



## CHAPTER 32

# PROTECTION OF CULTURAL RESOURCES

Cultural resources can be defined as any archaeological, paleontological, historical sites and/or traditional cultural properties. The necessary identification and examination of those sites normally occurs prior to the construction phase of a Project. NEPA documentation and special provisions for a Project will generally address anticipated cultural resources within the Project limits.

No-work zone areas are used to delineate archaeological resources on Project sites. Disturbing known cultural resources is considered a willful violation of state law; such sites are protected under ORS 97.740, ORS 358.905 and ORS 390.235. If no-work zones are disturbed all Work must cease in the vicinity of the no-work zone and the Resident Engineer (RE) will Contact the Region Environmental Coordinator (REC) to help determine a corrective action.

If a no-work zone is disturbed a damage assessment to evaluate the level of disturbance to the cultural site may be required. The REC will work with the RE and Agency expert to determine if a damage assessment is warranted.

For more information related to cultural resources, refer to the ODOT Cultural Resource Program webpage.

## **32-1 Archaeological Monitoring**

If an archaeological monitor is needed during construction this will be called out in the Special Provisions and addressed during the pre-construction meeting. [Refer to Chapter 11 - Before Onsite Work Can Begin.]

Monitors may include consultant archaeologists or Tribal members. Archaeological monitors will identify and evaluate archaeological material immediately at the Project site. Archaeological monitoring is usually done on Projects that have a high potential to encounter buried material and Projects that are planned in or near recorded archaeological sites.

Submit an Order for Force Work, form 734-1105, to establish a budget and track the cost of the archaeology monitoring. [Refer to Chapter 15 - Change Orders/Force Account/Work by Public Forces.]

## **32-2 Inadvertent Discovery of Cultural Sites**

If unidentified cultural sites are discovered during Work, immediately stop work in the area. Contact the REC and refer to Specifications 00290. The RE may need to suspend all or part of the Contractor's operations. If necessary, suspend Contract Work as provided in Specifications 00180.70 and 00290. [Refer to Chapter 13 - Contract Time.]

If an Inadvertent Discovery Plan (IDP) is in place for the Project, then follow IDP Guidance. If an IDP is not in place for the Project, work with the REC and Agency experts to determine the appropriate action.

If human remains are encountered, contact the State Police and the REC. Do not call 911.

If a previously unknown site is encountered, an archaeological monitor may be required as a condition to resume the work.