

# Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: \_\_\_\_\_

Project Title: Roadside Park Project

Lead Agency: City of Baldwin Park

Contact Name: Nick Baldwin 

Email: NBaldwin@baldwinparkca.gov Phone Number: (626) 960-4011 x475

Project Location: Baldwin Park Los Angeles County  
*City* *County*

Project Description (Proposed actions, location, and/or consequences).

See attached.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

None

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

N/A

Provide a list of the responsible or trustee agencies for the project.

California Department of Transportation, District 7  
Los Angeles County Flood Control District

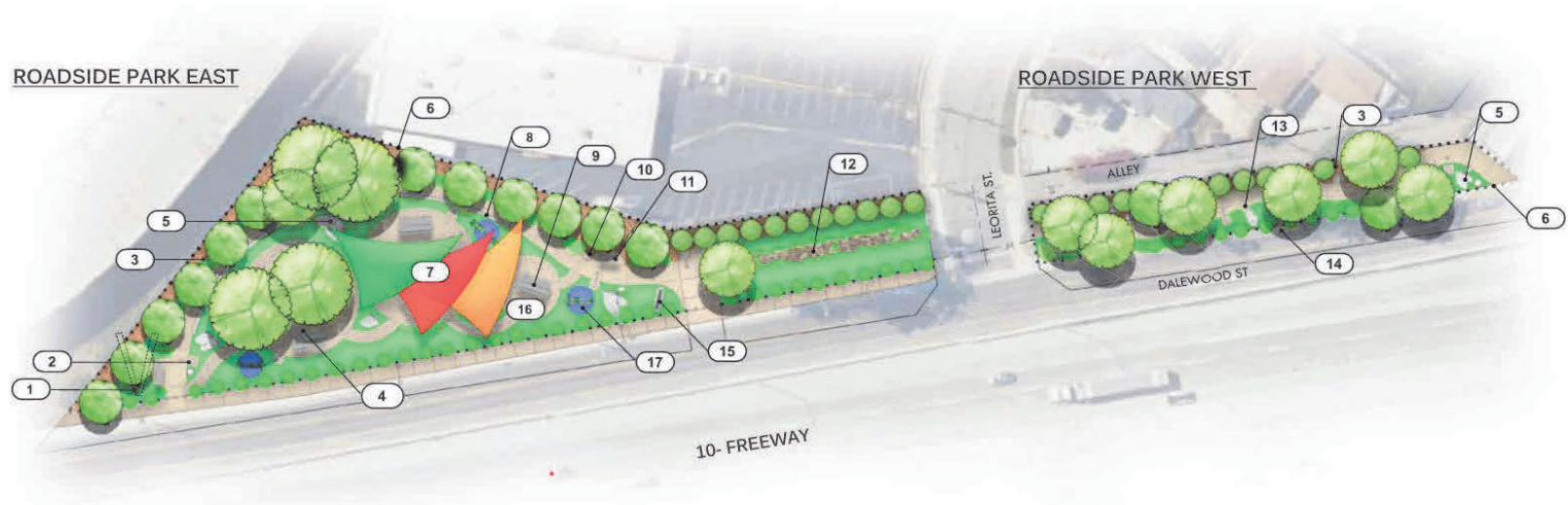
# 1. Project Description

The Project is being implemented by the City to address the City's environmental efforts and expand recreational facilities. This Project aims to develop the existing surface basin area into a subsurface stormwater capture and infiltration system with park features on the surface. The City is committed to maximizing community benefits through the Project. Amenities are expected to include a nature-based playground, shade structure, outdoor fitness equipment, picnic areas, native plants and pollinator garden, restroom facility, irrigation system and walking path with solar lighting, recycled benches and tables, and open green space. The park will also include approximately 17 new large shade trees, native plants and shrubs, permeable walkways, and stormwater capture bioswales and an underground water infiltration system to recharge this region's groundwater table. The conceptual layout of the Project is included as **Figure 2-1**.

The City is a participant in the Upper San Gabriel River (USGR) Watershed Management Group (WGM), which is composed of the County of Los Angeles (County), Los Angeles County Flood Control District (LACFCD), and the Cities of Baldwin Park, Covina, Glendora, Industry, La Puente, and West Covina. The USGR WGM developed the USGR Enhanced Watershed Management Program (EWMP) Plan, which identified projects to improve water quality. The Project may support the EWMP Plan's stormwater planning goals including reusing stormwater, enhancing flood control, promoting water conservation efforts, improving water quality, and increasing water supplies.

The Project goals are summarized as follows:

- Increase recreational park space
- Promoting groundwater recharge
- Enhance water quality
- Maximize community benefits
- Minimize disruption to residents and local businesses
- Incorporate community-based input

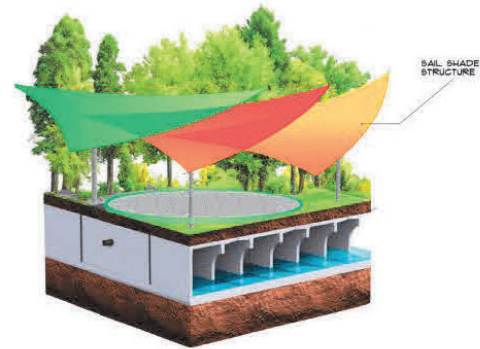


**LEGEND**

- |  |  |
|--|--|
| (1) FREEWAY DIGITAL SIGN                     | (8) SEATWALL                                       |
| (2) SOLAR LIGHTING                           | (9) PICNIC TABLE ADA                               |
| (3) DROUGHT TOLERANT LANDSCAPING AND MULCH   | (10) TRASH RECEPTACLE                              |
| (4) LARGE PLAY/GATHERING AREA                | (11) BENCH   |
| (5) BOULDER FORMATION W/INTERPRETIVE SIGNAGE | (12) BIO SWALE DRAINS TO STORMWATER CAPTURE SYSTEM |
| (6) DECORATIVE PERIMETER FENCING             | (13) MEANDERING WALKING PATH                       |
| (7) SAIL SHADE STRUCTURE                     | (14) STREET LIGHT                                  |
|  | (15) MONUMENT                                      |
|  | (16) SMALL PLAY/GATHERING AREA                     |
|  | (17) SINGLE UNIT FITNESS EQUIPMENT                 |

CONCEPT PLAN

**ROADSIDE PARK**  
CITY OF BALDWIN PARK



**Stormwater Capture**  
Stormwater Capture and Infiltration system



NORTH



N.T.S

**Figure 2-1 Project Concept**

## 1.1 Project Location

The proposed Project will be located in the City of Baldwin Park, within Los Angeles County, California. The City of Baldwin Park is situated in the central San Gabriel Valley region of Los Angeles County. The project site is at Roadside Park, located at 1081 Leorita Street, as depicted in **Figure 2-2**. Roadside Park will take the place of two empty lots at the intersection of Leorita Street and Dalewood Street, adjacent to the Kaiser Permanente Medical Center, next to the San Bernadino Freeway (Highway 10). The park's location is also 0.25 miles from the route of the Baldwin Park Greenway, a 5-mile protected bike and pedestrian path that is currently under construction.



Figure 2-2 Project Location

## 2. Potential Significant Impact and Corresponding Mitigation Measures

### 2.1 Air Quality

Operation of the project will not have significant impact to air quality. Project construction equipment and activities, including diesel exhaust emissions, could generate odors and emissions. There may be situations where construction activity odors would be noticeable by persons working at or visiting nearby facilities, but these odors would not be unfamiliar or objectionable. In addition, these odors would be temporary and would dissipate rapidly from the source with an increase in distance. To prevent any significant impacts to air quality by sensitive receptors, AIR-1 will be incorporated into the project.

#### 2.1.1 Mitigation Measures

**AIR-1** – Pursuant to Rule 403 of the SCAQMD, the following dust minimizing measures shall be implemented:

- City of Baldwin Park and its designees shall comply with all applicable SCAQMD Rules and Regulations, including Rule 403 ensuring the cleanup of construction-related dirt on approach routes to the site. Rule 403 prohibits the release of fugitive dust emissions from any active operation, open storage pile or disturbed surface area visible beyond the property line of the emission source.
- City of Baldwin Park and its designees shall comply with all SCAQMD established minimum requirements for construction activities to reduce fugitive dust and PM<sub>10</sub> emissions.
- Adequate water techniques shall be employed to mitigate the impact of construction-related dust particulates. Portions of the site that are undergoing surface earth moving operations shall be dewatered such that a crust will be formed on the ground surface, and then watered again at the end of each day. Site watering shall be performed as necessary to mitigate blowing dust.
- Grading operations shall be suspended during first stage ozone episodes or when winds exceed 25 mph. A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.
- Any construction equipment using direct internal combustion engines shall use a diesel fuel with a maximum of 0.05 percent sulfur and four-degree retard.
- Construction operations affecting roadways within the project area including detour routes, shall be scheduled by implementing traffic hours and shall minimize obstruction of through traffic lanes.
- The engines of idling trucks or heavy equipment shall be turned off if the expected duration of idling exceeds five minutes.
- On-site heavy equipment used during grading and construction shall be equipped with diesel particulate filters unless it is demonstrated that such equipment is not available, or its use is not cost-competitive.
- All haul trucks leaving or entering the site shall be covered or have at least two feet of freeboard.

- Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered twice daily.
- Any site access points within 30 minutes of any visible dirt deposition on any public right-of-way shall be mechanically or manually swept.

## 2.2 Biological Resources

The proposed Project is situated in an urbanized area, specifically in an established but vacant park. It is anticipated that the Project will have minimal impact on local wildlife movement or nurseries. While the site includes several trees, the urban environment suggests they are unlikely to provide suitable habitat or nesting sites for migratory birds. However, while the likelihood of nesting is low, it is still possible for birds to nest in the area. Project activities could result in the mortality or injury of nestlings, as well as the temporary or long-term loss of suitable foraging habitat. Implementation of various mitigation measures will be required, including conducting pre-construction species surveys and carrying out protective measures in the event that special status species are found during construction.

### 2.2.1 Mitigation Measures

**BIO-1** – Prior to ground-disturbing activities in areas that could support sensitive biological resources, a habitat assessment shall be conducted by a qualified biologist to determine the potential for special-status wildlife species to occur within affected areas, including areas directly or indirectly impacted by construction or operation of the BMPs. If a special-status wildlife species is found, pre-construction surveys of proposed work zones should be conducted 14 days prior to construction. Areas, including construction areas, staging areas, and right-of-ways, should be staked, flagged, fenced, or otherwise clearly delineated to restrict the limits of construction to the minimum necessary near areas that may support special-status wildlife species with special-status wildlife species; if avoidance is not possible, the City of Baldwin Park should consult with the appropriate regulating agency (USACE/USFWS/CDFW) to determine a strategy for compliance with the Endangered Species Act, California Fish and Wildlife Code, or other regulations supporting special-status species. The City of Baldwin Park will work together with those regulating agencies to determine appropriate impact minimization measures and compensation for any permanent impacts due to the Project. If no breeding and nesting birds and/or raptors are found, then construction may proceed as scheduled with no additional monitoring or measured required.

**BIO-2** – To protect nesting birds that may occur on site or adjacent to the Project boundary, no construction shall occur from February 1 through September 15, as early as January 1 for some raptors, unless a qualified biologist completes a survey for nesting bird activity within a 500-foot radius of the construction site. The nesting bird surveys shall be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. The City of Baldwin Park should require surveys be conducted by a qualified biologist no more than 7 days prior to the beginning of any Project-related activity likely to impact raptors and migratory songbirds, for the entire project site. If Project activities are delayed or suspended for more than 7 days during the breeding season, the surveys shall be repeated. If nesting raptors and migratory songbirds are identified, the following minimum no-disturbance buffers shall be implemented: 300 feet around active passerine (perching birds and songbirds) nests, 500 feet around active non-listed raptor nests and 0.5 mile around active listed bird nests. These buffers shall be maintained until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Any sensitive and special status species data documented by the Project shall be submitted to

the California Natural Diversity Database with all applicable data fields filled out. The City of Baldwin Park and/or a designee will notify the CDFW once submitted.

**BIO-3** – The Project shall implement BMPs to prevent erosion and the discharge of sediment and pollutants into drainages during Project activities. BMPs shall be monitored and repaired, if necessary, to ensure maximum erosion, sediment, and pollution control. The Project proponent shall prohibit the use of erosion control materials potentially harmful to fish and wildlife species, such as mono-filament netting (erosion control matting) or similar material. All fiber rolls, straw wattles, and/or hay bales utilized within and adjacent to the project site shall be free of nonnative plant materials. Fiber rolls or erosion control mesh shall be made of loose-weave mesh that is not fused at the intersections of the weave, such as jute, or coconut (coir) fiber, or other products without welded weaves.

## 2.3 Cultural Resources

The Cultural Resources Assessment indicated that no cultural resources were found within the Project APE. There is low potential for the project to encounter culturally significant items, however since there will be ground-disturbing activities, mitigation measures **CUL-1** through **CUL-4** will be incorporated.

### 2.3.1 Mitigation Measures

**CUL-1** – Prior to the commencement of grading or excavation, all workers and supervisors will receive Worker Environmental Awareness Program (WEAP) training from a qualified archaeologist regarding the potential for sensitive archaeological and paleontological resources to be unearthed during grading activities. The training shall educate and direct the workers to report any unusual specimens of bone, stone, ceramics or other archaeological artifacts or features observed during excavation, grading, and/or other construction activities to their foremen and to cease grading activities in the immediate vicinity of the discovery until a qualified archaeologist or Native American cultural monitor is notified of the discovery at the project site and can assess their significance. Upon completion of the WEAP, workers shall sign a form stating that they attended the program, understand all protection measures, and shall abide by all the rules of the WEAP. If new construction personnel are added to the Project later, the construction foreman shall ensure that new personnel receive training before they start working. The WEAP shall be implemented throughout the duration of project construction. A record of all trained personnel shall be kept at the project field construction office and shall be made available to any resource agency personnel.

**CUL-2** – If previously unidentified cultural resources and/or tribal cultural resources are unearthed during ground activity, all work shall immediately be suspended within 100 feet of the discovery and the City shall be immediately notified. A qualified archaeologist and a Native American monitor shall assess the significance of the find and determine if it is a California Register of Historic Resource (CRHR)-eligible archaeological resource and/or tribal cultural resource. If the qualified archaeologist determines that adverse impacts to tribal cultural resources or significant archaeological resources could occur during the Project, then the resources shall be avoided from direct Project impacts by Project redesign, if feasible. If the resource cannot be avoided, then an archaeological treatment plan shall be developed and implemented.

**CUL-3** – In compliance with Section 5097.98 of the Public Resources Code and Section 7050.5 of the California Health and Safety Code, if human remains are encountered, all ground disturbing activities

shall be immediately suspended within 100 feet of the discovery, and the County Coroner should be notified immediately. If the Coroner determines the remains are Native American in origin, they must notify the Native American Heritage Commission within 24 hours of such identification so that the Native American Heritage Commission can contact the Most Likely Descendant (MLD). The MLD shall be provided access to the discovery and will provide recommendations for treatment of the remains within 48 hours of accessing the discovery site. The MLD recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials, preservation of Native American human remains and associated items in place, relinquishment of Native American human remains and associated items to the descendants for treatment, or any other culturally appropriate treatment. Disposition of human remains and any associated grave goods, if encountered, shall be treated in accordance with procedures and requirements set forth in Sections 5097.94 and 5097.98 of the Public Resources Code; Section 7050.5 of the California Health and Safety Code and CEQA Guidelines Section 15064.5.

**CUL-4** – If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. Preservation in place is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site. Examples of that treatment, in no order of preference, may include, but are not limited to, any of the following: planning construction to avoid archaeological sites, deeding archaeological sites into permanent conservation easements, capping or covering archaeological sites with a layer of soil before building on the sites, and planning parks, greenspace, or other open space to incorporate archaeological sites.

## 2.4 Noise

Operation of the Project will not produce any long-term or perceptible noise impacts. However, due to the nature of construction activities such as excavation, grading, drilling, trenching, pile driving, and other ground-disturbing phases of the Project, temporary noise may become noticeable during the construction phase. To ensure compliance with the City's Noise Ordinance and to minimize potential disturbances to nearby sensitive receptors, including residential homes adjacent to the Project site, mitigation measures **NOISE-1** through **NOISE-3** will be incorporated. Additional measures will include the use of construction mufflers, sound blankets, and other noise-reducing practices to maintain noise levels within allowable thresholds.

### 2.4.1 Mitigation Measures

**NOISE-1** – The City of San Dimas and their designees shall implement the following measures during construction as needed:

- Include design measures necessary to reduce the construction noise levels where feasible. These measures may include noise barriers, curtains, or shields.
- Place noise-generating construction activities (e.g., operation of compressors and generators, cement mixing, general truck idling) as far as possible from the nearest noise-sensitive land uses.

- Locate stationary construction noise sources as far from adjacent noise-sensitive receptors as possible.
- Identify a liaison for off-site sensitive receptors, such as residents and property owners, to contact with concerns regarding construction noise and vibration. The liaison's telephone number(s) shall be prominently displayed at construction locations.
- Notify, in writing, all landowners, occupants of properties adjacent to the construction area, and nearby sensitive receptors of the anticipated construction schedule at least 2 weeks prior to groundbreaking.
- Prepare visible signs indicating "Noise Control Zone."
- Use noise-control devices that meet original specifications and performance.
- To the extent practical, use electrically-powered equipment.
- Implement temporary noise barriers and sound-control curtains where project activity is unavoidably close to noise-sensitive receivers. In particular, noise barriers of 8 feet and 12 feet tall should be established around work sites to remove noise impacts from the different construction operation areas. The construction contractor should regularly evaluate the noise level at nearby sensitive receptors to ensure noise levels are not in exceedance. If so, the following noise barrier measures should also be incorporated:
  - Break line of sight from noise source to receiver
  - Use a frame to secure an appropriate acoustic blanket or paneling
  - Use a solid material with a minimum surface density of 3 lb/ft<sup>2</sup> or mass-loaded acoustic blankets with at least STC 25
  - Overlap or seal any gaps in the barriers
- Designate haul routes to be used based on the least overall noise impact route, with heavily-loaded trucks away from residential streets, if possible. Identify haul routes streets with the fewest noise sensitive receivers if no alternatives are available.
- Place earth-moving equipment, fixed noise-generating equipment, stockpiles, staging areas, and other noise-producing operations as far as practicable from noise-sensitive receivers.
- Eliminate the use of horns, whistles, alarms, and bells.
- Phase demolition, earth moving, and ground impacting operations so they do not occur in the same time period.
- In the case of nighttime construction, the contractor shall comply with the provisions of the nighttime noise variance issued by the City.
- Conduct periodic noise measurements in accordance with an approved noise monitoring plan, specifying monitoring locations, equipment, procedures, and schedule of measurements and reporting methods to be used.

**NOISE-2** – All construction activities that employ mechanized stationary equipment that generate noise levels shall comply with the applicable noise standards established by the City of San Dimas. The equipment shall be designed with noise-attenuating features (e.g., enclosures) and/or located at areas (e.g., belowground) where nearby noise-sensitive land uses would not be exposed to a perceptible noise increase in their noise environment.

**NOISE-3** – To prevent impacts from vibrations, large vibration producing equipment should be placed as far as is feasible from sensitive receptors. Furthermore, the City of San Dimas and their designees should implement the following measures as needed:

- Pre-construction Survey - A before and after survey should include inspecting building foundations and taking photographs (or installing crack monitors) of pre-existing conditions, cracks, or other flaws. The survey can be limited to buildings closest to the pile driving activities, except for the case of unusually fragile or historic structures that are located within approximately 200 feet of construction.
- Sonic Pile Driving - At the upper range reference vibration for the sonic/vibratory pile driver, the risk for damage to nearby buildings begins when the equipment is 32 feet or closer to the structure. The nearest piling is expected to be 20 feet from the closest structure, so vibration limit exceedances would remain with use of a vibratory pile driver.
- Drilled Piles - Noise emission levels from bored/drilled piling methods are approximately 15 dB lower and peak particle velocity (PPV) levels may be more than 15 times lower than those due to traditional impact piling. The use of these methods will eliminate the vibration impacts of all receivers. These methods will also substantially reduce the noise impacts and in most cases they will also be eliminated, with the use of a suitable noise barrier.
  - Hammer Energy - A recommended way to reduce PPV is to lower the hammer energy since there is a direct relationship between hammer energy and the resultant ground vibration. Ground PPV generally follows a square root relationship with hammer energy (i.e.  $PPV \sim \sqrt{\text{Hammer Energy}}$ ). The degree of hammer energy reduction must be balanced against the likelihood/severity of expected exceedances, increase in total driving time, and ability to drive to required friction tolerances.
  - Vibration Monitoring - It is recommended that vibration monitoring be conducted at any building where equipment is operating closer than the limits noted in **Table 3-6**.

**Table 3-1 Construction Equipment Vibration Reference Levels**

Equipment Description	Minimum Separation Distance
Pile Driver (impact)	52 feet
Pile Driver (Vibratory)	32 feet
Vibratory Roller	14 feet
Compactor (Ground)	13 feet
Large Bulldozer	8 feet

## 2.5 Public Services

During operation, the project will not have any impacts to public services, however during construction, roads may be closed and could potentially impact response times in emergency services. To ensure impacts are less than significant, **PS-1** will be incorporated.

### 2.5.1 Mitigation Measures

**PS-1** – The City shall provide reasonable advance notification to service providers such as fire, police, and emergency medical services as well as to local businesses, homeowners, and other residents

adjacent to and within areas potentially affected by the proposed Project about the nature, extent, and duration of construction activities. Interim updates should be provided to inform the public of the status of the construction activities.

**PS-2** – The City shall provide advance notice (at least 10-days prior) to emergency (fire, police, medical) services for any lane or street closures that may impact traffic circulation during construction.

## 2.6 Transportation/Traffic

The Project will not conflict with any program, plan, ordinance, or policy addressing the circulation system. Roadways will not be modified as part of the Project, and therefore, no impacts are anticipated. There are no bike lanes or bike routes within the project site, so no impacts are anticipated in this regard. Although Baldwin Park Transit routes are along the Project area boundary on Dalewood Street, roadway impacts will be temporary during construction and return to normal usage once construction is completed. While construction activities may temporarily affect pedestrian crosswalks and surrounding roads. With the incorporation of Mitigation Measures **TRAF-1** and **TRAF-2**, impacts from the Project will be less than significant.

### 2.6.1 Mitigation Measures

**TRAF-1** – The Contractor will notify local Police and Fire Departments in its intent to for lane closure at least ten (10) days before Work is to begin. The Contractor shall cooperate with local authorities relative to handling traffic through the area.

**TRAF-2** – Transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. Project specifications will limit construction traffic to off-peak periods to minimize the potential impact on State facilities. If construction traffic is expected to cause delays on any State facilities, a construction traffic control plan detailing these delays shall be submitted for Caltrans' review.

## 2.7 Tribal Cultural Resources

The Cultural Resources Assessment indicated that no cultural resources were found within a mile of the Project's area. There is low potential for the project to encounter Tribal Cultural Resource Objects, however, since there will be ground-disturbing activities, mitigation measures **TCR-1** through **TCR-3** will be incorporated.

### 2.7.1 Mitigation Measures

**TCR-1** – Retain a Native American Monitor 30 Days Prior to Commencement of Ground-Disturbing Activities.

- The City of Baldwin Park shall retain a Native American Monitor. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement

removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

- The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the City of San Dimas upon written request to the Tribe.
- Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Native American Monitor or qualified archaeologist. The Native American Monitor or qualified archaeologist will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

#### **TCR-2 – Unanticipated Discovery of Human Remains and Associated Funerary Objects**

- Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.
- If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.
- Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
- Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the monitor determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Native American monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)
- Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the

materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

- Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

### **TCR-3 – Procedures for Burials and Funerary Remains**

- As the MLD, the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.
- If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.
- The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.
- In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.
- In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.
- Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.
- The Tribe will work closely with the project’s qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and

sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.