

Governor's Executive Order 05-05

Guidance for Capital Projects

Department of Archaeology and Historic Preservation www.dahp.wa.gov

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The Purpose of GEO-0505

- Government leads by example
- Washington is rich in Cultural Resources
- Preservation and protection is necessary to understand our history and prehistory
- The citizens of Washington want their cultural resources protected
- Many places have not only cultural and historical significance but have religious significance to Tribes.

Mission of GEO-0505 Consultation

- The Department of Archaeology and Historic Preservation (DAHP) is the legally recognized environmental agency with special expertise in cultural resources. (WAC 197-11.920)
- The Governor's Office of Indian Affairs (GOIA) has key responsibility in establishing State policy affecting tribes.



Who is **Responsible** for review?

 The State agency with a capital construction project or land acquisition not reviewed under Federal law.



- All projects require a review if they have the potential to affect cultural resources.
- Both DAHP and affected tribes must be consulted to "determine potential impacts to cultural resources."



What is **Required**

- Invitations to DAHP and Tribes to participate in project planning.
- Agencies that do not know how to consult with tribes should contact GOIA.



What is **Required**

- Consultation with DAHP and tribes as early as possible.
- Identify survey and mitigation strategies, if/when appropriate.
- Reasonable steps to avoid, minimize, or mitigate effects.





- Respond to state agency consultations on capital projects and land acquisitions.
- Review agreements between agencies and tribes for cultural resource issues.
- Provides training to State staff managing capital construction projects.





- Informal consultation: a cursory review for cultural resources including areas affected by the scope of work for planning purposes.
- Email correspondence to: <u>0505@dahp.wa.gov</u>

Must be followed up with formal consultation



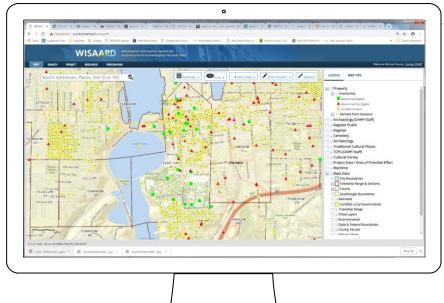
- Formal consultation: determinations of eligibility and impact determinations.
 (i.e. EZ 1, site forms, letter exchange)
- Interagency agreement if necessary.

Please use proper forms





Upload documents (site forms, reports) to WISAARD



Getting Results

 Arriving at consensus on eligibility of properties for the National Register of Historic Places.



- When eligible resources are known, a determination of the **impact** must be made.
- When impacts are adverse, a conversation concerning avoidance, minimization or mitigation must take place.
- Mitigation = MOU



 EZ1 Form for ground disturbing projects (fillable PDF).



• HPI forms for properties over 45 years old (Wisaard).

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- Cultural Resource Surveys
- EZ3 Form (fillable PDF) or clear description of the project if there are historic properties in the built environment.
 - Letterhead describing scope of work, nature of request, funding agency.
 - Plans and photos
 - Site visit if necessary

BUILDING REHABILITATION WORKSHEET - EZ3	РНОТОЗ	3
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When the EZ form in not Enough

- When the level of effort for the review is not commensurate with the scope of work
- When the cultural resource is considered significant in the opinion of the SHPO





One

 Involve DAHP and Tribes early and often.

Two

 Ground disturbance? Assume archaeological resources present.



Three

 Buildings over 45 years old? Think *"historic"*





Four

 Condition ≠ "integrity"



Five

 Be process transparent especially when it comes to changes in the scope of work & project areas.

project areas

Six

 For design funding, think ahead about affected resources.





Seven

 Use cultural resource professionals.







What about project aleady Underway

- Projects underway should be halted at the discovery of archaeological resources or human remains and the appropriate authorities notified immediately.
- Focus is upon planning for capital projects

Oo all Projects Need Review?

Projects with grounddisturbing activities Yes

Either through formal or informal consultation Structures over 45

How **Long** will the review take?

Required to be reviewed within 30 days

98% under 30 days. 68% under 5 days

Whoa! That's fast!



What can be **Exempted**?

- Projects which have no ground disturbing activities AND involve buildings less than 45
- General Maintenance and repair (per a PA or informal consultation)
- Projects reviewable through a Federal action
- Special exemptions prescribed and agreed upon in a Programmatic Agreement.





Does DHP Contact the Tribes

 No, the SHPO cannot contact Tribes on your behalf



- Appoint a Tribal Liaison
- Contact GOIA if you do not know what tribes require consultation on your project.
- See: <u>https://dahp.wa.gov/archaeology/tribal-consultation-information</u>

