

APPENDIX M ACCIDENTAL DISTURBANCE OF HUMAN REMAINS

Human remains will be treated with dignity and respect for the wishes of the deceased individuals they represent. For all activities undertaken on National Forest System lands covered by this Management Plan, the general policy shall be strict avoidance of all human burials, whether marked or unmarked, whenever possible.

Reinterment in-place and avoidance of further disturbance through project redesign will be conducted where feasible. Programmatic Agreements with the appropriate tribal entities will be fashioned detailing the proper procedure, contacts and respectful treatment of Native American human remains as per the Native American Graves Protection and Repatriation Act (NAGPRA) Sec 10.5 (f).

In the case of accidental disturbance of historic graves or interment sites and in the absence of a Programmatic Agreement, the following steps will be taken:

1. All activities that may further disturb the remains will cease immediately in the area of the discovery and the appropriate line officer and Forest Service archaeologist notified. The remains are to be secured and protected until the discovery has been evaluated.
2. Non-destructive, in situ evaluation by Forest Service archaeologist will be made immediately to determine if the skeletal remains are human. Local law enforcement will then be contacted to determine if burial contains a victim of a recent prosecutable crime or accidental death.
3. Within 24 hours, the line officer will notify the appropriate Historic Preservation Office of the discovery of human remains and then consult with this office regarding proper treatment.
4. Should the remains be of Native American ancestry, the appropriate tribal entity will be notified within 24 hours of the discovery as specified in NAGPRA Subpart 10.4 and 10.51a.
5. Should the remains be of Native American ancestry, the Forest Service archaeologist and line officer, in consultation with the appropriate tribal entity, shall make a determination as to whether the burial can be adequately and safely restored in situ or whether the burial should be disinterred completely and reinterred in another location.
 - In cases where reinterment in place is possible, the Line Officer, in consultation with the appropriate tribal entity, shall cause the burial to be backfilled, stabilized and protected from further disturbance by human activities or natural processes which caused the disturbance in the first instance.
 - In cases where reinterment in place is not prudent or feasible, the appropriate tribal entity will be consulted regarding proper reinterment as per NAGPRA Subpart 10.4.