

Governor's Executive Order 05-05

Guidance for Capital Projects



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



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.



Under GEO-0505, DAHP **Will**

- 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.





Starting the **Process**



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

Must be followed up with formal consultation



Starting the **Process**

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

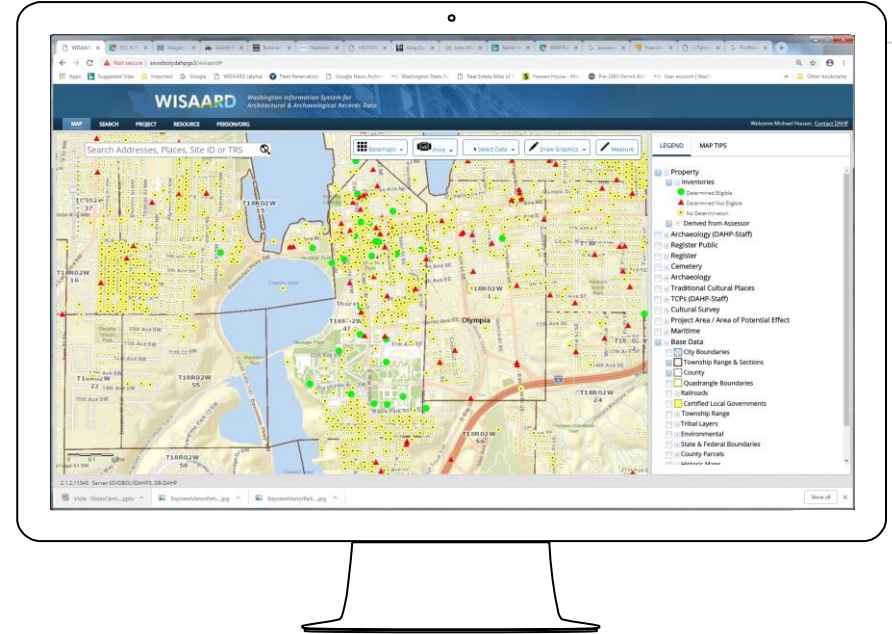
Please use proper forms





Starting the **Process**

- **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**





Products **Needed** for a review

- EZ1 Form for ground disturbing projects (*fillable PDF*).
- HPI forms for properties over 45 years old (*Wisaard*).



Download this form to your computer before filling it out.

PROJECT REVIEW SHEET - EZ1
HISTORIC & CULTURAL RESOURCES REVIEW

PROPERTY / CLIENT NAME _____
Project Address _____
Contact Person _____
Address _____
Phone _____
E-Mail _____
FUNDING AGENCY: (enter the agency name and address to the agency information request based here. The project information will be copied to the response.)
Agency Information _____
Phone _____
Email _____

PLEASE DESCRIBE THE TYPE OF WORK TO BE COMPLETED
(Be as detailed as possible to avoid a request for additional information)

PLEASE DESCRIBE THE PROPOSED WORK AND DETAIL ALL GROUND DISTURBING ACTIVITIES

It is important to note that the EZ1 form is not to be used for projects that require a full HPI form. The EZ1 form is intended for small, routine projects that do not require a full HPI form. Please provide a detailed description of the proposed project.

Describe the existing site conditions (include existing use, vegetation, etc.)

Describe the proposed work and activities (include existing use, vegetation, etc.)

Describe the proposed work and activities (include existing use, vegetation, etc.)

PLEASE ATTACH A MAP OF THE PROJECT AREA
(Use Google Maps to find the location. Print out the map and attach it to the form. If you do not have a map, please attach a map of the project area.)

Project Address _____ City _____ County _____

CLICK IN THE BOX TO UPLOAD A MAP. FILE MUST BE IN JPEG FORMAT

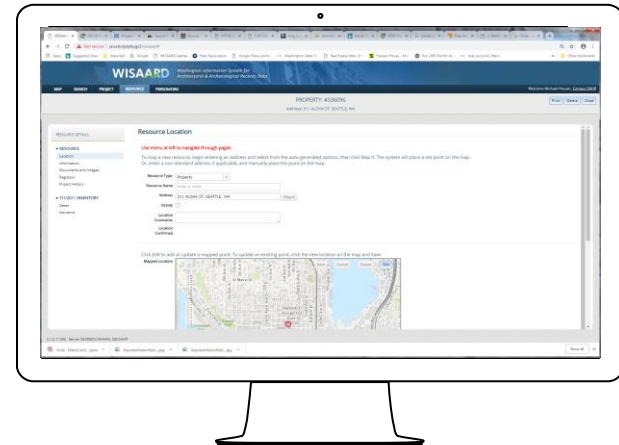
NOTE: To ensure the map is clear and legible, please use a high resolution map. The map should be at least 1000x1000 pixels. The map should be in color and show the project location. The map should be attached to the form.

PLEASE DESCRIBE THE PROPOSED WORK AND DETAIL ALL GROUND DISTURBING ACTIVITIES

Describe the existing site conditions (include existing use, vegetation, etc.)

Describe the proposed work and activities (include existing use, vegetation, etc.)

Describe the proposed work and activities (include existing use, vegetation, etc.)





Products **Needed** for a review

- 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



The image shows two overlapping forms. The top form is titled 'BUILDING REHABILITATION WORKSHEET - EZ3'. It contains fields for 'PROPERTY / CLIENT NAME', 'ADDRESS', 'CITY', 'STATE', 'COUNTY', 'Funding Agency', 'Manager Name', 'Phone', and 'Email'. Below these fields is a section titled 'PLEASE DESCRIBE THE TYPE OF WORK TO BE COMPLETED' with a sub-note 'this is intended as a guide to assist in the review process'. This is followed by a section titled 'PLEASE DESCRIBE THE METHOD OF CONSTRUCTION, MATERIALS, OR ABANDON AND PROVIDE PHOTOS OF AREAS OF WORK, IF APPLICABLE'. This section has checkboxes for 'ROOF', 'INSULATION', 'WINDOWS AND DOORS', 'FOUNDATION', and 'OTHER'. At the bottom, there is a note about ground disturbing activities and a link to the EZ3 form. The bottom form is titled 'PHOTOS' and contains six boxes, each with the text 'CLICK BOX TO INSERT A PHOTO .JPG FORMAT ONLY'.

When the EZ form is 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





7 Tips for Success

One

- Involve DAHP and Tribes early and often.



Two

- Ground disturbance? Assume archaeological resources present.



Three

- Buildings over 45 years old? Think “*historic*”





7 Tips for Success

Four

- Condition \neq “integrity”



Five

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



Six

- For design funding, think ahead about affected resources.





7 Tips for Success

Seven

- Use cultural resource professionals.





What about project already **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



Do all Projects Need Review?

Projects with
ground-
disturbing
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



Ways to **Contact** Tribes

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

