

## Business and Fiscal Affairs

**AP 6580 EXCAVATIONS OCCURRING IN NATIVE AMERICAN MIDDEN AREAS****Reference:**

Health and Safety Code Section 7050.5

Procedures and practices to protect Native American burial grounds and other archaeological sites shall include at least the following:

- The Superintendent/President or designee will notify Native American tribal representatives, archaeologists, and other appropriate parties prior to authorizing any excavation on either campus. Excavation shall be defined as any action that disturbs existing soil more than six inches below the surface, or more than one inch in areas determined to be extremely sensitive.
- A licensed archaeologist shall assess the potential impact of any proposed excavation, and shall submit a written report to the District within ten days from the notification by the Superintendent/President. If it is determined that there is no significant archaeological impact of the proposed work, this shall be confirmed in writing by the archaeologist and excavation may proceed. If it appears that there is a significant archaeological impact, this shall be documented, and specific mitigation measures shall be developed and implemented in 45 days.
- If deposits of prehistoric or historical archaeological materials are discovered during project activities, all work within 25 feet of the discovery will be redirected until the archaeologist can assess the finds and provide recommendations.
- Project personnel will not collect or move any archaeological material. Adverse effects to such deposits must be avoided by project activities. If avoidance is not feasible, the deposits should be evaluated for their eligibility for listing in the California Register. If the resources are not eligible for listing, avoidance is not necessary. If the resources are eligible, they will need to be avoided by adverse effects or such effects must be mitigated.
- The District will observe Health and Safety Code Section 7050.5 which states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

*Office of Primary Responsibility:* Administrative Services

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Date Approved: May 13, 2008

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