

New Cultural/Historic Resources Workgroup – Task Description
Handout for SEPA Advisory Committee
4/10/13

Summary: A new workgroup is being created specifically to address cultural/historic resources notification issues, including “actionable” notice. The workgroup has the charge to consider how best to address these issues, both within the SEPA Rules and also can make recommendations beyond them.

Background: The SEPA Advisory Committee has been meeting since August, 2012 to develop changes to the SEPA Rules as directed by 2012’s 2ESSB 6406. The legislation directs Ecology to undertake two phases of rule-making, generally around increasing categorical exemptions and improving the efficiency of the environmental checklist. It specifically instructs Ecology to:

- “...(ii) Ensure that state agencies and other interested parties can receive notice about projects of interest through notice under chapter 43.21C RCW and means other than chapter 43.21C RCW; and
- (iii) Ensure that federally recognized tribes receive notice about projects that impact tribal interests through notice under chapter 43.21C RCW and means other than chapter 43.21C RCW...”

By default, SEPA has become a key mechanism under which notice is provided for projects that may impact cultural/historic resources. It has also proven to be a difficult topic for the Advisory Committee to address under their charge of increasing exemptions while protecting notice.

A recent meeting between key stakeholders, the Governor’s office, and Rep. John McCoy has resulted in an agreement to tackle this issue by creating a workgroup that would focus on this topic.

Process:

- Create a workgroup that will focus on this issue, and will look at both potential changes to the SEPA Rules as well as developing other mechanisms as needed - including possible recommendations to amend other state laws and regulations
- The Advisory Committee will continue working on the other directives from 6406
- There is some cross-over between the Advisory Committee and the Workgroup so will need to confer with each other
- Advisory Committee members will receive meeting and background information from Workgroup and are welcome to attend these meetings

Key points for consideration by the workgroup:

- All options are on the table but none are presumed (ex. potential for new cultural resources legislation.)
- Objective is to accomplish protection of cultural/historic resources
- Need to understand how cultural resources are currently protected, so the effectiveness of the current process can be assessed

Timing:

- Desire to have an initial draft of recommendations by June 30, 2013

List of Workgroup Members

- Mary Rossi – Applied Preservation Technologies, Inc.
- Allyson Brooks – WA State Dept of Archaeology and Historic Preservation (DAHP)
- Laura Merrill - WSAC
- Carl Schroeder - AWC
- Brandon Houskeeper - Business
- Tribes – Dawn Vyvyan, other TBD
- Leonard Bauer - WA State Dept of Commerce, Growth Management Services –
- Environmental/public interests - TBD