

## Decision Package

**Agency:** Department of Archaeology and Historic Preservation

**Decision Package Code/Title:** AL - Development of E-106 process

**Budget Period:** 17-19 Biennium

**Budget Level:** PL – Policy level

**Agency Recommendation Summary Text:** The Department of Archaeology and Historic Preservation is requesting one-time funding of \$250,000 to complete the Section 106 on-line submittal system that will streamline and expedite reviews for federally funded and permitted transportation projects. Section 106 is a federal regulation that requires the Washington State Department of Transportation (WSDOT) to consult with numerous parties, including affected tribes that have an interest in cultural resources, when those resources may be directly or indirectly impacted by the effects of WSDOT undertakings. This request is related to section 1312 of the recently passed federal Fixing America's Surface Transportation (FAST) Act, which permits entities to request funding from State Departments of Transportation to support activities that improve permitting and review activities. The Section 106 online submittal system will be housed in the Washington Information System for Architectural and Archaeological Records Data; which is an award winning IT project. This will complete a multiyear project by DAHP to deliver data, correspondence, and communicate to all parties, including the public, through a single portal intended to reduce the response time of each phase of the process from 30 days down to one week or less. This funding will positively impact Results WA Goal 5, Customer Confidence 3.1.a., Timely Delivery of Services 1.2, Customer Satisfaction 1.1.a. (which requires an increase in customer service on line) and confidently effects Lean Engagement 2.1a.

**Fiscal Summary:** Decision package total dollar and FTE cost/savings by year, by fund, for 4 years. Additional fiscal details are required below.

Operating Expenditures	FY 2018	FY 2019	FY 2020	FY 2021
108-2 FAST ACT	150,000	100,000	0	0
<b>Total Cost</b>	<b>150,000</b>	<b>100,000</b>	<b>0</b>	<b>0</b>
Staffing	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
FTEs	0	0	0	0
<b>Revenue</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
108	150,000	100,000	0	0
<b>Object of Expenditure</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
Obj. E	150,000	100,000	0	0

## Package Description

The Department of Archaeology and Historic Preservation (DAHP) is requesting one time funding of \$250,000 of federal transportation funds to finalize and implement an electronic system that will expedite cultural resource reviews for transportation projects by finishing development of the on-line Washington Information System for Architectural and Archaeological Records Data (WISAARD) portal for all cultural resource information/data, and shared communication requirements, under Section 106 of the National Historic Preservation Act. Section 106 requires that every federally funded (direct or indirect), permitted or licensed, undertaking be reviewed by the state historic preservation office, affected tribes, other relevant stakeholders and the general public to determine impacts to historically significant properties. If there is an adverse effect to a historic property (structure, archaeological site, cultural site, building etc.) WSDOT, and federal transportation agency, in consultation with the state historic preservation office, affected tribes and stakeholders, must examine alternatives to avoid, minimize or mitigate harm to that resource.

Section 1312 of the recently passed FAST Act permits entities, such as state agencies and Indian Tribes, to request federal transportation dollars from State Departments of Transportation to support activities that improve permitting and review functions, including the planning, approval, and consultation processes; this broadens the previous funding authorization. Funds may be used for planning, environmental review, dedicated staffing, training, information gathering, mapping, and development of programmatic agreements. This request by DAHP for completion of WISAARD falls under this category of federal transportation aid.

### **Decision Package expenditure, FTE and revenue assumptions, calculations and details:**

Expenditure calculations were based on informal cost estimates by current WISAARD developers from specified requirements.

As previously, the FAST Act, passed by Congress in December 2015, provides authorization to state historic preservation offices to use federal transportation funds to expedite and streamline the federal regulatory review process for cultural resources known as Section 106 of the National Historic Preservation Act. DAHP currently reviews almost 1,000 transportation reviews a year and in total, approximately 5,000 - 6,000 other Section 106 federal undertakings and 3,000 - 4,000 SEPA documents. This includes reviews of Corps of Engineers permits that are required for many transportation projects.

Each segment of the Section 106 consultation process typically takes 30 days to complete and requires in-field identification of archaeological sites, historic structures and traditional cultural properties. When these properties are identified, the WSDOT must work with all parties to assess their significance. One of the difficulties of Section 106 is that each consulting party is often receiving information at different times in paper format making the process time consuming and often cumbersome. Further, there are often concerns that the information parties are receiving is different creating unnecessary conflict. When totaled, the process can take six months or longer depending on the complexity of a project or the number and/or type of resources contained.

Steps in the Section 106 process include:

- Project Initiation
- Delineate Area of Potential Effect (APE)
- Background research for known properties
- Field identification all resources over 50 years old in the APE.
- Evaluate those resources for eligibility to the National Register of Historic Places
- Assessment of effect to eligible historic resources
- Development of a Memorandum of Agreement for mitigation purposes if necessary.

In past years, using funding from the transportation enhancement grants program (which no longer exists) DAHP created the on-line Geographic Information Systems (GIS) based platform known as the Washington Information System for Architectural and Archaeological Records Data (WISAARD). DAHP digitized almost a million paper files on all historic resources and placed them on a GIS based map connected to all scanned files and databases. This now allows the public and regulatory agencies to view open data on all known historic sites and associated documentation through a WEB based accessible platform instead of conducting research in Olympia or through a public records request. (See Figure 1)

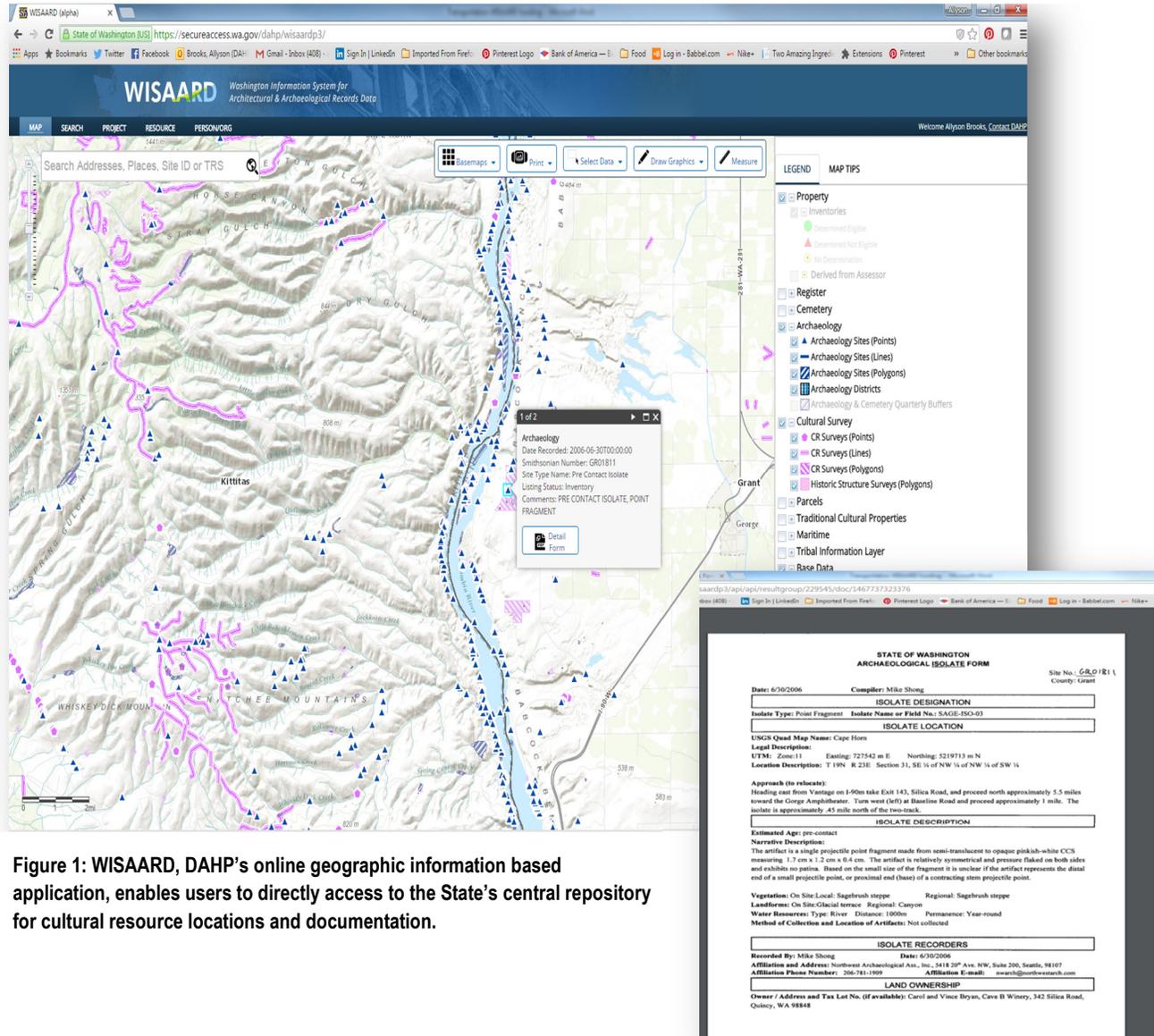


Figure 1: WISAARD, DAHP's online geographic information based application, enables users to directly access to the State's central repository for cultural resource locations and documentation.

All information and records concerning archaeological sites and traditional cultural properties are housed behind a Secure Washington firewall and can only be viewed by those meeting professional standards and agency criteria. DAHP has over 700 individuals signed up for the secure side of the system listed in the figure below.

Current Users Count	Organization Type
60	Non-government
177	Higher Education
59	Private Entities
357	Consultants
129	Federal Agency/Boards
78	Museums
75	County Agency/Boards
59	State Agency/Boards
57	City Agency/Boards
2	Non-profits
60	Native American Tribes
0	Ports
1	School District
130	Other

**Table 1: Current totals of individual WISAARD user separated by organization type. Total: 731 individuals signed up for Secure Access WISAARD by their organization. Historic structure information is on the public side of WISAARD as historic structure information is not exempt from public disclosure.**

The proposed funding will be used to finish digitizing the regulatory steps of eligibility and effects, and most importantly, to connect cultural resource information to all regulatory correspondence enabling the public, regulatory agencies and stakeholders full and open access to regulatory decisions and communications in an easy to use digital environment.

The current WISAARD has already greatly expedited initial research reviews under Section 106, won a national award and last spring was presented to Congressional staff. The accessibility of all statewide cultural resource information has reduced the need for consultants and agencies to conduct research in Olympia thus saving transportation agencies thousands of dollars in travel costs and consultant research time. Previously, WSDOT hired consultants to travel to Olympia to research paper files. Now the same research is conducted at remote locations through desktop access.

The development of WISAARD reduced DAHP’s turnaround time of initial project consultations from the legal 30 days per step to an average of 4 working days. The completion of the digital archaeological and TCP site forms in August 2016 reduces consultation times and consultant costs for the identification and evaluation steps of the 106 process. Now archaeologists and historians can upload information on historic, cultural and archaeological resources directly from the field. Previously, this documentation was recorded on paper files, sent to all parties by the postal service or as a PDF via email, and then digitized into WISAARD. Now, even archaeological site boundaries can be drawn digitally and directly onto the WISAARD platform. The transportation agency receives a notification that new historic, archaeological or cultural site information is available for review and concurrence.

The remaining work, under this one time funding request, is development of the final workflow step known as assessment of effects, completing the e-mail notification system to relevant parties, and tying all multiple steps together into one large digital regulatory user environment. Completion of digital Section 106 is expected to eliminate the need for a full 30 day review by each party, for each separate step, thereby collapsing a six month process or longer into one to three months.

Due to the elimination of enhancement grants for GIS mapping, the agency was not able to fully complete and implement a fully envisioned E-106 system. Therefore only the archival research and documentation portions of WISAARD were finalized through the now expired enhancement grant program and other funding sources. The earlier version of WISAARD, completed in 2005, received a national Inter-governmental Solutions Award from the American Council of Technology for being an innovative cultural resource data delivery system.

In 2015, the Department of Energy funded the development of digital archaeological and traditional cultural property site forms, through the Department of Ecology, for \$170,000. This project went live on August 22, 2016. As a result of this investment, archaeologists and others are now uploading their archaeological findings directly from the field electronically, and notifying the relevant parties that the information is immediately available for review.

A grant through the Positive Train Control (PTC) Association of American Railroads was another opportunity for DAHP to continue development of WISAARD. The railroads offered \$10 million in grants, one-time, to tribes and state historic preservation offices for a wide variety of historic preservation projects. DAHP received one PTC grant for \$15,000 to develop an electronic Section 106 notification system, and another PTC grant for \$40,000 to finalize an on-line program that will allow federal agencies to draw their project areas directly on WISAARD, populate the area with known cultural resources and then electronically notify all parties that there is a new project and Area of Potential Effect (APE) for all to review and provide comments. The Bonneville Power Administration has contributed \$25,000 towards completing this endeavor as well. This task is currently in process.

Again, the final unfunded piece of this digital project is creating a fully digital Section 106 submittal process to expedite the remainder of the process including initiation of the project, assessment of effects and mitigation documents, and facilitating all project communication through a single portal.

## **Decision Package Justification and Impacts**

### **What specific performance outcomes does the agency expect?**

The Section 106 process is a long and complicated federal process similar to the National Environmental Policy Act or the Endangered Species Act. A range of consulting parties are permitted to identify, comment and consult on the archaeological, historic and cultural properties in a transportation project area. The transportation agency is required to send these parties all relevant information to make the requisite determinations and findings.

Each section of the process has a 30 day review period for the state, tribes and other consulting parties. When totaled, the process can take six months or longer depending on the complexity of a project or the number or type of resources contained. Much of the review time is controlled by the time it takes for a party to receive information, review and then respond. Often there is concern by stakeholders as to whether all parties are receiving the same information. If more information by one of the consulting parties is required, the process is halted, stopping the "clock" until the additional information can be obtained and reviewed by all participants in the process.

By housing and sharing all cultural resource information and correspondence through WISAARD, DAHP hopes to reduce each 30 day review period to less than a week. Having the Section 106 process take six months to a year, affects construction timelines, local planning processes, etc. The proposed digital notification process will alert consulting parties of new information or communication that is ready for review, all parties will receive the same information at the same time, and all project correspondence will be transmitted through a single portal. This will prevent delays that often occur when one party obtains information that another may not have received, or one party believes that another has information that they lack. A single communication portal ensures that all data is shared equally unless there are specific tribal privacy requests.

The other feature of the upgraded WISAARD is the connection of regulatory correspondence linked to site locations. Particularly for historic properties, this creates complete transparency of a government process for the public and relevant state agencies. Correspondence available for review will include both letters and e-mails. Accessible e-

mails and letters will reduce public and attorney PRA requests as correspondence in e-mail and letters will be accessible through site locations or project information and meets the goal of government transparency.

Even though e-106 is being constructed to meet federal regulatory procedures, the project communication and data delivery portal will also be available to meet SEPA and Governor's Executive Order (05-05) review needs.

### Performance Measure detail:

#### Fully describe and quantify expected impacts on state residents and specific populations served.

The electronic Section 106 system will be used by federal, state and local transportation agencies, local historic preservation commissions, affected Tribes and other stakeholders. It will also make a complicated regulatory process open to the public through having all regulatory correspondence accessible. The portal will provide easy and timely access to all cultural resource data and correspondence gathered for project review purposes. All correspondence and communication tied to projects and specific sites will become searchable public records thereby reducing the number of DAHP's public records requests as (with the exception of archaeological site and traditional cultural property data). Further, when a transportation agency has another project in the same location as a previous transportation project all cultural resource information, prior project data, correspondence, and communications will be accessible prevent redundant surveys, information gathering and/or consultant work. The regulatory process becomes transparent to the public.

Once the system is in place and functional it can also be used for SEPA transportation reviews and for 05-05 cultural resource reviews. Ultimately, a fully electronic cultural resource data delivery and communication system will provide greater transparency and trust between all parties in the regulatory process (including the public) resulting in faster response times.

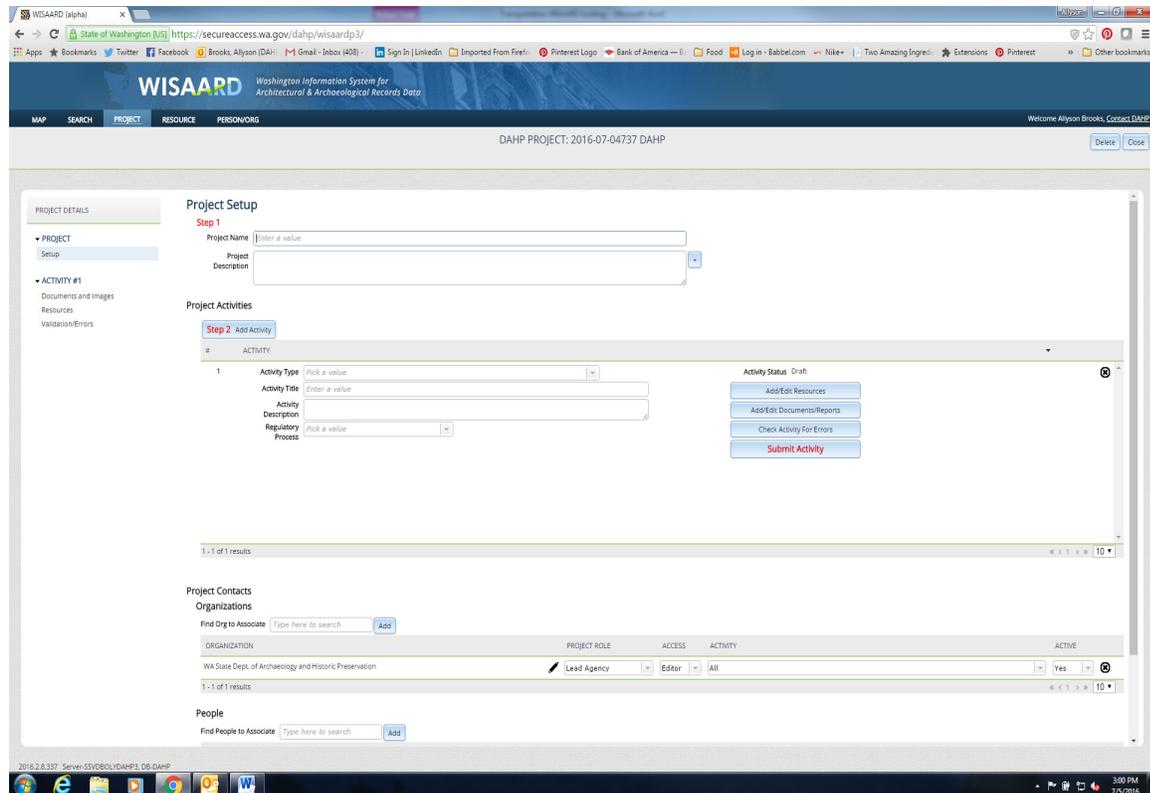


Figure 2: The figure above displays the historic property digital field inventory form currently in use.

The screenshot shows a web-based form for creating an archaeological site. The form is titled 'Create Archaeology Site' and is part of the 'WISAARD Washington Information System for Archaeology'. The form is divided into several sections: 'DESIGNATION', 'LOCATION', 'DESCRIPTION', 'CULTURAL MATERIALS AND FEATURES', 'AGE', 'RECORDERS', 'HISTORY', 'LAND OWNERSHIP', 'DOCUMENTS AND IMAGES', 'DETERMINATION', and 'ADMINISTRATION'. The 'DESIGNATION' section is currently active and contains the following fields: 'Smithsonian No.' (empty), 'Compiler' (Morgan, Mclemore), 'Date' (08/18/2016), 'Human Remains?' (checkbox), and 'DAHP Case No.' (empty). Below these fields is a 'SITE DESIGNATION' section with 'Site Name' and 'Field/Temporary ID' fields. At the bottom of the form are navigation buttons: '< Previous', 'Cancel', 'Save & Next >', and 'Save & Exit'.

Figure 3: The figure above is the digital archaeological site form currently in use

What are other important connections or impacts related to this proposal? Please complete the following table and provide detailed explanations or information below:

Impact(s) To:		Identify / Explanation
Regional/County impacts?	Yes	Identify: Increased transparency in communication between all local transportation agencies, MPOs/RTPOs and tribal governments.
Other local gov't impacts?	Yes	Identify: All local transportation agencies.
Tribal gov't impacts?	Yes	Identify: WISAARD serves the cultural resource staff of all tribal governments.
Other state agency impacts?	Yes	Identify: This will assist all state agencies that need a cultural resource review either under federal law, SEPA or Executive Order 05-05.
Responds to specific task force, report, mandate or exec order?	Yes	Identify: The system will assist all agencies with compliance under Executive Order 05-05.
Does request contain a compensation change?	No	Identify:
Does request require a change to a collective bargaining agreement?	No	Identify:

Facility/workplace needs or impacts?	No	Identify:
Capital Budget Impacts?	No	Identify:
Is change required to existing statutes, rules or contracts?	No	Identify:
Is the request related to or a result of litigation?	No	Identify lawsuit (please consult with Attorney General's Office):
Is the request related to Puget Sound recovery?	No	If yes, see budget instructions Section 14.4 for additional instructions
Identify other important connections	LEAN	This creates efficiencies of communication between parties and timeliness in review times.

Please provide a detailed discussion of connections/impacts identified above.

**What alternatives were explored by the agency and why was this option chosen?**

The only alternative option is to remain in the existing communication system of mailed paper letters and maps and/or PDF documents.

**What are the consequences of not funding this request?**

Long wait times and inefficient communication and data sharing will continue in the section 106 processes, which has historically led to mistrust between parties.

**How has or can the agency address the issue or need in its current appropriation level?**

The agency does not have sufficient funding to complete the project.

**Other supporting materials:** Please attach or reference any other supporting materials or information that will help analysts and policymakers understand and prioritize your request.

**Information technology:** Does this Decision Package include funding for any IT-related costs, including hardware, software, services (including cloud-based services), contracts or IT staff?

- No 
- Yes Continue to IT Addendum below and follow the directions on the bottom of the addendum to meet requirements for OCIO review.)

# 2017-19 IT Addendum

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## Part 1: Itemized IT Costs

Please itemize any IT-related costs, including hardware, software, services (including cloud-based services), contracts (including professional services, quality assurance, and independent verification and validation), or IT staff. Be as specific as you can. (See chapter 12.1 of the operating budget instructions for guidance on what counts as “IT-related costs”)

Information Technology Items in this DP <i>(insert rows as required)</i>	FY 2018	FY 2019	FY 2020	FY 2021
WISAARD E-106 process	150,000	100,000	0	0
<b>Total Cost</b>	<b>150,000</b>	<b>100,000</b>	<b>0</b>	<b>0</b>

## Part 2: Identifying IT Projects

If the investment proposed in the decision package is the development or acquisition of an IT project/system, or is an enhancement to or modification of an existing IT project/system, it will also be reviewed and ranked by the OCIO as required by RCW 43.88.092. The answers to the three questions below will help OFM and the OCIO determine whether this decision package is, or enhances/modifies, an IT project:

- Does this decision package fund the development or acquisition of a new or enhanced software or hardware system or service?  Yes  No
- Does this decision package fund the acquisition or enhancements of any agency data centers? (See [OCIO Policy 184](#) for definition.)  Yes  No
- Does this decision package fund the continuation of a project that is, or will be, under OCIO oversight? (See [OCIO Policy 121](#).)  Yes  No

If you answered “yes” to any of these questions, you must complete a concept review with the OCIO before submitting your budget request. Refer to chapter 12.2 of the operating budget instructions for more information.