

Corrected SEPA Addendum

Husum/BZ Corner Sub-Area Update Clarification of County Requirements and Narrowing of Scope of Proposal

In October 2011, the Klickitat County Planning Department issued the *Addendum Husum/BZ Corner Sub-Area Update Clarification of County Requirements and Narrowing of Scope of Proposal*. Appendix 4 of the Addendum is the *Cultural Resources: Summary of Legal Requirements*. Page two of the *Husum/BZ Corner Cultural Resources Guidance* was inadvertently omitted. This Corrected Addendum corrects that error.

Attached to this Corrected Addendum is a true and complete copy of Appendix 4: *Husum/BZ Corner Cultural Resources Guidance*.



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APPENDIX 4

Cultural Resources: Summary of Legal Requirements

HUSUM/BZ-CORNER

Cultural Resources Guidance

1. Background

The Klickitat County Planning Department reviews, processes and issues permits for projects per its adopted regulations, including those implementing the State Environmental Policy Act, Chapter 43.21C RCW (“SEPA”). The County reviews cultural resource impacts through SEPA. The County does not have regulations directly regulating cultural resources, as this is the province of the Washington State Department of Archaeology and Historic Preservation (“DAHP”), the primary state agency charged with the identifying, preserving, and protecting cultural resources.

The SEPA rules, specifically WAC 197-11-920, recognize DAHP as an agency “possessing special expertise” in archaeological and historic issues. The County consults with DAHP on cultural resources issues. Under the authority of Chapters 27.44 and 27.53 RCW, DAHP reviews, processes and issues Archaeological Excavation Permits to authorize the removal or excavation of any Native American human remains, burials, or to excavate any Native American archaeological site. A permit is also required to remove or excavate historic archaeological resources that are eligible or listed in the State or National Register of Historic Places or to recover any submerged historic aircraft or historic shipwrecks, or remove any archaeological object from such sites. *See also* definitions section at RCW 27.53.030.

The Klickitat County Planning Department often serves as a liaison among DAHP, affected tribes and developers. The Department reviews and distributes cultural resources reports and surveys to the agency of expertise and affected tribes, and solicits comments as required. Where resources are likely to be impacted by a project, the County, DAHP and affected tribes should coordinate with each other at the earliest possible opportunity in the review of a proposal. The County’s intent is to foster a stronger working relationship and keep the parties informed regarding upcoming projects, their review, impact identification, and mitigation design.

2. Cultural Resources Survey: When Required in the Husum/BZ Corner Planning Area

SEPA provides for identification of probable, significant cultural resources impacts. When the presence of cultural resources which are protected by state or federal law have been identified, with a reasonable degree of probability, within an area proposed for development, the County typically requires a cultural resources survey and report prepared by a professional archaeologist. The archaeologist should meet that definition under RCW 27.53.030(8). The report should include professionally reasoned methodology including field survey work. The field survey should include subsurface methodology. In determining what is “a reasonable degree of probability,” input from the interested tribes and DAHP will be considered, in addition to existing documentation of known cultural resources. When a survey is required, the applicant completes a cultural resources survey of areas of the project site that will be disturbed temporarily or permanently. The Planning Department typically requires a cultural resource survey to be submitted at least 60 days prior to any kind of land disturbing activities. *See also* definitions section at RCW 27.53.030.

3. Cultural Resource Survey Review Process

- Cultural resources surveys and reports are sent to DAHP and affected tribes.
- Depending on project complexity, DAHP and affected tribes have 14-30 days to review and comment.
- Consulted parties are expected to submit written comment by the due date or request an extension from the Planning Department.
- At the end of the comment period, Planning staff reviews the comments, and as appropriate, may incorporate the comments as conditions on the subject permit or request additional information from the applicants to address the concerns.

4. Standard Mitigation Approach

Where cultural resources which are protected by state or federal law are identified, and construction will occur in proximity to the resource, an Inadvertent Discovery Plan (IDP) and Cultural Resources Management Plan (CRMP) is typically required. An IDP outlines the procedures to be followed in the case of inadvertent archaeological finds and/or human remains. A CRMP addresses operational issues.

An IDP is defined as a written description of the processes and procedures to follow in the case of an inadvertent discovery of archaeological resources and/or human remains. This will include a list of appropriate contacts with current phone numbers. If previously unidentified cultural resources are encountered during construction, construction activities in the immediate vicinity of the site are to cease, pending evaluation by a professional archeologist and consultation with the County Planning Department and DAHP to identify appropriate mitigation measures such as avoidance or scientific data recovery.

A CRMP is a written description of the processes and procedures for the avoidance, protection, and monitoring of the condition of identified cultural resources that as a consequence of facility operation/maintenance may be impacted. This plan should include procedures for assessing any impacts to cultural resources from operation, as well as identifying areas that require professional archaeological monitoring during routine maintenance work.

In addition, mitigation is typically tailored to the particular project, based on the survey completed. DAHP may also require a permit and further archaeological investigation and analysis, *see also* RCW 27.53.060.