

Tribal – Archaeological Cooperative Agreement A Holistic Cultural Resource Management Approach

Rhonda Foster & Dale R. Croes

ABSTRACT

The conflict, almost a panic for some archaeologists, over who “owns” the past – scientists or tribes – does not need to exist. Both groups have equal validity (legal or otherwise) in being involved. With shared scientific technical and tribal cultural expertise, an equal partnership produces results not possible otherwise. Here is one example of a formalized 50/50 sharing of the research that expands scientific and cultural understanding in the Pacific Northwest of North America. In this case, the Squaxin Island Tribe and a College signed a formal cooperative agreement that helped set the stage for developing (1) a tribal cultural resource management office, (2) the first full-scale investigation of a site in this region (which contains a wet component), (3) outreach cultural resource Management training through online classes, and (4) public interpretation in a new tribal museum. Working together, equally respecting each other’s needs, archaeologists and tribes can create the scientific/cultural results they both require.

Keywords: TRIBAL CULTURAL RESOURCE MANAGEMENT, CULTURAL RESOURCE MANAGEMENT, CRM, SQUAXIN ISLAND TRIBE, ARCHAEOLOGY, ANTHROPOLOGY, WET SITES, ONLINE CLASSES, BASKETRY, BASKETS, NETS, CORDAGE, FISH TRAPS, COOPERATIVE AGREEMENTS, TRIBAL MUSEUMS

Introduction

(Rhonda Foster) The Elders of Squaxin Island Tribe over a decade ago determined the importance of recording and teaching our history to our people, and to correct inaccuracies that were written about us. Hundreds of hours were spent developing a plan, our dream. After asking the Creator for guidance and support in all that we were about to do, the outcome was to create a department, build a museum, and manage our cultural sites within our traditional territory. In 1997 the Heritage & Culture Department was formed. Through the guidance of

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the Tribal Council, Tribal Elders, and Heritage Committee, one task was for Rhonda Foster to enroll in "Introduction to Archaeology" in order to understand the thinking of an archaeologist. Not only were we learning the skills required in archaeology, we were gifted with an archaeologist that we could build a trust relationship with, which in the tribes opinion was rare, considering the decades of deceit, lies, and superior attitudes experienced at the hands of so called "Professional Archaeologists." To obtain the skills necessary to manage cultural sites was the main goal of the tribe.

(Dale Croes) As a wet site archaeologist on the Northwest Coast of North America, I typically have worked in partnership projects with Native Americans (initially the Makah Tribe as a graduate student at the Ozette Village wet site and later directing the Hoko River wet site (Croes 1995, 1999)). However a formal cooperative agreement was not signed between W.S.U. and the Makah government. The formal cooperative agreement was Rhonda's idea, and I believe it is brilliant for creating a foundation for relationship between tribes and archaeologists on two main levels: (1) it sets an immediate foundation for trust, rapidly promoting a sharing of scientific technical training and cultural expertise of the tribe (particularly important for well preserved wet site work), and (2) with the president of my State institution and the chair of Rhonda's government signing, we can point to the agreement to justify taking the time needed (as part of our regular duties) to work together as a team (50/50) on important projects – in this case leading to the discovery of the wet site on Mud Bay and the follow-up interpretation (scientifically and culturally) of ancient nets, baskets, fish-traps and wood working tools.

Following the spring 1999 class Rhonda and Dale worked together to initiate the first ever Field Course in Archaeology (Anth 280) at South Puget Sound Community College. A local property owner, long-time Secretary of State Ralph Munro, had expressed to Dale the need to visit his beach on the southern tip of Puget Sound and look at a shell-midden site and see what it might represent. After a record search at the State Historic Preservation Office, it was determined that this site was never recorded. The decision was to conduct a summer field class as a training tool for students. The tribe does not condone excavations, nor encourage them, and it was never the intent to be involved with one. However, shortly into the summer project a cedar bark gill net was discovered, and recognizing this gift would be lost forever, the tribe supported the decision to excavate.

Rhonda: Guided by the Creator and through our ancient ancestors we were gifted with irreplaceable artifacts used hundreds of years ago. Our link, our culture, and our future were all incorporated at this site called Mud Bay.

They began co-directing the investigations of this ancient, and un-recorded, Squaxin Island Tribe shell midden village/town site at the southern end of Puget Sound on Mud Bay near Olympia, Washington, U.S.A. The testing demonstrated that the site complex was much larger than anticipated, with a (90 m) long shell-midden that included a housing area where plank long-houses once stood, a fresh water spring activity/food processing area next to the housing, and a waterlogged buried intertidal

shell midden area in front of the fresh water spring. In auger testing this area, we encountered wood and fiber preservation about 50 cm below the surface and, therefore, one of our 1x1 m test units was established at this inter-tidal location. At 50 cm we began finding 2-strand cedar bark strings that quickly turned into an entire net. With careful hydraulic excavation – using water and fine-adjust hose nozzles – we were able to recover approximately 18 m² of cedar bark gill net, which was taken to our lab at the college for conservation in a polyethylene glycol preservation solution (see above).

Dale: Most anyone could recognize we had found a fiber net (Figures 1–4), but through the cultural expertise of the tribal members, we knew what the net was made of, how it was made, how it operated as a salmon gill net, and probably how it came to be located in this inter-tidal area – through the carelessness of over-enthused youth.

The need for our team to become officially organized, for this and other efforts to preserve, protect cultural sites and train cultural resource technicians, rapidly expanded. Under the guidance of Rhonda Foster, we formulated our Cooperative Agreement so that we had a formal understanding between our governments, signed by the heads of each entity, that clarified our responsibilities to each other's programs. So our State Community College Institution of higher education, our State archaeological regulatory institution (the Office of Archaeology and Historic Preservation), and the Tribal Government heads were brought together on May 31, 2000, to sign the agreement that we have attached here (Attachment 1). The State Historic Preservation Officer (SHPO), the President of South Puget Sound Community College (SPSCC), and the Chairman of the Squaxin Island Tribe gathered



Fig. 1. Removal of a section of cedar bark gill net from the Qwu?gwes waterlogged/wet site (students are from the Quinault, Spokane, and Squaxin Island Tribes).



Fig. 2. Section being initially exposed, note excellent cedar bark reddish color and square knots.



Fig. 3. Section of cedar bark gill net cleaned and ready to be placed in the polyethylene glycol (carbowax) preservative for stabilization.

for speeches on the team forming and sharing the research ahead, and these leaders signed the *Cooperative Agreement* clearly outlining our responsibilities as Tribal and State representatives. We believe this is the first such formal agreement in the country, and could serve as a model for others. The benefit is that we do not have to justify each time we have a need to work together on some project. We can always point to this agreement to justify each of us working together. And the regulatory agency, the SHPO, has a commitment to come to our aid if we have a legal dilemma. It does not always provide smooth coordination, but without it there would *not* be a feeling or need to be available in the same formal sense.

Other valuable programs of coordination between archaeologist and tribes have emerged in recent years (e.g. see Biolsi and Zimmerman 1997, Layton 1989, Moser, et. al. 2002, Spector 1993, Stapp 2002). One new element our program adds, which is currently rare, is a formal signing of a contract of cooperation between heads of tribal/ethnic governments and institutions



Fig. 4. All sections of net found in 1999 test excavations – by knot count and web size this represents about 18 m² of net.

of higher education/research (see another agreement of ‘Shared Principles’ signed between a Washington State regional archaeological society and a tribe in Kucera, et. al. 1991).

Now, two years following the signing, what have we done together under the agreement’s goals? Four areas will be discussed:

1. Cultural Resource Management Office (CRMO) established, and cultural resource survey/monitoring conducted

Rhonda Foster initially was the Director, Heritage and Culture, but with the expanding need to protect and monitor sites under our agreement, she began the process of changing the name of her office to the Cultural Resource Management Office. Their office now overviews development projects (such as sewer line excavations, road/bridge construction, and other development) and contracts are run through her office that assures proper monitoring and reporting of these development projects.

Rhonda: Most tribes cannot afford an archaeologist, but if the tribe was willing to learn the technical skills required in archaeology, then they could at least co-manage all their cultural sites in their territory. The agreement provided the tribe the opportunity to create a Cultural Resources Management Office, while SPSCC Anthropology Department provides hands-on CRM training, that can lead to employment opportunities for their students (either with the tribes, agencies or contracting firms).

We are not informants, nor are we simply hunter-fisher-gatherers. All groups of people have complex, enriched cultures. All groups of people would like to be involved with the writing of their history. Laws are written to protect America’s history and historic sites, yet vast sites are destroyed every year. Archaeologists rarely contact a tribe while conducting a survey, most can’t even identify a specific tribe that lived on the land. Research is performed miles from any reservation, and decades have produced professional archaeologists and anthropologists quoting each other about what these hunter, fisher, gatherers were up to.

Dale: I believe we are fortunate that tribes, such as the Squaxin Island Tribe, have begun opening up to outsiders and working as equal partners in correcting some of the anthropological myths that have developed and the



Fig. 5. (Below) Spiritual Leaders Mike and Shirley Davis overlook underwater archaeological survey being conducted by Squaxin Island Tribal members in preparation for removal of 4th Avenue Bridge in downtown Olympia, Wa. following Nisqually Earthquake

use of de-humanizing terms by researchers who have no real relationship with the people, past and present, they are trying to understand.

Rhonda also applied and was successful in establishing a Tribal Historic Preservation Office through a recent U.S. Department of Interior grant. On October 6, 2001 the Squaxin Island Tribe became the 29th tribe to assume State Historic Preservation Office duties. She formally is the Tribal Historic Preservation Officer.

2. Outreach Training developed and conducted online with Tribes and Agencies (Cultural Resource Technician training online)

The Cooperative Agreement addresses technical/professional training for tribal members getting involved in Cultural Resources Management (Article 2.2). More and more tribes are taking over the management of cultural resources in their traditional territories. With the establishment of Tribal Historic Preservation Offices/ers across the country by the Department of Interior, Tribes are taking over the responsibilities held by the State Historic Preservation Offices/ers (SHPOs). This recent and revolutionary new approach to managing and protecting sites and cultural resources means tribal members need to become familiar with the technical aspects of archaeology and CRM laws (they are already quite familiar with the cultural information needed to interpret the sites).

The agreement address the need for this technical training (Article 2.2). Rhonda wanted to develop training programs for tribal members getting involved in all areas of tribal cultural resource management, but we both realized the difficulties of holding these kinds of trainings over long periods of time. Inter-tribal gatherings have been planned as well as work-shops, but the kind of in-depth training required to become a professional archaeologist is long and tedious, often requiring the trainee to spend years at a college.

One way the college and the Squaxin Island Tribe could initiate this kind of training is through the new technologies being developed through computer online college classes. South Puget Sound Community College was and is rather new in this kind of internet-based training, but wanted to get involved in this new and expanding method of college training. We met with Chuck James, BIA Archaeologists, Northwest Region, and he was familiar with a Cultural Resources Technician training program developed as a certification program at Cabrillo College in California by Rob Edwards. We contacted Rob and he generously provided us with all the course materials they provide in-class at his college. With this model we began developing 5-credit college based computer online classes, many which are core – General Education Degree – classes and offering these as a means for Native students to begin CRT training and, at the same time, take college classes that can lead to a certification of completion, an AA degree, a BA degree and, even eventually Graduate level degrees in CRM and Anthropology / Archaeology.

Currently these courses have been developed and taught online and a web site has

been established for further information (Please check out programs at this web site):
<http://www.library.spscc.ctc.edu/crm/crm.htm> :

- Introduction to Archaeology (Anth 104)
- Pacific Northwest Coast Peoples: Past and Present (Anth 220)
- Field Archaeological Survey Procedures (Anth 111)
- Cultural Resource Management and the Law (Anth 112)
- Native North American Cultures and Culture Contact (Anth 210)
- Introduction to Cultural Anthropology (Anth 103)

And plans are in place to create

- Archaeological Laboratory Procedures (Anth 113)
- Archaeological Field Excavations Procedures (Anth 114)

Other online courses that could be part of these core courses are Technical Writing and Computer Skills classes, all basic to report writing and data control in Cultural Resources Management.

These courses allow a tribal member, who often has a full-time job and would find it difficult to leave their families for 9 months of college training, to easily gain access through internet and e-mail to these 5 credit college classes, and do the work at any time during the day. Over the past eight quarters we had students from the Colville Tribe, Elwha S'Klallam (2), Jamestown S'Klallam, Nisqually, Quinault Tribe, Skokomish, Spokane Tribe (6), Squaxin Island Tribe (4), Swinomish Tribe, Tulalip Tribe, Umatilla Tribe and Montana. Of course non-Natives are welcome to take these online courses, and benefit greatly from the exchanges and perspectives of both Native and non-Native students.

Rhonda: A dream that some day all tribes could manage their cultural sites was created. Most tribes live in remote areas, many have to travel long distances to attend a community college. Online Cultural Resources courses were created and offered to meet these needs and overcome such difficulties.

Dale: Success of the program is reflected in return students, and most of the students that have taken a class, such as from the Spokane, S'Klallam, Quinault and Squaxin Island Tribes, have returned to take classes quarter after quarter. Also online classes actually have far more interaction among students and faculty than an in-class structure possibly can – so it has also created wonderful networking between students across the region who are the up-coming cultural resource managers for the tribes – native or non-native.

(Note: another example of an online class with a broad tribal training focus has been created for museum work: *Inst 270: Introduction to Museums and First Peoples*, by the Saskatchewan Indian Federated College (<http://www.sifc.edu>), Canada (Laura Peers, Personal Communications 2002)

3. Ongoing field training and research with the Qwu?gwes cultural site complex (2000 – 2002)

With the 1999 testing of the Qwu?gwes ancient site, we realized the rich heritage preserved in this wet and dry site complex. Additionally, in terms of archaeological research, no full-scale site excavation/investigations have ever taken place in all of southern Puget Sound. We decided this would be a good site for training, careful planned investigations, and public outreach (Article 2.3). With the new Squaxin Island Museum under construction, we also realized that this may be the best controlled way to present the ancient material culture and it's importance to the general public. Our objective is to show that these materials represent everyone's identity in the region and that they should be carefully protected and properly investigated. And, most importantly, the archaeological process should proceed as a team endeavor where the tribe and the scientists/anthropologists share the research.

As Co-Directors, Rhonda and Dale proceeded to finalize a Washington State Site Inventory Form for this unrecorded site. Once completed they began the process of applying for permits to continue investigations, a Washington State Archaeological Site Excavation Permit, a Thurston County Shorelines Hydraulic Permit (since we are excavating the wood and fiber artifacts with water), and a Washington State Fish and Wildlife Permit.

With permits processed and paid for, we started full-scale investigations through an 8 week Archaeological Field Excavation Class (Anth 280) during the summer's of 2000 through 2002.

Rhonda: Qwu?gwes (Mud Bay site) means "a place to come together, share, and gather". Located on the property of Ralph Munro, former Secretary of State, and his wife Karen, hundreds if not thousands of people have visited Qwu?gwas. The Munro's are dedicated to the preservation of histories, all histories. True historic ambassadors, and with a friendly outstretched hand, they have set an example which is hard to find anywhere.

It is hard to identify every facet of teaching and learning that goes on at Mud Bay, technical skills, and cultural insight is learned by everyone. The students are from of all age groups and backgrounds, with Native Americans from numerous tribes in attendance on a regular basis. The public is also learning the importance of historic preservation. Interaction with Native Americans helps to distill long taught distorted concepts. While Native Americans are learning to trust.

In a society that usually speaks words that are empty, Mud Bay is a place where actions speak volumes. Tolerance is in heavy demand, and coming there with a good heart is a requirement. In the end, on the muddy beach everyone ends up the same color. Being part of a larger universe, and stepping back into an ancient time changes a person. The Creator and our ancestors are there, smiling, and encouragingly saying, "always remember what we taught you, and always remember the values laid down from the beginning of time".

Dale: The baskets found and illustrated above became a community undertaking for the Squaxin Island and other tribes who participated in the recovery (see Figures 6–8). Everyone can see these are baskets (the public thereby readily identifies with these wet site artifacts).

However we had four generations of basket weavers from the Squaxin Island Tribe present and they conferred on the site to decide what the basket materials were, how it was made, what it was used for, and possibly how it was broken and discarded in this inter-tidal area. This shared cultural expertise is invaluable to scientific interpretation and the community involvement adds the humanities to our scientific understanding.

The current site complex includes the ancient village/town, an up-bay cedar stake fish-trap, and an 1853 homestead found 152 m back from the shoreline. Overall the site has been found to have:

- A 91 m long shell midden village site, exposed on a beach front, and extended 15 m back from the shore,
 - A fish trap with over 400 cedar stakes mapped up the bay from the shell midden village site – and one of the stakes recently provided a calibrated ^{14}C date of 470 years old,
- Dale: Again, anyone who sees this fish trap can tell it is a unique wooden structure (Figure 10). We have technically mapped all 440 stakes (including 3-D



Fig. 7. Open weave pack basket found at Squaxin Island Tribe/SPSCC Qwu?gwes Site.



Fig. 6. (Left) Elder Reggie Wells, Nisqually councilman watches as a waterlogged basket is recovered by Squaxin Island Tribal members and SPSCC students from the Qwu?gwes wet site through hydraulic excavation techniques (see below).



Fig. 8. Squaxin Island master basket weavers Barbara Henry and Lynn Foster examine and determine how this basket was made and what was it used for.



Fig. 9. Front and back of shell jewelry found at Qwu?gwes site



Fig. 10. Central area of Qwu?gwes fishtrap, where stake was mapped and removed for dating.

perspectives), sampled some of the stakes for dating, measurements, illustration and exhibit. However it takes the tribal cultural input to tell us exactly how the tidal trap operates, what kinds of fish/salmon were being trapped and when, and where and how the community processed the thousands of fish caught.

- a well mapped onshore living areas containing areas where plank houses once stood and a large array of stone and bone artifacts typical of the last 1,000 years in style,
- a buried waterlogged portion in the intertidal area with excellent preservation of wood and fiber artifacts, including a large section of cedar bark string net, baskets,

- carved harpoon shaft and array of fiber cordage recovered and dating to approximately 500–1,000 years old (¹⁴C dating; see above photos)
- and a discovered (2001) 1853 Euro-American homestead site (originally built by William H. Hicks), containing an abundance of early bottles, square nails, metal door latches, plates, and other artifacts. This site will be the first investigations of a homestead in Western Washington.

4. Coordination with the new Squaxin Island Museum Library and Research Center in developing public outreach and exhibits

With the recent completion of the Squaxin Island Museum Library and Research Center facilities, we also will be working to help develop the exhibits that will be in the museum. Rhonda and Dale are on the Museum Board of Trustees, and therefore have involvement in all phases of development. In the cooperative agreement South Puget Sound Community College Department of Anthropology, with four teaching faculty (two Physical Anthropologists, Archaeologist, Linguistic/Cultural Anthropologist – all with Ph.D. degrees) are “the identified Anthropologist/Archaeologists of this unit” (Article 2.2). Since the museum will be anthropological in orientation, these anthropologists are available to help with technical planning of exhibits and other aspects of presentation.

The Qwu?gwes materials will represent the ancient history in the museum, and this new museum facility provides an ideal opportunity to present to the Squaxin Island Tribal community and the general public the results of this on-going site complex investigation. Often an archaeological excavation creates collections that are never shown/interpreted to the public – in our case the Squaxin Island Tribe cultural experts and the archaeological team recovering these well-preserved materials will provide the best possible interpretive exhibits of this rich ancient heritage being carefully investigated at the Qwu?gwes site location. The museum officially opened to the public on November 26, 2002.

Conclusions

We believe we have not only shown an example of how a Tribe and an Anthropology/Science unit can work in sharing the research, and share the resources available to each of the team members, but we also believe we have shown a general trend of *where* American archaeology/anthropology is headed in the future. With tribes taking over the responsibilities of managing the cultural resources in their traditional territories, Anthropologists/archaeologists will more and more have to work directly with tribes in pursuing their own research interests. If the desire of each party is to protect the cultural resources and share the research, a way to formalize that goal together is to establish a formal Cooperative Agreement that is signed by the heads of each of the entities (not by the Cultural Resource Manager of the Tribe or Anthropologist at the College – but their governmental heads). An agreement signed

at that level, can provide the best validation, authorization, justification and foundation of trust to pursue these important cultural resource management goals as a formal team.

In May 2002 we re-signed and extended the Cooperative Agreement for another two years. The original Cooperative Agreement is attached below.

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Attachment 1

Cooperative Agreement between State Historic Preservation Office and South Puget Sound Community College and Squaxin Island Tribe for Archaeological Resources Protection Act (ARPA), Native American Graves Protection & Repatriation Act (NAGPRA), National Historic Preservation Act (AHPA), American Indian Religious Freedom, Chapter 27 RCW, Consultation Services

ARTICLE 1 – PURPOSE AND AUTHORITY

WHEREAS, the United States Government has a unique legal relationship with Native American Tribal governments as set forth in the Constitution of the United States, treaties, federal statutes/law, and court decisions; AND

WHEREAS, the Archaeological Resources Protection Act (ARPA), the Native American Graves Protection & Repatriation Act (NAGPRA), National Historic Preservation Act, Antiquities Act, and the Washington State Chapter 27 RCW, are government laws and regulations with the responsibility to the protection of Native American human remains and objects, cultural sites and objects, items of past human existence, and archaeological interest and protection; AND

WHEREAS, the parties to this Cooperative Agreement recognize that the interests of the State Historic Preservation Office, South Puget Sound Community College, and the Squaxin Island Tribe will be served by establishing a relationship that will ensure coordination and consultation between the parties in executing the government laws and regulations; AND

WHEREAS, the State Historic Preservation Office has administrative jurisdiction, authority and responsibility to ensure all Federal and State Laws are applied; AND

WHEREAS, the South Puget Sound Community College is recognized by the State of Washington as a higher learning institute with anthropological/archaeological training programs; AND

WHEREAS, the Squaxin Island Tribe has been determined to be the best available source of expert and professional consultation of Native American cultural issues in their customary areas; AND

NOW THEREFORE, the State Historic Preservation Office, the South Puget Sound Community College, and the Squaxin Island Tribe agree to actively participate and support the consultation process developed in this Cooperative Agreement in order to accomplish the necessary steps laid forth in all Federal and State laws.

ARTICLE 2 – PLAN OF OPERATION

- 2.1 The State Historic Preservation Office will provide advice and assistance concerning Washington State rules and regulations. The State Historical Preservation Office recognized the joint working relationship between the Sound Puget Sound Community College's Department of Anthropology and the Squaxin Island Tribe's Heritage and Culture Department as an identified certified Archaeological unit.
- 2.2 The South Puget Sound Community College Department of Anthropology as a higher learning institute will provide archaeological training (upon payment) to the Squaxin Island Tribes Heritage and Cultural Department. In addition, the Puget Sound Community College Department of Anthropology agrees to assist the Squaxin Island Heritage and Culture Department as the identified Anthropologist/Archeologist of this unit.
- 2.3 The Squaxin Island Tribe through the Heritage and Culture Department will provide the necessary field work, contact the appropriate State agencies, coordinate all anthropological/archaeological activities between the parties, and provide the necessary cultural consultation, and is identified coordinator of this cooperative agreement.

ARTICLE 3 – OBLIGATIONS

- 3.1 All parties agree to maintain a working relationship, meet together whenever necessary, build and enhance a mutual partnership, with respect for each party's unique perspective and responsibility.
- 3.2 All parties will identify one key personnel as the point of contact of this agreement.

ARTICLE 4 – PUBLIC INFORMATION


- 4.1 The parties shall maintain the confidentiality of information to the extent provided by law. If a request is made to view the information of any of the parties related to this agreement, that party will notify all other parties of the request and of its proposed response, affording the other parties the reasonable opportunity to enjoin disclosure.

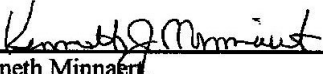
ARTICLE 5 – DISMISSAL OF AGREEMENT

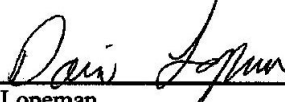
- 5.1 Any party to this agreement may withdraw and dissolve this agreement, provided that 30 day notice is observed. Parties may not dissolve this agreement if they are involved with a specific anthropological/archeological activity to which they have committed.

ARTICLE 6 – EFFECTIVE DATE

6.1 This Cooperative Agreement (shall be for two years), and shall become effective when signed (and dated) by all parties.

By:  date: 5/31/00
Allyson Brooks,
State Historical Preservation Officer

By:  date: May 31, 2000
Kenneth Minnaert,
President, South Puget Sound Community College

By:  date: MAY 31 00
David Lopeman,
Chairman, Squaxin Island Tribe