

Cultural Resources and Infrastructure Planning: Understanding the Issues, Managing the Risks



Stephanie Jolivette
Local Governments Archaeologist

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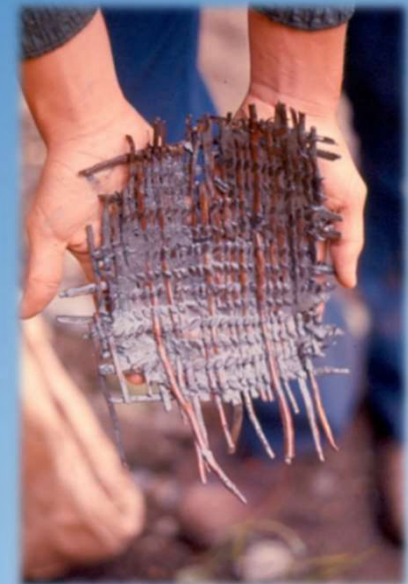
Department of Archaeology and Historic Preservation (DAHP)

- 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



DAHP Mission Statement

- The Department of Archaeology and Historic Preservation is Washington State's primary agency with knowledge and expertise in archaeology, historic preservation and the recovery of non-forensic human remains.
- Three major program areas:
 - Regulatory
 - Economic Development
 - Historic and Cultural Data Management (DAHP is the central repository)



DAHP is the Central Repository

DAHP maintains
~39,000
archaeological
site records

~2,900
National/State
Register Listed
Property records

~650,000+
inventoried
properties

~38,000 survey
reports

~3,000
cemeteries



Archaeological site locations are not public records. RCW 42.56.300
Exempts them from public disclosure.

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 / Combined



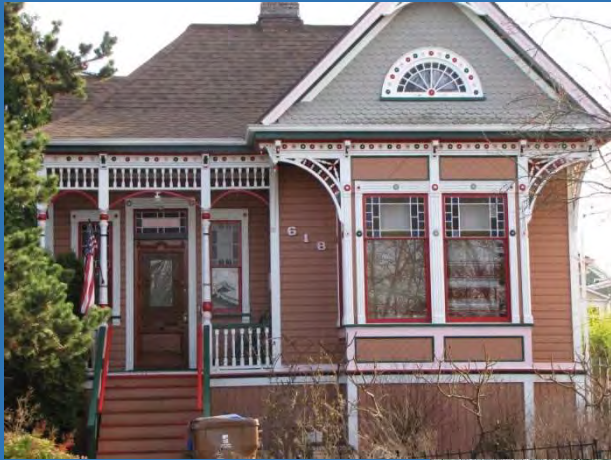
Built Environment

- Anything built by people that is still useable.



Built Environment

Buildings



Structures



Objects



Cultural Landscapes



Battlefields

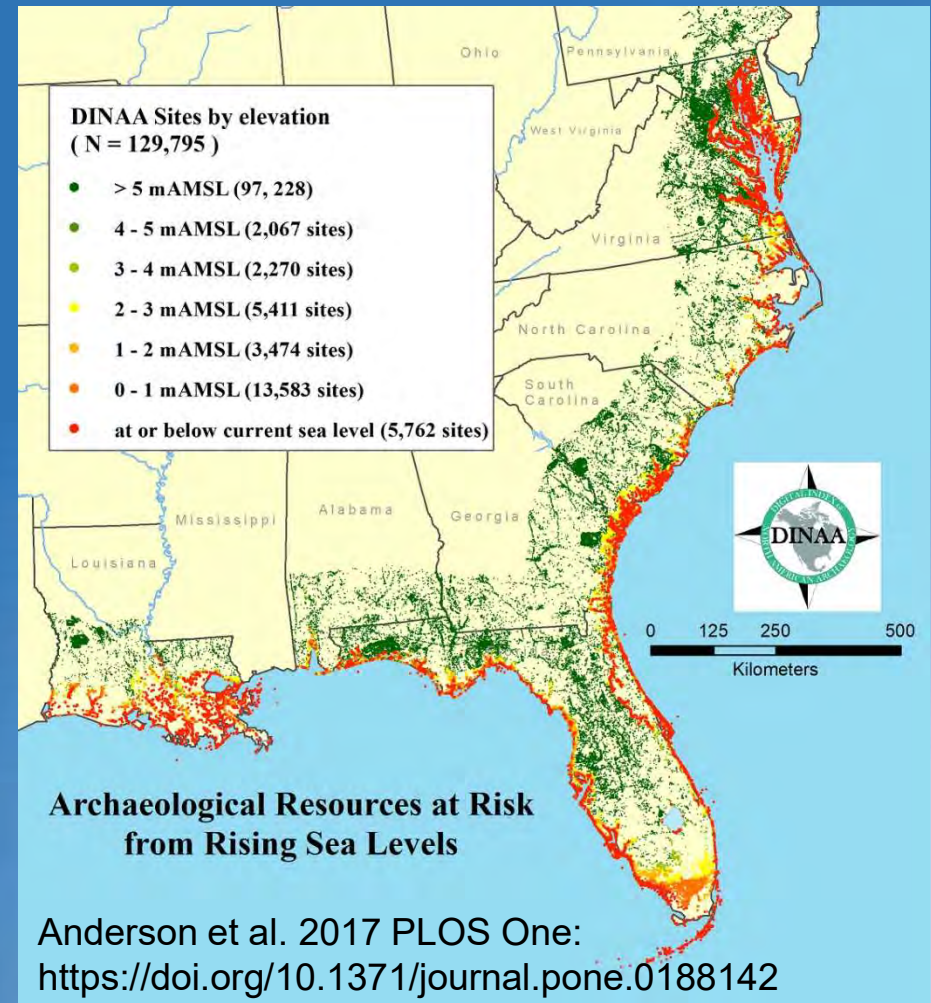


Traditional Cultural Places



Why be concerned about cultural resources?

- Cultural resources are “endangered species”




Why be concerned about cultural resources?

Don't underestimate public attachment to cultural resources.



THANK YOU, WSU!
FOR CONSIDERING REHABILITATION OF



THE HISTORIC JENSEN-BYRD BUILDING

Designed by architect Albert Held in 1909 for the Marshall-Wells Hardware Co. of Duluth, Minnesota, the Jensen-Byrd Building was built as a warehouse during the peak of Spokane's early twentieth century prosperity. It features a classically-detailed façade that wraps around three sides, linking downtown Spokane, the WSU Riverpoint campus, and the emerging University District. WSU has recently issued a Request for Proposals for redevelopment of a 3.5 acre parcel that includes this important building. In a notable change of position WSU will not, for now, consider demolition.

IT'S AN ECONOMIC OPPORTUNITY...

Historic Preservation is an Economic Engine: Every year from 2000 to 2004 in Spokane County, an average of \$15.4 million was spent on historic rehabilitation projects, generating \$34 million in sales, and supporting 400 new jobs annually that paid an annual average of \$13.7 million in wages and salaries (Washington Trust for Historic Preservation).

Historic Preservation is Sustainable: The greenest buildings are already standing. Why haul all that high-quality construction material to the landfill, only to haul in new material, burning fossil fuels the whole way, when you can reuse what you have?



Historic Preservation is Attractive: Unique features like old brick walls, large timber frames, hardwood floors, and hand-crafted details attract tenants and tourists to downtown Spokane, beautify our city, and demonstrate community pride.

...BUT CHALLENGES REMAIN

- WSU's deadline for proposals, April 17, 2008, is fast-approaching.
- WSU has not ruled out demolition.
- The Jensen-Byrd Building is the largest and most important historic resource in downtown Spokane to be threatened with demolition since the Rookery Block. Large rehabilitation projects require creativity, commitment, and community support.

WE APPLAUD WSU'S EFFORTS TO REHABILITATE THE JENSEN-BYRD BUILDING, AND WE OFFER OUR ASSISTANCE

Spokane Preservation Advocates, P.O. Box 785, Spokane, WA 99210 www.spokanepreservation.org
Let us hear from you! advocacy@spokanepreservation.org 509-344-1065 New members welcome.



“How Luma, an ancient cedar, has transfixed Seattle”

- KUOW Blog 10/23/2023



Why be concerned about cultural resources?



Performing cultural resource management work upfront will save you time and money in the long run.

Why be concerned about cultural resources?

- It's the Law!

- National Historic Preservation Act (NHPA) 1966
- Governor's Executive Order 21-02 (2021)
- State Environmental Policy Act (SEPA) 1971
- Shoreline Management Act (SMA) 1971
- Growth Management Act (GMA) 1990
- RCW 27.34 Historic Preservation
- RCW 27.53 Archaeological Sites & Resources
- RCW 27.44 Indian Graves & Records (1941)



State Archaeology Laws Cover

- Both recorded & unrecorded archaeological sites
- On both public and private lands*
- And apply to everyone:
 - Professional archaeologists
 - Tribal archaeologists*
 - Members of the public.

*Note: Federal and Tribal lands are covered by Federal Laws



Property Ownership

- Artifacts are property of the landowner.
 - Artifacts from public lands must be curated at an appropriate Washington museum.
 - Artifacts recovered from excavations on private lands are the *property of the landowner*
 - **We strongly encourage donation to a museum.**



State Human Remains Laws

- Universal grave protection for all.
- Applies to graves on ALL lands: state, county, city, and private.
- Human remains inadvertent discoveries are always treated first as a potential crime scene.



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

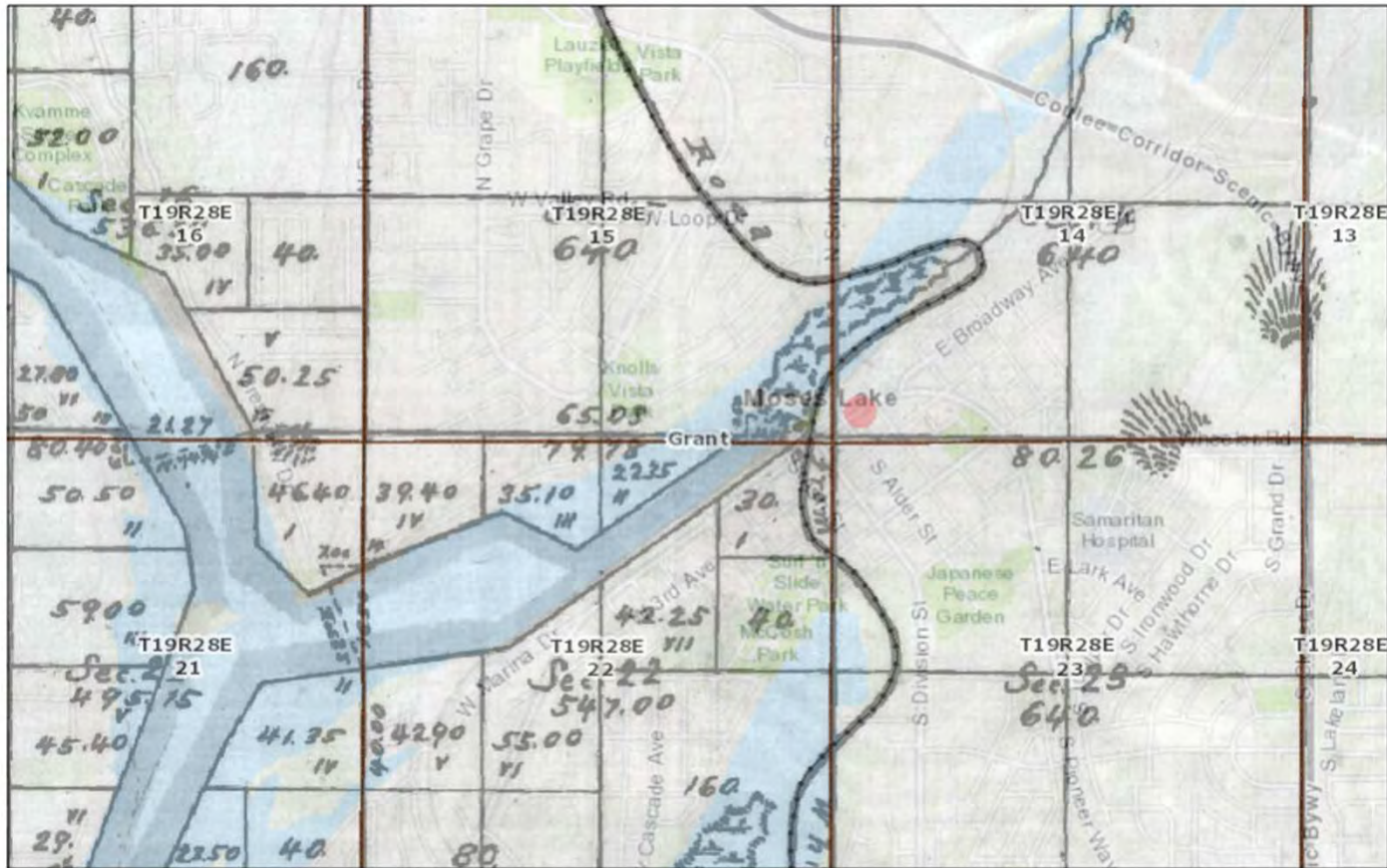
The screenshot displays the WISAARD web application interface. At the top, the navigation bar includes the DAHP logo, the text "WISAARD", and links for "Home", "Map", "Search", and "Resources". A "Sign In" link is located in the top right corner. The main map area shows a street grid in Wenatchee, WA, with numerous property markers. A legend on the right side of the map defines the markers: "Property" (green circle for "Determined Eligible", red triangle for "Determined Not Eligible", yellow circle for "No Determination"); "Inventories (lines)" (green line for "Determined Eligible", red line for "Determined Not Eligible", yellow line for "No Determination"); and "Register Public". A photo of a house is displayed in a central window, with a "2 of 2" indicator below it. The map includes a scale bar (0 to 600 feet) and a coordinate display (XY: -120.303289°, 47.415691°). The bottom of the map shows the text "County of Kittitas, Bureau of Land Management, Esri Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI, NASA, EPA, USDA" and "Powered by Esri".

www.dahp.wa.gov

The Public Side of WISAARD

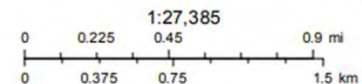
Archaeology: General Land Office Maps

Department of Archaeology and Historic Preservation



July 22, 2019

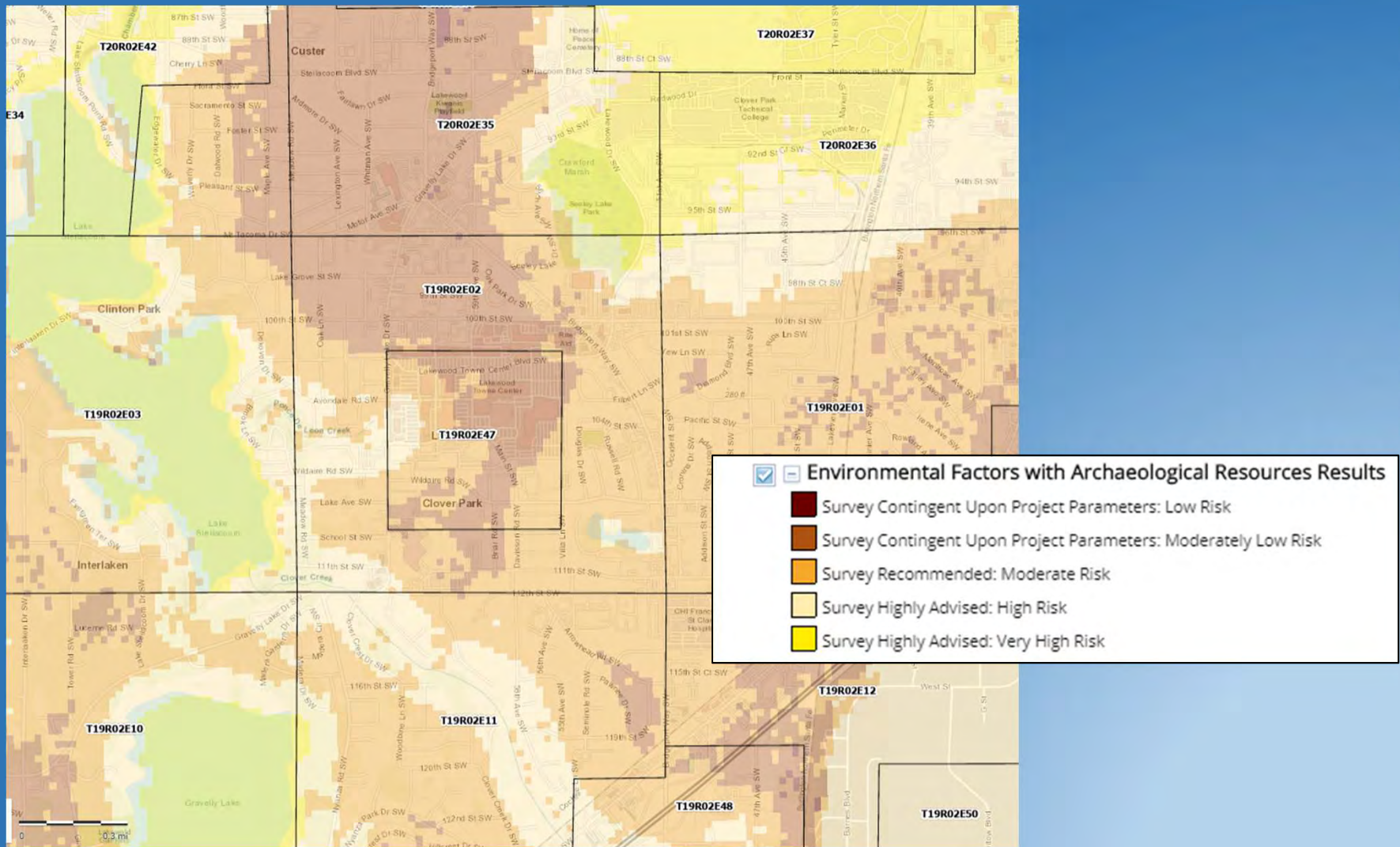
- Township Range & Sections
- County



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











The Secure Side of WISAARD

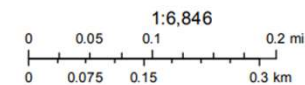
Archaeology: Sites and Districts; Surveys

Department of Archaeology and Historic Preservation



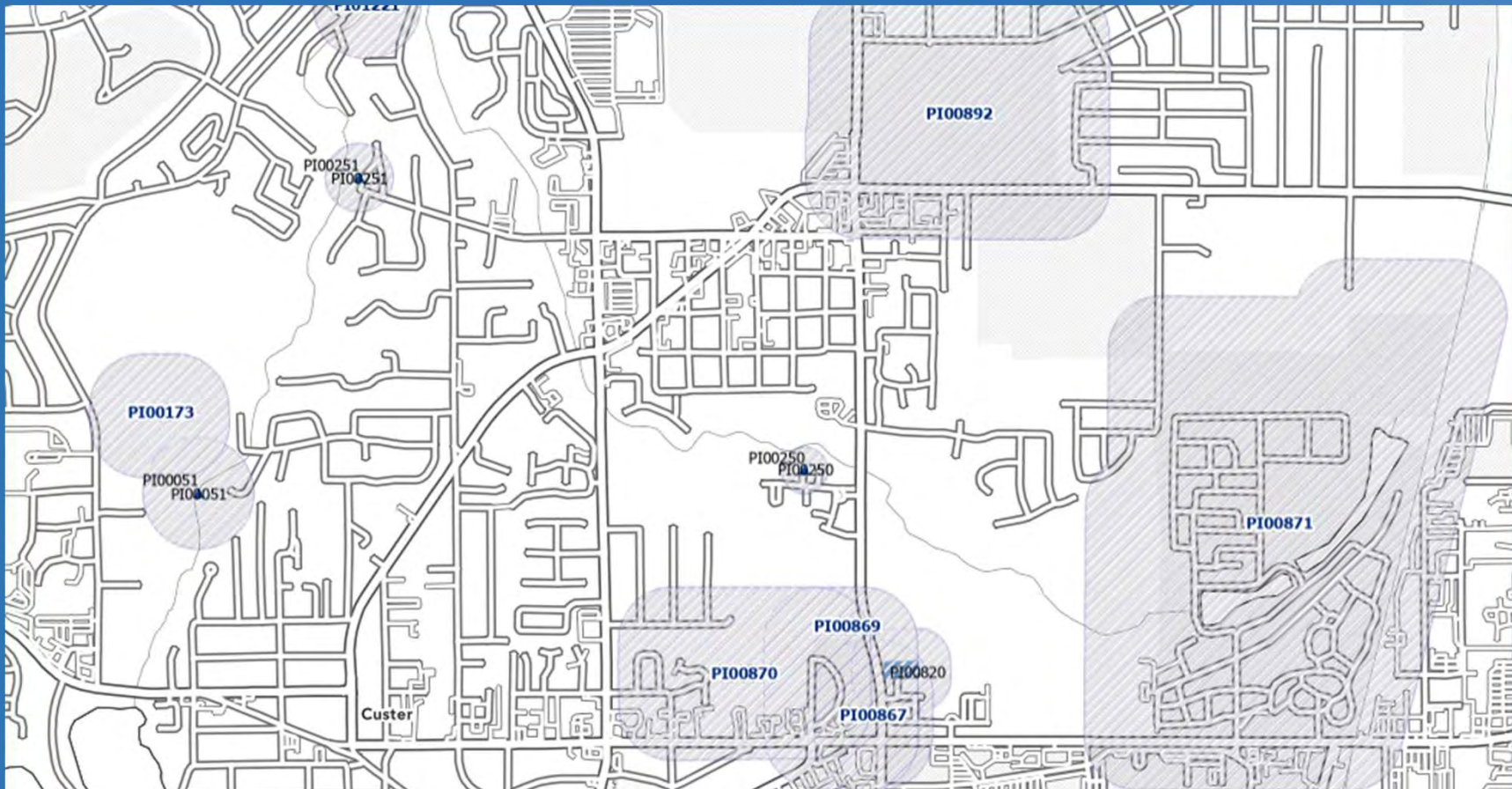
July 22, 2019

- | | | |
|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
|  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



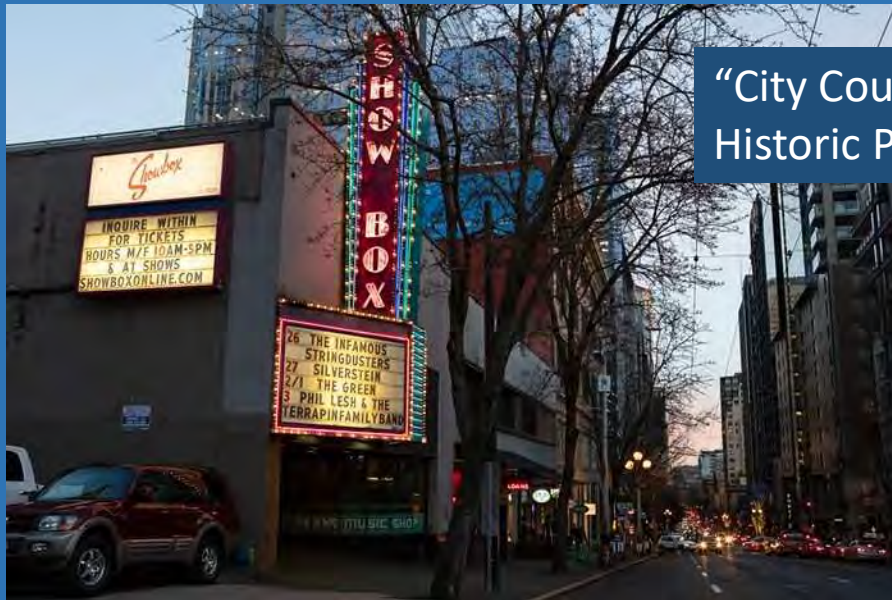
DAHP Project Review

- 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



Managing Risk – Tribal Consultation

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



The screenshot shows 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". Below the menu is a search bar with the placeholder text "Enter your search terms" and a magnifying glass icon. The main content area has a breadcrumb trail: "Home » State-Tribal Relations / Centennial Accord » Centennial Accord". A dropdown menu is open, showing options: "Centennial Accord" (selected), "2023 Centennial Accord Registration", "RCW on Tribal Relations", "Out of State Accord", and "Centennial Accord Millennium Agreement". The main heading is "Centennial Accord", followed by the subtitle "Centennial Accord between the Federally Recognized Indian Tribes in Washington State and the State of Washington". The section "I. Preamble and Guiding Principles" begins with the text: "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?

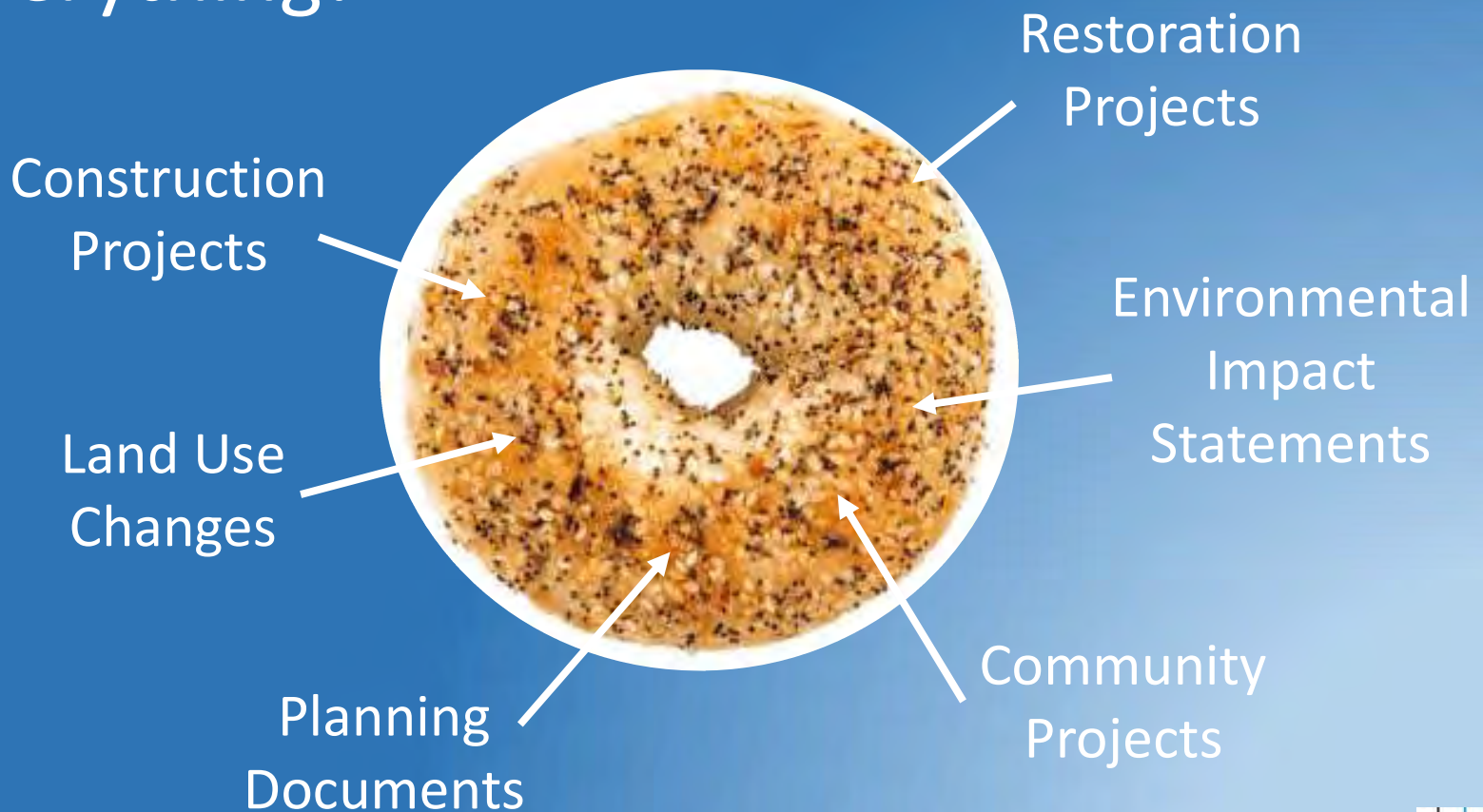
WHO?

- Lead Agency is the lead on Tribal consultation
 - Delegation of authority
- What about project proponents and consultants?
 - Be clear that you are not conducting official consultation
 - Ask if they are interested in discussing the project



Tribal Consultation – What?

- Everything!



Tribal Consultation – When?

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



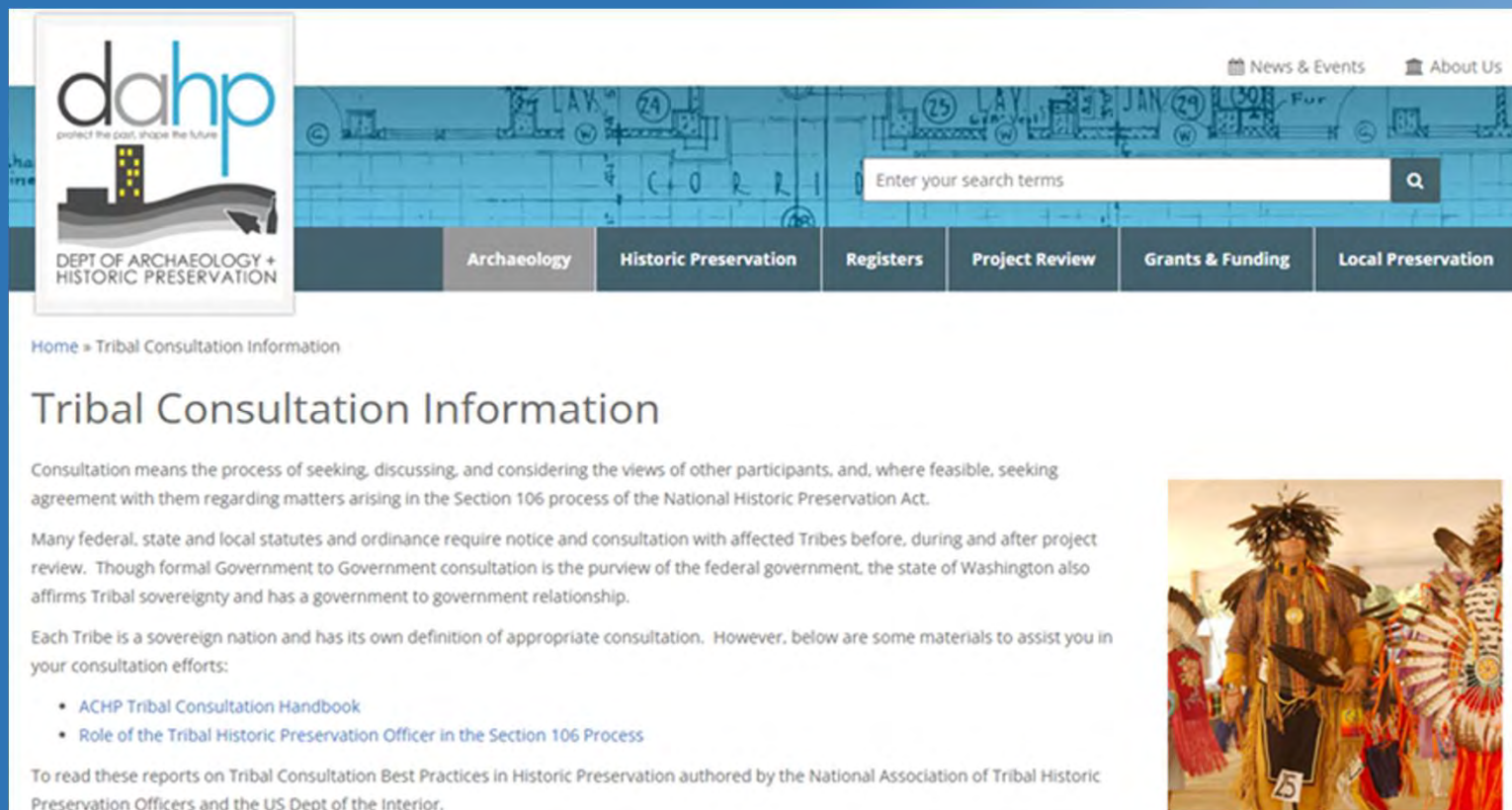
Tribal Consultation – Where?

- 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 tabs for "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 and considering the views of other participants. It notes that many federal, state, and local statutes require notice and consultation with affected Tribes. Each Tribe is a sovereign nation with its own definition of appropriate consultation. Below this, there are two bullet points: "ACHP Tribal Consultation Handbook" and "Role of the Tribal Historic Preservation Officer in the Section 106 Process". At the bottom, it states that these reports are authored by the National Association of Tribal Historic Preservation Officers and the US Dept of the Interior. On the right side of the page, there is a photograph of a person in traditional Native American regalia, including a feathered headdress and a large, colorful, circular fan-like object. The DAHP logo is also present in the bottom right corner 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:

- [ACHP Tribal Consultation Handbook](#)
- [Role of the Tribal Historic Preservation Officer in the Section 106 Process](#)

To read these reports on Tribal Consultation Best Practices in Historic Preservation authored by the National Association of Tribal Historic Preservation Officers and the US Dept of the Interior.

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??



Stephanie Jolivette
Local Government Archaeologist
Stephanie.Jolivette@dahp.wa.gov

www.dahp.wa.gov

