

RECREATION AND CONSERVATION PLAN
APPENDIX 3
CULTURAL RESOURCES

Table of Contents

Cultural Resources Management Policy.....2

A Guide to the Governor’s Executive Order 05-05 on Cultural Resources.....13

Programmatic Agreement between the Washington State Parks and Recreation Commission
and the Department of Archaeology and Historic Preservation Regarding
Implementation of the Governor’s Executive Order 05-05 in Washington State.....17

Cultural Resources Management Policy



Washington State Parks
and Recreation Commission

August 2004

A. Introduction

The Washington State Parks and Recreation Commission is responsible for the acquisition, protection, promotion, and interpretation of a unique collection of structures, places, and objects that are tangible links to the state's past. These resources, known collectively as cultural resources, are both distinctive and significant, as they reflect many of the major themes in the state's history and prehistory. Like endangered species in the natural world, once lost, they cannot be regenerated. Their preservation and interpretation provide enrichment for all Washingtonians as well as a valued legacy for future generations.

Many of these cultural resources are important in their national context, as well. People enjoy these resources, but more importantly, they are also of educational, economic, and even spiritual benefit to present and future generations. In a very important way, they help people connect with their past and in so doing help them better understand the present.

The Commission strongly encourages the sensitive use of both cultural and natural resources to attract visitors and, thereby, support local economies, bolster community identity, and conserve those same resources. The Commission's Strategic and Action Plan enunciates a vision that will ensure visitors to state parks will see the park system as an opportunity to appreciate Washington's cultural and natural heritage. The Plan goes on to state that the agency will be recognized for its leadership in outdoor recreation and in natural and cultural resources stewardship.

The dual nature of cultural resources, an inseparable union of social and physical qualities, leads directly to the three issues central to their management: first, to discover the significance or meaning of each resource, in part, to facilitate decisions regarding their treatment and care; second, to arrest or slow the rate at which their essential qualities are lost; and third, to support the use and enjoyment of cultural resources while minimizing negative impacts on them.

This policy, and the procedures it is intended to foster, will enable the Commission to carry out its continuing stewardship responsibilities for the cultural resources entrusted to its care.

Not surprisingly, this policy raises many questions. Since it was first adopted by the Commission in September 1998, it has been amended three times to include cultural landscapes, interpretation, memorializations, and archaeology. It is still lacking reference to the management of museum objects and ethnographic resources. These subjects will be dealt with at a later time. Similarly, other topics, such as the ultimate composition of the state parks system, need to be addressed, both for purposes of describing what should as well as what should not be included in the system.

B. References

1. RCW 79A.05.305(3) - "Protect cultural and historical resources, locations, and artifacts, which may also be used for interpretive purposes."
2. RCW 27.34.200 - "...therefore, it is declared by the legislature to be the public policy and in the public interest of the state to designate, preserve, protect, enhance and perpetuate those structures, sites, districts, buildings, and objects which reflect outstanding elements of the state's historic, archaeological, architectural, or cultural heritage, for the inspiration and enrichment of the citizens of the state."
3. RCW 43.21C - State Environmental Policy Act
4. WAC 352-11-665 (1)(b)(iv) - "The Commission shall use all practicable means...to the end that the state and its citizens may preserve important historic, cultural, and natural aspects of our national heritage;".
5. 1998 Memorandum of Understanding on Cultural Tourism between the Washington State Department of Community, Trade and Economic Development and several state agencies
6. Washington State Parks and Recreation Commission's 1992 Strategic and Action Plan (revised in 1996)
7. 16 U.S.C. 470 - National Historic Preservation Act of 1966, as amended
8. 36 CFR 68 - The Secretary of the Interior's "Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings"
9. 36 CFR 61 - Professional Qualification Standards defining minimum education and experience required to perform identification, evaluation, registration, and treatment activities.

C. Definitions

1. **Adaptive use** - use of a structure or landscape other than its historic use, normally entailing some modification of the structure or landscape.
2. **Archaeological resource** - any material remains or physical evidence of past human life or activities that are of scientific interest, including the record of the effects of human activities on the environment.
3. **Building** - an enclosed structure with walls and a roof, consciously created to serve some residential, industrial, commercial, agricultural, or other human use.

4. **CAMP Project** - a combined planning effort that brings together management planning and land classification
 - a. **Park management plan** - regularly updated document adopted by the Director and used by park managers and other staff to set forth specific management approaches to key park issues.
 - b. **Land classification system** - a system of management zoning for park lands and waters that sets forth, in a general fashion, the basic philosophy, physical features, location, activities, and developments in a park. The delineation of these zones is based on an evaluation of the nature of the park's natural and cultural resources; all past, existing, and anticipated uses; and park management objectives.
5. **Cultural landscape** - a geographic area, including both cultural and natural resources and any wildlife or domestic uses made thereof, associated with an historic event, activity, or person or exhibiting other cultural, spiritual or aesthetic values. The four general kinds of cultural landscapes are:
 - a. **Ethnographic** - areas containing a variety of natural and cultural resources that associated people define as heritage resources;
 - b. **Historic designed** – a landscape significant as a design or work of art. Such a landscape was consciously designed and laid out according to a recognized style or tradition;
 - c. **Historic vernacular** – a landscape whose use, construction, or physical layout reflects endemic traditions, customs, belief, or values. The physical, biological, and cultural features of the landscape reflect the customs and everyday lives of people; and
 - d. **Historic site** – See C. 13.
6. **Cultural resource** - an aspect of a cultural system that is valued by or significantly representative of a culture or that contains significant information about a culture. A cultural resource may be tangible or intangible. Biotic cultural resources include both plant and animal communities. Other examples of cultural resources include districts, sites, structures, buildings, folk tales, rituals and objects.
7. **Cultural resources management** - the range of administrative activities aimed at understanding, preserving and providing for the enjoyment and appreciation of cultural resources.

8. **Cultural resources management plan** - that portion of a park's management plan that addresses the management of cultural resources located within a state park. At a minimum, the plan describes the park's cultural resources, evaluates and draws conclusions about their significance, outlines the park's goals and objectives in managing these resources, describes and evaluates current resources management activities, and prescribes an action program for meeting the most urgent needs.
9. **Heritage areas** - In the Commission's land classification system, areas designated for preservation, restoration, and interpretation of outstanding, unique or unusual archaeological, historical, scientific, and/or cultural features and traditional cultural properties that are of statewide or national significance.
10. **Historic** - relating to peoples and cultures who are known through written documents in their own or other languages.
11. **Historic district** - a geographically defined area possessing a significant concentration, linkage, or continuity of sites, landscapes, structures, or objects, united by past events or aesthetically by plan or physical developments. It may also be composed of individual elements separated geographically but linked by association or history. Use of the term is generally related to nominations to the National Register of Historic Places.
12. **Historic property** - a district, site, structure, building, object or landscape significant in American history, architecture, engineering, archaeology, or culture. This is also an umbrella term for all entries in the National Register of Historic Places.

Historic buildings and structures in state parks can be divided into three classes based on their use.

a. Interpretive use

Examples might include an historic house, a gun emplacement, or a lighthouse. These facilities are the basis of the state's heritage tourism industry, and their importance will only increase over time. Use of some of these properties may be intense but is generally intermittent and short-term. However, this is in no way a reflection of their historical significance.

Maintenance of these facilities stresses the retention of original design and fabric.

b. Current use

Examples include a lighthouse keeper's house that is either lived in by a park employee or rented for revenue generation. Like those maintained purely for historic preservation purposes, maintenance of these facilities will stress retention of original design and fabric to the maximum extent.

c. Adaptive use

Examples include a CCC garage that is used for maintenance shop purposes and a kitchen that is used for administrative offices. The exterior of these buildings will be maintained essentially as they were during their historic period. Alterations that in themselves have become part of the historic fabric will be retained. All interior modifications will consider the retention of historic materials, features, spaces, and spatial relationships.

13. **Historic site** - the site of a significant event, prehistoric or historic occupation or activity, or structure or landscape whether extant or vanished, where the site itself possesses historical, cultural, or archaeological value apart from the value of any existing structure or landscape. A type of cultural landscape.
14. **Integrity** - the authenticity of a property's historic identity, as evidenced by the survival of physical characteristics that existed during its historic period; the extent to which a property retains its historic appearance.
15. **National Register of Historic Places** - the comprehensive list of districts, sites, buildings, structures, and objects of national, regional, state, and local significance in American history, architecture, archaeology, engineering, and culture kept by the National Park Service under authority of the National Historic Preservation Act of 1966.
16. **Object** - a material thing possessing functional, aesthetic, cultural, symbolic, and/or scientific value, usually movable by its nature or design.
17. **Secretary's Standards and Guidelines** - The Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation provide all federal agencies, state historic preservation officers, and other organizations with guiding principles of archaeological and historic preservation activities and methods. They have been prepared pursuant to authority contained in the National Historic Preservation Act of 1966, as amended and deal with preservation planning; identification, evaluation, and registration of cultural resources; historical, architectural, engineering, and archaeological documentation; and treatment of historic properties. They are not regulatory nor do they, in and of themselves, set or interpret agency policy.
18. **Structure** - a constructed work, usually immovable by nature or design, consciously created to serve some human activity.

19. **Treatment** - a general description of the type of work to be accomplished on an historic building or structure based on a variety of factors, including its historical significance, physical condition, proposed use and intended interpretation. It is divided into four categories.

a. **Preservation** - maintains the authenticity of a property's historic identity/appearance and prominent or distinctive characteristics by arresting or retarding deterioration caused by natural forces and normal use through:

(1) **Maintenance** - an activity intended to mitigate wear and deterioration by protecting the structure's condition and historical integrity.

(2) **Stabilization** - one or more activities designed to arrest the physical deterioration of a property while maintaining the existing character until additional work can be undertaken.

(3) **Planned Conservation** - the planned, temporary abandonment of an historic property in a manner that allows for subsequent treatment at a later period with no significant loss of historic fabric during the interim period. This practice is sometimes referred to as "mothballing" or "banking" and is considered acceptable for properties that warrant another treatment but cannot be accomplished until some future date.

b. **Rehabilitation** - improves the utility or function of an historic property, through repair or alteration, to make possible a compatible contemporary use while preserving those portions or features that are important in defining its significance. A property may be **rehabilitated** for contemporary, functional use if it cannot adequately serve an appropriate use in its present condition and rehabilitation will not alter its integrity and character or conflict with park management objectives.

c. **Restoration** - accurately presents the form, features, and character of an historic property as it appeared at a specific period. It may involve the duplication of missing historic features and/or removal of later features, some having cultural value in themselves. A property may be **restored** to an earlier appearance if restoration is essential to public understanding of the cultural associations of a park and sufficient data exist to permit restoration with minimal conjecture.

d. **Reconstruction** - entails reproducing the form, features, and character of a non-surviving historic property, or any part thereof, as it appeared at a specific time and place. A vanished property may be **reconstructed** if reconstruction is essential to public

understanding of the cultural associations of a park established for that purpose, sufficient data exist to permit reconstruction on the original site with minimal conjecture, and significant resources will be preserved *in situ* or their research values will be realized through data recovery. A vanished structure will not be reconstructed to appear damaged or ruined. Generalized representations of typical structures will not be attempted. Ghosted or three dimensional outlined structures may be utilized in a limited way for interpretive purposes.

D. Policy

1. The Commission will preserve and foster understanding and appreciation of the cultural resources entrusted to its care through appropriate programs of training, research, treatment, protection and interpretation. Special emphasis will be placed on preservation skills training for those employees engaged in capital funded treatments and day-to-day operation and maintenance of state-owned or managed historic properties. Park managers and others responsible for resource management in parks will receive stewardship certification training that includes cultural resources.
2. As an integral part of park management plans, the Commission will prepare cultural resources management plans to provide overall direction for the use, protection and treatment of cultural resources within parks. Plans, commensurate with the number and significance of the cultural resources found in the park, are approved by the Director or designee. Pending cultural resources management plan approval, treatment options for all historic properties will generally be limited to preservation alternatives.
3. Before any decisions are made about the final treatment of known cultural resources within a park, the Commission will conduct sufficient research to locate and evaluate them. Cultural resources that may be discovered prior to treatment will be evaluated before final decision making. The nature and extent of treatment of historic structures will be largely determined by a variety of factors, including the park's management plan; the property's historical significance, physical condition, proposed use, and intended interpretation; and any pertinent laws, rules, regulations and/or codes.
4. All cultural resources that have been assessed and appear to meet the criteria for inclusion on the National Register of Historic Places, as defined in the National Historic Preservation Act of 1966, will be nominated either individually or as part of a multiple property submission.
5. The Commission will use the Secretary of the Interior's Standards and Guidelines as general guidance for work on any historic properties. In addition, the Commission will use the Secretary of the Interior's

“Guidelines for Evaluating and Registering Archaeological Properties” as general guidance for the treatment and preservation of archaeological sites.

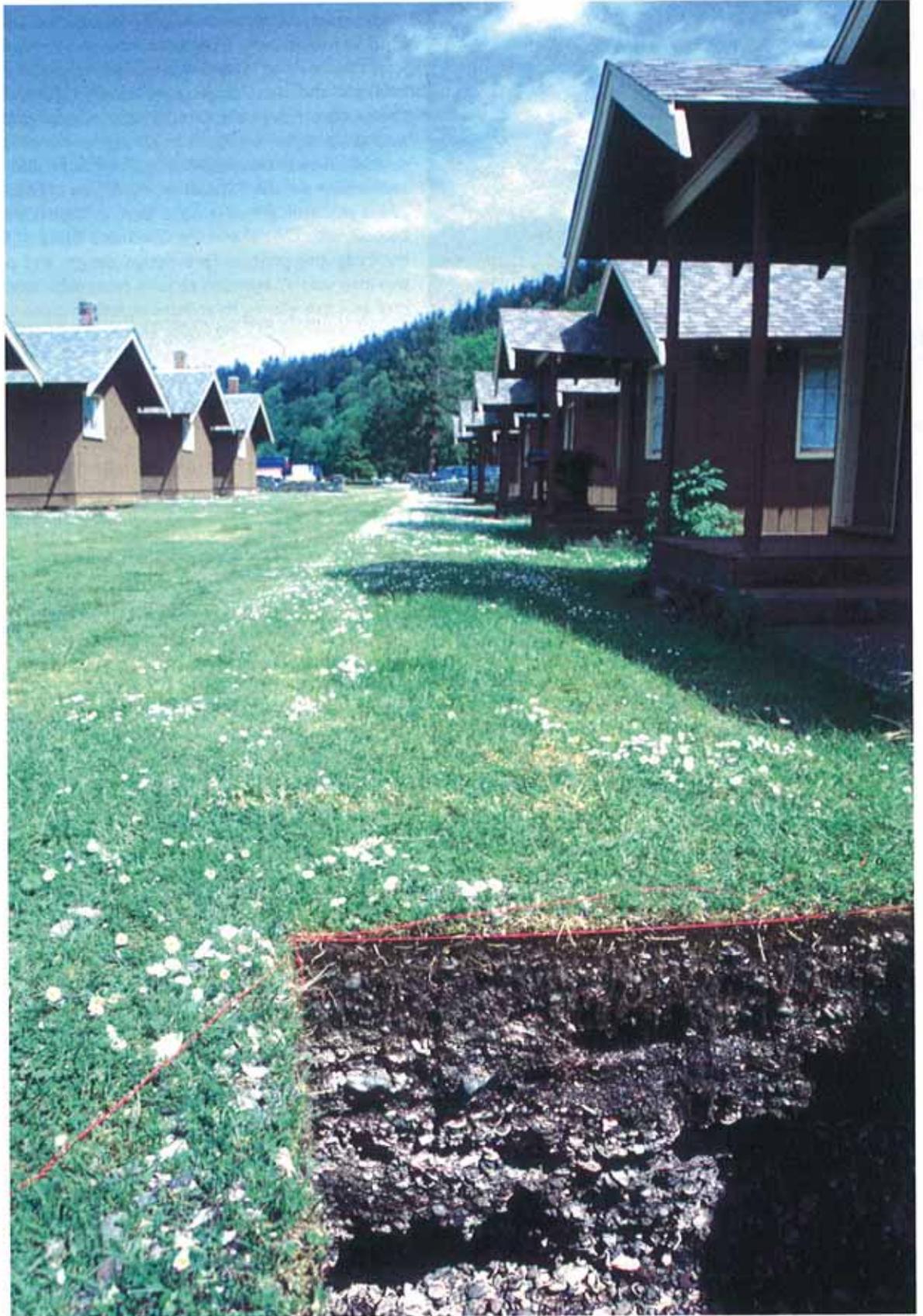
6. Some historic properties are to be maintained entirely in their historic condition for interpretive purposes. Others may be rehabilitated for contemporary use where practicable, including revenue generation, when such use does not adversely affect the property’s character-defining elements.
7. Achievement of other goals and objectives, such as those determined by a Park Management Plan, for example, may outweigh the value of preserving in place one or more historic buildings or structures in that park. Relocation will be explored as a first option. Alternatively, the loss of these historic resources will be mitigated by documentation, data recovery, and salvage as appropriate, in which case the resource may be permitted to deteriorate naturally. Destruction or direct removal may be necessary for public safety, because of interference with other park objectives, or to eliminate an unacceptable intrusion.
8. Moving buildings or structures that are on, or eligible for inclusion on, the National Register of Historic Places may be an acceptable alternative under one or more of the following conditions:
 - A. Buildings or structures threatened by natural or man-caused forces (erosion, earthquake, tides, uncontrollable vandalism, etc.);
 - B. Buildings or structures whose significance is not dependent on their location;
 - C. Buildings or structures that are not in their original location;
 - d. Relocation is essential to the public’s appreciation of the building or structure.
9. As a basic principle, all historic properties that the Commission presents to the public will be either authentic survivals from the past or accurate representations of those that formerly existed there. Reconstructions will be clearly identified as such. See further constraints placed on reconstructions under item C.19.d.
10. Additions, made consistent with the Secretary’s Standards, may be made to historic properties when essential to their continued use.

New buildings, structures, landscape features, and utilities will be introduced into heritage areas (or potential heritage areas) only if existing structures, improvements, and features do not meet essential management needs and construction is designated and sited to preserve the integrity and character of the area.

11. The stabilization of buildings and structures severely compromised by natural or human-caused events (earthquakes, vandalism, fire, wind, etc.) will be preceded when feasible by studies to recover any data that would be affected by stabilization work. Other treatments may be appropriate for buildings and structures that possess significant interpretive value. Significant building sites with visible surviving features such as foundations, retaining walls, walkways, or landscape features may be given appropriate preservation treatments if the sites are of sufficient interpretive value.
12. At the earliest practicable time, the Commission will inform other governmental agencies, potentially affected tribes, nearby communities, interest groups, the public at large, and entities that are specified by law or regulation of opportunities to become informed about and comment on anticipated Commission actions with respect to cultural resources.
13. Biennially, as an integral supplement to the capital historic preservation projects list submitted to the Commission for initial approval, staff will submit a program proposal for interpretive media planning, production, and installation directly related to a major theme of that list.
14. The installation of any monument, marker, plaque, or other objects intended to memorialize any group, individual, or concept within a Commission-designated heritage area of a state park is prohibited except under the following conditions:
 - a. Dedicatory plaques may be placed on new, minor park improvements such as benches, picnic tables, and other similar facilities that are themselves part of any new development approved by the Commission in heritage area, and
 - b. Memorializations may, at the determination of the Commission, be placed in heritage areas so long as they do not alter in any way the integrity or significance of their surroundings.
15. Significant, intact cultural landscapes are one of the scarcest cultural resources in the state parks system. Any alteration of a cultural landscape may only be made pursuant to the guidance listed herein.
 - a. The treatment of cultural landscapes will preserve significant physical attributes, both natural and cultural, as well as uses when those uses contribute to historical significance.
 - b. The treatment and management of a cultural landscape will establish acceptable parameters for change within the biotic community, and the biotic resources will be managed within those parameters.

- c. Contemporary additions to cultural landscapes will not change the character of physical features within the setting of resources that contribute to their cultural or natural significance, nor introduce uses with visual, atmospheric, or audible elements that diminish the integrity of significant cultural or natural features nor the public's appreciation of them.
16. The treatment and management of archaeological sites will include acceptable parameters for change within the indigenous biotic community, and the biotic resources will be managed within those parameters.
 17. The Commission will protect all human remains and locations of graves, grave sites, and cemeteries. When as a result of ground disturbing activities it is not possible to protect the human remains, the preferred treatment will be to relocate to a site adjacent to the original grave/cemetery location.

A GUIDE TO THE GOVERNOR'S EXECUTIVE ORDER O5-05 ON CULTURAL RESOURCES



Introduction

On November 10, 2005, Governor Christine Gregoire signed Executive Order O5-05, Archaeological and Cultural Resources. This order seeks to clarify the role state agencies have in protecting cultural resources during capital developments. It also specifies the level of involvement tribal governments will have in the development of capital projects.

There are five elements to the Executive Order. The first directive instructs all agencies to review, with the *Department of Archaeology and Historic Preservation (DAHP)* and affected tribes, capital **construction projects** and **land acquisitions**. Exempted from this review are *federalized* capital projects (those using federal dollars, federal permits, or undertaken on federal land) and those capital projects deemed *categorically exempt* (the Executive Order does not define categorically exempt projects). The second directive asks all agencies to submit to DAHP for *review and comment* all agreements developed between agencies and affected tribes concerning cultural resources. In the third directive, the *Office of Financial Management (OFM)* is asked to develop instructions for the Capital budget requiring agencies to consult with DAHP and the *Governor's Office of Indian Affairs (GOIA)* during the budgeting process (pre-design, design, and construction). The fourth directive instructs all agencies to take reasonable action to avoid, minimize or mitigate adverse effects to archaeological or cultural resources. The final directive requires employees managing capital construction projects or pass thru grants to attend relevant training classes (GOIA's Government-to-Government training class and Cultural Resource Training).

Collectively, these directives are intended to improve working relationships with tribal governments that are signatory to the Centennial Accord.



Procedures for Implementing Executive Order 05-05

At the beginning of each biennium, the Cultural Resource Program will direct a letter to the *State Historic Preservation Officer (SHPO)* at the *Department of Archaeology and Historic Preservation (DAHP)* providing brief descriptions of all funded capital projects and those projects exempt from Governor's Executive Order 05-05 (hereafter GEO 05-05). Copies of this list will also be provided to the director, *Governor's Office of Indian Affairs*. This letter identifies which projects are subject to GEO 05-05 and which have been determined exempt for the upcoming biennium. For those projects subject to GEO 05-05 the following steps will be implemented (see attached **Programmatic Agreement** with DAHP for additional information about this process).

To begin the process a project must be scoped and defined. This means a capital project or land acquisition is funded and a written statement of work with schematic drawing(s) is prepared.

Step 1 – DEFINE PROJECT

Working with appropriate staff in Parks Development, designated contacts will be responsible for gathering information and completing a **Cultural Resource Work Order**.

Designated Contacts

1. Capital Program
2. Capital Program
3. Capital Program
4. Capital Program
5. Lands Program
6. Financial & Contracts Program

Northwest Region Environmental Specialist
 Puget Sound Region Environment Specialist
 Southwest Region Environmental Specialist
 Eastern Region Environmental Specialist
 Real Estate Agent
 Assigned Environmental Specialist

The completed form will be sent to the Cultural Resource Program for review. For timely review, the Work Order must be submitted with a written statement of work and schematic drawing(s).

Washington State Parks and Recreation Commission

Cultural Resource Work Order

Availability of our cultural resources is an important public objective in Washington State parks. Whether developments are proposed within our parks or other lands not controlled by the parks, all projects require a cultural resource review. This review is a critical step in the project approval process. The purpose of this form is to collect information on the project and to provide a checklist for the review process. The information collected on this form will be used to determine if a Cultural Resource Work Order is required. Completed forms with accurate information will assist in processing your request in a timely manner.

Name of Park: _____ Region: _____
 Name of Project: _____ Date: _____

Assigned Information

	Yes	No	For other info
1. Is the proposed project on federal land?	<input type="checkbox"/>	<input type="checkbox"/>	_____
2. Will the project require federal permits?	<input type="checkbox"/>	<input type="checkbox"/>	_____
3. Does the project on federal land?	<input type="checkbox"/>	<input type="checkbox"/>	_____
4. Is the project on a state or federally owned/leased/controlled land?	<input type="checkbox"/>	<input type="checkbox"/>	_____
5. Will the project affect or destroy historic resources (over 50 yrs. old)?	<input type="checkbox"/>	<input type="checkbox"/>	_____
6. Is there a recorded site within 1/4 mile of the project?	<input type="checkbox"/>	<input type="checkbox"/>	_____

Project Description
 Project is a new building or structure on the site. Please include a site plan and a site sketch of the building and any other structures on the site.
 Project is a new building or structure on the site. Please include a site plan and a site sketch of the building and any other structures on the site.
 Project is a new building or structure on the site. Please include a site plan and a site sketch of the building and any other structures on the site.

Photographic Log Sheet
 Attach a photo log sheet or other photographs of the project. If the project involves historic resources, include a photo log sheet or other photographs of the project. Attach a photo log sheet or other photographs of the project. Attach a photo log sheet or other photographs of the project.

Step 2-IDENTIFICATION

Staff of the Cultural Resource Program will review each project to insure adequate information exists for decision making. This review will consider; confirmation of landownership; previous fieldwork in the park, available background literature; historical records, various cultural resource data bases, and other relevant information sources. The review will also insure the "area of impact" (AI) for the project is adequately defined.

One of four outcomes will be produced by the review: (1) a decision that additional information about cultural resources in the project area must be collected; (2) a decision that no additional work is needed and GEO 05-05 process is complete; or (3) the review package is incomplete and must be resubmitted; or (4) the project is exempt.

When additional information is needed, further background research is gathered or a cultural resource survey may be undertaken of the project area. Agency staff or consultants will perform this survey. Once the survey is completed the results can be evaluated. If, upon completion of the project review and/or survey, adequate information is assembled to determine that *no cultural resources exist within the area of impact (AI)*, then the GEO 05-05 review process will conclude. A transmittal letter will be sent to DAHP and interested agency staff documenting this decision. If cultural resources are found to exist in the project area then they must be *evaluated* for significance

Step 3—EVALUATION

Should results of the survey (or existing records on file) identify potentially significant cultural resources within the AI, they must be evaluated for significance. State Parks evaluates significance of archaeological sites and historic buildings/structures using **National Register** criteria. These criteria specify that a site must possess at least one of four criteria to be deemed significant, they are:

the site meets **National Register** criteria but the project will not adversely effect or compromise the site, program staff will recommend the project proceed. The process is concluded if DAHP concurs no cultural resources will be affected by the project, they are:

- A. An *association* with an important event(s) important to broad patterns of history;
- B. An *association* with significant people in history ;
- C. An *embodiment of distinctive characteristics* of type, period, or method of construction, or represents *work of a master or possess high artistic values*;
- D. Can yield *scientific information* important to history or prehistory.

If the site meets **National Register** criteria but the project will not adversely effect or compromise the site, program staff will recommend the project proceed. The process is concluded if DAHP concurs no cultural resources will be affected by the project.

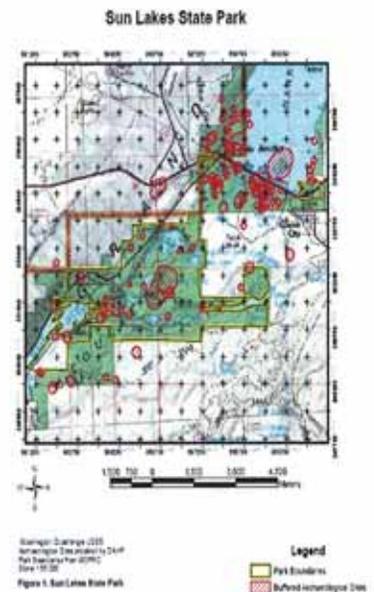
However, if the site meets **National Register** criteria and the project has the potential to adversely effect the eligible site, Cultural Resource Program staff will develop alternatives to avoid or minimize impacts to the eligible property. As a part of developing these alternatives, park staff will consult interested parties, including tribal governments.

State Parks will seek alternative designs that result in a **no effect** on eligible cultural resources. In those cases where an adverse effect can not be avoided, State Parks will, consider mitigation options consistent with its Cultural Resources Management Policy (revised August 2004) and applicable state law. Any mitigation or treatment plan will require the concurrence of the DAHP prior to implementation.

Step 4 – TREATMENT PLANS

Treatments plans are necessary to avoid, protect or mitigate impacts to significant cultural resources in the project AI. Treatments vary from simple avoidance measures to substantive archaeological salvage excavations (data recovery) designed to mitigate the disturbance of an archaeological site or the removal of a historic structure. Treatment recommendations can be prepared by consultants or Cultural Resource Program staff, in consultation with affected tribes and DAHP, and must be submitted to DAHP for concurrence.

Acceptance and implementation of a Mitigation or Treatment Plan effectively closes the review process for GEO 05-05. However, some treatment/mitigation plans may require monitoring and/or a State Archaeological Excavation permit, administered by DAHP. The terms and conditions of these permits must be fully met. Compliance with the terms of an Archaeological Excavation permit is required under state law.



Cultural Resource Staff at Washington State Parks

Archaeology

Daniel Meatte, Archaeologist
(360) 902-8637

Lisa Kelley, Archaeologist
(360) 902-8631

Historic Preservation

Lex Palmer, Historic Preservation Officer
(360) 902-0930

Contacts for Initiating Reviews of Capital Projects

Mark Schulz, Environmental Specialist
Eastern Region Headquarters
Wenatchee, WA.
(509) 662-0418

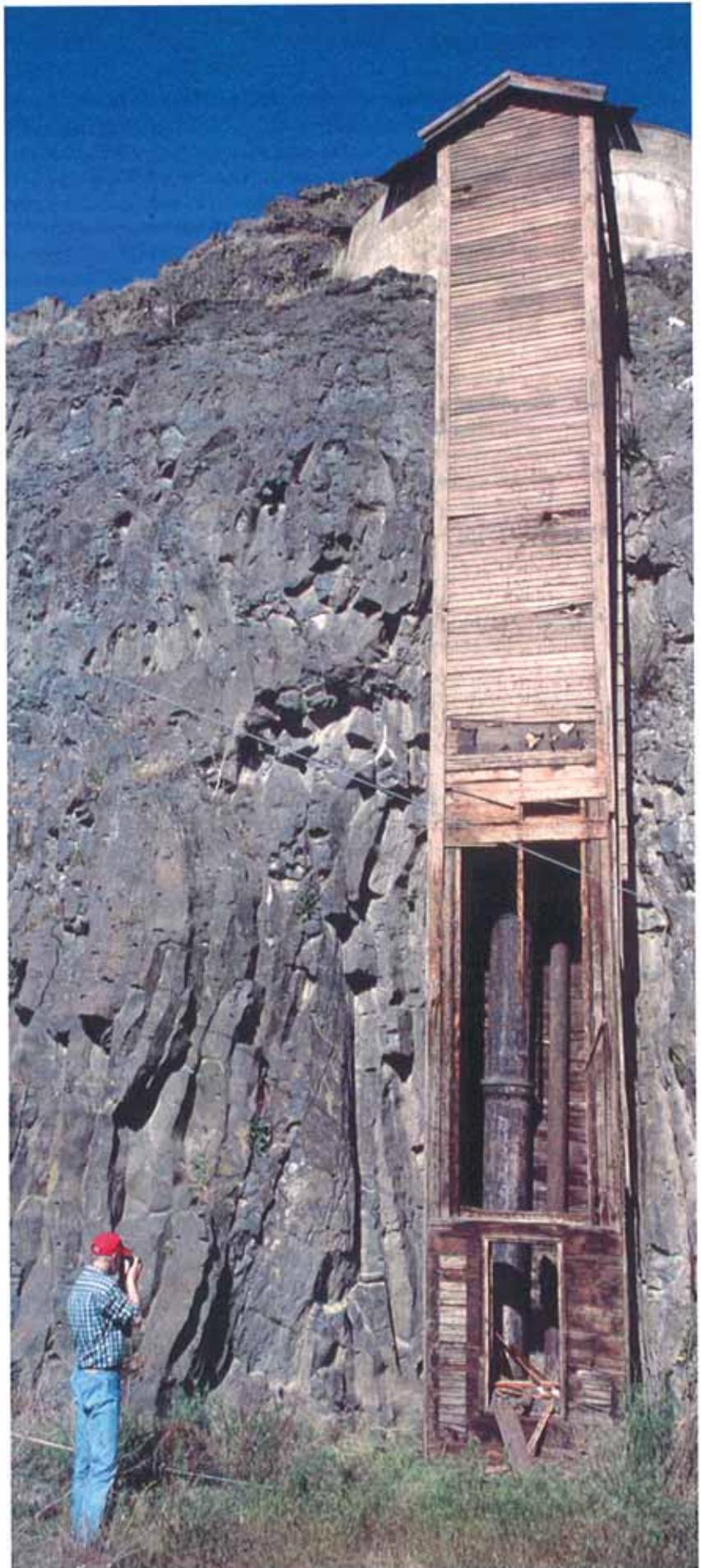
Tom Murley, Environmental Specialist
Northwest Region Headquarters
Burlington, WA.
(360) 755-5262

Les Kniffen, Environmental Specialist
Puget Sound Region Headquarters
Auburn, WA.
(360) 288-2566

Doug Mackey, Environmental Specialist
Southwest Region Headquarters
Millersylvania, WA.
(360) 956-4829

Erin Curl, Environmental Specialist
Park Headquarters
Olympia, WA.
(360) 902-8522

COVER PHOTO: Archaeological test excavation at Cama Beach State Park. Visible in the test pit walls are dense accumulations of shellfish remains mingled with discarded prehistoric tools. The archaeological site is over three thousand years old. Built directly on top of the shell midden is a historic car camping resort, founded in the early 1930's. The park is currently being renovated and will open to the public in the summer of 2008.



Pump line and water storage overlooking the Columbia Plateau Trail State Park, formerly the Seattle, Portland, and Spokane Railroad Line (SP&S).

Programmatic Agreement
between the
Washington State Parks and Recreation Commission
and the
Department of Archaeology and Historic Preservation
Regarding Implementation of the Governor's Executive Order 05-05
in Washington State

Whereas, the Washington State Parks and Recreation Commission (WSPRC) plans for, operates, manages and administers the Washington State Park system, and is responsible for preserving, maintaining and interpreting the cultural resources on state lands in the public trust; and,

Whereas, the Department of Archaeology and Historic Preservation (DAHP) has determined that WSPRC may have an effect upon properties included, or eligible for inclusion, in the National Register of Historic Places and State Heritage Register and has consulted with the Governor's Office of Indian Affairs and the Washington State Historic Preservation Officer (SHPO) pursuant to Governor's Executive Order 05-05 (GEO 05-05); and,

Whereas, WSPRC Capital programs could have an adverse impact to cultural resources; and,

Whereas, WSPRC maintains cultural resource staff and consultants meeting the Secretary of Interior's Professional Qualification standards in the fields of archaeology, history and architectural history; and,

Whereas, WSPRC is a co-sponsor of Cultural Resource Training (CRT) and whose staff, managing capital projects, are required to attend CRT as specified in GEO 05-05; in the fields of archaeology, history and architectural history; and,

Whereas, WSPRC presents the Principles of Historic Preservation training course for all agency staff in the fields of cultural landscapes, historic preservation, historical archaeology, and architectural history; and

Now, therefore, it is agreed that all state capital funded development projects, land acquisitions, and land disposals will be administered in accordance with the following stipulations to satisfy GEO 05-05 responsibility.

STIPULATIONS

WSPRC shall ensure that the following measures are carried out:

1. Purpose and Scope

- A. This Programmatic Agreement sets forth the process by which WSPRC with the assistance of DAHP will meet its responsibilities for undertakings pursuant to GEO 05-05.
- B. WSPRC Responsibilities - In compliance with its responsibilities under the SEPA, and requirements of Cultural Resource Policy 1298-1 WSPRC will be directly responsible for initiating consultation on individual projects with tribal governments pursuant to GEO 05-05.
- C. WSPRC Responsibilities - Pursuant to this agreement, WSPRC will ensure that all cultural resource staff and/or consultants, employed under its contract to conduct work in the field of cultural resources, meet the qualifications set forth in the Secretary of Interior's Professional Qualifications Standards for such work. Annual Review Meetings shall be conducted for the WSPRC's regions with SHPO or its representatives, to review upcoming projects and to update staff on any changes to GEO 05-05, SHPO coordination and/or Cultural Resources processes.
- D. WSPRC shall maintain site records, maps, or other records identifying archaeological and historic period sites on WSPRC lands. The DAHP will share and update available site information with WSPRC per the terms of an existing data sharing agreement (MOA dated 6-21-04). WSPRC understands that site location information is exempt from public disclosure (RCW 42.56.300).

2. Review

For those state projects not exempt (see Appendix I for a complete list of project exemptions), the following process shall be followed:

A. Initiation of GEO 05-05 Cultural Resource Review

The WSPRC will be responsible for establishing the undertaking, defining the area of impact (AI), and identifying applicable state regulations. The WSPRC shall identify and invite other appropriate parties (including DAHP, GOIA and affected tribes) to participate in the consultation.

B. Identification of Archaeological and Cultural Resources

The WSPRC will be responsible for identifying all archaeological and architectural properties 45-years or older within the AI, and evaluating the eligibility of any archaeological or cultural resource for eligibility to the State Heritage or National Register of Historic Places. These activities will be carried out in consultation with the SHPO and affected tribes, in accordance with GEO 05-05. All cultural resources will be examined for their integrity and eligibility in accordance with the criteria established by the DAHP and/or set forth in the WSPRC Cultural Resource Policy

2004 (as amended).

C. Finding of No Impact

If WSPRC, and/or its consultants, determines that no archaeological or historic properties will be affected by the undertaking, the finding and documentation will be forwarded to the SHPO for concurrence. Copies of this documentation will be provided to all consulting parties. If the SHPO does not concur with WSPRC's findings, they will submit a written explanation to the WSPRC within 30 calendar days after receipt of the WSPRC's finding. If, through consultation, the WSPRC and the SHPO reach consensus, the process will move forward in accordance with this decision, either to a finding of *no adverse impact* or documenting that no archaeological or historic properties are affected. If consensus is not achieved the undertaking will not be developed under this agreement, but instead will proceed at the discretion of the WSPRC.

D. Finding of Adverse Impact

If WSPRC, and/or its consultants, determines that an adverse impact will occur to archaeological or historic properties by the undertaking, the finding and supporting documentation will be forwarded to the SHPO for comment. Supporting documentation may include a treatment plan for mitigating adverse impacts. The SHPO will review this determination and provide written comments to the WSPRC within 30 calendar days after receipt of the WSPRC's finding. If the SHPO concurs with the WSPRC's adverse effect determination, the WSPRC shall document that finding, make it available to the consulting parties and for public review, and proceed with the undertaking as planned. If the SHPO objects to the WSPRC's finding, the SHPO will indicate the reasons for nonoccurrence and the WSPRC and the SHPO will consult further to resolve this matter, either by identifying project alternatives that may result in the undertaking having no adverse impact on archaeological or historic resources or proceeding in accordance with stipulation 3.D.2. of this agreement.

3. Unanticipated Discoveries

WSPRC may require as a part of scientific permits, lease agreements or approval of land use actions, a clause requiring work stoppage in the immediate vicinity of the project due to unanticipated discovery of cultural resources (see copy of Unanticipated Discovery Protocol in Appendix II).

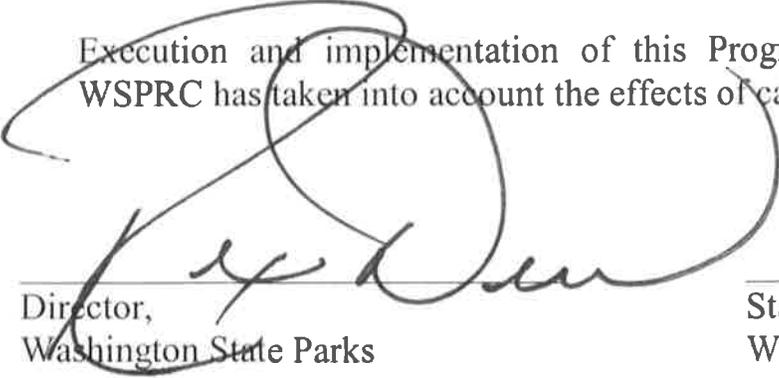
4. Terminate, Modify, and Amend

Any party to this Programmatic Agreement may terminate it for cause by providing thirty (30) days written notice to the other parties, provided that the parties shall consult during

the period prior to termination to seek agreement on amendments or other actions that would avoid termination.

All parties to this agreement agree to conduct a review of its effectiveness no earlier than six months and no later than fifteen (15) months after its initiation. A review may include mutually agreed upon modifications to the stipulations listed above.

Execution and implementation of this Programmatic Agreement evidences that WSPRC has taken into account the effects of capital developments on cultural resources.



Director,
Washington State Parks



State Historic Preservation Officer
Washington State Dept. of Archaeology
And Historic Preservation

11/27/07

APPENDIX I.
Projects Exempted from Review

The following types of undertakings are activities in which WSPRC routinely utilizes state funds. These projects generally do not affect historic properties, provided they are limited to the activities specified and are not part of a larger project within or adjacent to recorded cultural resources. These types of activities shall not require consultation with the SHPO:

- A. All work to be done on bridges and state highways which are less than 45 years old.
- B. All necessary repair and maintenance work on electrical, water, sewer, and natural gas systems to preserve existing buildings and standing structures in parks that are less than 45-years-old.
- C. All necessary repair and maintenance work on exterior fabric (including roof), and structural support to preserve existing buildings and standing structures in parks, unless within parks or individual buildings/structures 45-years or older, or resources that are less than 45-years-old.
- D. In-kind roadway surface replacement, overlays, shoulder treatments, pavement repair, seal coating, pavement grinding, and pavement marking where there will be no expansion of wearing surface, unless within a historic district.
- E. In-kind installation, replacement, or repair of safety appurtenances such as guardrails, barriers, glares screens, and energy attenuators.
- F. Fencing provided no grading or other landscaping is involved except on existing or potentially eligible Washington Heritage or National Register districts or sites. Locations of proposed installations must be checked against the agency data base for recorded archaeological sites by Cultural Resource Program staff.
- G. Maintenance, repair or replacement in kind of curb and gutter, sidewalk and catch basins on the same location except the following: Replacement projects and construction of handicapped access ramps projects adjacent to Washington Heritage or National Register eligible or listed properties.
- H. In-kind installation and repair of interpretive signing, post markers, or kiosk signs.
- I. Hand placement of fill material on park service roads, swim beaches, boat launches, trails (including bike paths, horse trails, and ADA trails) for purposes of smoothing or leveling these routes to meet safety criteria.
- J. Hazardous waste removal and disposal which constitutes a public hazard and which requires immediate removal (such as removal of woody debris, gravel overburden,).

- K. Routine roadway, roadside, and drainage system maintenance activities necessary to preserve existing infrastructure and maintain roadway safety, drainage conveyance, and storm water treatment.
- L. Removal of accumulated dirt, garbage and debris from *Coastal Defense Structures* for purposes of clean-up, stabilization, or interpretive purposes. This exemption does not apply to accumulations that are potentially significant archaeological deposits bearing historic artifacts.
- M. Removal of marine mammal carcass. Removal of animal blockages from creeks and rivers (beaver dams).

APPENDIX II.

Procedures for Unanticipated Discoveries of Cultural Resources (For Capital Construction Projects)

What to Expect During Construction

Much of Washington's most important heritage resides on lands owned or managed by Washington State Parks. Nearly all of our State Parks contain one or more important historic buildings, structures or archaeological sites. For this reason, archaeological surveys and historic building inventories are ordinarily commissioned as a part of background analysis and information gathering for each Capital project. Results of these surveys are shared with planning to insure every effort is made to avoid impacts to cultural resources. Even though a project is reported to have no cultural resources present, there **always** remains some potential for unanticipated discoveries during construction.

For this reason construction crews should aware of the clues that signal the presence of cultural resources.

1. Human Remains

If believe you have found human remains please cease work immediately in the immediate vicinity of the discovery and contact park staff and the agency Archaeologist immediately.

2. Artifacts

Artifacts (historic and prehistoric) may be found exposed in backhoe trenches or back dirt piles. These may range from finished tools such as stone pestles, arrowheads, or polished bone tools to small pieces or "flakes" of exotic stone such as chart, jasper or obsidian. Historic artifacts may include crosscut saws, older bottles and cans, or abandoned equipment.

3. Bone

Complete or broke fragments of bone may be discovered exposed in trench walls or in back dirt piles. Bone of recent age is usually translucent or white in color. Older bone is usually found in various shades of brown. Burned bone is usually black or, if heavily burned, bluish-white.

4. Buried Features

While excavating trench lines look for evidence of buried features such as old campfire hearths or buried artifacts. Hearths will have fire-cracked rock surrounded by saucer shaped lens of black soil mixed with charcoal. Sometimes the entire living surface will be preserved and thin lenses of dark soil will be visible.

Occasionally artifacts and/or bone will be associated with these soil lenses. Broken pieces of shellfish (such as mussels or clams) when found buried in dense quantities, and mixed with charcoal, may signal a prehistoric living area too.

What to do if you find something

Human Remains

If you discover human remains (or bones that you believe may be human remains) during construction please follow these important instructions.

1. Cease work immediately in the vicinity of the find.
2. Secure the area and contact the Park Ranger or Park staff. The Ranger or park staff will immediately contact the County Coroner and the agency archaeologists.
3. If the County Coroner determines that the remains are modern, the find will be designated a crime scene and local law enforcement will be contacted to secure the site.

4. If the County Coroner determines the remains are not modern (historic burial/ cemetery, or Native American burial/cemetery) the find will be turned over to the Parks archaeologist. The Parks archaeologist will then contact the *Department of Archaeology and Historic Preservation* and interested Tribal governments.
5. Construction work may resume once local law enforcement concludes their investigation or, in the case of archaeological finds, once the finds have been adequately investigated and, if necessary, an adequate treatment plan and monitor are in place to protect any remaining burials.

Artifacts & Buried Features

If you encounter buried features, artifacts or shell please follow these important instructions.

1. Cease work immediately in the vicinity of the find.
2. Secure the area and contact the **Park Ranger** or **Park staff**. If they are not available contact the **Parks Archaeologist**.
3. **Do not** remove any artifacts from the site of the discovery.
4. **Do not** dig out objects protruding from any trench walls as this may cause further damage to artifacts or destroy important contextual information.
5. Do take photographs of the discovery site to document the initial finds.
6. Do pull back construction equipment from the area of the find to insure no further ground disturbance takes place.
7. The Parks archaeologist will contact the *Department of Archaeology and Historic Preservation* and interested Tribal governments.
8. Construction work may resume once the finds have been adequately investigated and, if necessary, an adequate treatment plan and monitor are in place to protect any remaining archaeological deposits.