

State and local cultural resources laws apply to shoreline development. State laws include RCW 27.53 (Archaeological Sites and Records), which prohibits the unpermitted removal of archaeological materials and establishes a permitting process, and RCW 27.44 (Indian Graves and Records), which describes how human remains must be treated. This shoreline management master plan requires each project proponent to:

- Consult with the Department of Archaeology and Historic Preservation (DAHP) and Native American tribes to determine if the projects lie within areas of cultural significance.
- Conduct background research at DAHP
- Conduct a site assessment if cultural resources are recorded in the proposed project area or if requested by DAHP or Native American tribes
- Recover archaeological materials in compliance with RCW 27.53 prior to construction
- Consult with the County, DAHP, and Native American tribes if resources are discovered during construction
- Consider cultural resources in planning for public spaces and access

Given the importance of shoreline locations throughout the human history of Washington, the potential for cultural resources should be considered high for any shoreline development permit unless demonstrated otherwise. To comply with state and local law, applicants should perform records searches at DAHP and require cultural resources site assessments in high potential areas where resources are recorded on or near the project lands. If the probability of unrecorded resources is high, applicants should be prepared to follow the provisions of RCW 27.53 and 27.44 if cultural resources are identified or encountered during the planning or construction process.