

TOS ES21-030 (Attachment 3)

Best Management Practices for Inadvertent Discovery of Archaeological and Paleontological Resources

If the cultural resources evaluation results indicate that the site is sensitive for resources, below are standard best management practices (BMPs) that may be added to the Project scope based on The *Standard Specifications for Public Works Construction "Greenbook"*.

BMP-ARC-1: If the Project site is located in a sensitive area for archaeological resources, an Archaeological Worker Environmental Awareness Program (WEAP) shall be implemented prior to the start of construction. A Qualified Archaeologist or Archaeological Monitor shall conduct the training for construction personnel regarding archaeological resources. The training should include an overview of potential archaeological, tribal cultural, and paleontological resources that could be encountered during Ground Disturbance Activities, contact information and procedures for inadvertent finds, and penalties for unauthorized artifact and/or fossil collecting or intentional disturbance. The WEAP training can be in the form of a video or PowerPoint presentation or printed literature (handouts) that can be given to new workers and contractors to avoid the necessity of continuous training over the course of the Project. A copy of the WEAP training materials will be provided to the City of Los Angeles (City) Bureau of Engineering (BOE). It is assumed that the training will occur only within on-site construction hours. A training log documenting all on site construction personnel that have received the WEAP training shall be developed and provided to the BOE. In the event of an archaeological resource discovery by construction personnel, all work in the immediate vicinity of the find shall cease and a Qualified Archaeologist shall be contacted to evaluate the find before restarting work in the area. If it is determined that the archaeological resource(s) is(are) scientifically significant, the archaeological monitor shall complete the Archaeological Assessment.

BMP-ARC-2: Archaeological Assessment. If a potential archaeological resource is uncovered during earthwork or construction, all work shall cease within a minimum distance of 50 feet from the find until a Qualified Archaeologist has been retained to evaluate the find in accordance with the National Register of Historic Places and the California Register of Historical Resources criteria and the BOE shall be notified of the inadvertent discovery. The Qualified Archaeologist may adjust this avoidance area, ensuring appropriate temporary protection measures of the find are taken while also considering ongoing construction needs in the surrounding

area. Temporary staking and delineation of the avoidance area shall be installed around the find in order to avoid any disturbance from construction equipment. Ground Disturbance Activities may continue unimpeded on other portions of the site outside the specified radius. Any potential archaeological resource or associated materials that are uncovered shall not be moved or collected by anyone other than an Archaeological Monitor or Qualified Archaeologist unless the materials have been determined to be non-unique archaeological resources, as defined in the Public Resources Code Section 21083.1(h), by the Qualified Archaeologist. The Qualified Archaeologist shall determine if the resources are unique archeological resources as defined in the Public Resources Code Section 21083.2(g). Consistent with the Public Resources Code Section 21083.2, the handling, treatment, preservation, and recordation of unique archaeological resources should occur as follows:

The find should be preserved in place or left in an undisturbed state unless the Project would damage the resource.

When preserving in place or leaving in an undisturbed state is not possible, excavation and recovery of the find for scientific study should occur unless testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, and this determination is documented by a Qualified Archaeologist.

Ground Disturbance Activities in the area where resource(s) were found may recommence once the identified resources are properly assessed and processed by a Qualified Archaeologist. A report that describes the resource(s) and its disposition, as well as the assessment methodology, shall be prepared by the Qualified Archaeologist according to current professional standards and maintained for at least five (5) years after the certificate of occupancy is issued. If appropriate, the report should also contain the Qualified Archaeologist's recommendations for the preservation, conservation, and curation of the resource at a suitable repository, such as the Natural History Museum of Los Angeles County (NHMLA), with which the City must comply. Within 60 days following the completion of monitoring and all associated work, the Qualified Archeologist shall submit the appropriate report to the BOE and to the South Central Coastal Information Center (SCCIC) at the California State University, Fullerton and the report(s) shall include all state and local requirements. Reports submitted to the SCCIC shall be formatted and completed in accordance with the California Historic Resources Inventory System (CHRIS) document submittal standards.

BMP-TCR-1: Treatment of Tribal Cultural Resources. If a potential tribal cultural

resource is uncovered during earthwork or construction, all work shall cease within a minimum distance of 50 feet from the find until a Qualified Tribal Monitor or Archaeological Monitor has been retained to evaluate the find and the BOE is notified of the inadvertent discovery.

Following discovery, the BOE shall immediately contact all Native American tribes that have informed the City that they are traditionally and culturally affiliated with the geographic area of the Project, as well as the BOE. If a Qualified Tribal Monitor or Archaeological Monitor determines, pursuant to the Public Resources Code Section 21074(a)(2), that the object or artifact appears to be a potential tribal cultural resource, in its discretion and supported by substantial evidence, the City shall provide any affected tribe a reasonable period of time, not less than five (5) business days, to conduct a site visit and make recommendations to the BOE regarding the monitoring of future Ground Disturbance Activities and the treatment and disposition of any discovered tribal cultural resources. The City shall implement the tribe's recommendations if the Qualified Tribal Monitor or Archaeological Monitor reasonably concludes such recommendations are reasonable and feasible.

Consistent with the Public Resources Code Section 21083.2, the handling, treatment, preservation, and recordation of tribal cultural resources should occur as follows:

The find should be preserved in place or left in an undisturbed state unless the Project would damage the resource.

When preserving in place or leaving in an undisturbed state is not possible, excavation and recovery of the find for scientific study should occur unless testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, and this determination is documented by a Qualified Tribal Monitor or Qualified Archaeologist.

All collected artifacts and fieldwork notes, if not human remains or other mortuary objects, shall be curated at the NHMLA or another appropriate curatorial facility for educational purposes. If cleared by the Qualified Tribal Monitor or Archaeological Monitor, Ground Disturbance Activities may continue unimpeded on other portions of the site. Ground Disturbance Activities in the area where resource(s) were found may recommence once the identified resources are properly assessed and processed. A report that describes the resource and its disposition, as well as the assessment methodology shall be prepared by the Qualified Tribal Monitor or Archaeological Monitor, according to current professional standards and maintained for at least five (5) years after the certificate of occupancy is issued. A copy of the report shall be submitted to BOE, the

SCCIC at the California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File. The BOE may review and approve any monitoring or mitigation plans prior to implementation.

BMP-PAL-1: The Project applicant should retain a Qualified Paleontologist, who meets or exceeds the qualification standards defined by the Society of Vertebrate Paleontology (SVP) for a Qualified Paleontologist (SVP 2010). The Qualified Paleontologist should carry out all regulatory compliance measures and protocols related to paleontological resources. The Qualified Paleontologist should obtain a curatorial arrangement with a qualified repository (e.g., Natural History Museum of Los Angeles County [NHMLA]) prior to construction in the event of significant paleontological resource discoveries during construction.

BMP-PAL-2: Conduct Worker Training. The Qualified Paleontologist should develop a WEAP training to educate the construction crew on the legal requirements for preserving fossil resources, as well as the procedures to follow in the event of a fossil discovery. This training program should be given to the crew before ground-disturbing work commences and should include handouts to be given to new workers as needed.

BMP-PAL-3: Monitor for Paleontological Resources. Full-time paleontological monitoring should occur during ground-disturbing activities that impact previously undisturbed sediments at depths of five (5) feet below ground surface (bgs) or greater that have high paleontological sensitivity, including late Pleistocene young alluvium (Qya2) and late Pleistocene old shallow marine deposits on wave-cut surface (Qom). Monitoring should not be required when ground-disturbing activities are less than five (5) feet bgs, or when impacting only previously disturbed sediments and/or recent artificial fill (af) regardless of depth. Monitoring should be conducted by a qualified Paleontological Monitor who meets the standards of the SVP and who should be supervised by the Qualified Paleontologist. The Qualified Paleontologist may periodically inspect construction activities to adjust the level of monitoring in response to subsurface conditions. Monitoring efforts can be increased, reduced, or ceased entirely if determined adequate by the Qualified Paleontologist. Paleontological monitoring should include inspection of exposed sedimentary units during active excavations within sensitive geologic sediments. The monitor should have authority to temporarily divert activity away from exposed fossils to evaluate the significance of the find and, should the fossils be determined significant, professionally and efficiently recover the fossil specimens and collect associated data. The monitor should record pertinent geologic data and collect appropriate sediment samples from any fossil localities. Recovered fossils should be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological repository (e.g., NHMLA).

BMP-PAL-4: Prepare a Paleontological Resources Monitoring Report. Upon conclusion of ground disturbing activities, the Qualified Paleontologist overseeing paleontological monitoring should prepare a final monitoring report that documents the paleontological monitoring efforts for the Project and describes any paleontological resources discoveries observed and/or recorded during the life of the Project. If paleontological resources are curated, the final monitoring report and any associated data pertinent to the curated specimen(s) should be submitted to the designated repository. A copy of the final monitoring report should be filed with the City.