

Option C – Procedures for WSCC Assisted Cultural Resource Reviews

-In order to comply with GEO-0505, the WSCC will use the following procedures when WSCC assists districts with their District's CR review.

Step 1. The District will determine if the project involves any ground disturbing activities or involves any structures 50 years or older and if a CR Review is needed (considering authorized exemptions).

- If the answer is "NO", the District must document this in their practice file.
- If the answer is "YES", go to step 2 and/or 3.

Step 2. For any activities involving structures 50 years or older, the district fills out a Historic Property Inventory (HPI) form on DAHP's Historic Property Inventory online database for DAHP's review. Department of Archeology and Historic Preservation (DAHP) may require more intensive investigation or mitigation of impacts to the structure depending on the historical significance of the building. The district may need assistance from a Professional Archeologist or WSCC staff when dealing with Historic Properties.

Step 3. For any ground disturbing activity, the District must complete DAHP's EZ-1 form to describe the project.

If the District chooses to go ahead and have a professional archeologist do a site specific cultural resources survey (with the archeologist following DAHP guidelines), then the complete survey report will accompany the EZ1 form. (A district may choose to have a Cultural Resource Site Specific Cultural Resource Survey done at any time the District thinks one is warranted.)

-DAHP EZ forms available at: <http://www.dahp.wa.gov/governors-executive-order-05-05>

-DAHP CR Report Cover Sheet at: http://www.dahp.wa.gov/sites/default/files/CRSURVEYcoversheet_Aug2011.doc

Note: This step could certainly be augmented by the District working with any Tribe that is interested and willing to work with the district. Any tribal agreement concerning the project, verbal or otherwise, should be documented and included with the EZ1 report.

Step 4. The District will submit a copy of the EZ-1 Form electronically, and if available, a site specific cultural resources survey, and any previous tribal or DAHP correspondence regarding the project to the WSCC.

Step 5. The WSCC will compile and process all of the appropriate forms and correspondence:

a. If an EZ-1 Form is submitted by the District, the following will be sent out by the WSCC:

- 1) WSCC tribal cover letter with the Director's signature and the EZ1 form to all potentially interested tribes.
- 2) An email to DAHP for review with the EZ1 form and all project correspondence including and tribal, WSCC, and District correspondence.

b. If both an EZ1 form and a Site Specific Cultural Resources Survey have been submitted by the District, the following will be sent out by the WSCC:

- 1) WSCC tribal cover letter with the WSCC Director's signature and only the Cultural Resource Survey (and no other correspondence unless necessary) asking for concurrence to implement to all potentially interested tribes.
- 2) WSCC's email requesting DAHP's review with electronic versions of all WSCC letters, any tribal or district correspondence, and the survey.

Step 6. The WSCC will send DAHP's and the tribes' correspondence and responses, or a lack of response notice to the District,

- a. If DAHP and tribes respond that there will be no effect to cultural resources or do not respond within the 30 day request period then the WSCC will notify the district that the project will be considered to have complied with GEO-0505 and the project may be implemented.

The District will insure that every person working on the project site be familiar with the District's Inadvertent Discovery Plan (IDP) procedures in case any cultural resources are discovered.

The District will consider all mitigation measures into the project that are mentioned in any responses.

- b. If DAHP or a tribe requests more information, the District will be asked to compile required information and submit to WSCC and the cultural resources review process will continue.

c. If DAHP or a tribe suggests that a Site Specific CR Survey is warranted, then the District in consultation with WSCC will decide if a survey is to be done. If one is done then go back to Step 4 and proceed.

d. If the District, DAHP, or the tribes determine there will be a negative effect on cultural resources or historic properties, that cannot be avoided or adequately minimized, then go to step 7.

Step 7. The WSCC Executive Director's may make a determination that a project will have an effect on Cultural Resources or historic properties that would trigger a process of formal consultation regarding whether the effect is adverse or not. Or the WSCC Executive Director may determine that a project will have no effect or minimal effect on CR or historic properties. Due to the potential risk to the agency, the WSCC Executive Director will review a project with the Commission's prior to making a no effect or minimal effect decision.

The WSCC will coordinate the formal consultation process, if formal consultation is needed.

Formal consultation can result in a memorandum of agreement detailing how the adverse effects will be resolved. The CR process is complete after the MOA has been signed by the appropriate consulting parties and then the District/Landowner may proceed with project activity.

WSCC may ask for a professional archeologist to provide input into the process at any time, if needed.

Useful References

-The WSCC Coordinator will maintain tribal contact information and provide it upon request.

-The WSDOT web site also has a current list of tribal contacts at:

<http://www.wsdot.wa.gov/tribal/TribalContacts.htm>

-Tribal cultural resources contact information at:

<http://www.dahp.wa.gov/sites/default/files/Washington%20Tribes%20Contact%20List.pdf>

-Washington Department of Archaeology and Historic Preservation (DAHP) EZ forms at:

<http://www.dahp.wa.gov/governors-executive-order-05-05>

-Governor's Office of Indian Affairs at: <http://www.goia.wa.gov/>

-Tribal information map at: <http://www.goia.wa.gov/Tribal-Information/Map.htm>

-National Historic Preservation Act, 16 USC 470: <http://www.usda.gov/rus/water/ees/pdf/nhpa.pdf>

-Protection of Historic Properties, 36 CFR 800: <http://www.usda.gov/rus/water/ees/pdf/36cfr800.pdf>

-Advisory Council for Historic Preservation: <http://www.achp.gov/>

-National Register of Historic Places at: <http://www.cr.nps.gov/nr>