WILLAMETTE
CULTURAL RESOURCES ASSOCIATES, LTD.

To: Carrie Richter, Bateman Seidel Miner Blomgren Chellis & Gram, P.C.

From: Paul Solimano, Archaeologist

Date: June 29, 2023

Re: Review of Archaeological Investigations for the Carpenter Lane Project

I was asked to review the Portland Water Bureau's (PWB) compliance with federal, state, and local cultural resource laws and regulations for construction of a new filtration plant in Eastern Clackamas and Multnomah counties. I have over 30 years of experience identifying and evaluating archaeological resources. I am qualified as a Registered Professional Archaeologist (RPA) and am a senior partner in one of the region's largest cultural resource management (CRM) companies. I specialize in precontact archaeology with a research focus on development of precontact settlement and subsistence systems. I am a past Vice Chair of the Portland Historic Landmarks Commission, past Director-at-Large for the Association for Washington Archaeology, and a research associate at Portland State University. I have authored multiple professional papers and present regularly at regional conferences.

The PWB's project is partially funded by the Environmental Protection Agency (EPA) and as such, must comply with Section 106 of the National Historic Preservation Act (NHPA), with EPA as Lead Federal Agency. The project must also conform with Oregon State Law and align with the Statewide Planning Goals as outlined in the Multnomah County Comprehensive Plan. In my professional opinion, the proposed project proponents have not fully complied with Section 106, ORS 358.653, or with the Multnomah County Comprehensive Plan's Policies and Strategies for Historic and Cultural Resources (2016: 6-8, 6-9). Specifically, Policy 6.2/Strategy 6.2-2, Policy 6.4, and Policy 6.5.

To assist the PWB in complying with Section 106 of the NHPA, Heritage Research Associates (HRA) conducted background research and a field study of the proposed Filtration Plant and associated pipeline route alternatives (Musil and Oetting 2021). Background research and field methods conformed to industry standards, although no subsurface probes or trenches were excavated. No archaeological material was found on either the Filtration Plant property or along the pipeline route alternatives. HRA recommended the project proceed with an inadvertent discovery plan (IDP) in place (Musil and Oetting 2021) and some archaeological monitoring of earth moving construction activities in specifical locations (Musil and Oetting 2021:43). Areas slated for construction monitoring were selected for their potential for historic-era archaeological materials and not precontact archaeological deposits.

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Since Oetting and Musil (2021) completed their fieldwork, additional information has arisen indicating precontact archaeological materials are, in fact, located on the proposed Filtration Plant parcel and along some of the proposed finished water alternative routes. The information was obtained from long-term residents of the area (one current, one former), who provide convincing evidence that the proposed project has the potential to impact several precontact archaeological sites.

Mr. Arden Meyer's father Ernest purchased the property south of Carpenter Lane in the 1930s. This parcel is the location of the proposed filtration plant. The property had one subsequent owner who sold it to the City of Portland in the 1970s. In an interview, Mr. Meyer (personal communication 2-28-2023, see attached) reported collecting precontact artifacts from the property as a child while helping his father clear and farm the land. Mr. Meyer provided photographs of the artifact collection (see attached).

Ms. Annell Carlson's family has owned the property at 32627 SE Lusted Rd, Gresham, OR since 1905. This property is adjacent to a portion of the preferred finished water pipeline. Ms. Carlson reported that her family has consistently collected precontact artifacts from the property. She suggests that many of the artifacts were collected from near the house, which is directly adjacent to the proposed pipeline (Annell Carlson personal communication 6-14-2023, see attached).

The proposed Filtration Plant project vicinity includes the deeply incised Sandy River, its floodplains, and river terraces as well as the rolling uplands adjacent to the drainage. The uplands, where the filtration plant and pipelines are planned, contain small rises and swales along the headwaters of Johnson Creek. Throughout the Holocene, these areas would have hosted a wide range of microenvironments vital to Native People's subsistence and it would not be unreasonable to assume many precontact sites are in the local area.

I reviewed photographs of the artifacts collected by both the Meyer and Carlson families. The artifacts represent the types of items expected for the area. The distance between the locations of the two artifact collections indicates that the collections came from at least two spatially discrete precontact archaeological sites. Each collection consists principally of projectile points that mostly date to between 5,000 and 2,000 years ago based on their shape and size. Some substantially older projectile points are also present in each collection, however. This time is poorly represented in the regional archaeological record and straddles people's change from a mobile to a more sedentary settlement and subsistence system with increased reliance on stored foods.

Section 106 of the NHPA, ORS 358.653 and Policies 6.2 to 6.5 of the Multnomah County Comprehensive Plan for Archaeological and Cultural Resources (2016: 6-8, 6-9) vary in their language and process details, but all have essentially the same goals:

1. Identify archaeological resources,
2. Evaluate the importance of the resources, and
3. Consider ways to avoid or minimize impacts to important resources.

The Multnomah County Comprehensive Plan explicitly calls for identifying archaeological resources in part by involving local landowners (Policy 6.2/Strategy 6.2-3), and "where development is proposed on areas of cultural significance, require evaluation of alternative sites or designs that reduce or eliminate impacts to the resource" (Policy 6.5).

The presence of at least two precontact sites in or near areas where proposed construction will be occurring is troubling and indicates the identification aspect of Federal, State, and County laws and regulations have not been met. If the identification phase is lacking, all subsequent compliance steps are incomplete.

Because the general project vicinity has a high probability for precontact archaeological resources and convincing evidence exists that precontact archaeological sites are present, a more robust identification effort is needed to formally identify archaeological resources. Archaeological monitoring of construction activities is not a substitute for earlier resource identification. Monitoring should only occur when other identification efforts have been exhausted or are not possible (e.g., the area is covered in thick artificial fill).

A more robust identification effort should include a geoarchaeological study to establish the history of landform development (including natural and man-made alterations to the landscape) and assess the potential for buried archaeological materials at the filtration plant and along the pipeline routes. This study should inform a subsequent intensive survey of the proposed project lands that includes subsurface investigations. Subsurface investigations should include some combination of shovel probes, augering or backhoe trenching as appropriate.

Yours truly,

Paul Solimano
Archaeologist

Reference

Musil, Robert R., and Albert C. Oetting
2021 *Archaeological Survey of the Proposed Portland Water Bureau Bull Run Water Treatment Plant Project, Gresham Vicinity, Clackamas and Multnomah Counties, Oregon*. Prepared for Brown and Caldwell, Portland, Oregon, and Portland Water Bureau, Portland, Oregon. Heritage Research Associates, Inc., Eugene, Oregon.