

Cultural Resources Review for Infrastructure Projects Under SEPA



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Local Governments Archaeologist

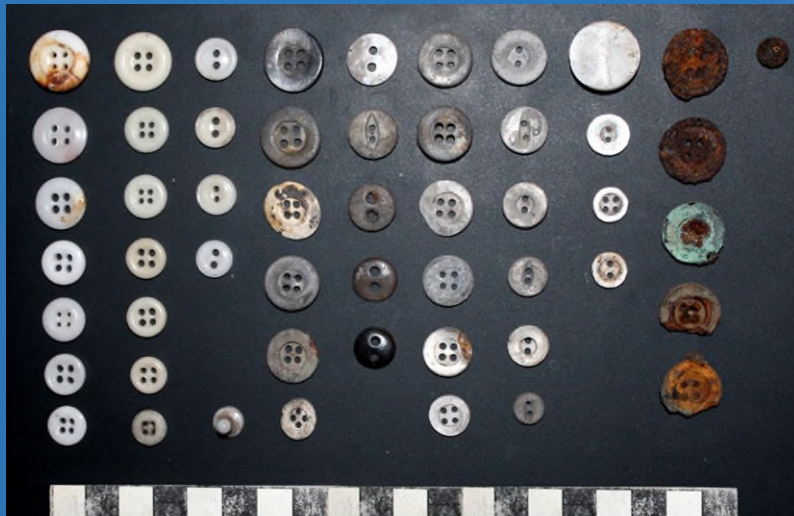
Department of Archaeology and Historic Preservation (DAHP)

- State Historic Preservation Office (SHPO)
- SHPOs established by the National Historic Preservation Act of 1966
- Established by state legislation RCW 27.34
- Both State and federally funded



What are Cultural Resources?

- Cultural resources can be defined as:
 - physical evidence or place of past human activity: site, object, landscape, structure
 - or a site, structure, landscape, object or natural feature of significance to a group of people traditionally associated with it.



Cultural Resource Environments

- ▶ Archaeology
- ▶ Built Environment
- ▶ Cultural Landscapes



Archaeological Resources

- Archaeology is the study, interpretation and reconstruction of human behaviors based upon an investigation of the physical evidence of human activities.



Archaeological Resources

- Native American / Precontact / Prehistoric
- Historic / Historical Period / Euroamerican
- Multicomponent / Contact Period



Built Environment

- Anything built by people that is still useable.



Built Environment

Buildings



Structures



Objects





Cultural Landscapes



Battlefields



Traditional Cultural Places

Inside the DAHP

- Common Questions
 - “Why do I have to do a survey but the project up the road does not?”
 - “Why does this section of road need monitoring?”
 - “Why do we need to assess this old building and not the one next door?”



Factors We Consider

- IMPACTS

- Demolition
- Ground disturbing activities



- PREVIOUS HISTORY

- Previously recorded cultural resources
- Previous cultural surveys



- RESEARCH

- Predictive Modelling
- Historic Maps and Documents



The Public Side of WISAARD

Buildings: Inventoried and Listed Properties; and Districts

The screenshot displays the WISAARD web application interface. At the top left, the 'dahp' logo is visible, followed by the text 'WISAARD Home Map Search Resources'. A 'Sign In' link is located at the top right. The main area is a map of Wenatchee, WA, showing various streets and property inventory points. A legend on the right side of the map defines the symbols used for property inventories:

- Property**
 - Inventories (points)
 - Green circle: Determined Eligible
 - Red triangle: Determined Not Eligible
 - Yellow circle: No Determination
 - Inventories (lines)
 - Green line: Determined Eligible
 - Red line: Determined Not Eligible
 - Yellow line: No Determination
 - Register Public

The map shows several property points, including a red triangle at 1404, a green circle at 1406, and a yellow circle at 1410. A photo of a house is displayed in a pop-up window over a property point. The photo shows a single-story house with a white door and a small porch. The map also shows the Columbia River Bridge - Stevens Street, Wenatchee, and the Columbia River. The map is powered by Esri.

The Public Side of WISAARD

Archaeology: General Land Office Maps

Department of Archaeology and Historic Preservation



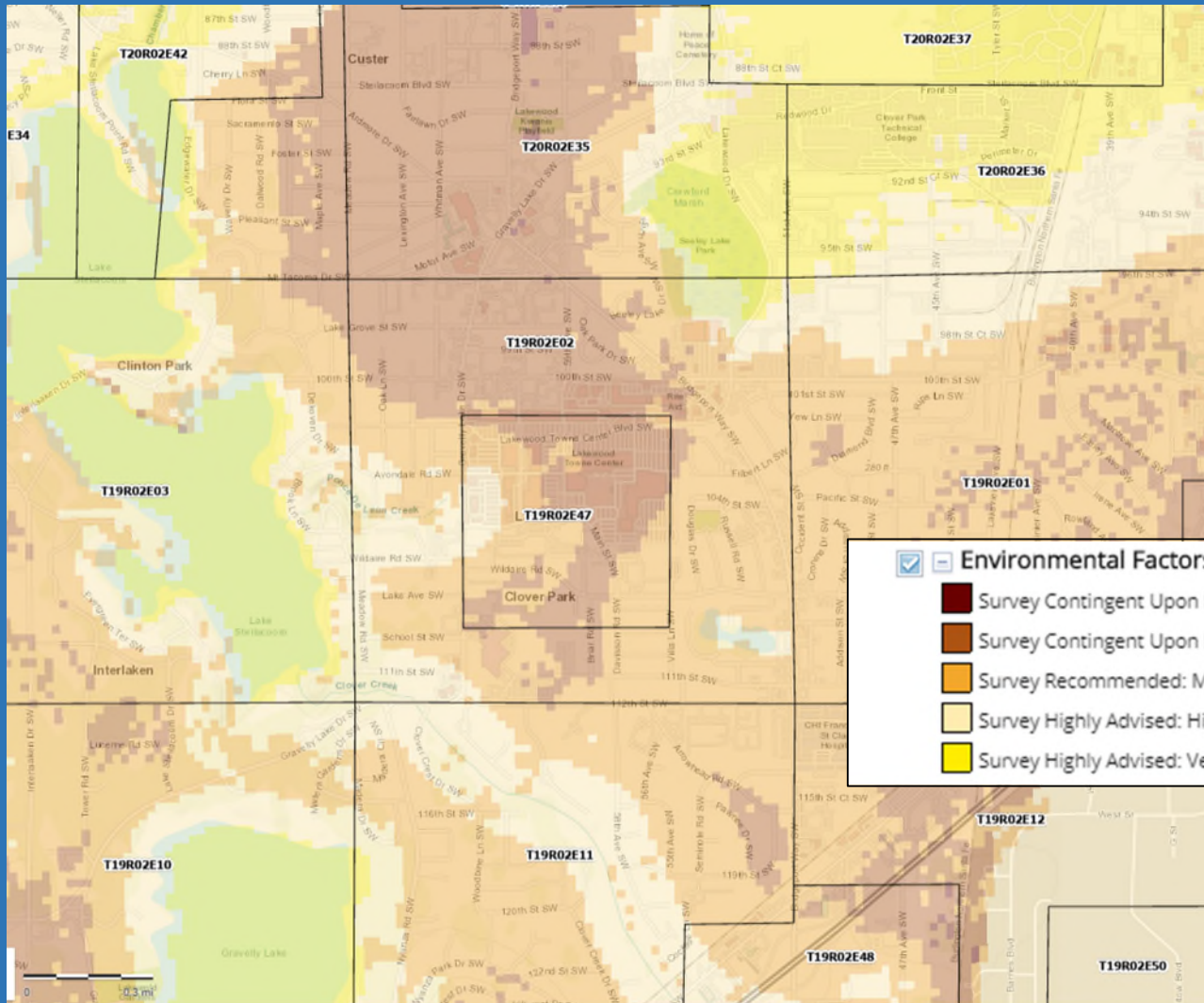
July 22, 2019

-  Township Range & Sections
-  County

1:27,385
0 0.225 0.45 0.9 mi
0 0.375 0.75 1.5 km
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

The Public Side of WISAARD

Archaeology: DAHP Predictive Model



Environmental Factors with Archaeological Resources Results

- Survey Contingent Upon Project Parameters: Low Risk
- Survey Contingent Upon Project Parameters: Moderately Low Risk
- Survey Recommended: Moderate Risk
- Survey Highly Advised: High Risk
- Survey Highly Advised: Very High Risk









The Secure Side of WISAARD

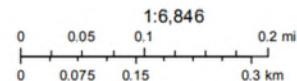
Archaeology: Sites and Districts; Surveys

Department of Archaeology and Historic Preservation



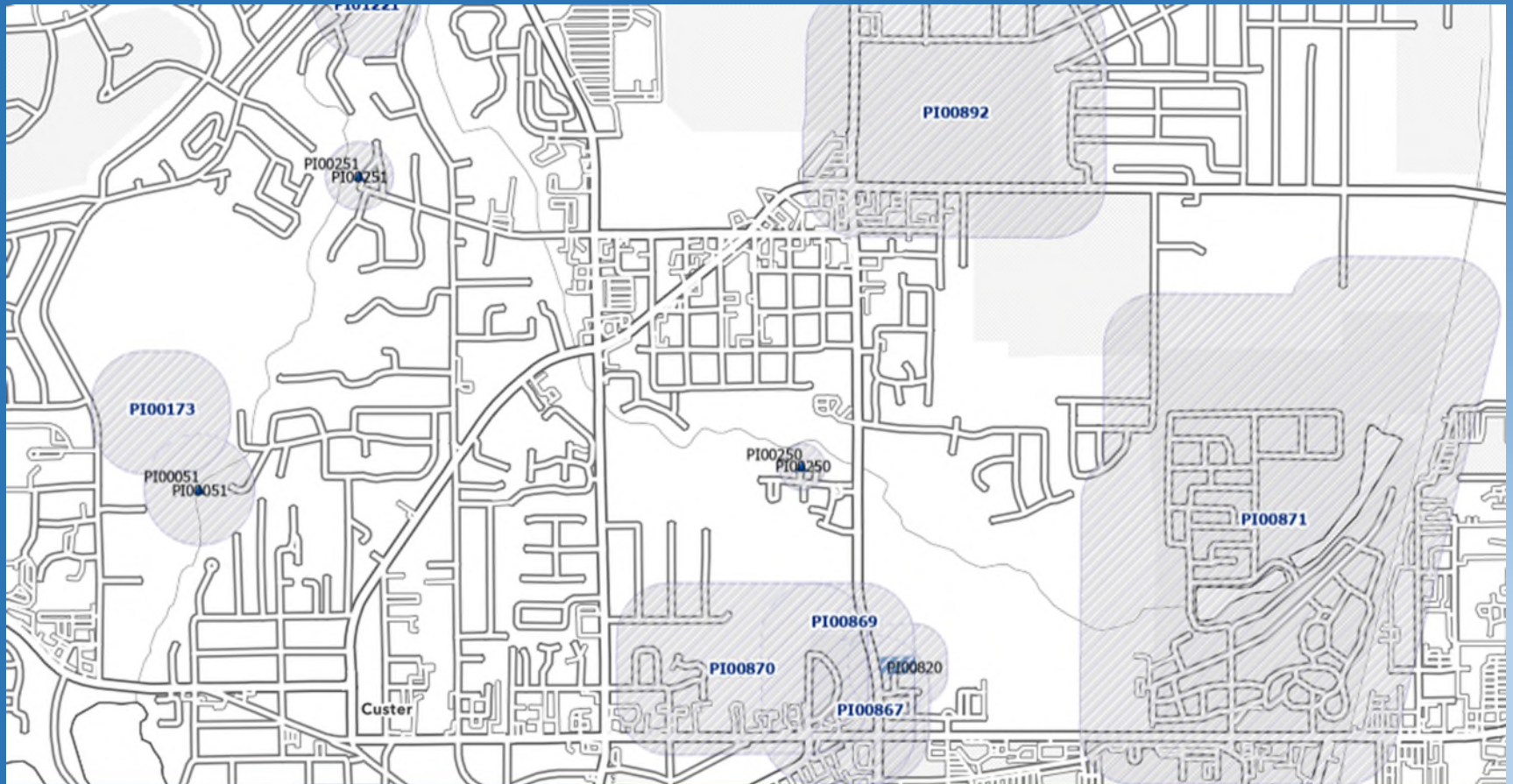
July 22, 2019

- | | | |
|--|---|--|
|  Archaeology Sites (Polygons) |  Cemetery Sites (Lines) |  CR Surveys (Lines) |
|  Archaeology Districts |  Cemetery Sites (Polygons) |  CR Surveys (Polygons) |
|  Cemetery Sites (Points) |  CR Surveys (Points) | |



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Agency Data Sharing Agreement



DAHP Project Review

- REACHING A BALANCE
 - Protecting Cultural Resources
 - Minimizing Risk to Projects
- RECOMMENDATIONS
 - Survey – Pedestrian; Subsurface; Built Environment
 - Monitoring
 - Mitigation
- REQUIREMENTS
 - Archaeological Permitting and Mitigation



It's All About Managing Risk

- Risk to cultural resources
- Risk to the project



“City Council Votes to Extend Temporary Historic Protections for the Showbox”

VS.



“Discovery of human remains doesn't slow sewer plant project”

It's All About Managing Risk

- Survey = Lowest Risk
 - Archaeologists and Built Environment Specialist survey in advance



It's All About Managing Risk

- Monitoring = Higher Risk

“Lower Elwha Klallam sue to have graving yard site remain as burial ground”



It's All About Managing Risk

- Inadvertent Discovery Plan = Much Higher Risk
- Do Nothing? = Highest Risk

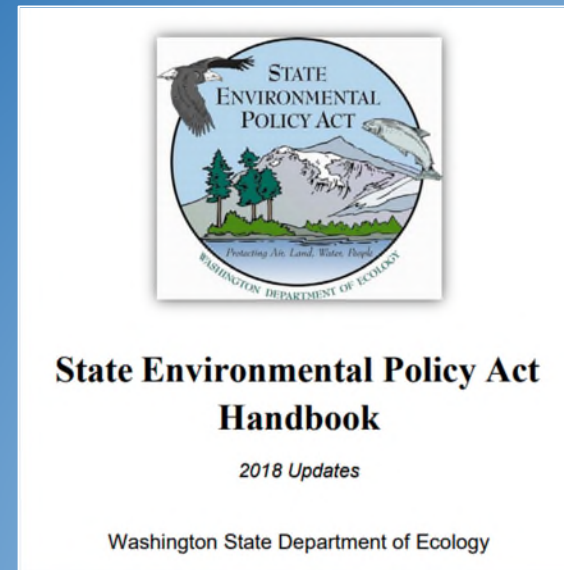


State Environmental Policy Act (SEPA)

- SEPA is managed by the WA State Department of Ecology



SEPA Help
sepahelp@ecy.wa.gov
360-407-6922



State Environmental Policy Act (SEPA)

B. Environmental Components

- | | | |
|---------------------------------|---------------------------|---|
| 1. Earth | 7. Environmental Health | 13. Historic and Cultural Preservation |
| 2. Air | 8. Land and Shoreline Use | 14. Transportation |
| 3. Water | 9. Housing | 15. Public Services |
| 4. Plants | 10. Aesthetics | 16. Utilities |
| 5. Animals | 11. Light and Glare | |
| 6. Energy and Natural Resources | 12. Recreation | |

State Environmental Policy Act (SEPA)

13. Historic and Cultural Preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old and listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.



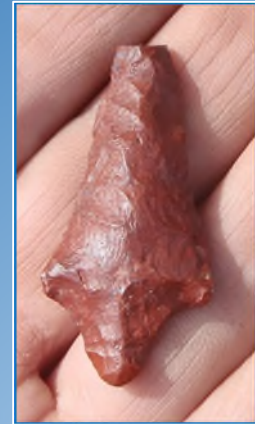
Answer

- List buildings/structures
- List age of buildings/structures
- Let us know if any are already listed on a register

State Environmental Policy Act

13. Historic and Cultural Preservation

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.



Answer

- List any known archaeology or old things.
- List any known burials.
- List any landscapes, TCPs, etc...
- If there is a cultural resources survey completed, please list it here!

State Environmental Policy Act (SEPA)

13. Historic and Cultural Preservation

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes, DAHP, archeologic surveys, historic maps, GIS data, etc.

Answer

- Did you look at WISAARD or old maps?
- Did you talk to Tribal members?
- Did you talk to an archaeologist?
- Did you do an archaeological survey?



State Environmental Policy Act (SEPA)

13. Historic and Cultural Preservation

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Answer

- DAHP Permit
- Cultural Resources Mitigation
- Monitoring
- Inadvertent Discovery Plan



State Environmental Policy Act (SEPA)

Bad Answer

- a. No
- b. No
- c. N/A
- d. N/A

It is not acceptable to reply "not applicable" or "does not apply"

<https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance>

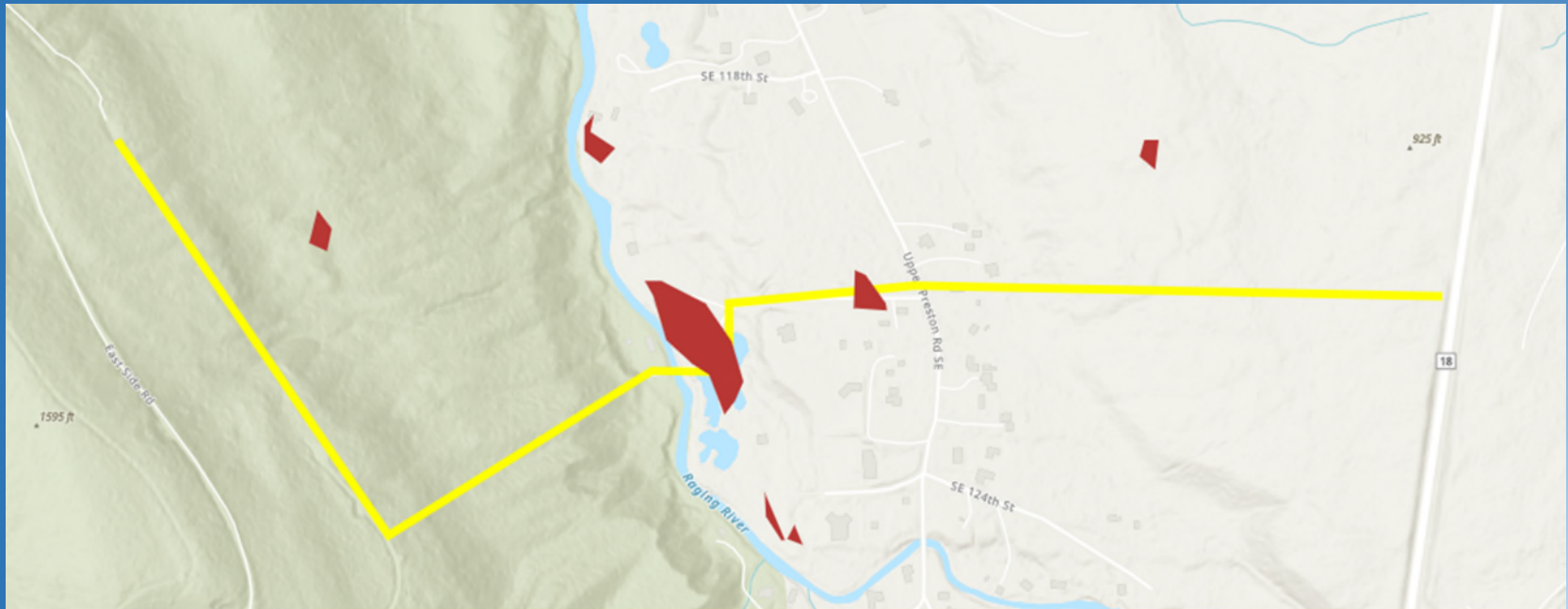
Infrastructure Projects

Factors DAHP will Consider

- Location of project
- Size of project footprint
- Depth and extent of planned impacts

Linear Projects

- Cross many different environments



- **Yellow line** – project corridor
- **Red Shape** – archaeological site

Historic Industrial Waterfronts

Ugly ≠ Not Significant



Georgetown Steam Plant Pumphouse – Seattle
Duwamish Waterway

Historic Industrial Waterfronts

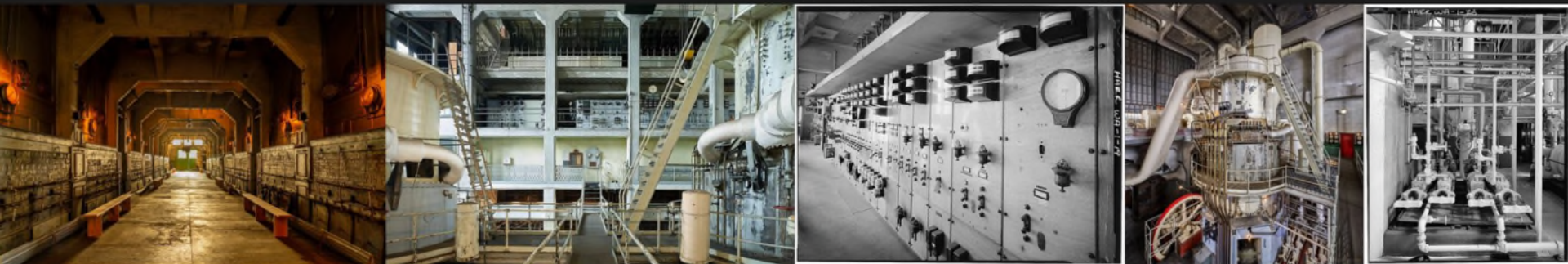
Ugly ≠ Not Significant

GEORGETOWN STEAM PLANT

[Home](#) [About Us](#) [Vision](#) [Connect](#) [Events](#) [Support](#) [Science Fair](#)

[Virtual Tour](#)

The Steam Plant is a local treasure, grounded in the local stories, memory and identity of the Duwamish Valley. It also sets a nationally recognized example for preservation and community regeneration.



Wind/Solar: Let's Talk About It

Largest proposed wind farm in Washington slashed in half, firefighting issues are part of the problem



By Courtney Flatt (Northwest News Network)

Feb. 5, 2024 2:45 p.m.



Washington State Solar Project Paused Amid Concern About Native Cultural Sites

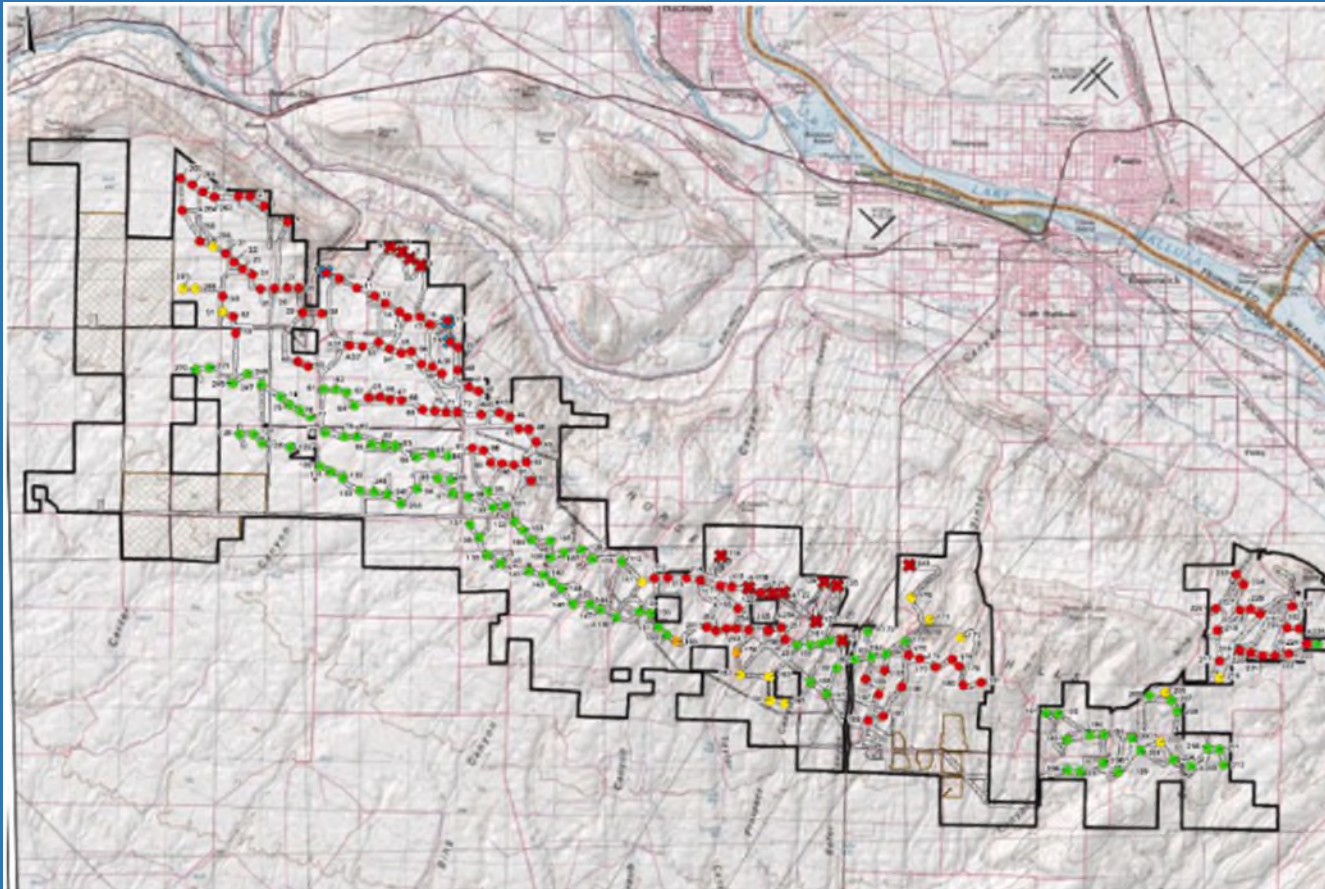
The decision comes after an investigation by High Country News and ProPublica found that a land survey funded by the developer omitted more than a dozen sites of archaeological or cultural significance.

Wind/Solar: Let's Talk About It

Impacts



Wind/Solar: Let's Talk About It



EFSEC voted to eliminate all turbines demarcated with a red dot, which have a high impact on the environment or cultural resources, at its most recent meeting on Jan. 31. This map is a draft and will be updated before the council's next meeting.

Courtesy EFSEC



The State of Washington Energy Facility Site Evaluation Council (EFSEC or Council) provides a "one-stop" siting process for major energy facilities in the State of Washington.

Wind/Solar Cultural Resources

- Almost always require a full cultural resources survey
- Buildings – often absorb whole historic farms, or multiple farms
- Archaeology – can have more than one hundred archaeological sites in one project
- Landscapes – historic and sacred landscapes
- Tribal Treaty Rights – growing emphasis on this

Tribal Consultation

- Tribes are Sovereign Nations
- Tribes have Treaty Rights
- Tribes have Knowledge



The screenshot displays the website for the Governor's Office of Indian Affairs. The header features the state seal and the text "Governor's Office of INDIAN AFFAIRS". A navigation menu includes "Home", "State-Tribal Relations / Centennial Accord", "Tribal Directory", "Training", "Events", "Resources", and "About Us". A search bar is present with the placeholder text "Enter your search terms". The breadcrumb trail reads "Home » State-Tribal Relations / Centennial Accord » Centennial Accord". A sidebar menu on the left lists "Centennial Accord", "2023 Centennial Accord Registration", "RCW on Tribal Relations", "Out of State Accord", and "Centennial Accord Millennium Agreement". The main content area is titled "Centennial Accord" and contains the text: "Centennial Accord between the Federally Recognized Indian Tribes in Washington State and the State of Washington". Below this, it is titled "I. Preamble and Guiding Principles" and states: "This Accord dated August 4, 1989, is executed between the federally recognized Indian tribes of Washington signatory to this Accord and the State of Washington, through its governor, in order to better achieve mutual goals through an improved relationship between their sovereign governments. This Accord provides a framework for that government-to-government relationship and implementation procedures to assure execution of that relationship."

Tribal Consultation – Best Practices

- Consultation is about relationships.
- Honesty is essential to consultation.
- Natural resources are considered cultural resources.



Tribal Consultation – Who What When Where How?

WHO?

- Lead Agency is the lead on Tribal consultation
 - Delegation of authority
- What about project proponents and consultants?
 - Be clear whether you are conducting official consultation
 - Ask if they are interested in discussing the project



Tribal Consultation – When?

- “Early and often”
- Agencies should also consult outside of projects
- Consultation occurs from planning until the end of construction



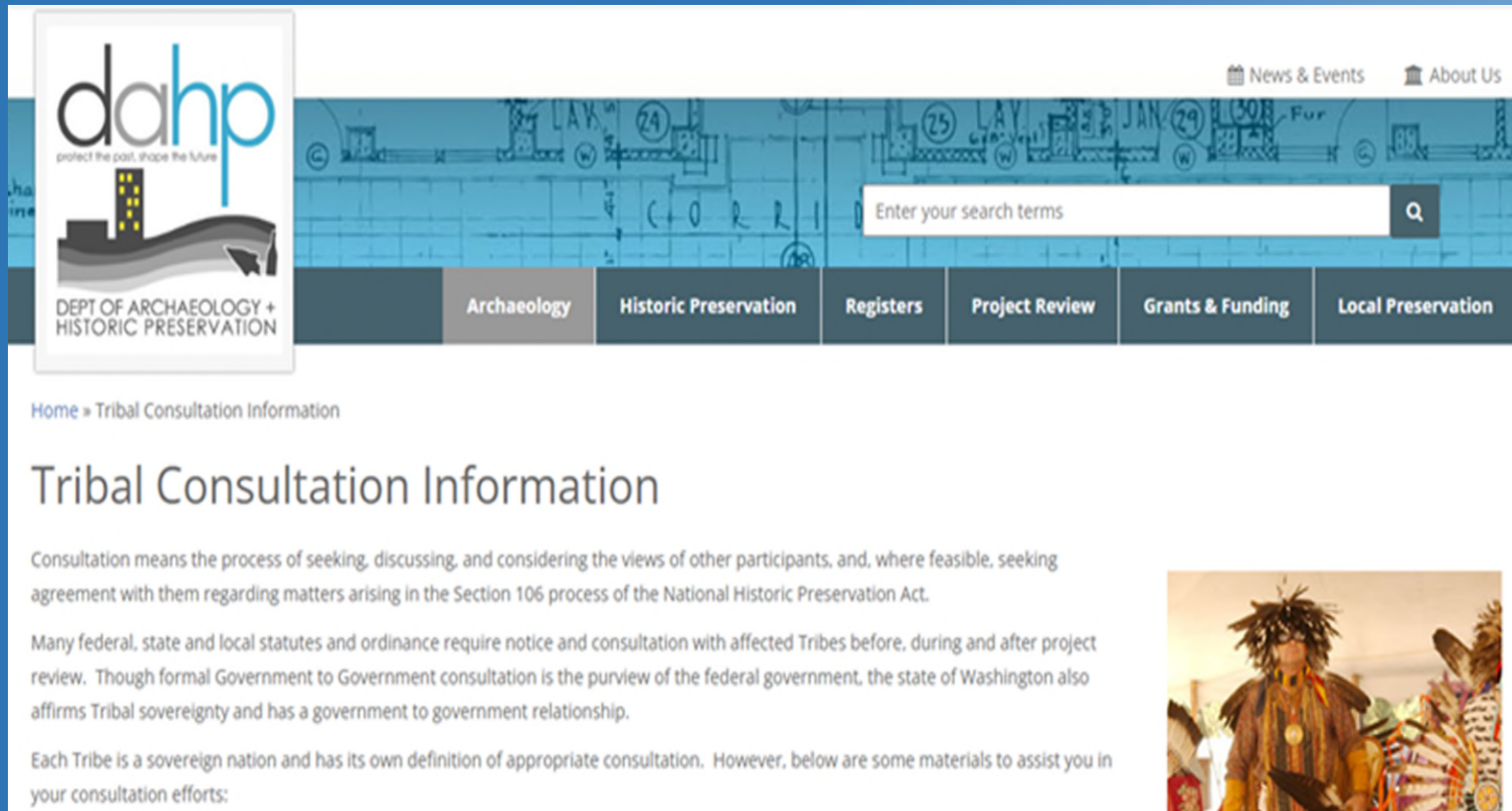
Tribal Consultation – Where and How?

- Invite Tribal members to your offices
- Invite Tribal members to visit project locations
- Offer to visit their workplace



Tribal Consultation – How?

- DAHP Website
- GOIA (Governor's Office of Indian Affairs)
- Tribal Websites



The screenshot shows the DAHP website interface. At the top left is the DAHP logo with the tagline "protect the past, shape the future" and "DEPT OF ARCHAEOLOGY + HISTORIC PRESERVATION". To the right are links for "News & Events" and "About Us". A search bar with the placeholder "Enter your search terms" is visible. Below the search bar is a navigation menu with the following items: "Archaeology", "Historic Preservation", "Registers", "Project Review", "Grants & Funding", and "Local Preservation". The main content area shows the breadcrumb "Home » Tribal Consultation Information" and the title "Tribal Consultation Information". The text explains that consultation means seeking, discussing, and considering the views of other participants, and where feasible, seeking agreement with them regarding matters arising in the Section 106 process of the National Historic Preservation Act. It also notes that many federal, state, and local statutes require notice and consultation with affected Tribes before, during, and after project review. A photograph of a person in traditional Native American regalia is visible on the right side of the page.


Home » Tribal Consultation Information

Tribal Consultation Information

Consultation means the process of seeking, discussing, and considering the views of other participants, and, where feasible, seeking agreement with them regarding matters arising in the Section 106 process of the National Historic Preservation Act.

Many federal, state and local statutes and ordinance require notice and consultation with affected Tribes before, during and after project review. Though formal Government to Government consultation is the purview of the federal government, the state of Washington also affirms Tribal sovereignty and has a government to government relationship.

Each Tribe is a sovereign nation and has its own definition of appropriate consultation. However, below are some materials to assist you in your consultation efforts:



Conclusions

- There are laws protecting Cultural Resources
- If you are the Lead Agency you are responsible for:
 - Consultation with Tribes
 - Consultation with the DAHP
 - Verifying that cultural resource requirements are followed
- The DAHP is a resource – Use us!
- There are additional resources online – Consider a Data Share Agreement with the DAHP
- Plan ahead for Cultural Resources to reduce the Risk to your projects.

Questions??



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