
Determine what process to use based on the funding mix and location of your project.

1. If federal funds are involved or the project is on Federal or Tribal land, the **Section 106 federal review process** should be followed. Make sure that it happens and document that on the CR complied statement form.
2. If Section 106 is not indicated and non-SCC state funds are involved, the **other agency process** can be followed. Make sure that it happens and document that on the CR complied statement form.
3. If SCC is the only state funder and the project is not on Tribal or Federal land then **the SCC review process** should be used.
4. If the project is for purchase of shared/rental equipment or for materials such as seed or amendments without a specific site identified, no Cultural Resources review is required, and no complied statement form need be submitted.
5. If the project is for outreach/technical assistance only and not for design of a site-specific project, no Cultural Resources review is required and no complied statement form need be submitted.

SCC Cultural Resource Review Process

Step 1: Determine if your practice is classified as soil disturbing.

Cultural resource review should occur early in the project timeline. Once the design and location have been determined such that it is possible to confidently define the Project Impact Area and describe the disturbance involved, review should be initiated. Ensure that copies of all correspondence related to consultation and cultural resource review are sent (copied) to DAHP. You are **STRONGLY** encouraged to have an Unanticipated Discovery Plan (UDP) and make sure the landowner and any others working on site are aware of it. If the Project Impact Area or the nature of disturbance changes following review, the cultural resource review will have to be re-initiated with the updated information. A [sample UDP](#) is provided.

Check the current list of “[Likely Non- Soil-Disturbing Practices](#)” posted on the SCC website.

- a. If all of the practices involved are listed there and fully meet the conditions listed in column A (if any conditions are present for that practice) then no further CR review is required. Indicate that on the CR complied statement. In the event that archaeological or historic materials are discovered during project activities, work in the vicinity must stop, the area must be secured, and DAHP and potentially affected Tribes must be notified.

- b. If any of the practices involved are on the “[Potentially Soil-Disturbing Practices](#)” list on the SCC website or the conditions are not fully met in column A of the “Likely Non-Soil-Disturbing Practices” list, or you believe the specific project may pose a threat to cultural resources (for example will include digging not usually involved in the practice) further review is required. See steps below.

At this point you may proceed on your own with submitting the project to DAHP and the Tribes for review or you may decide to engage the services of a professional archeologist to assist you. An archaeologist may be able to determine that your project meets the conditions in NRCS’s Appendix A and will not require further review and/or can assist you in communicating about the project with DAHP and potentially affected Tribes.

Step 2: Planner fills out an Easy Project Review form early in the planning process. Read and carefully follow instructions on form.

Step 3: Planner or archeologist submits [Easy Project Review form](#) to DAHP and Tribes along with a cover letter see “[Cover letter with E21 form to Tribes and DAHP](#)” for an example. Be sure to copy DAHP on all correspondence with Tribes.

Step 4: Allow DAHP and Tribes at least 30-days to review form and comment.

Step 4: At the end of the 30-day period one of three things can be expected:

- A) No comments/questions that require response received and the cultural resources review is considered complete (though if comments are received later they should also be addressed), or
- B) One or more respondents will respond with comments/questions. If the district is able to address comments/questions to the satisfaction of the respondents - in which case the cultural resource review is complete – send documents to DAHP and submit a CR complied statement, or
- C) One or more respondents will request a cultural resources survey and the cultural resource review proceeds. See further steps below.

Step 5: An archaeologist conducts a cultural resources review which includes a background literature review, fieldwork, and report write-up. During fieldwork cultural resources may or may not be identified. If cultural resources are identified during survey, they will be documented. If the project activities have the potential to impact documented cultural resources additional consultation with DAHP and Tribes may be needed.

Be aware that Cultural Resources surveys and the information they contain are potentially sensitive and have protection under RCW 42.56.300, do not disclose without consulting with DAHP or an attorney. If the landowner requests a copy of the survey, information about Cultural Resources outside their land should be redacted.

Step 6: Archaeologist will upload completed survey to DAHP and provide CD with copy of report.

Step 7: Planner will fill out and send form titled “[cover letter with a survey to Tribes and DAHP](#)” and send in an email to each potentially effected Tribe and copying DAHP on each.

Step 8: Planner allows DAHP and Tribes at least 30 days to review report and comment.

Step 9: At the end of the 30-day period one of three things can be expected:

- A) No comments/questions that require response received and the cultural resources review is complete (though responses received later should also be addressed), or
- D) One or more respondents will respond with comments/questions. The district is able to address comments/questions to the satisfaction of the respondents and the cultural resource review is considered complete, send documents to DAHP and submit a CR complied statement, or
- B) Additional consultation is required to come to an agreement on impacts to cultural resources.

No on-the-ground implementation work should occur until the Cultural Resources review and any resulting consultation process is complete. Moving forward too soon with a project could entail legal and significant financial risk.

In the event that archaeological or historic materials are discovered during project activities, work in the vicinity must stop, the area secured, and DAHP and potentially affected Tribes notified.

In some cases the process takes quite some time, so it is important to plan for the cultural resources compliance portion of a project. Not all projects require a survey, but at a minimum, plan on the time required to fill out and submit the Easy Project Review form and the initial 30-day comment period. If your project will involve ground disturbance you should plan on a timeline that may include a full cultural resources review with a minimum expectation of 120 days from start to finish.

*Forms mentioned in above text are available on SCC website at <https://www.scc.wa.gov/cd/cultural-resources>

Getting Reimbursed for Eligible Cultural Resource Expenses

Budget permitting, for most capital grants (NRI, Shellfish, VSP capital, SFF Classic, RGP, and WSSRI WFF) the SCC will reimburse conservation districts for contract costs such as those for an archaeologist to complete a cultural resource survey or for a Tribal representative to be on site during excavation. Voucher for these costs as you would any other for the grant. District staff time working on cultural resources compliance is an eligible expense only under the technical assistance (TA) portion of a project grant award or under the Implementation Grant. For most SCC capital grants, cultural resource costs such as surveys and on-site monitoring costs will be reimbursed separately, not deducted from the grant award amount. Simply voucher for the cost as you would any other expense. If unsure how cultural resources costs are handled, contact the program manager.

For on-the-ground projects funded by the Implementation Grants, RPPP, VSP operating, FHWR, FPLA and DAP, the district will need to budget for potential cultural resources costs associated with the project. Talk with the program manager about anticipated cultural resources costs for Irrigation Efficiencies and CREP. Contact SCC's Director of Tribal Affairs for any questions.