

1 **ARCHAEOLOGICAL – HISTORICAL - CULTURAL**

2  
3 The archaeological-historical-cultural element provides for protection and restoration of  
4 buildings, sites, and areas having archaeological, historical, cultural, or scientific value or  
5 significance.

6  
7 **Goal Statement**

8  
9 Shoreline features should be protected to prevent the destruction of, or damage to, any site  
10 having archaeological, historic, cultural, or scientific value through coordination and consultation  
11 with the appropriate local, state, tribal and federal authorities.

12  
13 **Objectives**

14  
15 (a) Sites should be protected in collaboration with appropriate tribal, state, federal, and local  
16 governments. Cooperation among public and private parties is to be encouraged in the  
17 identification, protection, and management of cultural resources.

18  
19 (b) When and/or where appropriate, access to such sites should be made available to parties of  
20 interest. Access to such sites must be designed and managed in a manner that gives  
21 maximum protection to the resource.

22  
23 (c) Opportunities for education related to archaeological, historical and cultural features should  
24 be provided when and/or where appropriate and incorporated into public and private  
25 management efforts, programs and development.

26  
27 **ARCHAEOLOGICAL-HISTORIC-CULTURAL SITES**

28  
29 Site development activity in shoreline areas shall be subject to the policies and regulations of  
30 this section and Section \_\_\_\_\_.

31  
32 **ARCHAEOLOGICAL- HISTORIC - CULTURAL SITES -- POLICIES**

33  
34 **OPTIMUM USE**

35  
36 The [jurisdiction] shall work with tribal, state, federal, and local governments and special districts  
37 as appropriate to maintain an inventory of all known significant local historic, cultural and  
38 archaeological sites while adhering to applicable state and federal laws protecting such  
39 information from public disclosure. As appropriate, such sites should be preserved and/or  
40 restored for study, education and/or public enjoyment to the maximum possible extent.

41  
42 Provisions for historic, cultural and archaeological site preservation, restoration and education  
43 should be incorporated with open space or recreation areas in site development plans whenever  
44 compatible and possible.

45  
46 Cooperation among involved private and public parties is encouraged to achieve this Program's  
47 Archaeological, Historical and Cultural Element Goals and Objectives.

48  
49 Private and public owners of historic sites are encouraged to provide public access and  
50 educational opportunities at levels consistent with long-term protection of both historic values  
51 and shoreline ecological functions. Site specific conditions may require public site access to be

1 restricted at times, but educational means should be provided whenever possible.

2  
3 Any proposed site development and/or associated site demolition work should be planned and  
4 carried out so as to avoid impacts to the resource. Impacts to neighboring properties and other  
5 shore uses should be limited to temporary or reasonable levels.

6  
7 Owners of property containing previously identified historic, cultural or archaeological sites are  
8 encouraged to make development plans known well in advance of application, so that  
9 appropriate agencies such as, the [affected Tribe], [affected Tribe], Washington State  
10 Department of Archaeology and Historic Preservation, and others may have ample time to  
11 assess the site and make arrangements to preserve historical, cultural and archaeological  
12 values as applicable.

13  
14 If development or demolition is proposed adjacent to an identified historic, cultural or  
15 archaeological site, then the proposed development should be designed and operated so as to  
16 be compatible with continued protection of the historic, cultural or archaeological site.

## 17 **ARCHAEOLOGICAL - HISTORIC - CULTURAL SITES -- REGULATIONS**

### 18 **Known Historic, Cultural or Archaeological Sites**

- 19  
20  
21
- 22 a. Upon receipt of application for a shoreline permit or application for a demolition permit within  
23 the shoreline zone, or request for a statement of exemption for development on properties  
24 within 500 feet of a site known to contain a historic, cultural or archaeological resource(s),  
25 the [jurisdiction] shall require a cultural resource site survey/assessment. The site  
26 assessment shall be conducted by a professional archaeologist or historic preservation  
27 professional, as applicable, to determine the presence of historic or significant  
28 archaeological resources. Buildings or structures over 40 years in age shall be inventoried in  
29 a DAHP Historic Property Inventory Database entry and archaeological sites shall be  
30 recorded on DAHP Archaeological Site Inventory Forms. The fee for the services of the  
31 professional archaeologist or historic preservationist shall be paid by the applicant.  
32
  - 33 b. If the cultural resource site assessment identifies the presence of archaeological, or  
34 significant historic, cultural resources , recommendations shall be prepared by a  
35 professional archaeologist or historic preservation professional, as part of the  
36 survey/assessment. The fee for the services of the professional archaeologist or historic  
37 preservation professional shall be paid by the applicant. In the preparation of such plans, the  
38 professional archaeologist or historic preservation professional shall solicit comments from  
39 the Washington State Department of Archaeology and Historic Preservation, the [affected  
40 Tribe] and [affected Tribe]. Comments received shall be incorporated into the conclusions  
41 and recommended conditions of the survey/assessment to the maximum extent practicable.  
42

43 (1) A Cultural Resources survey/assessment shall contain the following minimum  
44 elements:

- 45 (a) The purpose of the project; a site plan for proposed on-site development;  
46 including indication of any existing building or structures on-site as well as any  
47 that are proposed for removal; depth and location of all ground disturbing  
48 activities including, but not limited to, utilities, paved areas, clearing and grading,  
49 landscaping or new landscape features (i.e. fencing, walls, etc.); an examination  
50 of project on-site design alternatives; and an explanation of why the proposed  
51

- 1 activity requires a location on, or access across and/or through, an historic or  
2 archaeological resource; and  
3  
4 (b) A description of the historic/archaeological resources present, including any  
5 building or structure over 40 years of age affected by the proposal; and  
6  
7 (c) An analysis of the significance of the historic resource and an analysis of the  
8 potential adverse impacts as a result of the activity;  
9  
10 (d) An analysis of how these impacts will be/have been avoided; or  
11  
12  
13 (e) A recommendation of appropriate mitigation measures if the resources cannot be  
14 avoided. Some mitigation measure may require a permit from DAHP. In the case  
15 of archaeological resources mitigation measures may include but are not limited  
16 to the following:  
17  
18 (i) Recording the site with the State Department of Archaeology and Historic  
19 Preservation, or listing the site in the National Register of Historic Places,  
20 Washington Heritage Register, as applicable, or any locally developed  
21 historic registry formally adopted by the [jurisdiction] Council;  
22  
23 (ii) Adaptive re-use of buildings or structures according to the U.S. Secretary  
24 of the Interior's Standards for Rehabilitation.  
25  
26 (iii) Preservation in place;  
27  
28 (iv) Covering an archaeological site with a nonstructural surface to discourage  
29 pilferage (e.g., maintained grass or pavement);  
30  
31 (v) Excavation and recovery of archaeological resources;  
32  
33 (vi) Inventorying prior to covering of archaeological resources with structures  
34 or development; and  
35  
36 (vii) Archaeological monitoring of construction excavation.  
37  
38 (2) The administrator shall consult with the Washington State Department of Archaeology  
39 and Historic Preservation, [affected Tribe], and [affected Tribe] prior to approval and  
40 acceptance of the survey/assessment..  
41 (3) Based upon consultation with DAHP and the affected Tribe(s), the administrator may  
42 reject or request revision of the conclusions reached in a survey/assessment when the  
43 administrator can demonstrate that the assessment is inaccurate or does not fully  
44 address the historic/archaeological resource management concerns involved.  
45  
46 c. Within 15 days of receipt of a complete development permit application in an area of known  
47 historic/archaeological resources, the [jurisdiction] shall notify and request a  
48 recommendation from appropriate agencies such as the Washington State Department of  
49 Archaeology and Historic Preservation, the [affected Tribe], and [affected Tribe].  
50 Recommendations of such agencies and other affected persons shall be duly considered

1 and adhered to whenever possible and reasonable. Notification shall include the following  
2 information:

- 3
- 4 (1) The date of application, the date of notice of completion for the application, and the  
5 date of the notice of application;
- 6
- 7 (2) The date, time, place, and type of the hearing, if applicable, and scheduled at the date  
8 of notice of the application;
- 9
- 10 (3) A site map including the street address, tax parcel number, township, range, and  
11 section of the proposed project area;
- 12
- 13 (4) A description of the proposed project action and a list of the project permits included in  
14 the application, and, if applicable, a list of any studies requested by the [jurisdiction];
- 15
- 16 (5) The identification of other permits not included in the application to the extent known  
17 by the [jurisdiction];
- 18
- 19 (6) The identification of existing environmental documents that evaluate the proposed  
20 project and, if not otherwise stated on the document providing notice of application,  
21 the location where the application and any studies can be reviewed;
- 22
- 23 (7) Any other information determined appropriate by the [jurisdiction];
- 24
- 25 (8) A statement of the limits of the comment period, the right of each agency to comment  
26 on the application within a 15-day time period, receive notice of and participate in any  
27 hearings, request a copy of the decision once made, and to appeal a decision when  
28 allowed by law. In addition, the statement shall indicate that any agency wishing to  
29 receive personal notice of any hearings must notify the hearing examiner's office  
30 within 15 days of the date of the notice of application.
- 31

- 32 d. In granting shoreline permits or statements of exemption for such development, the  
33 [jurisdiction] may attach conditions to require consultation with the Washington State  
34 Department of Archaeology and Historic Preservation, [affected Tribe] and [affected Tribe],  
35 and to assure that historic/archaeological resources are properly protected, or for  
36 appropriate agencies to contact property owners regarding purchase or other long-term  
37 arrangements. Provision for the protection and preservation of historic/archaeological sites,  
38 structures or areas shall be incorporated to the maximum extent practicable.
- 39

#### 40 **Inadvertent Discovery**

- 41
- 42 a. Whenever historic, cultural or archaeological sites or artifacts are discovered in the process  
43 of development on shorelines, work on that portion of the development site shall be stopped  
44 immediately and the find reported as soon as possible to the Administrator.
- 45
- 46 b. The Administrator shall then notify the Washington State Department of Archaeology and  
47 Historic Preservation, [affected Tribe], [affected Tribe] and other appropriate agencies and  
48 shall require that an immediate site assessment be conducted by a professional  
49 archaeologist or historic preservation professional, as applicable, pursuant to subsection 1.a  
50 of this section to the extent of damage to the resource. The site assessment shall be  
51 distributed to the Washington State Department of Archaeology and Historic Preservation,

1 the [affected Tribe], and [affected Tribe] for a 15-day review period If the above listed  
2 agencies or governments have failed to respond within the applicable review period  
3 following receipt of the site assessment, such stopped work may resume.  
4  
5

- 6 c. If human remains are encountered, all activity must cease and the area must be protected  
7 and the find reported to local law enforcement and the County coroner or medical examiner.  
8

## 9 **Public Access**

- 10  
11 a. If a private or publicly owned building or structure of historic significance is identified, public  
12 access shall be encouraged as appropriate for purposes of public education; provided that:  
13

14 (1) the type and/or level of public access is consistent with the long term protection of  
15 both historic resource values and shoreline ecological functions; and  
16

17 (2) an access management plan is developed in accordance with site- and resource-  
18 specific conditions in consultation with the Washington State Department of  
19 Archaeology and Historic Preservation, [affected Tribe], [affected Tribe]and/or other  
20 agencies, as appropriate, to address the following:  
21

- 22 (a) hours of operation;  
23 (b) entrance fees and/or permits;  
24 (b) interpretive and/or directional signage;  
25 (c) lighting;  
26 (d) pedestrian and handicap access; and/or  
27 (e) traffic and parking.  
28

- 29 b. For archaeological and cultural resource sites, the Washington State Department of  
30 Archaeology and Historic Preservation, [affected Tribe], [affected Tribe] and/or other  
31 agencies, as appropriate, shall be in agreement prior to providing public access to a site. An  
32 access and resource management plan shall be developed in consultation with the  
33 Washington State Department of Archaeology and Historic Preservation, the [affected  
34 Tribe], and the [affected Tribe].  
35

## 36 **DEFINITIONS**

37  
38 A

39  
40 “Archaeology” means systematic, scientific study of the human past through material remains.  
41

42 “Archaeological Object” means an object that comprises the physical evidence of an indigenous  
43 and subsequent culture including material remains of past human life including monuments,  
44 symbols, tools, facilities, graves, skeletal remains and technological by-products.  
45

46 “Archaeological Resource/Site” means a geographic locality in Washington, including, but not  
47 limited to, submerged and submersible lands and the bed of the sea within the state’s  
48 jurisdiction, that contains archaeological objects.  
49

1 “Significant” is that quality in American history, architecture, engineering, and culture that is  
2 present in districts, sites, buildings, structures, and objects that possess integrity of location,  
3 design, setting, materials, workmanship, feeling, and association, and:  
4

- 5 a. That are associated with events that have made a significant contribution to the  
6 broad patterns of our history; or  
7
- 8 b. That are associated with the lives of significant persons in our past; or  
9
- 10 c. That embody the distinctive characteristics of a type, period or method of  
11 construction, or that represent the work of a master, or that possess high artistic  
12 values, or that represent a significant and distinguishable entity whose components  
13 may lack individual distinction; or  
14
- 15 d. That have yielded or may be likely to yield, information important in history or  
16 prehistory.  
17

18 H

19  
20 Historic Preservation Professional means those individuals who hold a graduate degree in  
21 architectural history, art history, historic preservation, or closely related field, with  
22 coursework in American architectural history, or a bachelor's degree in architectural  
23 history, art history, historic preservation or closely related field plus one of the following:  
24

- 25 a. At least two years of full-time experience in research, writing, or teaching in  
26 American architectural history or restoration architecture with an academic institution,  
27 historical organization or agency, museum, or other professional institution; or  
28
- 29 b. Substantial contribution through research and publication to the body of scholarly  
30 knowledge in the field of American architectural history.  
31

32 Historic Site means those sites that are eligible or listed on the Washington Heritage Register,  
33 National Register of Historic Places or any locally developed historic registry formally adopted  
34 by the [jurisdiction] Council.  
35

36 P

37  
38 "Professional archaeologist" means a person who:  
39

- 40 a. "Professional archaeologist" means a person with qualifications meeting the federal  
41 secretary of the interior's standards for a professional archaeologist. Archaeologists  
42 not meeting this standard may be conditionally employed by working under the  
43 supervision of a professional archaeologist for a period of four years provided the  
44 employee is pursuing qualifications necessary to meet the federal secretary of the  
45 interior's standards for a professional archaeologist. During this four-year period, the  
46 professional archaeologist is responsible for all findings. The four-year period is not  
47 subject to renewal.  
48