



DWSRF Cultural/Historical and Environmental Reviews

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Cultural/Historical and Environmental Review Coordinators

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Any DWSRF Staff can assist if needed



What am I going to cover this session?

- DWSRF Program Overview
- What is a Cultural/Historical Review?
- What is an Environmental Review?
- What projects need these reviews?
- Environmental Review Process
- Cultural/Historical Review Process
- How do you know you are done?
- Who to contact for technical assistance



Office of Drinking Water's Mission

To protect the health of the people of Washington State by ensuring safe and reliable drinking water.




Background and Purpose

- Increase public health protection and compliance with drinking water regulations.
- Reimbursements through low interest loans.
- Funded through U.S. Environmental Protection Agency and Loan Repayment Stream.
- Administered by Department of Health



Eligibility

Eligible Applicants:

- Group A community systems.
- Group A nonprofit non-community systems.
- Group B systems converting to Group A.
- Tribal systems not receiving SRF tribal set asides.

Eligible Projects:

- Projects that address a public health risk.
- Retroactive funding—only for specific municipal projects.
- Projects that upgrade deteriorated facilities.



Ineligibility

Ineligible Applicants:

- Group B systems **not** converting to a Group A.
- Group A non-community for-profit systems.
- Federal and state-owned systems.

Ineligible Projects:

- Operations and maintenance.
- Primarily for future growth or fire flow.
- No construction component.

See guidelines for more details.



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What is it?

- Cultural/Historical Review
 - Comply with National Historic Preservation Act, Section 106
- Environmental Review (SERP)
 - Complete State Environmental Review Process for DWSRF program (NEPA-like process)
 - Comply with State Environmental Policy Acts (SEPA)



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What projects need reviewed?

- **All** projects with federal nexus
 - permit, license, approval
 - federal lands
 - funding (in whole or part)
- **All** DWSRF funded projects with construction
- **All** DWSRF projects with ground disturbance
- **All** DWSRF projects with potential impact to historic structures
- **All** DWSRF projects with potential to impact the environment



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QUESTIONS?



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Environmental Review

- Complete SERP (State Enviro Review Process)
 - Complete SEPA
 - Publish for **30 day** public comment period
 - Start immediately



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Complete SEPA

- Complete SEPA at local level
 - Permits, funds, and activities
- Send SEPA determination and supporting documents to DWSRF Coordinator

<http://www.ecy.wa.gov/programs/sea/sepa/e-review.html>



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Publish

- Applicant publishes determination in the local newspaper
 - Publish at least once
 - Open for **30 day** public comment period



- Send proof of publication
 - Affidavit of publication
 - Copy of newspaper clipping
 - Any comments received

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Project already did SEPA...



- SEPA determinations do not expire
 - May be asked to amend if needed
- Previous SEPA and/or NEPA determinations may be adopted by DOH
- Send determinations to DOH for review

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SEPA Exempt Projects

- Still need documentation on WHY the project is exempt
- Consider the entire project, not just the pipe size
- Make sure it is truly exempt
- SEPA Exemption must still be published
 - Template available
 - May be combined with Section 106 publication
 - 30 day public comment period

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QUESTIONS?



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Cultural/Historical Review

Section 106 of National Historic Preservation Act (federal) – It's a process, not outcome.

" . . . Congress established a comprehensive program to preserve the historical and cultural foundations. Section 106 of NHPA . . . requires Federal agencies to consider the effects of their actions on historic properties and . . . ensure preservation values are factored into planning and decisions."

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In Other Words . . .

- Federal nexus – required to go through process
- Take into account the undertaking on cultural/historical properties
- Consult Department of Archeology Historic Preservation, Tribes, and interested parties
- Provide the public an opportunity for input/comment

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EXAMPLE

Quonset Hut



Commercial Bldg
Prosser, c.1950

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EXAMPLE



WWII Era Cottage House
Spokane, c. 1953

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EXAMPLE



Historic Homestead at Olmstead State Park
Kittitas County

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Traditional Cultural Properties (TCP)



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Petroglyphs



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Quielute Petroglyph



Found by fisherman approximately 18 months ago

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Archaeology



North Cascades
Carbon Dating
9,600+ years old

Photo courtesy of wsm.wsu.edu

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Artifacts

Artifacts from Hudson's
Bay Company fort



Photo courtesy of wsm.wsu.edu



Colville Tools 2005
Photo courtesy of
Association for WA
Archaeology

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JUNK OR ARTIFACT?



Nails, glass,
shells and
splintered
wood

From a
shipwreck

ARTIFACTS

Photo courtesy of www.coastal.edu

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Assess the Landscape



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EZ-1 Form, page 1

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EZ-1 Form, page 2

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EZ-2 Form



Already Completed Reviews?

- Other reviews done through other agencies may be considered. Send documentation to DOH.
- May be able to adopt previous FEDERAL determinations.
- May NOT adopt GEO 05-05 determinations.
- Previous work may be considered to make a **new** DOH determination
- Does previous work expire?
 - It depends.

STEP 2: Determine the Effects

- Three determinations:
 - “No historic properties affected”
 - “No adverse effect” to historic properties
 - “Adverse effect” to historic properties
- Seek ways to AVOID, MINIMIZE, or MITIGATE any adverse effects on historic properties

What is an “adverse effect”?

Adverse effects can be direct, indirect, or cumulative effects. They may include the following:

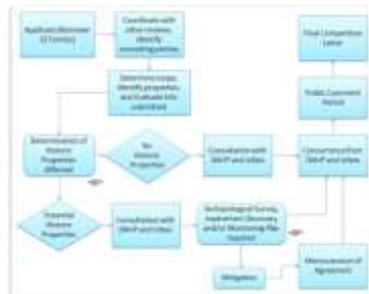
- Physical destruction or damage (demolition)
- Major disturbance of an archaeological site
- Alteration inconsistent with Interior’s Standards for the Treatment of Historic Properties
- Relocation of the property
- Change in the character of the property’s use or setting

What is an “adverse effect”?

Adverse effects can be direct, indirect, or cumulative effects. They may include the following:

- Introduction of incompatible visual, atmospheric, or audible elements
- Viewshed issues
- Neglect and deterioration (demolition by neglect)
- Transfer, lease, or sale of a historic property out of federal control without adequate preservation restrictions

Cultural/Historical Review Flowchart



Survey and/or Monitoring

- Borrower must hire a professional that meets the qualification standards (36 CFR Part 61)
- Must follow DAHP procedures and guidelines
- Must be submitted to DOH for distribution and approval by consulting parties
- Monitoring is NOT complete until report is submitted and approved.
- Project cannot close out until complete as per DOH



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STEP 4: Public Comment Period

- DOH issues a final determination
- Applicant publishes in the local newspaper
 - Publish at least once
 - Open for 30 day public comment period
- Send proof of publication
 - Affidavit of publication
 - Copy of newspaper clipping
 - Any comments received
- Agency responsibility to consider new information



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When are you done?

- Projects may begin once DOH issues a written final completion notification letter
- If unsure ASK!



May lose funding if activities are not approved



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When to start project...

PRE-construction activities

- Planning and design work are allowed before completing these reviews
- NO construction, ground disturbance or effects to property are allowed
- NO geo-tech work



May lose funding if activities are not approved



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When to start project...

Construction activities

- No construction may begin until letter is received from DOH stating project has completed reviews

This includes:

- Ground disturbing activities
- Geo-tech work
- Work affecting properties (structures, sites, etc)



Funding may be lost if activities are not approved



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Additional Review Required?

Revising the scope of work requires additional review and may require additional steps. Examples:

- Increase pipe size
- Excavate at a deeper depth
- Add new elements to project activities
- Modify APE (area of potential effect)
- Excavate at a different location than previously identified



Must contact our office with any changes



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What if an agreement can't be reached?

- If an agreement can't be reached with the borrower, DOH, DAHP and consulting Tribes
 - The project must be sent to EPA for review
 - The project must be sent to ACHP for comments
- ACHP is the Advisory Council on Historic Preservation
 - www.achp.gov



LAWs you need to KNOW Additional Laws

- Antiquities Act of 1906
- National Historic Preservation Act (NHPA)
- Archaeological Resource Protection Act (ARPA)
- National Environmental Policy Act (NEPA)
- State Environmental Policy Act (SEPA)
- **Other laws apply – see handout**
- Federal, state, local, county, city, tribal...





Pitfalls and Challenges



- Project Scope of Work – “Undertaking”
- Defining the Area of Potential Effect
- Potential Effects of the project
- Project Location
- Township, Range, and Section
- Mapping project scope
- Changes not initially covered in review



DOH Website

www.doh.wa.gov/dwsrf

Scroll down the page to find a link to the environmental and cultural review website.



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QUESTIONS?