charcoal or charcoal-stained soils
- Oxidized or burnt-looking soils
- Accumulations of shell
- Accumulations of bones or artifacts
- Look for the “unusual” or out of place (e.g., rock piles or accumulations in areas with few rock)

Unknown Sites

Implement the IDP if ...

You see strange, different or interesting looking dirt, rocks, or shells.



- “Unusual” accumulations of rock (especially fire-cracked rock)
- “Unusual” shaped accumulations of rock (e.g., similar to a fire ring)
- Look for the “unusual” or out of place (e.g., rock piles or accumulations in areas with few rock)

Site of Muckleshoot Indian Reservation, near WSDOT ROW along SR 164

Implement the IDP if ...

You see strange, different or interesting looking dirt, rocks, or shells.



Layers of shell
midden

- Often have a layered or “layer cake” appearance
- Often associated with black or blackish soil
- Often have very crushed and compacted shells

Historic debris



Site located within WSDOT ROW near Anacortes Ferry Terminal

Implement the IDP if ...

You see historic foundations or buried structures.



45KI1924, In WSDOT ROW for SR 99 Tunnel

Appendix C: Map of Project Area

Include any monitoring areas if applicable