

**Public Comment Summary: City of Palouse Locally Adopted SMP**  
**Ecology Public Comment Period, June 8 – July 8, 2016**

*Prepared by WA Dept. of Ecology, July 19, 2016*

*Local Government Response and Rationale Prepared by The City of Palouse, August 16, 2016*

Comment Number	Comment Topic and Section Number (Citation)	Commenter	Comment	Local Government Response and Rationale
1.	2.2 Shoreline Goals	Washington State Department of Archaeology and Historic Preservation (DAHP)	<p>On page 5 under section 2.2 Shoreline Goals, goal H should be re-worded to read as follows:</p> <p>Identify, preserve, protect and restore buildings, structures, sites, districts, objects, and landscapes of the shoreline that have historic, cultural, archaeological, scientific, or educational value.</p>	<p>Recommended language change by DAHP is accepted.</p> <p>Rationale: The DAHP suggested language change supports the element’s goal to provide protection and restoration of buildings, sites, and areas having archaeological, historical, cultural, or scientific value or significance. It was not the City’s intent to omit certain kinds of historical sites.</p> <p>The City proposes Section 2.2.H be revised to read as follows (deletions struck, additional italicized):</p> <p>Identify, preserve, protect and restore buildings, <i>structures</i>, sites, <i>districts</i>, <i>objects</i>, and <i>landscapes</i>, <del>or areas</del> of the shoreline that have historic, cultural, archeological, scientific, or educational value.</p>

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2.	3.3 Shoreline Designations	Washington State Department of Archaeology and Historic Preservation (DAHP)	<p>Under section 3.3 Shoreline Environment Designations, we recommend that the management policies under each designation include allowance for uses that provide for the preservation, rehabilitation, restoration, reconstruction, or mitigation of properties of cultural, archaeological, and historic significance. Suggested language might read something like the following:</p> <p>The identification, preservation, rehabilitation, restoration, and reconstruction, of, and mitigation for, properties of cultural, archaeological, and historic significance shall be allowed in this designation.</p>	<p>The identification, preservation, rehabilitation, restoration, and reconstruction, of, and mitigation for, properties of cultural, archaeological, and historic significance could be allowed in any designation pursuant to the regulations pertaining to the specific action to be taken as detailed in the relevant sections of the SMP. The SMP does not prohibit these actions in any environment designation. The environment designation management policies are not a complete list of all allowed actions. As written, management policies are consistent with the SMP Guideline requirements of WAC 173-26-211(5). No change is proposed.</p>
3.	4.6 Flood Hazard Management	Washington State Department of Archaeology and Historic Preservation (DAHP)	<p>A comment similar to #2 (above) is made in regard to section 4.6 Flood Hazard Management.</p>	<p>The identification, preservation, rehabilitation, restoration, and reconstruction, of, and mitigation for, properties of cultural, archaeological, and historic significance could be allowed in flood hazard areas pursuant to the regulations of Section 4.6. A blanket allowance for all such actions is not warranted as actions in flood hazard areas must meet no net loss requirements and must also be consistent with the City's frequently flooded areas regulations and FEMA guidelines. No change is proposed.</p>

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4.	4.7 Archaeological, Historical, and Cultural Resources	Washington State Department of Archaeology and Historic Preservation (DAHP)	In section 4.7 in regard to policy A. 1., we suggest replacing "Regulate" with "Protect".	<p>Recommended language change by DAHP is accepted.</p> <p>Rationale: The DAHP suggested language change supports the element's goal to provide protection and restoration of buildings, sites, and areas having archaeological, historical, cultural, or scientific value or significance.</p> <p>The City proposes Section 4.7.A.1 be revised to read as follows (deletions struck, additional italicized):  <del>Continue to regulate</del> <i>Protect</i> archaeological, historic, and cultural resources.</p>

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5.	4.7 Archaeological, Historical, and Cultural Resources	Washington State Department of Archaeology and Historic Preservation (DAHP)	Also in section 4.7 in regard to policy A.2., we recommend replacing the word “should” with “shall” and add “(DAHP)” after the reference to Washington State Department of Archaeology and Historic Preservation.	<p>As noted in the Readers’ Guide section of the SMP, in general, the SMP uses the word “should” in goals, objectives, and policies, and “shall” in the regulations. No change is proposed.</p> <p>However, the City agrees that the acronym for the Washington State Department of Archaeology and Historic Preservation should be noted.</p> <p>The City recommends that Section 4.7.A.2 be revised to read as follows (deletions struck, additional italicized):  Due to the limited and irreplaceable nature, destruction of or damage to any site having historic, cultural, scientific, or educational value as identified by the appropriate authorities, including affected Indian tribes and the Washington State Department of Archaeology and Historic Preservation (<i>DAHP</i>), should be prevented.</p>
6.	4.7 Archaeological, Historical, and Cultural Resources	Washington State Department of Archaeology and Historic Preservation (DAHP)	On Pg. 22 1a. we recommend removing “iii. The project is within 100 percent culturally-sterile fill” as there is no way to verify this unless the sources of the fill is known and known to be sterile. Fill from other locations may contain archaeological resources and/or human remains.	In some cases the source of the fill may be known and known to be 100 percent sterile. This provision would apply only in those cases. If the source or makeup of the fill is unknown or cannot be documented this provision would not apply. No change is proposed.

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7.	4.7 Archaeological, Historical, and Cultural Resources	Washington State Department of Archaeology and Historic Preservation (DAHP)	On Pg. 22 1c. the wording should be revised to state that “a site inspection of evaluation by a professional archaeologist is required in coordination with affected Tribes and the Department of Archaeology and Historic Preservation (DAHP) prior to initiating disturbance. The resource shall be avoided a mitigation strategy shall be determined. A permit from DAHP may be required under RCW 27.53.”	<p>Recommended language revision by DAHP is accepted with the revision noted below.</p> <p>Rationale: The DAHP suggested language change clarifies DAHP’s role in in the protection of archaeological and historical resources.</p> <p>The City proposes Section 4.7.B.1.c be revised to read as follows (deletions struck, additional italicized):</p> <p>If cultural resources are present and ground-disturbance is proposed, then a site inspection or evaluation by a professional archaeologist is required in coordination with affected Tribes <i>and DAHP</i> prior to initiating disturbance. The resource shall be avoided or a mitigation strategy shall be determined. Cost of the evaluation and inspection is the responsibility of the permit applicant. <i>A permit from DAHP may be required under RCW 27.53.</i></p>
8.	5.A.1	Washington State Department of Archaeology and Historic Preservation (DAHP)	Thank you for including habitats with “historical or cultural importance” in 5.A.1 c) on page B-15.	Comment noted.

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9.	Appendix A: Definitions	Washington State Department of Archaeology and Historic Preservation (DAHP)	At the top of page A-19 under the definition of “substantial improvement” we recommend the following change to the last phrase of that section as follows: (2) any alteration, rehabilitation, restoration, reconstruction of, or mitigation for, a property or properties listed in, or eligible for listing in, the National Register of Historic Places, Washington Heritage Register, Heritage Barn Register or included in the Washington State Inventory of Cultural resources.	<p>While the current SMP definition is similar, but not verbatim to the WAC, the proposed definition also does not fully align with the WAC.</p> <p>For clarity, the City proposes revising the second part of the definition of “substantial improvement” to match the WAC definition exactly, as follows:</p> <p>“...The term does not, however, include either: (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement or building official and are the minimum necessary to assure safe living conditions; or (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.”</p>

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10.	General	Washington State Department of Archaeology and Historic Preservation (DAHP)	In general the language lacks specificity of process and timelines. We have attached DAHP's model shoreline language for examples of process and timelines that may provide more clarity and specificity when dealing with cultural resources.	<p>In general the regulations defer to the DAHP Statewide Predictive Model to determine appropriate actions.</p> <p>Additionally, the SMP references two RCWs on Skeletal Human Remains (RCW 68.50.645) and Archeological Sites and Resources (RCW 27.53). Both state laws provide additional regulation and process in regards to these topics.</p> <p>With the strengthened references to DAHP proposed above, the City feels no additional changes are necessary to be in compliance with the SMA and fulfill the obligation of protecting archaeological, historical and cultural resources in shoreline jurisdiction.</p>