



HISTORIC AND CULTURAL PRESERVATION AND THE SEPA PROCESS

BACKGROUND: Beginning in 2012 the Washington State Department of Ecology was directed by the Legislature to update their SEPA rules (Chapter 197-11 WAC). Among the updates that were adopted were changes to the Historic and Cultural Preservation section of the SEPA checklist.

Following is a side-by-side comparison of the questions found in a SEPA checklist under Part 2, question number 13, with regard to Historic and Cultural Preservation.

<u>OLD</u> LANGUAGE (PRE-2013/14)	<u>NEW</u> LANGUAGE
13. Historic and cultural preservation	13. Historic and cultural preservation
A. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.	a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.
B. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.	b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation. This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.
C. Proposed measures to reduce or control impacts, if any:	c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.
	d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

EXPLANATION: SEPA rules require that decisions made during environmental review be based on sufficient information. Threshold determinations must be "based upon information reasonably sufficient to evaluate the environmental impact of a proposal (WAC 197-11-335). The Department of Archeology and Historic Preservation (DAHP), local historic preservation organizations and Tribal governments provide technical expertise and may issue formal opinions to local governments and other state agencies regarding impacts from proposals.

Historic and cultural preservation review is similar to critical area review in that an applicant is required to complete reconnaissance level study to determine if more evaluation is necessary.

Unlike Critical Areas, there are reconnaissance options for cultural resources that do not require hiring a professional. An applicant has the option of completing a form called the EZ-1 form to the tribes and DAHP to get their "quick" review to determine whether or not a cultural resources survey or some alternative will be required for a project.

The City recognizes that the DAHP review does take time and so there is always the alternative of getting a historic and cultural reconnaissance done by a qualified professional; however, this work would be an additional expense born by an applicant.

MINIMUM REQUIREMENTS: Following is a list of actions to enable an applicant (that is not trained in cultural resources regulations and review requirements) to submit a SEPA checklist that contains the necessary information that will allow the City to proceed with the SEPA process.

1. Complete a **DAHP EZ-1** form and then email the form to DAHP per the instructions and the tribes – please be aware of the timing associated with DAHP responding to you.

Navigate to DAHP’s website at: www.dahp.wa.gov. Once on their site search for ‘EZ Forms’ and then follow their direction to download an EZ-1 Form.

2. The City does route SEPA Checklists to the tribes as well as many other Agencies; and as such the City suggests notifying the Tribes as early as possible in case they have concerns that might result in needing the full blown cultural resource survey. Applicants are encouraged to send a copy of the DAHP EZ-1 form to the tribes in Skagit County.

Skagit River Systems Cooperative: thyatt@skagitcoop.org
Swinomish: jpeters@swinomish.nsn.us; ttrebon@swinomish.nsn.us
Upper Skagit: sschuyler@UPPERSKAGIT.com
Samish: jferry@samishtribe.nsn.us
Sauk-Suiattle: njoseph@sauk-suiattle.com

Resources for Tribal Contacts include, but are not limited to, the following:

- [DAHP Tribal Contact List for THPO's and Cultural Resource Staff](#)
- [Federally Recognized Tribes of Washington State Map](#)
- [Governor's Office of Indian Affairs Tribal Contact Directory](#)
- Local and National [Heritage Organizations](#)

3. Use the WISSARD on the DAHP web site – type in the address for the project and then check for historic properties in the area. If anything pops up print the map and the reports for whatever pops up and attach it as an attachment to the SEPA Checklist.

Navigate to DAHP’s website at: www.dahp.wa.gov. Once on their site search for ‘Wizzard’ and then follow their direction to use their mapping system.