

## APPENDIX F

### Archaeological Monitoring and Discovery Plan

#### **Purpose and Scope:**

This describes the general procedures to be followed during archaeological monitoring and the protocol for coordination in the event of inadvertent discovery of cultural resources, for projects which have not addressed such procedures through a Memorandum of Agreement (MOA). These procedures apply to all Federal Highway Administration (FHWA) Federal-Aid Highway Program (FAHP) projects and 23 U.S.C. 327 assigned projects (NEPA Assignment Program) where the DOT&PF has assumed Section 106 responsibilities.

#### **Professional Qualifications:**

Work under the terms of the Archaeological Monitoring and the Discovery Plan is to be carried out by or under the direct supervision of a person or persons meeting at a minimum the *Secretary of the Interior's Professional Qualifications Standards for Archaeologists* (48 FR 44738-44739).

- I. Archaeological Monitoring:** Archaeological monitoring is the stationing of an archaeologist on a construction site to watch for evidence of archaeological remains as the construction proceeds. Certain projects will commit to archaeological construction monitoring because the Section 106 process has indicated that there is high potential to impact buried cultural resources material or probability to encounter human remains; the project is planned in or near recorded archaeological sites; or there is phased identification and evaluation of properties. Monitoring requirements are generally implemented during subsurface, ground disturbing activities.

#### **A. On-Site Responsibilities:**

1. The Archaeological Monitor will follow provisions of a monitoring plan for the project developed in consultation with the DOT&PF, (and the FHWA for non-NEPA Assignment Program Projects), and the SHPO that is consistent with the *Secretary of the Interior's Standards and Guidelines for Archaeological Documentation* (48 FR 44734-44737), the Alaska Office of History and Archaeology's *Standards and Guidelines for investigating and reporting archaeological and historic properties in Alaska (Historic Preservation Series Number 11)*, and *Monitoring Guidelines (Historic Preservation Series Number 15)*.
2. The Archaeological Monitor(s) will conduct on-site monitoring of ground-disturbing activities that extend into cultural resource sensitive areas identified through Section 106 consultation for the project. The Archaeological Monitor(s) will remain on-site in the delineated areas unless the supervising Archaeological Monitor determines after field observations and consultation with the Section 106 consulting parties identified in the monitoring plan that monitoring is not necessary.

3. The on-site supervising Archaeological Monitor is authorized to halt construction in a specific location if any previously unidentified cultural resources are encountered during earth-moving activities.

**B. Pre-construction Meeting:**

1. Before work begins on the project, the DOT&PF Project Engineer, the DOT&PF Professionally Qualified Individual (PQI), and the Archaeological Monitor(s) will conduct a pre-construction meeting with the Construction Contractor to explain any Section 106 terms or conditions for the project and the procedures to follow if archaeological materials are found, as well as the role of the Archaeological Monitor.
2. The PQI will provide the meeting participants with contact information for the following in case of cultural resources discovery notifications:
  - DOT&PF Project Engineer, PQI, and Regional Environmental Manager (REM)
  - State Historic Preservation Officer (SHPO)
  - Local Tribes
  - State Troopers and State Medical Examiner (SME)
    - *For non- NEPA Assignment Program Projects*, the FHWA Regional Area Engineer; or
    - *For NEPA Assignment Program Projects*, the DOT&PF Statewide Environmental Office (SEO) NEPA Program Manager.

**C. Reporting Requirements:**

1. *Weekly Monitoring Memos:* The Archaeological Monitor will provide a summary construction monitoring memo on a weekly basis to the DOT&PF Project Engineer and the PQI. The PQI will submit a copy of the memo to the SHPO and other consulting parties as identified in the Monitoring Plan.
2. *Summary Monitoring Report:* When the construction monitoring is complete, the Archaeological Monitor will provide to the Project Engineer and PQI draft and final summary reports detailing the construction monitoring activities. The report is to meet contemporary professional standards and the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (FR Vol. 48, No. 190, pp. 44734-44737). The PQI will provide the summary report to SHPO and other consulting parties as identified in the Monitoring Plan.

**II. Discovery Plan:** Late discoveries are almost always archaeological. This outlines the procedures to follow if cultural resources are discovered after the Section 106 process has been completed or if unanticipated effects to historic properties occur during project construction.

**A. On-Site Responsibilities:**

1. *Step 1: Stop Work at a Discovery Site.* If a cultural resource is uncovered during the project, all work adjacent to the discovery must stop. The discovery site is to be secured by the Contractor. If human remains are encountered, treat them with

dignity and respect, and follow the protocols outlined in Appendix H (DOT&PF Procedures and State and Federal Laws Pertaining to the Discovery of Human Remains).

2. *Step 2: Notify the DOT&PF Project Engineer, PQI, and Archaeological Monitor (if any).* If the Project Engineer cannot be reached, contact the PQI (or REM). If there is a monitoring plan in place, the Archaeological Monitor will follow its provisions. The supervising Archaeological Monitor is authorized to halt construction in a specific location, or to redirect work to other locations while recovering previously unidentified cultural resources. The DOT&PF staff will make all other calls and notifications.

**B. DOT&PF Project Engineer Responsibilities at the time of Discovery:**

1. *Discovery Site:* The Project Engineer is responsible for taking appropriate steps to protect the discovery site. All work will stop in an area adequate to provide for the security, protection, and integrity of the cultural resource. Vehicles, equipment, and unauthorized personnel will not be permitted to traverse the discovery site.
2. *Direct Construction Elsewhere from Discovery Site:* The Project Engineer may direct construction away from cultural resources to work in other areas prior to contacting the discovery notification consulting parties.
3. *Contact the PQI (or REM):* If the PQI (or REM) has not yet been contacted, the Project Engineer will do so.

**C. DOT&PF PQI and REM Responsibilities at the time of Discovery:**

1. *Identify Discovery:* The PQI will coordinate with the Project Engineer to ensure that a qualified professional archaeologist examines the discovery to determine if it is a cultural resource.
  - a. If it is determined to not be a cultural resource, work may proceed with no further delay.
  - b. If it is determined to be a cultural resource and/or if the discovery includes human remains, the PQI will continue with consulting party notifications. For human remains, the procedures described in Appendix H (DOT&PF Procedures and State and Federal Laws Pertaining to the Discovery of Human Remains) will be followed.
2. *Notify the DOT&PF Statewide Environmental Office [SEO] NEPA Program Manager (or the FHWA Regional Area Engineer for non-NEPA Assignment Program Projects), the SHPO, Tribes, and other consulting parties as appropriate:* The PQI (or REM) will be responsible to contact these parties within 48 hours of the discovery in accordance with 36 CFR 800.13.

**D. Documentation of Cultural Resource Materials:**

1. The PQI will be the DOT&PF point of contact for consultation with the FHWA, the SHPO, Tribes, and other consulting parties as appropriate to ensure that the previously unidentified resource or unanticipated effect is evaluated, and an appropriate treatment plan is developed.

2. Evaluation: If the project is not already using an Archaeological Monitor, the Project Engineer, the PQI, and the Contractor will coordinate to procure archaeological services.
  - a. As a streamlining measure, after a qualified archaeologist confirms that the find is cultural and establishes the boundaries of the discovery site, the PQI may assume an archaeological resource is eligible for inclusion in the National Register of Historic Places (National Register) under Criterion D.
  - b. Alternatively, if the find is confirmed as cultural, the PQI may opt to have the cultural resource formally assessed for eligibility to the National Register using established National Register criteria (36 CFR 800.4(c)) and will provide the National Register evaluation report to the SHPO, Tribes, and other consulting parties as appropriate. The PQI will determine National Register eligibility in consultation with the SHPO and Tribes.
3. For properties deemed to be eligible for the National Register, the PQI will apply the criteria of adverse effect (36 CFR 800.5) in consultation with the SHPO and the Tribes.
4. Any treatment plan resulting from the discovery will be developed in consultation with the PQI (or the FHWA for non-NEPA Assignment Program Projects), SHPO and Tribes. The PQI will coordinate with the Project Engineer and the Construction Contractor to ensure that the treatment plan is implemented.
  - a. Should data recovery be required by the plan, it will be implemented prior to any continued construction at the discovery site. The PQI will provide the data recovery report to the SHPO and Tribes.
  - b. All artifacts, faunal remains, and related materials recovered on State land as well as associated field notes, shall remain the property of the State of Alaska. Materials recovered on land not owned by the State shall remain the property of the land owner or managing entity. Materials owned by the State of Alaska shall be accessioned to the University of Alaska Museum of the North in Fairbanks.
5. All documentation, testing and treatment plan, evaluation, data recovery, and reporting of cultural resource materials as described for these procedures will follow and meet the contemporary professional standards and the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716).

**E. Proceeding with Construction:**

1. Project construction outside the discovery site may continue as directed by the Project Engineer and the Construction Contractor while documentation and assessment of the cultural resources at the discovery site proceeds.
2. When the PQI ensures that recovery of cultural resource materials as outlined above is satisfied and complete, and the PQI determines that compliance with State and federal laws is complete, the Project Engineer may allow construction at the discovery site to resume.