

MEMORANDUM OF UNDERSTANDING

Between the Washington State Office of Archaeology & Historic Preservation
And the
Confederated Tribes of the Umatilla Indian Reservation
Cultural Resources Protection Program

I. Purpose The purpose of this memorandum is to set forth the understanding between the Office of Archaeology & Historic Preservation of the Washington State Department of Community, Trade and Economic Development (OAHP) and the Confederated Tribes of the Umatilla Indian Reservation Cultural Resources Protection Program (CTUIR CRPP) relating to the sharing of archaeological and historic data.

II. Policy OAHP maintains records identifying the location and nature of archaeological and historic sites within the state. CTUIR CRPP is a Tribal Historic Preservation Office and evaluates permit applications and undertakings for their impact on cultural and historic resources in accordance with state, federal, and Tribal law. In order to hold such records on site, OAHP requires that CTUIR CRPP provide the security necessary to maintain the confidentiality of these records.

III. Sharing of Historic and Archaeological Site Data

- A. OAHP shall provide CTUIR CRPP with access to all historic and archaeological site forms for sites within the ceded territory as described in Article 1 of the CTUIR Treaty of 1855, 12 Stat. 945, possessiveness and usage and traditional areas that is within Washington State, and shall copy, or permit CTUIR to copy, all such site forms for retention in the CTUIR Cultural Resources Protection Program office.
- B. On a regular basis, but at least annually, OAHP shall provide access for CTUIR to compile a list of any new or updated site forms for sites within the ceded territory as described in Article 1 of the CTUIR Treaty of 1855, 12 Stat. 945, possessiveness and usage and traditional areas that is within Washington State and to copy, or permit CTUIR to copy, all such site forms.
- C. The CTUIR CRPP will forward to OAHP copies of the written reports or additional site forms prepared by their staff members or professional archaeologists under contract with the CTUIR that pertain to sites or projects within Washington State.

IV. Security for Archaeological Site Inventory Data As archaeological properties are of a sensitive nature and as such sites are subject to vandalism and exempt from public disclosure, CTUIR CRPP shall provide security for site

records indicating the location of known or suspected archaeological properties consistent with Washington State Law RCW 42.17.310, and federal regulations enacted pursuant to 16 U.S.C. 470W-3.

- A. The archaeological site records copied from OAHP or generated from new site reviews shall be kept in a locked, secure location with limited access. A log shall be kept of all non-CTUIR CRPP employees accessing the record, and of records copied.

V. GIS Data Sharing

- A. OAHP agrees to allow CTUIR CRPP access to its GIS records. On a regular basis, but at least annually, OAHP shall provide CTUIR CRPP with a GIS data layer comprising archaeological sites in the ceded territory as described in Article 1 of the CTUIR Treaty of 1855, 12 Stat. 945, possessiveness and usage and traditional areas that is in Washington State. This data layer is to be in a shape file format, Washington State Plane, South Zone NAD 27. At no time will CTUIR CRPP make these spatial layers be available on the World Wide Web or to the public, or distribute them to a third party, unless that party is under contract with the CTUIR CRPP. CTUIR CRPP will inform any contracted third party of the security conditions and responsibilities associated with accessing this data and disallow the third party from further distributing the information. CTUIR will provide OAHP with a shape file of the areas for which data is needed.
- B. CTUIR CRPP will provide to OAHP any survey and excavation reports and any survey or historic property data within Washington State captured on their GIS systems to the OAHP on a quarterly basis.
- C. Use of OAHP GIS data is limited to design, planning, development and operations functions and does not preclude the need for field surveys for cultural resources in areas where such surveys have not been conducted in the recent past, or where previous surveys have not met current professional standards.
- D. OAHP and CTUIR recognize the available site and survey work has been performed by other parties and thus the resulting data accuracy and reliability may be variable.
- E. CTUIR CRPP agrees to implement institutional protocols and computer security measures which will limit access to the OAHP data. These data will be secured on the CTUIR Archive computer (a non-networked machine) so that access is limited to Cultural Resources Protection Program staff.

