

## SECTION 01 35 91

### HISTORIC TREATMENT PROCEDURES

#### PART 1 – GENERAL

##### 1.01 SECTION INCLUDES

- A. Coordinating excavation operations with Project Archaeologist (PA), temporary suspension of excavation operations at specific isolated locations for archaeological and paleontological excavations, and relocating excavation operations temporarily to bypass archaeological discovery sites.

##### 1.02 RELATED SECTIONS

- A. Section 01 33 00: Submittal Procedures

##### 1.03 REFERENCES

- A. California Public Resources Code:
  - 1. Chapter 1.7 - Archaeological, Paleontological, and Historical Sites, Section 5097.5(a)
  - 2. Chapter 1.75 - Native American Historical, Cultural, and Sacred Sites, Section 5097.98.

- B. Native American Heritage Commission (NAHC) **1.04**

#### QUALITY ASSURANCE (Not Used)

##### 1.05 SUBMITTALS

- A. Refer to Section 01 33 00 – Submittal Procedures, for submittal requirements and procedures.
- B. Discovery Plan prepared by one or more of following responsible parties:
  - 1. Environmental Compliance and Services Department (ECSD) Staff
  - 2. Project Engineer
  - 3. Archaeologist/Paleontologist

##### 1.06 DEFINITIONS (Not Used)

##### 1.07 WORKSITE CONDITIONS

- A. Pre-Construction Meeting: Before commencement of excavation at Worksite, hold pre-excavation meeting to discuss excavation methods to be used in field, and establish lines of communication between Contractor, Metro, and PA regarding archaeological or paleontological discoveries and their removal.
  - 1. Metro will familiarize Contractor, by means of a 1-hour training class, with specific types of archaeological or paleontological materials that may be encountered, extent of cooperation with PA, and methods of dealing with discovery of resources.
  - 2. Metro will familiarize PA with construction procedures.
    - a. Contractor will video tape the class.

- a. Contractor will show it to every new construction employee that may be involved with earth-disturbing work.
  - a. Contractor will provide a sign-in sheet to verify employees having seen the video, and will be compliant with the requirements of this Spec.
- B. Metro will remain single authority on Worksite.
- 1. Coordination between PA and Design-Builder shall flow through Metro
  - 2. Metro will provide project Archeologist. **PART 2 –**

## **PRODUCTS (Not Used)**

## **PART 3 – EXECUTION**

### **3.01 COORDINATION**

- A. Coordinate excavation operations with PA.
- 1. PA will be responsible for monitoring removal of earth from tunnel or station sites, cut-and-cover locations, and surface excavations for archaeological or paleontological resources.
  - 2. If such resources are encountered, PA will determine significance and, if required, will recover resources and associated data.
  - 3. If archeological or paleontological resources are encountered on Caltrans Right of Way, PA will notify Metro.

### **3.02 MONITORING**

- A. PA will provide monitoring of excavation to ensure discrete deposits and individual archaeological or paleontological features are not inadvertently lost.
- B. PA will assign trained monitor to observe earth moving activities.
- 1. It may be necessary to temporarily suspend earth moving activities if archaeological or paleontological resources are found.
  - 2. PA will determine type, period and significance of resource and appropriate excavation and removal procedure to be followed.
- C. Monitoring activities will continue until excavation has passed zone where archaeological or paleontological finds are considered likely.

### **3.03 TREATMENT OF DISCOVERY**

- A. Although unlikely, discovery of human remains is a possibility.
- 1. If archaeological or paleontological deposits are encountered during excavation, temporarily halt Work in immediate area so that PA can conduct evaluation to determine whether discovery is significant.
  - 2. In event of accidental discovery or recognition of human remains during construction, based on State of California Health and Safety Code Section 7050.5, implement following course of action immediately by PA, Metro, Construction Manager, or authorized site representative:

- a. Work around paleontological discovery, evaluation and data recovery to minimize work stoppage.
  - b. No further excavation or disturbance of Worksite is to occur within 100 feet
  - c. Have construction personnel promptly vacate 100-foot buffer zone.
3. Immediately notify County Coroner of find (by PA or Metro).
  4. There is to be no further activity at Worksite until Coroner has made determination of origin and disposition, pursuant to California Public Resources Code Chapter 1.7 – Archaeological, Paleontological, and Historical Sites, and Chapter 1.75 – Native American Historical, Cultural, and Sacred Sites Section 5097.98.
  5. If human remains are determined to be prehistoric, Coroner will notify Native American Heritage Commission (NAHC), and NAHC will determine and notify Most Likely Descendent (MLD).
    - a. MLD is to complete inspection of Worksite within 48 hours of notification.
    - b. MLD then has opportunity to recommend to Metro or person responsible for excavation work, means for treating, with appropriate dignity, human remains and associated grave goods.

### **3.04 RECOVERY**

- A. When PA determines archaeological or paleontological discovery is significant, provide labor, materials and equipment to excavate, load, transport and unload discovery within Project limits as requested by PA and accepted by Metro.

**END OF SECTION 01 35 91**