



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

The background features a large, faint, circular seal of the State of Washington. The seal contains a portrait of George Washington and the text "THE GREAT SEAL OF THE STATE OF WASHINGTON".

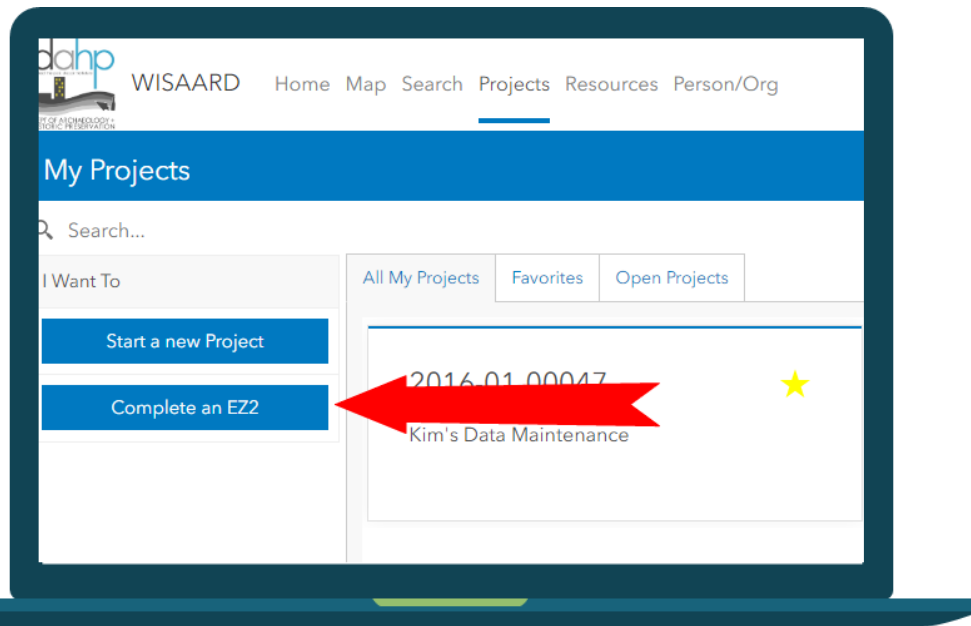
**So, what information do
we need from you to
complete consultation?**



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





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 DETAILED info on what will happen to any potential resources during the project

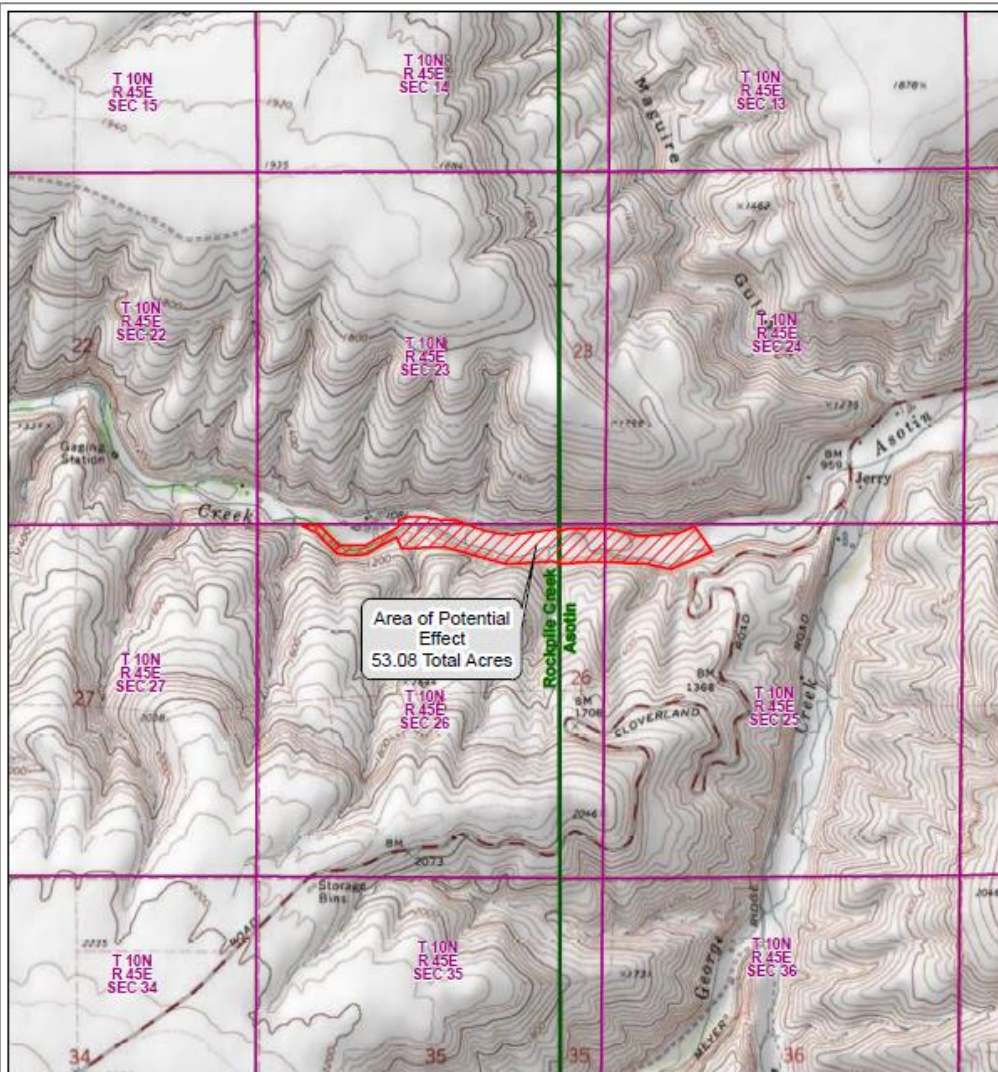
DAHP USE ONLY		EZ / PROJECT FORM	
Date Received:		Request to initiate consultation for Governor's Executive Order 21-02 (GEO 21-02) projects	
DAHP Log #:		GEO 21-02	
Reviewer(s):		New Consultation? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> ADDITIONAL INFORMATION PROVIDED PER REQUEST	
<input type="checkbox"/> ARCHY <input type="checkbox"/> BEU		 DEPT. OF ARCHAEOLOGY + HISTORIC PRESERVATION	
Questions? Contact DAHP at 21.02@dahp.wa.gov or (360) 699-3066. You may also find answers to your questions online at www.dahp.wa.gov/21.02.		NOTE: To save this fillable form you 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.	
PLEASE BE AWARE THAT THIS FORM MAY ONLY INITIATE CONSULTATION. FOR SOME PROJECTS, DAHP MAY REQUIRE ADDITIONAL INFORMATION TO COMPLETE OUR REVIEW. A HISTORIC PROPERTY INVENTORY FORM OR ARCHAEOLOGICAL SURVEY MAY NEED TO BE COMPLETED BY A QUALIFIED CULTURAL RESOURCE PROFESSIONAL.		NOTE: The form will automatically adjust to fit all your information.	
SECTION 1: PROJECT INFORMATION			
Project Title:	Provide 3-2 sentence summary of the project.		
Property Name: (if applicable)			
Project Address:			
City / State / Zip:	County:	Township / Range / Section:	
SECTION 2: PROJECT DESCRIPTION			
Project includes (check all that apply): <input type="checkbox"/> NEW CONSTRUCTION <input type="checkbox"/> DEMOLITION <input type="checkbox"/> GROUND DISTURBANCE <input type="checkbox"/> REHABILITATION / RENOVATION <input type="checkbox"/> ACQUISITION			
Are any buildings 45 years or older going to be impacted in any of the above ways by this project? <input type="radio"/> YES <input type="radio"/> NO <input checked="" type="radio"/> NOT SURE <input type="checkbox"/> Check here if the project involves multiple resources. If so, attach a table including all information in Sections 1 and 2 for each resource.			
If you do not know the age of the building(s) this is usually available through the county assessor web parcel search. To find this page put in the name of the county, Washington assessor property search into your web search engine of choice. I.E., Adams county Washington assessor property search.			
Are there any Federal funds, lands, permits, or licenses involved in/required by this project? <input type="radio"/> YES <input type="radio"/> NO <input checked="" type="radio"/> NOT SURE If Yes, what Federal Agency?			
Have you already received a grant? <input type="radio"/> YES <input type="radio"/> NO, WE ARE APPLYING NOW <input type="radio"/> NO, WE HAVE NOT APPLIED YET <input checked="" type="radio"/> NOT SURE			
SECTION 3: STATE AGENCY INFORMATION <small>Leave blank if unknown</small>			
State Agency:	Grant / Loan Program Name:	Direct Appropriation? <input type="checkbox"/>	
Contact Person:	Phone:	e-mail:	
Funding biennium?	Requested grant / loan amount:	Total project amount:	
SECTION 4: CONTACT INFORMATION <small>If different from State Agency contact person.</small>			
Submitter Name:	Submitter Organization:		
Submitter Address:	City / State / Zip:		
Submitter Phone:	Submitter e-mail:		
DAHP DETERMINATION (DAHP USE ONLY)			
<input type="checkbox"/> EXEMPT from GEO 21-02 review.	<input type="checkbox"/> The project will have an ADVERSE IMPACT on historic properties.	DAHP REVIEWER	
<input type="checkbox"/> There are NO HISTORIC PROPERTIES IMPACTED by the proposed project.	<input type="checkbox"/> DAHP requires ADDITIONAL INFORMATION in order to complete review (see attached).		
<input type="checkbox"/> The project will have NO ADVERSE IMPACT on historic properties.	<input type="checkbox"/> SURVEY REQUIRED	<input type="checkbox"/> INADVERTENT DISCOVERY	DATE
	<input type="checkbox"/> MONITORING REQUIRED	<input type="checkbox"/> PLAN REQUIRED	



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

Asotin Creek PA-3.2 Habitat Improvement Project - Area of Potential Effect Map 5/12/2023

- Area of Potential Effect
- PLSS Section
- USGS 7.5 Minute Quadrangle

USGS 7.5 Minute Quadrangle	County and State
Asotin	Asotin, WA
Rockpile Creek	

When EZ form is complete...

- Submit to the correct DAHP mailbox
 - 2102@dahp.wa.gov
 - 106@dahp.wa.gov
- We will respond within 30 days
 - Usually around 1–2 week turnaround



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

“More Information Needed/Survey Requested”

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

“No Cultural Resources Impacted”

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

“Not Eligible”

- 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

“No Adverse Impact”

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

“Adverse Impact”

- 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



THANKS!

Any questions?

Non-transportation projects:

Archaeology questions – Rob
Whitlam,
Rob.Whitlam@dahp.wa.gov

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

Transportation projects:

Archaeology questions – Dennis
Wardlaw,
Dennis.Wardlaw@dahp.wa.gov

Built environment questions –
Maureen Elenga,
Maureen.Elenga@dahp.wa.gov