

# Section 106 and GEO 21-02 Consultation with DAHP

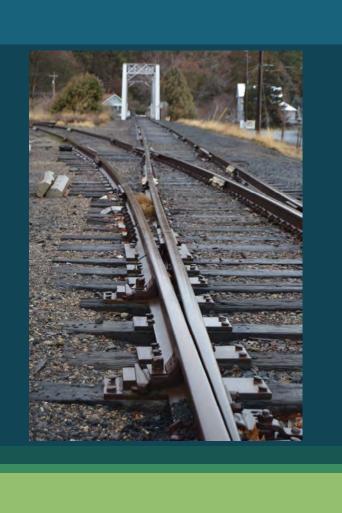


# Why is it necessary?



 To ensure we are proactive in protecting our rich history

 To use taxpayer money wisely by avoiding unnecessary damage and loss of significant sites, structures, and buildings



# **Section 106**





#### What is Section 106?

- Cultural resource review required for all projects with federal involvement where there is potential to affect historic resources
  - Fed funding, permits, licenses, or other types of assistance
  - Direct and indirect effects
- Federal agency's responsibility
- Consultation w/both Tribes and DAHP





# Questions DAHP Considers for Review

Are there any cultural resources –archaeological sites, historic resources, traditional cultural places– in the project area?

Are there resources eligible for listing in the National Register of Historic Places? Will there be an adverse effect on the eligible property? Will there be an adverse effect on any archaeological or tribal resources?



# How to consult with DAHP for Section 106

- Listen to the lead federal agency
- Some agencies will defer to you to complete consultation (HUD)
- No cultural resource staff:
  - EZ/Project Review Form for ground disturbing activities
  - EZ2 via WISAARD for smaller built environment projects (Some CDBG projects)





GEO 21-02





### What is GEO 21-02?

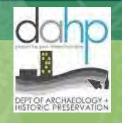
- -Formerly GEO 05-05
- Requires ALL agencies using state funds to consider how proposed projects may impact significant cultural resources
- The process includes consultation with BOTH tribal governments and DAHP

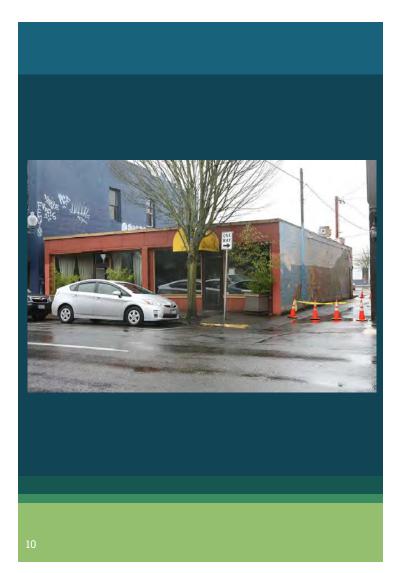


## **Projects that fall under 21-02:**

### STATE FUNDED...

- new construction
- demolition
- ground disturbance
- rehabilitation/renovation
- acquisition





# The 21-02 Consultation Process



# So, what information do we need from you to complete consultation?



### Agency w/ No Cultural Resource Staff...

- If there is no ground disturbance in a project involving a building, fill out an EZ2 on WISAARD for each building involved in the project
- If there is ground disturbance or land acquisition, fill out an EZ/Project Review Form



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### **EZ 2 on WISAARD** – Both 106 and 21–02

=Determination of Eligibility for buildings 45+ years old

- Requires info on the building, not on the project
- If determined not eligible, consultation with DAHP is complete

### EZ/Project Review Form

- Both 21-02 and 106
- Requires <u>DETAILED</u>
   info on what will
   happen to any
   potential resources
   during the project

DAHPUSEONLY	EZ/I	PROJECT FORM
Date Received:	Request to initiate cons	sultation for Governor's GEO 21-02
DAHP Log #	Executive Order 21-02	2 (GEO 21-02) projects
Reviewer(s):	New Second Address	
	RESERVATION	YES NO ADDITIONAL INFORMATION PROVIDED PER REQU
Questions? Correct DAMP at 2100/84/anow.gov.or. You may also find answers to your deal ease be evens that this form may only initia AHP may require additional information to or ventory form or archaeological survey may in futural resource perfersional.	tions online at www.danp.wa.gov/2202 ste consultation. For some projects, amplete our review. A historic property	NOTE: To save this fillable form your must fill it out in Adobe Acrobat or use the PRINT to PDF function in Acrobat Reader. In Reader choose File > Print and choose Adobe PDF as the printer. The file will save to your computer. NOTE: the form will automatically adjust to
SECTION 1: PROJECT INFORMATION		fit all your information.
Project Title:		Youlde 2-2 sentence surrowery of the project.
Property Name: If applicable	1	
Project Address:		
City / State / Zip:	County:	Township / Range / Section:     Inste Dark Partner
SECTION 2: PROJECT DESCRIPTION	1	
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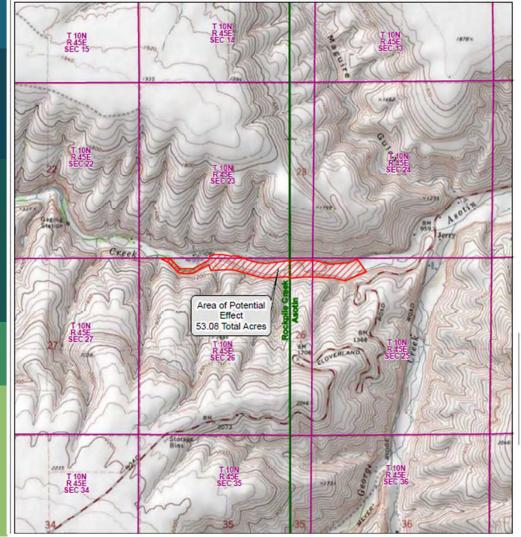


## EZ/Project Review Form

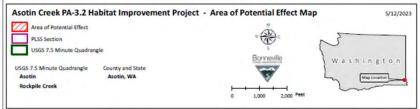


Required:

- Form filled out in its entirety (no blanks!)
- Map of project location
- DETAILED description of the extent and limits of ground disturbance (pg 2)
- Current photographs of the subject properties



### Map Example



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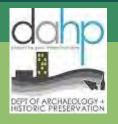
## When EZ form is complete...

Submit to the correct DAHP mailbox

- <u>2102@dahp.wa.gov</u>

- <u>106@dahp.wa.gov</u>

We will respond within 30 days Usually around 1-2 week turnaround



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### For Agency w/Cultural Resource Staff...

- The cultural resource professional/agency must create a project in WISAARD
- There they will submit:
  - Reports
  - Historic Property Inventories (HPIs)
  - Archaeology Site Form
  - Traditional Cultural Place template







# Once the Project is in WISAARD...



- The State Agency submits a letter or memo via email with:
  - The request for consultation
  - WISAARD project number
- DAHP is all digital, no snail mail!



# Possible Responses from DAHP

#### <u>"More Information</u> <u>Needed/Survey</u> <u>Requested"</u>

We do not have enough information to make a determination at this time

#### <u>"No Cultural Resources</u> <u>Impacted"</u>

- We believe there are no cultural resources in the project area that will be affected
- NO FURTHER
   CONSULTATION
   REQUIRED\*

#### <u>"Not Eligible"</u>

- Resource 45 years or older in the project area is not eligible for the National Register of Historic Places
- NO FURTHER
   CONSULTATION
   REQUIRED\*



#### **Possible Responses**

Cont.

#### "Eligible"

- Resource 45 years or older in the project area is not eligible for the National Register of Historic Places
- Assessment of impact is still required

<u>"No Adverse Impact"</u>

- The project will not impact an eligible resource involved
- NO FURTHER
   CONSULTATION
   REQUIRED\*

#### <u>"Adverse Impact"</u>

- The project WILL impact eligible resources involved
- You must now work with DAHP and the consulted tribes to avoid, minimize, or mitigate this impact

## "No further consultation required" UNLESS...

– there is a change in scope for the project

- there is an inadvertent discovery

Then, you must reinitiate consultation with DAHP/Tribes



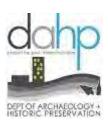
## **Tribal Consultation**

- DAHP cannot contract Tribes on your behalf
- Gov to gov consultation
- Evidence of Tribal
   Consultation is required
- Tip: Build relations with the tribes before you need to ask something of them!





# Resolving an adverse effects determination



# "avoid/ minimize"

Altering the project plans so the impact on the eligible resource is removed completely or minimized

"mitigate"



Moving forward with the project under agreed upon conditions to reduce the impact on the loss of an important historic resource (Memorandum of Understanding/Agreement)



### Three-Pronged Approach

- Documentation/Data Recovery
- Education/Public Outreach
- Building Salvage/
   Deconstruction





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#### THANKS!

## **Any questions?**

### <u>Non-transportation projects:</u> Archaeology questions – Rob Whitlam, Rob.Whitlam@dahp.wa.gov

### Built environment questions – Maddie Levesque, Maddie.Levesque@dahp.wa.gov

### <u>Transportation projects:</u> Archaeology questions – Dennis Wardlaw, Dennis.Wardlaw@dahp.wa.gov Built environment questions –

Maureen Elenga, Maureen.Elenga@dahp.wa.gov