Vancouver Energy
Cultural Resources Inadvertent Discovery Plan

Plan No. C.06 | Revision 00

Approved by:

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Date: 30 April 2015

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Vancouver Energy
Cultural Resources Inadvertent Discovery Plan

EFSEC Application for Site Certification No. 2013-01
Docket No. EF131590
30 April 2015

Prepared for

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AINW Report No. 3437
BergerABAM Job No. A13.0267.02

Revision Summary

No.	Date	Edits/Comments
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Vancouver Energy
Cultural Resources Inadvertent Discovery Plan

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1. Introduction

Vancouver Energy (Facility) provides transloading services for pipeline quality crude oil from railcars to marine vessels. The Facility is located at 5501 NW Old Lower River Road, Vancouver, Washington; it is situated at the Port of Vancouver USA (Port) on the north bank of the Columbia River at approximately River Mile 103.5. The Facility site is approximately 47.4 acres in size and comprises elements within the following “area” groupings, as illustrated in Figure 1.

- Area 200 – Rail Unloading – located at Terminal 5 of the Port
- Area 300 – Storage – located at Parcel 1A of the Port
- Area 400 – Marine Terminal – located at berths 13 and 14 at the Port
- Area 500 – Transfer Pipelines – located in locations between areas 200, 300, and 400
- Rail Infrastructure – located at Terminal 5 of the Port

The Facility receives an average of four unit trains per day and unloads an average of 360,000 barrels (bbl) of crude oil per day. Six nominal capacity 400,000 bbl tanks are used to store crude oil on site. A transfer pipeline system is used to convey crude oil from Area 200 to Area 300 for storage, and from Area 300 to Area 400 for vessel loading. The transfer pipeline system can also be operated to move crude oil from Area 200 directly to Area 400. The Facility operates 24 hours per day, 7 days per week.

1.1 Purpose of Plan

This cultural resources inadvertent discovery plan (CRIDP) describes the procedures to be implemented in the event of the discovery of previously unidentified archaeological resources during construction of the Facility, and in the event ground disturbing activities are required in response to an emergency event during operations. The CRIDP also describes procedures to be implemented in the event of the discovery of human remains.

1.2 Regulatory Requirements

The proposed Facility is subject to the jurisdiction of the Washington State Energy Facility Site Evaluation Council (EFSEC). The Facility is also subject to the jurisdiction of the U.S. Army Corps of Engineers (USACE) for in-water work related to the modification of existing berths 13 and 14 to be used by Vancouver Energy.

The Washington State Department of Archaeology and Historic Preservation (DAHP), acting as a reviewing agency during the Application for Site Certification (ASC) review by the Energy Facility Site Evaluation Council (EFSEC), requests that “an agreed upon professional archaeological monitoring plan during Facility Construction, Operations and Emergency Responses” be prepared (Bumpus, 2014). In the event of an inadvertent discovery of archaeological resources, procedures described in the plan will be conducted in accordance with the following statutes and regulations.

- Chapter 27.53 RCW: Archaeological Sites and Resources
- RCW 68.60.055: Skeletal Human Remains — Duty to notify — Ground disturbing activities — Coroner determination — Definitions.
- RCW 68.50: Human Remains
- Chapter 25-48 WAC: Archaeological Excavation and Removal Permit

The USACE also requests that a CRIDP be prepared. Construction activities at the Facility are subject to 36 CFR 800, as amended, referred to as Section 106 of the National Historic Preservation Act.

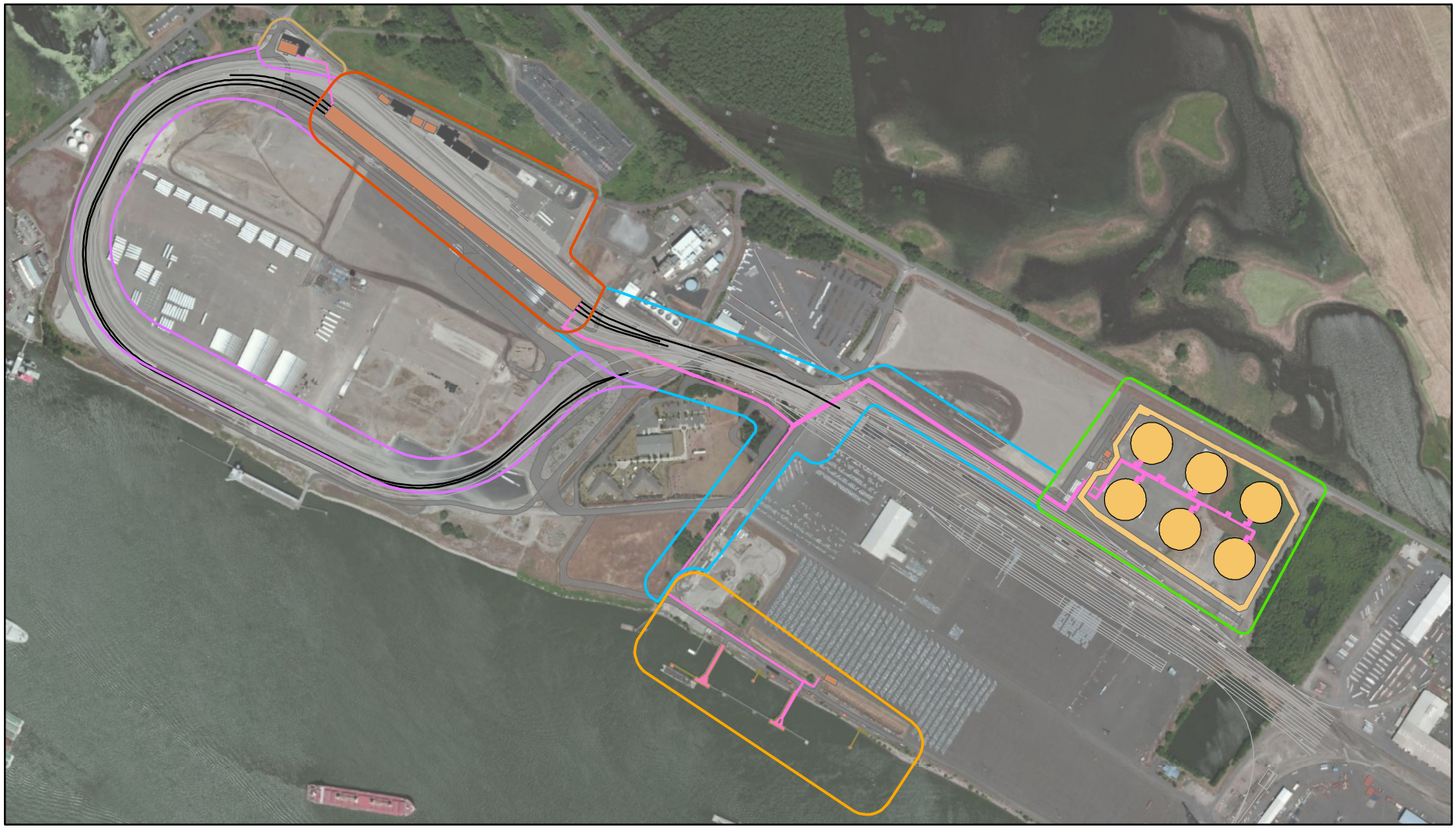

Figure 1 - Site Plan

VANCOUVER ENERGY

Tesoro Savage Petroleum Terminal LLC

Proposed Project Facilities

- Containment Berm
- Rail
- Parking
- Building
- Transfer Pipeline
- Storage Tank
- Roads
- Marine Terminal

TSPT Improvement Areas

- 200 - Unloading and Office
- 300 - Storage
- 400 - Marine Terminal
- 500 - Transfer Pipelines
- 600 - West Boiler
- Rail Infrastructure

0 250 500 1,000 Feet

N

Date: March 2015

Map Notes: Aerial photo dated July 2010, courtesy of ESRI World Imagery service

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For this project, the potentially affected Tribes include the following. See Section 9, Contact List.

- Cowlitz Indian Tribe
- Confederated Tribes of Grand Ronde Community
- Chinook Indian Tribe
- Confederated Tribes of the Chehalis Indian Reservation
- Yakama Indian Nation

1.3 Related Documents

This Plan is implemented in coordination with other Facility construction plans, including, but not limited to,

- Contaminated Media Management Plan – describing measures implemented to appropriately manage contaminated soils and groundwater during construction activities
- Construction Stormwater Pollution Prevention Plan – describing measures implemented to manage and protect construction stormwater
- Construction Spill Prevention, Control, and Countermeasures Plan – describing measures to prevent and respond to spills of petroleum products and hazardous materials used during construction activities
- Construction Safety and Health Manual – describing health and safety and emergency response procedures implemented during construction of the Facility

2. Previous Data Collection for Facility Site

The area of potential effect (APE) has been defined as the area where an undertaking may directly, through ground-disturbing activities, or indirectly cause changes in the character or use of historic properties. The proposed Facility APE is located within the Port at three locations: Terminal 5, Parcel 1A, and berths 13 and 14. The APE of the project is south of NW Lower River Road and is north of Columbia River (Figure 2). The western boundary of the proposed Facility APE is the western limit of the former Evergreen/ALCOA aluminum plant at Terminal 5. The irregular boundary of the APE stretches 2.23 kilometers (1.39 miles) to the east, where the northeastern edge is demarcated by a zone of undeveloped wetland. The eastern portion of the project, including berths 13 and 14, is in the Port's Terminal 4.

Archaeological Investigations Northwest, Inc. (AINW) prepared a report for submittal to the USACE (Fuld et al., 2013) and prepared sections regarding the cultural resources for the State Environmental Policy Act (SEPA) submittal to EFSEC (BergerABAM, 2014).

The DAHP provided both SEPA scoping comments and comments on the ASC submitted to EFSEC in August 2013, addressing construction impacts reaching native soils—soils that may be intact below a thick layer of fill—and the potential for native soils retaining evidence of an archaeological site (Kaehler, 2013; Bumpus, 2014).

Additional fieldwork was designed to address the issues raised by DAHP. The Facility construction techniques that are being used would largely preclude the ability to observe soils beneath the thick layer of fill during construction; specifically, construction by vibro-compacting (in-place) stone columns would not bring soils to the surface for observation by archaeological monitors. DAHP questioned whether monitoring would be sufficient to identify archaeological deposits deeply buried under fill. To address this question, AINW designed a systematic subsurface geoarchaeological survey that would test for cultural resources beneath the fill and identify the contours and origins of buried landforms.

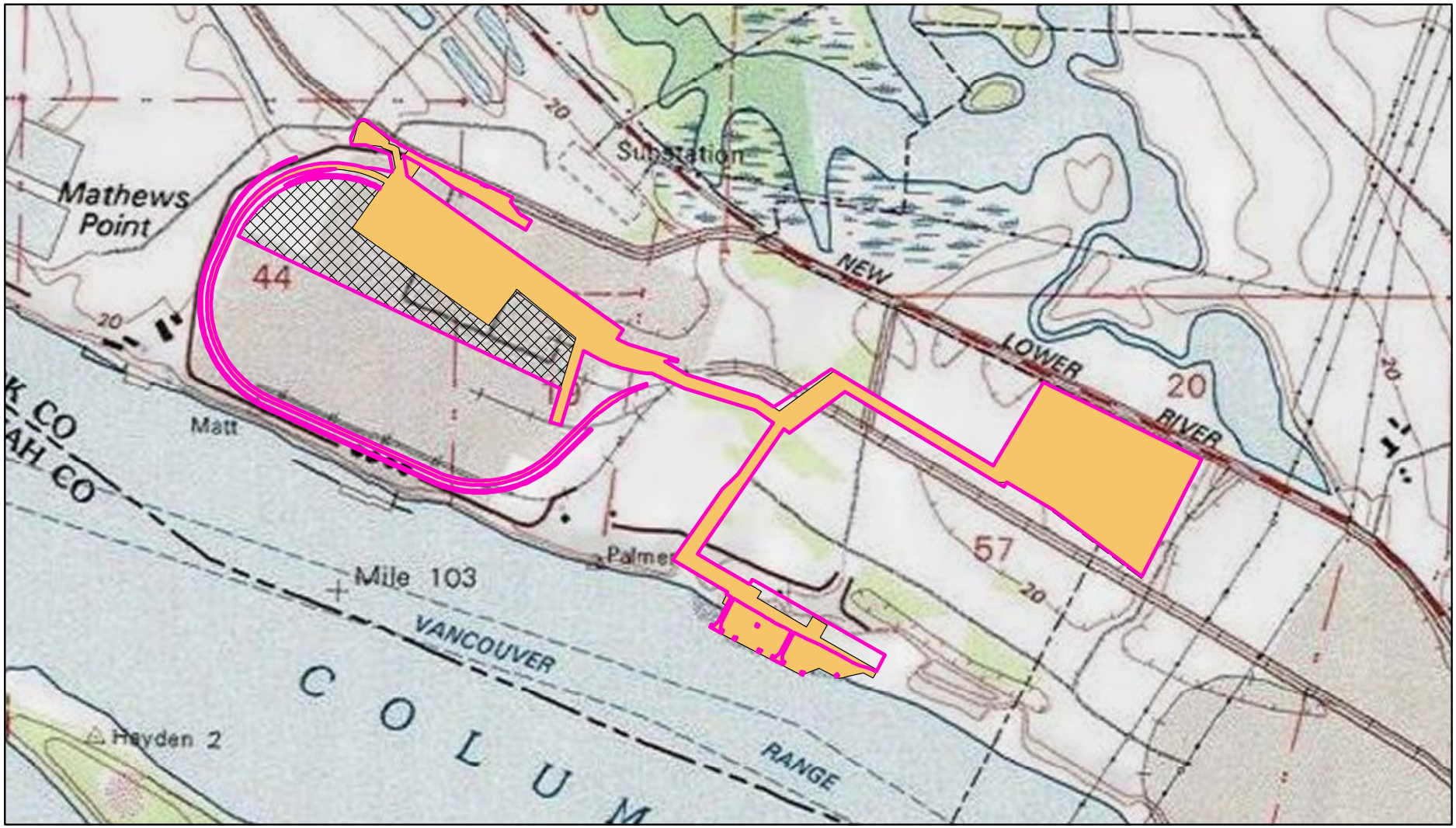

Figure 2 - Area of Potential Effect

Legend

- Lease Boundary
- Project APE
- Construction Laydown

Lease boundary includes construction laydown areas with existing gravel or paved surfaces. No ground disturbance is anticipated in these areas.

VANCOUVER ENERGY

Tesoro Savage Petroleum Terminal LLC

Date: April 2015

Map Notes: AUSGS 1:24k Topographic Maps. Vancouver Quadrangle

0 250 500 1,000
Feet

N

EX-0001-002424-PCE

AINW has completed the geoarchaeological survey of the Facility APE (Hulse and Reese, 2015). The survey identified sediments of an appropriate age to contain archaeological resources below a cap of recent fill and above a basal layer of water-laid Pleistocene gravel. Importantly, no archaeological resources were identified within the APE as a result of the geoarchaeological survey. The geoarchaeological borings revealed no basis to warrant having an archaeological monitor on site during construction for the project as currently designed. Therefore, no cultural resources monitoring of Facility construction activities will be conducted.

While it is very unlikely that archaeological remains would be unearthed during the construction process as inadvertent discoveries, this CRIDP describes the steps that will be taken in such an event.

3. Inadvertent Discovery of Archaeological Resources

This CRIDP describes the procedures the Facility senior project manager will follow, in accordance with federal and state laws, if certain archaeological materials and human remains are discovered within the Facility APE.

If any member of the construction workforce believes that he or she has encountered evidence of an archaeological resource, all work adjacent to the discovery will stop, and the shift supervisor and AINW will be notified (see Section 9, Contact List). The shift supervisor will also notify the senior project manager or his/her designee. An AINW archaeologist will be dispatched to examine the discovery. If human skeletal remains are involved, the procedure described in Section 4 will be followed. The area of work stoppage will be adequate to provide for the security and integrity of the discovery. Barriers will be placed around the area for protection of the find. Archaeological resource discoveries could consist of, but are not limited to, the following.

- an area of charcoal or charcoal-stained soil
- an arrowhead, stone tool, or stone chips
- a cluster of bones or burned rocks in association with stone tools or chips
- a cluster of tin cans or bottles older than 50 years

The archaeologist will determine whether the discovery is an archaeological resource. If the archaeologist determines that the discovery is not an archaeological resource, the archaeologist will advise the Facility senior project manager to remove the stop-work order. The archaeologist will follow-up with an e-mail summary, including photographs of the discovery site, at the level that is appropriate for the find. This documentation will be provided to the Facility senior project manager and will be provided to the other contacts if they have been alerted to the potential discovery.

If the archaeologist believes that the discovery is an archaeological resource, the archaeologist, in coordination with the Facility senior project manager, will take appropriate steps to ensure that the discovery site is protected. At a minimum, the immediate area of the discovery site will be flagged or barricaded, and vehicles and equipment will not be permitted to traverse the discovery site. The Facility senior project manager will then be responsible for promptly notifying the Port, EFSEC, the USACE, the DAHP, and the consulting Tribes by telephone, with written confirmation via e-mail and/or overnight mail. The contact list in Section 9 of this report will be used. Every effort will be made to ensure that notifications are made within 24 hours of the determination that an archaeological resource had been discovered. All notifications will be the responsibility of the Facility senior project manager, although this responsibility may be delegated to AINW.

The notifications to the Port, EFSEC, the USACE, DAHP, and the Tribes will either

- Explain why it is the archaeologist's opinion that the resource is not significant, and request permission for construction to recommence, or
- Indicate that a request for a site evaluation is being prepared and will be submitted as soon as possible.

If it is determined that archaeological test excavations or the collection of artifacts are necessary to evaluate the significance of a discovery or to assess project impacts (damage) to a discovery, AINW will prepare an archaeological testing or mitigation plan for review by the Port, EFSEC, the USACE, DAHP, and the Tribes. An application to the DAHP for an archaeological site excavation permit will be completed if the discovery occurs after construction is completed. During construction, no permit will be required as the project will be under the USACE's jurisdiction and the USACE will be responsible for any required procedures, review, and agency and tribal coordination.

4. Unanticipated Discovery of Human Remains

The procedures outlined in this section apply to all situations where (a) human remains are observed and (b) it is not obvious and immediately apparent that skeletal remains (e.g., articulated bones, teeth, or fragments), which are found are non-human in origin.

If any member of the construction workforce believes he or she has made an unanticipated discovery of human remains, all work at the location of the discovery will be stopped and AINW will be notified to determine if the remains are human. The Facility senior project manager will also be promptly notified. Until such time that AINW has performed the determination, the area of work stoppage will be adequate to provide for the security, protection, and integrity of the remains. At a minimum, the immediate area of the discovery will be flagged or barricaded, and vehicles and equipment will not be permitted to traverse the discovery site.

Any human remains that are discovered during construction will, at all times, be treated with dignity and respect. The remains will be covered with a tarp or other materials (not soil or rocks) for temporary protection in-place and to shield them from being photographed. Do not call 911 or speak with the media.

If the AINW archaeologist determines the remains are human, the Facility senior project manager will promptly call the Clark County coroner. EFSEC and the USACE will also be contacted. The coroner will examine the discovery and determine whether the remains are "forensic" and under the coroner's jurisdiction or "non-forensic," in which case, the coroner will notify the DAHP. If the remains are "forensic," work stoppage in the area will continue until such time that the coroner has secured and removed the remains from the discovery site and released control of the stoppage area back to the Certificate Holder.

Following RCW 27.44.055, RCW 68.50, and RCW 68.60, DAHP will have jurisdiction over non-forensic human remains. The DAHP's physical anthropologist will examine the remains and notify the affected American Indian Tribes of the results of the examination. The potentially affected Tribes are listed Section 9. Documentation of human skeletal remains and funerary objects will be agreed upon through the consultation process described in RCW 27.44.055, RCW 68.50, and RCW 68.60. Facility personnel will participate in consultation. When consultation and documentation activities are complete, construction in the discovery area will resume.

If the results of the evaluation indicate that the remains are not human and do not have an archaeological association, construction will be permitted to resume.

If it is determined that the remains are not human but have an archaeological association, the procedures for the inadvertent discovery of cultural resources outlined in Section 3 will be followed.

5. Documentation of Archaeological Materials

AINW will complete the proper documentation and assessment of the confirmed discovered archaeological deposits and features inadvertently discovered in cooperation with the Port, EFSEC, the USACE, DAHP, and affected Tribes.

Intact archaeological material discovered inadvertently during project construction will be recorded by a professional archaeologist. A State of Washington archaeological resource form will be submitted to DAHP. Discovered features and selected artifacts will be photographed. Stratigraphic profiles and soil/sediment descriptions of the newly discovered subsurface features will be prepared. Discovery locations will be documented on scaled site plans and site location maps.

Archaeological features and artifacts inadvertently discovered in buried sediments may require further excavation. An application to the DAHP for an archaeological site excavation permit will be completed if the discovery occurs after construction is completed. During construction, no permit will be required given that the project will be under the USACE's jurisdiction and the USACE will be responsible for any required procedures, review, and agency and tribal coordination.

After coordination on the appropriate procedures with EFSEC, the USACE, DAHP, and any affected Tribes, a test excavation unit or small trench may be used to determine if an intact occupation surface is present. The use of test units will assist in gathering information on the nature, extent, and integrity of the subsurface deposits. Test excavation units will be dug by hand in a controlled fashion to expose the feature, collect samples from undisturbed contexts, or assist in interpreting complex stratigraphy.

Spatial information, depth of excavation levels, natural and cultural stratigraphy, presence or absence of archaeological material, and depth to sterile soil, regolith, or bedrock will be recorded for each test unit on a standard form. Unit-level forms will be used, including plan maps for each excavated level, and recording data regarding material type, number, and vertical provenience (depth below surface and stratum association where applicable) for all subsurface artifacts and discovered features.

Sediments excavated from test units for the purposes of additional investigations of newly discovered archaeological deposits or features will be screened through 3.2-millimeter (mm) (1/8-inch [in.]) mesh.

All pre-contact (Native American) formed tools collected from the subsurface excavation test units will be analyzed, cataloged, and temporarily curated. Archaeological materials (with the exception of human remains, funerary items, and sacred objects) will be curated at the Burke Museum in Seattle, Washington, and copies of records will be curated at the Burke Museum in Seattle, Washington.

Within 90 days of concluding fieldwork, a technical report describing the results will be provided to the Port, EFSEC, the USACE, DAHP, and the affected Tribes.

If assessment activity exposes human remains (e.g., burials, isolated teeth, or bones), the process described in Section 4 will be followed.

6. Monitoring of Operations and Emergency Response Activities

Normal operation activities at the Facility will not involve ground disturbance. Therefore, cultural resources monitoring will not be conducted.

Emergency response activities may or may not require ground disturbance in immediate response to the emergency situation being addressed. Further, site access may not be possible pending active emergency response activities. In the event that emergency response actions have caused ground disturbance activities that may have the potential for inadvertent discovery of cultural resources, when such locations are deemed safe for entry of non-emergency response personnel, the Facility senior project manager will arrange for a site survey by a professional archaeologist to determine if any archaeological resources have been inadvertently discovered during the response activities. If any inadvertent discoveries of archaeological resources are made, the procedures described in Sections 3, 4, and 5 will be followed. If ground disturbance is required for post-emergency remediation, and implementation activities may result in inadvertent discovery of archaeological resources, the Facility

senior project manager will coordinate consultation with the Port, DAHP, EFSEC, USACE, and the Tribes prior to such activities taking place.

7. Summary of Protection Measures

1. Construction activities that may impact native soils will be halted in the immediate area if intact archaeological deposits, human remains (or potential human remains), funerary items, or sacred objects are encountered. Construction work at the location of the inadvertent discovery will not be resumed unless intact archaeological deposits can be completely avoided, or until the consulting parties agree on a course of action based on the unanticipated discovery protocol as outlined above. AINW will contact the Facility senior project manager if archaeological deposits are found. See Section 3 for details regarding all contacts and procedures.
2. If human remains are suspected, the Facility senior project manager will contact the Clark County coroner; other agency contacts may be needed. AINW will assist with the contacts and verification procedures. All work must stop in the area where human remains are found or are suspected, and the area is to be safe-guarded; work may continue after all consultation regarding the human remains has been completed and required procedures have been completed. See Section 4 for details regarding contacts and procedures.
3. AINW will prepare a summary report detailing any inadvertent discoveries and procedures followed as a result of a discovery, as outlined in this CRIDP. The report will identify any artifacts or features found, describe the findings, and summarize the results of data analysis. A copy of the report will be provided to the Port, the USACE, DAHP, and the Tribes. See Section 5 for details.

8. References

BergerABAM. 2014. Tesoro Savage Vancouver Energy Distribution Terminal EFSEC Application No. 2013-01 Supplement—UTC Docket No. EF 131590 Application Supplement. BergerABAM, Vancouver, WA. February 25, 2014.

Bumpus, Sonia. 2014. E-mail to Irina Makarow, Subject: Tesoro Savage ASC Technical Review - Technical Memo No. 4, January 2, 2014.

Fuld, Kristen A., Judith A. Chapman, and Jo Reese. 2013. *Cultural Resource Review for the Tesoro Savage Vancouver Energy Distribution Terminal Project, Vancouver, Clark County, Washington.* Archaeological Investigations Northwest, Inc. Report No. 3116. Prepared for BergerABAM, Vancouver, Washington.

Hulse, Eva, and Jo Reese. 2015. *Geoarchaeological Investigation of the Vancouver Energy Project, Vancouver, Clark County, Washington.* Archaeological Investigations Northwest, Inc. Report No. 3423. Prepared for BergerABAM, Vancouver, Washington.

Kaehler, Gretchen. 2013. Scoping letter to EFSEC from Gretchen Kaehler, DAHP, dated December 18, 2013.

9. Contact List

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Yakama Indian Nation	
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Confederated Tribes of The Chehalis Indian Reservation	
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10. List of Acronyms and Abbreviations

AINW: Archaeological Investigations Northwest, Inc.

APE: area of potential effect

ASC: Application for Site Certification

CRIDP: cultural resources inadvertent discovery plan

DAHP: Washington State Department of Archaeology and Historic Preservation

EFSEC: Energy Facility Site Evaluation Council

Facility: Vancouver Energy

in.: inch

mm: millimeter

Port: Port of Vancouver USA

RCW: Revised Code of Washington

SEPA: State Environmental Policy Act

USACE: U.S. Army Corps of Engineers

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