

One Tribe's Story of Discovery, Conflict and Heartache

Frances G. Charles

My name is Frances Charles. I'm the Tribal Chairwoman for the Lower Elwha Klallam Tribe. We are known as "The Strong People" in our community here. I'd like to take this opportunity to express, in my own words, what we are faced with, and what we are dealing with spiritually, mentally and physically for what is known as the Tze-whit-zen village site in the Port Angeles harbor area, which was known to us to be one of our bigger cemeteries and also a big, big village.

What has been really disturbing for our community is the excavation process and the burials that we have been finding for over a year now. It was not until late August of 2003 that we received a phone call from the Washington State Department of Transportation, which I will call "WashDOT."

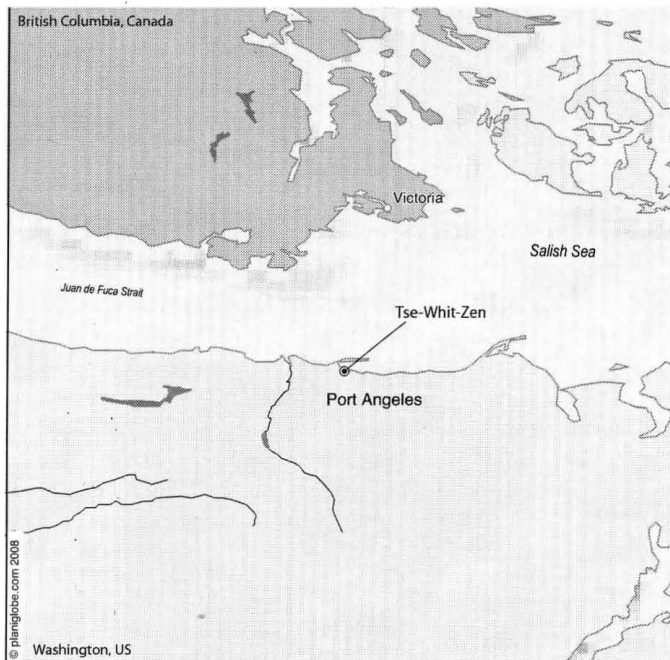
In their process of planning to replace part of the Hood Canal Bridge, there was no notification to the Lower Elwha Klallam peoples regarding to this project starting. What was very alarming in the earlier stages of the project was that not only were we not notified officially, but we also received messages from our neighboring tribe, the Makahs, that they had been consulted when WashDOT had earlier considered building the graving dock project in Makah territory but, because of the road conditions and the distant location, they chose not to have it done in Makah lands. We researched back through the years, studying old newspapers and asking questions about why the Klallam people were not notified. We found that WashDOT thought they thought they had notified the Klallams by talking with the Port Gamble Tribe. Again—Lower Elwha was not notified through this whole process, through the duration of the planning for the graving yard project, or when they broke ground here in Port Angeles. It was not until late August of 2003 that WashDOT team member called and said there was something a "little bit different" in the grounds that they were digging at, so they called the tribe to let us know.

What they had found was a shell midden. Shell midden deposits are what we would describe today as kind of a garbage bin, where we dispose of our food goods, so a midden contains the remnants of the food that we had ate at those times. It was a late Friday afternoon, so we came down the following Monday and observed what was being conducted on the 22.5 acres of this



Frances Charles, Tribal Chairwoman for the Lower Elwha Klallam (Photograph by John Loftus).

Frances Charles wrote this piece during the excavations of Tse-Whitzen. It was originally posted online at the Klallam website and is reprinted here, with permission of Frances Charles.



project land, which is known to us as Tze-whit-zen village site.

We started questioning Western Shore Heritage Services, the archeological firm contracted by the state, to find out what was happening and what type of testing was going on. We did not know the laws that applied to burial processes, and in the earlier stages no burials were discovered—not until September. As we continued to ask questions about the project, and why we were not notified in advance, we continued to be ignored.

Finally, we started exploring the land ourselves and observed that there was bone that was laying on top of the surface that was being weathered and bleached. We determined, after having them processed to make sure that they were not that of elk or deer that, yes, in fact they were human remains—not animal. It was always being indicated to the tribe that they were animal—something that was dragged in, or where somebody had discarded the carcasses of their deer. It was determined to be, in fact, one of our ancestors.

We asked WashDOT Secretary MacDonald to take a closer observation of what was taking place, and to do some test pits so that we were comfortable with what was being found on the grounds. In recognition of what had taken place, they finally agreed to do a test trench, and at that time there was nothing that was exposed, so the construction quickly continued in what we know as Area A, and Areas B, C, and D.

And now we also have Area E, which started exposing several remains at a later time. Up to this date, throughout the duration of the project, we now have over 200 fully intact individuals and over 700 “isolates”—bits and pieces of our ancestral remains, and over 5,000 artifacts and still counting.

We started the mitigation process of a MOA (Memorandum of Agreement) with agencies—the Federal Highway Administra-

tion, the Army Corps of Engineers, the State Historic Preservation Office (SHPO) and the WashDOT agencies with collaboration of the tribe and, of course, the city of Port Angeles. The Port of Port Angeles was involved in some of those discussions, but sat on the sidelines because we were talking about their land as well as our land.

In the mitigation process, the tribe was under the assumption that we were dealing with 25 individuals of our ancestral remains as we continued with the negotiations. The project had stopped in September, but it took six months to go through the process of negotiations, and during that process we found more remains.

Western Shore Heritage Services was cooperating with the tribe and had hired some of the tribal members through the mitigation/negotiation process. That’s one of the things that we wanted to see happen. We wanted tribal people to be employed on the project, which would also serve as a learning tool for them so we will have the capability to deal with such things in the future, because we know that this will not be the only village site in the harbor of Port Angeles and the surrounding area.

As we continued through the mitigation process, we agreed on a figure of \$3.4 million the priority of land acquisition for the reburial process, and for the consultants that the tribe needed to hire. We had explained that we were really concerned about the details—that there was so much that was unknown on this land because of its history. The knowledge that our elders and what was explained to them in their childhood years was that this was a big cemetery, as well as one of the bigger village sites of our Klallam people.

We tried to express this time and time again with the agencies, but their goal was to get the project going, to get the bridge done. It was a safety factor, they told us, and it’s this safety issue is still being imposed on use today as we speak. Once we started with the negotiations to let the construction continue, as we worked through the of it with the construction, we brought on LAAS—Lynn Larson’s firm—which was our consultant at the very beginning. It was under the advice of the tribe that LAAS was contracted so that we would have a comfort zone. We wanted to work with her because she knew—we thought—what the concerns of the tribe were regarding the priority we placed on our ancestral remains.

Once the contract was signed with WashDOT and LAAS’s firm, Lynn Larson’s firm, things changed. We lost the authority and the power to have Lynn give us the clear direction and advice that we felt we needed regarding the cultural sensitivities of the land as well as the reburial and the excavation process of our ancestors. She was now being controlled by the other agency with whom we were involved in

sensitive negotiations dispute resolution processes relating to how things were being conducted construction-wise on the site.

Western Shore continued with their task on the far west side of the project lands, where every day we were continuing to expose more burials. We had, at that time, the 25 individuals that we started off with, and every day we continued adding to the numbers at that burial site. We had a total of 103 burials that had come out of the area that was now called Area E.

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The agencies thought that area to be the boundary of a cemetery. The reality is that in Indian country in times past, there was no boundary of a cemetery. They see the boundaries of the cemeteries as they exist today in the non-Native style that you see as you drive down the freeways, or as you drive on country roads—a fenced-in lot that is the enclosure of a cemetery. In our ancestors' times, there were no boundaries. We know this because today we are witnessing it, and what we are observing is that the cemeteries and the burials are going all the way across the 22 acres.

To the east of Area E, we have over 60 fully intact individuals that have been excavated out of the ground along portion of the land. As we continue on to the east side, every day we are finding more burials. We are also finding isolates. We have found isolates—which means the bits

and pieces of our ancestors—throughout the whole 22 acres. In the small portions of the site that are being broken down into grids and blocks for more intensive research, we continue to find artifacts, and we continue to find the burials as well.

We have beautiful artifacts that have been excavated out of some of the burials, as well as on some of the lands that we have requested to explore in detail so that we can go in and recover our ancestral remains. I wish this upon no other nation. I wish that the construction would come to a halt in these undisturbed areas that we want to have explored in more detail, because once the overburden is pulled off and the dirt below it is exposed, we are finding our ancestral burials about two to three feet below that hard surface, which to the society surrounding us is known as “disturbed soils.”

All of the land is disturbed because since the early 1900's mills have been built down here time and time again, and they had disturbed soils, and had mixed it up. But after we went down six feet below the surface, that's where we hit our ancestors, and that's where we hit the village site.

We have six longhouse structures and a ceremonial house, including a spitting rock still in place at one end. We have flakes of cedar planks that still exist that are now exposed on the ground. We're trying to figure out a way to preserve them, because once we've excavated it out of the soils, it just crumbles and falls apart, so we need to come up with a formula to work with to be able to be able to preserve these cedar planks, which document the existence of our longhouses.

We have the features that are embedded in the sterile sands that identify longhouse planks, longhouse posts, and dividers of spaces where our ancestors used to cook and feast inside these longhouses. Divider walls that were inside these longhouses are

being mapped out today to give us a visual view on paper of what our longhouses looked like. The size of this village site itself remains unknown, since it continues on to the adjacent land to the east. We know that our longhouses are bigger than we have imagined—50 ft. to 100 ft. or even more than that, because we have not found the end of one yet.

We have found whale out here on which our ancestors had feasted. We have found all kinds of trade materials from ivory to Chinese coins, which our medicine men in those times took in trade for services that they may have provided to those that went by in the ships that came to the harbor areas here. We have recently—just today, which is November the 10th—discovered a cedar basket piece. We're not too sure of the location because it came out of a big dirt pile that was sorted using the water and mechanical screen-

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ing process.

That which normally can take up to 5-10 years, we are being asked to do in months. That is the frustrating aspect that we're looking at, because we are asked to do this in a much, much shorter time frame than anyone else has been asked to do so that the construction of this bridge can continue.

It's hard to view our loved ones that we're faced with. We have discovered them on metal pipes and under or adjacent to them, in such a condition that it is clear that they had been used as backfill in the 1900's. This is very disturbing to our community, and very disturbing to the workers as well as the non-Natives.

We have seen and witnessed pilings that are used for holding up the mills. These poles that have been driven right through our ancestors' remains and have split them in half. When these poles were driven down into the soil, the remains were driven down as deep as these poles that held up the mills.

We have found mothers and children that were embraced together. We have found husbands and wives that were laying next to each other. We have families who have been found in their final resting places where they were basically stacked on top of each other—the probable cause may be due to smallpox.

We have children and infants who have been laid to rest in contaminated soil where they are

being excavated today. Sometimes it has taken up to two weeks to take them out of the ground because of the contaminated soils that we're faced with out here, and we are witnessing the process of our workers trying to take their time and we worry about their safety because of the contaminated soils that we're faced with.

We have witnessed two sets of sea otters that have been used for ceremonials. They were placed properly and placed together, with the harpoon was still lodged in the spines of both of these

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otters, and we witnessed the beauty and the nature and the caring that was taken in the burial of these otters.

It's been really heart aching because our tribal members have children of their own. When they are excavating their children that are out here on the ground, they think of their own children and they think of their own families. And it has changed so many lives, because this is a drug and alcohol free environment that we promote, and it has changed them in so many ways. A lot of them have cleaned up, and a lot of them have sobered up, and a lot of them have gone to counseling to help themselves with the healing process of not using anymore.

We work with our people. We promote education and are flexible with those who are attending college. We work with them so that they can come in at later times or earlier times. One of the things that is really on positive side for this is that it's changed a lot of our youth. It's changed a lot of our adults, too, and our elders that have been out here on the ground. But yet it's still hard for them to witness and to visualize what they're seeing and the conditions of their loved ones.

We don't blame the society of today. We blame the society before the laws that were applied that protect burials. But the frustration that we're faced with is that even though there are laws now, they are not working, and they're not being followed—they're always being broken.

And promises are still being made, but these promises are being broken, such as the refusal to sell us the land that we started negotiating on for the reburial of our ancestors. One piece of advice I would offer to any of the tribes out there is to make sure that you have everything in place that you can think of—everything imaginable—to make sure that you have all promises documented, that you have agreements signed off by all agencies and all of your surrounding local governments before you sign on that dotted line.

I mention this due to the fact that the city of Port Angeles and some other local governments in the Port Angeles area had promised us that they would work with us for land acquisition for the reburial process for our over 200 cedar boxes that are hand-made by our tribal members. And now they are sitting in an undisclosed location. They are on racks, and they are patiently waiting for a land destination so that they know, once again, it is their final resting place. They are sitting there waiting as we are waiting.

We thought we had an agreement, but again it was broken because the agencies felt that this land next to us here was not a place to have an Indian cemetery, because it did not fit the scope of their "economics" for an industrial land base. What was implied to us earlier that we would negotiate and we would purchase the land for the burial process and for the curation of the artifacts, and for the development of a cultural center to continue to educate the surrounding county and the visitors who come into Port Angeles area.

We want to educate them about who we are and what we're

about. We are still believed to be living in teepees, the elementary school has said, and they want to come down to the reservation to see the teepees that our kids live in. That is the society that is still taking place up there, and we are the ones who need to change that attitude and the morale of what they are being taught at their home base.

The children that we have to raise are going to have to live with this and we, as council members, and we as a community have to live within ourselves to try to teach and to tell the stories of what happened on the Tse-Whit-Zen village site, and of the mistakes that we have made early on by listening to the non-Natives out there whose promises that were, once again, broken, while their words of wisdom to us were, "We will help you as long as you help us."

And we are asked to make the economics of the Clallam County/Port Angeles area our priority—to save a bridge that has deteriorated through the course of the years due to natural forces—not listening to what mother earth herself wants, but going back into the "reality" of the non-native society and trying to reconstruct this bridge. Maybe it doesn't belong there, but that is not for us to judge at this point in time.

But this version of reality is the one that we're faced with. And it's tearing our community apart in heart, the way we have to witness the visions of how our ancestors

are being treated, and the disrespect that is shown by the construction that continues at the site and the village itself.

I have no words that can express how I truly feel about the decisions that we've made as council, being forced to decide based not on what we knew, but what we assumed until we actually had the facts, because that was what was always demanded of us: "Give us the facts before we'll make a decision. We will not stop this process until you give us the facts that you know for sure."

And, in return, we asked the agencies to give us the facts that they know—that there are no burials here. And yet we're still in a dispute, while we should have been out there digging and looking for these ancestral remains—not sitting there waiting for a response to letters that continues on as a delay—a stalling tactic that the agencies use—and then they tell us that we're out of time to be able to go out there and explore.

They tell us that it's a safety factor that we are faced with—that there is a war going on out there, and that the submarines have to continue to pass through that Hood Canal Bridge, and that if the submarines can't get through there, then they cannot protect the United States from what is taking place out there, and that we will be to blame. These are things that are being said to our community, to our council, when we have our meetings with the agencies. We are being threatened and threatened, and we informed them of our last meeting that we are beyond being threatened any more.

Native Americans need to stand up in unity to help one another, because we wish this upon no other nations out there.

I wish that the construction would come to a halt in these undisturbed areas that we want to have explored in more detail, because once the overburden is pulled off and the dirt below it is exposed, we are finding our ancestral burials about two to three feet below that hard surface, which to the society surrounding us is known as "disturbed soils."

Again, we are gratified that we are able to come back and look at some of the artifacts that are coming up in this digging, because it is helping us in our healing process; but not for the healing of what we are seeing with our ancestral remain, which are continuing to be counted day by day, and of the village itself, which is being wiped out minute by minute, second by second, day by day, month by month.

There is no more village in existence, no trace of the cedar houses that were there three weeks ago. Every day as we sit here and witness and watch, our existence is being wiped out by the construction that is taking place, and it's frustrating for us, because we would like to see it stop, or at least slow down, so that we could go out there and recover our ancestors.

We don't want them to be embedded under concrete floors, or having thousands and thousands of pounds of water laying on top of them. It's a dispute that we continue to argue—the adverse effect that the construction will have on the burials. Take a look at the societies around us. This would not happen to a non-Native cemetery, but it's OK for it to happen to an Indian cemetery. Again, we're asked to give and give and, again, they're always taking. But we feel that we have given enough, and we gave a lot more than what was ever anticipated, but yet they're still asking us to give more. I feel that we cannot give any more, and that we all need to take a stand and tell them that they need to slow the project down so that we can recover our ancestors. We are now into the hundreds, and we are into the thousands of the artifacts out there, and yet we continue to count.

So, we ask for your support.... Write to the advisory council and let them know that there are laws that should apply. There is an agreement that was signed, but that agreement was signed based upon the remains of 25 individuals being found. It was not signed for what we are seeing today. There should be something that comes in and halts the timeframe of this agreement so that we can go in there and carry out the recovery process that's so clearly needed.

The \$3 million was not hush money. It is money to acquire more land for the reburial process of our ancestors. It is not hush money to keep us quiet, which is something that is always being indicated out there in the non-Native society, who say that our people have taken our money, so why are we complaining about it now?

Money is not what it's about, because their \$254 million project could not pay for the pain and the anger and the resentment that our people have gone through. It could not pay for having our elders go back and relive what they want to forget, and what they have buried deep in their hearts and their minds that they don't want to bring back up and think about again.

But now we have to go back and ask them to dig really deep down and talk about these pains and the anger that they were raised up to try to forget, and to witness about how they were raised and the times that they remember about their parents and their grandparents. And it's hard to go do that. It's something that is challenging for us, but we're willing to take that chance on talking with our elders again, and having them try to relive their anguish over what they wanted to forget about that happened so

many years ago.

So, once again, I ask for the support of all of the Tribal Councils. Please take the opportunity to come down to the land, because the land itself is very powerful. It is sacred, it is ceremonial, and it has a lot of strong powers. Once you walk the grounds down here, you'll have an understanding of what our people are going through and what the workers are going through.

We are grateful to those who take the care and the nurturing of our ancestors, and the respect that they have, and the time that they are taking to recover them and properly place them into the cedar boxes that they have now. We respect those that understand. Once they've walked here and had the opportunity to talk to us face-to-face, to truly understand in our heart where we're coming from, that we are deeply sorrowed for how we are being resented in many other ways out there in the surrounding communities that have no understanding of what our people, and our youth, are going through down here.

We are trying to protect our children and their children, so that nothing like this ever happens again to any of the other nations out there. If you have any questions, please feel free to call us, and come down and look at the grounds, and walk the grounds, because we don't want this to happen to any other nations out there.

...

We are gratified by those who want to share their songs with us, and share the songs that they feel belong

back on this site, as well as sharing the stories of what they recall and what they were told. We are gratified for that to happen, because it's a healing process for all of us, and we're grateful in many ways.

Our words cannot express the wisdom of those that come down here and help us in the spiritual parts of the morale of our people, for the sorrow that they're carrying—to uplift them, and help them in the day-to-day functions that they're working with down here. There is no piece of paper that can express the job description that they are working with down here, because these grounds are very sacred.

I have to give my hands up to all our workers down here, because it's something that they carry home every day, and it's a memory that they'll never ever forget in their lifetime until they, themselves, are buried into mother earth to go back beyond to where they were created, too.

So, again, I thank you for your time, and thank you all for listening to the concerns that we as Elwha people have—we who are known as "The Strong People."

And we continue on with our canoe journeys, and we want to gather and rejoice for what has taken place here so that, at the end, we are all happy and we can all be united. So, Hay-aht-sin, and I thank you for the time in giving me this opportunity to speak. And, once again, I really encourage you to visit the site and I say again, Thank you.

Frances G. Charles is the Tribal Chairwoman for the Lower Elwha Klallam Tribe.
