

WAC 25-48-070 Notification to Indian tribes. (1) Upon receipt of a completed application form for archaeological excavation of an archaeological site, native Indian cairn or grave, or the removal of glyptic or painted records, the department, at least thirty days before issuing such a permit under this chapter, shall notify any affected Indian tribe which may consider the site to be of historic or cultural significance.

(2) Notice by the department shall be sent to the chief executive officer or other designated official of the native Indian tribe. Any native Indian tribe or other Native American group may supply the department in advance with sites or locations for which such tribe or group wishes to receive notice under this section.

(3) Upon request during the thirty-day period, the department may meet with official representatives of any native Indian tribe or group to discuss its interests, including, but not limited to, the proposed excavation methods. Comments received from tribal representatives shall be considered by the department in the issuance or denial of the permit and the issuance of terms and conditions. Mitigation measures requested by the tribal representatives, including stipulations pertaining to the disposition of human remains, may be incorporated into the terms and conditions of the permit.

(4) When the department determines that an emergency permit applied for under this chapter must be issued immediately under WAC 25-48-095 because of an imminent threat of loss or destruction of an archaeological resource, the department shall so notify the appropriate tribe(s).

(5) The tribes with whom the department has consulted shall be promptly notified in writing of the issuance of the permit.

[Statutory Authority: RCW 27.34.220, 27.53.140, 43.21C.120. WSR 06-06-001, § 25-48-070, filed 2/15/06, effective 3/18/06. Statutory Authority: RCW 27.34.220 and 27.44.020. WSR 90-01-091, § 25-48-070, filed 12/19/89, effective 1/19/90; WSR 86-13-001 (Order 11), § 25-48-070, filed 6/5/86.]