

# Chapter 25-12 WAC

## ADVISORY COUNCIL ON HISTORIC PRESERVATION

### WAC

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### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

25-12-040	Procedures—Nominations proposed by nonprofessional public. [Statutory Authority: RCW 43.51A.080. 80-06-096 (Order 6), § 25-12-040, filed 5/30/80.] Repealed by 06-06-001, filed 2/15/06, effective 3/18/06. Statutory Authority: RCW 27.34.220, 27.53.140, 43.21C.120.
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**WAC 25-12-010 Purpose.** The purpose of this chapter shall be to ensure compliance by the advisory council on historic preservation with the provisions of chapter 1, Laws of 1973 (chapter 42.17 RCW) in particular that portion dealing with public records.

[Statutory Authority: RCW 43.51A.080. 80-06-096 (Order 6), § 25-12-010, filed 5/30/80.]

**WAC 25-12-020 Definitions.** (1) Public records. "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency, regardless of physical form or characteristics.

(2) Writing. Writing means handwriting, typewriting, printing, photostating, and every other means of recording, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

(3) Advisory council on historic preservation. The advisory council on historic preservation is the council established pursuant to RCW 27.34.250 through 27.34.280, and is hereinafter referred to as the "council."

(4) Department of archaeology and historic preservation. The department of archaeology and historic preservation is that agency established pursuant to RCW 27.34.210, and is hereinafter referred to as the "department." The department provides staff for the council.

(5) State historic preservation officer. The state historic preservation officer is that person appointed pursuant to RCW 27.34.210 to implement the purposes of that chapter, and hereinafter referred to as "SHPO."

(6) State register. These are buildings, sites, structures, objects or districts which are listed on the Washington Heritage Register of Historic Places, and is hereinafter referred to as the "state register."

(2/15/06)

[Statutory Authority: RCW 27.34.220, 27.53.140, 43.21C.120. 06-06-001, § 25-12-020, filed 2/15/06, effective 3/18/06. Statutory Authority: RCW 43.51A.080. 80-06-096 (Order 6), § 25-12-020, filed 5/30/80.]

### WAC 25-12-030 Description of purpose and staff.

The council is of an advisory nature for the governor and the department. Financial and administrative services including those related to budgeting, accounting, financial reporting, personnel and procurement shall be provided to the council by the department. The administrative location of the council and that of its staff is at the Department of Archaeology and Historic Preservation, P.O. Box 48343, Olympia, Washington 98504-8343. The council meets on the last Friday of every fourth month unless otherwise agreed by a majority of the members of the council.

[Statutory Authority: RCW 27.34.220, 27.53.140, 43.21C.120. 06-06-001, § 25-12-030, filed 2/15/06, effective 3/18/06. Statutory Authority: RCW 43.51A.080. 80-06-096 (Order 6), § 25-12-030, filed 5/30/80.]

**WAC 25-12-050 Procedures—Nominations to state and/or National Register.** (1) Any member of the public may submit nominations directly to the SHPO for review and evaluation. The opportunity to review drafts of the nomination is required to promote the rapid handling of the complete document.

(2) The SHPO shall prepare and maintain a list of qualified professional consultants who meet and/or exceed the Secretary of the Interior's Historic Preservation Professional Qualification Standards (48 FR 44716). Inclusion on the list shall be limited to those individuals who have demonstrated an ability to prepare nominations consistent with WAC 25-12-060(3) and 36 C.F.R. Part 60.

(3) Any nomination developed under this section shall be treated as outlined in WAC 25-12-060.

[Statutory Authority: RCW 27.34.220, 27.53.140, 43.21C.120. 06-06-001, § 25-12-050, filed 2/15/06, effective 3/18/06. Statutory Authority: RCW 43.51A.080. 80-06-096 (Order 6), § 25-12-050, filed 5/30/80.]

**WAC 25-12-060 Nomination—Process.** The following is a statement of the general course and method followed in the nomination and designation of historic properties to the state or National Register.

(1) The SHPO shall not schedule any nomination for review by the council if the nomination is poorly prepared, incomplete in any manner, or for a property that does not appear to be eligible for the state or national registers of historic places. The agenda shall be established by the SHPO in cooperation and consultation with the chairperson of the council.

(2) The SHPO may return any nomination to the originator for correction, or for additional information of any kind required for completion and accuracy.

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(3) The SHPO shall prepare and distribute standards of acceptability for nominations, for both the state and National Register programs.

(4) The SHPO will notify the owner of the property and the most appropriate local jurisdiction or government of the date, time, and location of the review of the nomination by the council, such notification to occur not more than 75 days nor less than 30 days prior to the scheduled meeting date.

(5) In the nomination of an historic district to the state or National Register where more than 50 property owners are involved, notification shall occur through a notice in a local newspaper of general circulation. The general notice shall be published at least 30 days, but no more than 75 days before the scheduled meeting date. In addition to formal legal notice, proponents of historic districts shall follow an additional notification process to be outlined by the council. For districts of less than 50 property owners, individual notification of the pending nomination will be sent.

(6) Following council review, the council will transmit its recommendations to the SHPO. When the council has reviewed and approved a procedurally correct nomination and has forwarded it to the SHPO, the SHPO will submit the nomination to the National Register, unless, in his opinion, the SHPO considers the property one which does not meet the National Register criteria. A decision to submit a nomination to the National Register is within the discretion of the SHPO. All council determinations regarding nominations are advisory only. In each instance that the SHPO determines a nomination to be ineligible for inclusion in the National Register, he/she shall notify the council of this action at its next regularly scheduled meeting.

(7) The SHPO shall act upon all nominations reviewed by the council prior to its next regularly scheduled meeting, and shall report those actions to the council at that meeting.

(8) The council alone will determine if properties are eligible for listing on the state register at its regularly scheduled meetings.

[Statutory Authority: RCW 27.34.220, 27.53.140, 43.21C.120. 06-06-001, § 25-12-060, filed 2/15/06, effective 3/18/06. Statutory Authority: RCW 43.51A.080. 80-06-096 (Order 6), § 25-12-060, filed 5/30/80.]

**WAC 25-12-070 Public records available.** All public records of the council, as defined in WAC 25-18-020, are available for public inspection and copying at the department location described in WAC 25-12-030, pursuant to WAC 25-18-040 through 25-18-130, except as otherwise provided by RCW 42.17.310.

[Statutory Authority: RCW 27.34.220, 27.53.140, 43.21C.120. 06-06-001, § 25-12-070, filed 2/15/06, effective 3/18/06. Statutory Authority: RCW 43.51A.080. 80-06-096 (Order 6), § 25-12-070, filed 5/30/80.]