

# Instructions for Completing an Archaeological Records Check Request for a CAL FIRE Project

## General Instructions

The instructions provided herein consist of an abbreviated version of the procedures, stipulations, and guidance provided in a memorandum of understanding among CAL FIRE, the Board of Forestry and Fire Protection, the Office of Historic Preservation, and the nine CHRIS Information Centers that was executed on October 7, 2016. That memorandum of understanding is available at [http://calfire.ca.gov/resource\\_mgt/archaeology-index](http://calfire.ca.gov/resource_mgt/archaeology-index). These instructions are intended to help requestors complete the CAL FIRE form entitled *Archaeological Records Check Request for a CAL FIRE Project*. The procedures for the conduct of archaeological records checks for CAL FIRE projects including the use of this form and the personnel eligible to use it are specified in the above-referenced memorandum of understanding. With regard to CAL FIRE projects being prepared in accordance with the California Forest Practice Rules (Title 14, California Code of Regulations Chapters 4, 4.5, and 10), although the current rules do not specify use of this records check request form, such use is required by the above-cited memorandum of understanding. Any questions concerning the records check process for CAL FIRE projects may be directed to a CAL FIRE archaeologist.

The most current form, or an equivalent to it, must be used to initiate all CAL FIRE records checks pursuant to the memorandum of understanding, which is available at [http://calfire.ca.gov/resource\\_mgt/archaeology-index](http://calfire.ca.gov/resource_mgt/archaeology-index).

The requestor must either be a registered professional forester, a professional archaeologist, or a person who has successfully completed a CAL FIRE archaeological training course within the five years prior to submission of the records check request and who is working under the direction of a registered professional forester or professional archaeologist. If the requestor is not a registered professional forester or a professional archaeologist, the name address and phone number of the registered professional forester or professional archaeologist responsible for the records check must be included on the form.

The requestor must attach a project map consisting of a high-quality photocopy or digitally replicated version of the relevant portion of a United States Geological Survey 7.5-minute topographic quadrangle map at a scale of 1:24000 with the map name and actual project area clearly indicated. A digitally replicated version of the 7.5-minute United States Geological Survey map may be utilized provided it is a 1:1 high quality copy of the relevant portion of the 7.5-minute United States Geological Survey map with the map name and actual project area clearly indicated. If the Requestor sends the map as an email attachment, the Information Center shall be notified via telephone call that a Rapid Response request map is waiting. This procedure is necessary because some Information Center reportedly only check their email a few times during any given week. The completed request form must contain the Requestor's signature.

A CAL FIRE project means any project developed by CAL FIRE, and any project permitted or enabled by CAL FIRE through its lead agency responsibility pursuant to the California Environmental Quality Act or any of the various types of timber harvesting projects authorized by the Forest Practice Regulations that are reviewed by CAL FIRE. For CAL FIRE projects on CAL FIRE properties, consult with a CAL FIRE archaeologist first to find out if a records check has already been completed for the property. For all CAL FIRE projects, it is recommended that the entire parcel be included in the request for a records check so that this information may be used if additional projects occur on the same property.

These fees should be paid in a timely manner. Also, according to the memorandum of understanding, if the total fee is likely to exceed \$350, the Information Center is to notify the requestor, even if the requestor did not request a fee estimate.

### **Records Check Procedures for CAL FIRE Projects**

The CHRIS Information Centers shall complete records checks for CAL FIRE projects in the following manner:

- (1) Identify all known historical resources, cultural resource sites, features, and objects depicted on base maps maintained at the Information Center, which are located within the CAL FIRE project or within 1/16 mile of its boundaries. If non-digital CHRIS information is requested, or is the only type of CHRIS information available, these resource locations and their identifier will be plotted on the map(s) provided by the requestor or will be plotted on similar map outputs by the Information Center. At least one of these maps must be a 1:1 scale copy of the appropriate United States Geological Survey topographic quadrangle with the project boundaries depicted. If digital CHRIS information is available and requested, these resource locations and their identifiers will be made available in CHRIS standard digital format.
- (2) Provide copies of resource records for those resources within or within 1/16 mile of the project area, unless the requestor has indicated these records are already in the requestor's possession.
- (3) Depict pertinent study locations and their identifiers on the same or duplicate copy of the requestor's project map. The response letter shall provide additional information linked to the identifier including the author, date, and Information Center file number.
- (4) Check the Office of Historic Preservation's Historic Property Directory and the California Inventory of Historical Resources.
- (5) Check all additional ethnographic and historic-period information housed at the Information Center. Maps and other locational information shall be provided, as appropriate.
- (6) Provide a response letter that summarizes all records search results, gives a list of references consulted, and provides a sensitivity assessment that identifies areas within the CAL FIRE project boundaries which are most likely to contain resources and the reason(s) why.

The CHRIS Information Centers shall not include:

- (1) Any recommendations or advice to the requestor on how to comply with legal, regulatory, or policy mandates or what specific actions need to take place. This direction shall be provided by CAL FIRE.
- (2) Any tactical strategies or suggested survey methods. These tactics and strategies are provided by CAL FIRE.

### **Special Types of CAL FIRE Projects Requiring Special Procedures**

The three types of CAL FIRE projects requiring special procedures are ownership-wide or five-year records checks, emergency notice timber operations, and wildfires or other emergency incidents. The records check procedures for these types of projects are specified below.

#### **Ownership-Wide Records Check or Five-Year Update**

This type of records check is used by CAL FIRE and certain private timber companies that possess and maintain in-house databases of cultural resource site locations on their ownerships. The Forest Practice Rules and CAL FIRE procedures require that records checks for all forms of CAL FIRE projects are current within the past five years. This requires CAL FIRE and certain timber companies to obtain updated cultural resource data from the Information Center (e.g., check the base maps being used with the official sets of base maps at the

Information Center to confirm that all known cultural resource sites are identified). CAL FIRE or the timber company may utilize one of the following three options to complete an initial ownership-wide records check or a five-year update:

- (1) (1) CAL FIRE or the timber company may request that the Information Center complete the initial records check or five-year update. Depending upon the scope of work involved, this may require the execution of a contract.
- (2) (2) CAL FIRE or the timber company may hire a professional archaeologist or use a professional archaeologist on staff to complete the records check through an in-house series of visits to the Information Center in accordance with the fees and procedures identified in the Information Center Rules of Operation Manual.
- (3) (3) CAL FIRE or the timber company may schedule an in-house records check to be conducted by a qualified requestor working under the close supervision of Information Center staff. This option is intended to include the participation of representatives of CAL FIRE or the timber company who possess expertise and familiarity with the base maps and lands being checked. Such participation and assistance given to Information Center staff may improve efficiency enabling the work to be done more quickly. Requestors working under this option are not entitled to the full range of access normally available only to professional archaeologists and therefore will be working on the in-house search under the Information Center's supervision. The hourly rate for this option would include the in-house hourly rate for the entire time, and the \$120 per hour rate for the time the Information Center staff is training the requestor or directly working on the records check. The Information Center coordinator or designee shall review the ownership maps prior to check-out to ensure the 1/16 mile rule and other procedures have been followed.

The CHRIS Information Center s, professional archaeologists, or requestors working on ownership-wide records checks or five-year updates shall complete such records checks in the following manner:

- (1) Identify all known historical resources, cultural resource sites, features, and objects depicted on base maps maintained at the Information Center that are located within CAL FIRE or timber company ownership or within 1/16 mile of these boundaries. These resource locations and their identifier will be plotted on the sets of maps provided by the requestor. These maps shall be in a 1:1 scale copy of the appropriate United States Geological Survey topographic quadrangles with the ownership boundaries depicted.
- (2) Provide copies of resource records for those resources within, or within 1/16 mile of, the project area, unless the requestor has indicated these records are already in the requestor's possession.
- (3) Depict pertinent study locations and their identifiers on the same or duplicate copy of the requestor's project map. The response letter shall provide additional information linked to the identifier including the author, date, and Information Center file number.
- (4) Check the Office of Historic Preservation's Historic Property Directory and the California Inventory of Historical Resources.
- (5) Check all additional ethnographic and historic-period information housed at the Information Center. Maps and other locational information shall be provided, as appropriate.
- (6) Provide a response letter that summarizes all records search results, gives a list of references consulted, and provides a sensitivity assessment that identifies areas within the CAL FIRE project boundaries that are most likely to contain resources and the reason why.

The CHRIS Information Centers, professional archaeologists, or requestors working on ownership-wide records checks or five-year updates shall not include:

- (1) Any recommendations or advice to the requestor on how to comply with legal, regulatory, or policy mandates or what specific actions need to take place. This direction shall be provided by CAL FIRE.
- (2) Any tactical strategies or suggested survey methods. These tactics and strategies are provided by CAL FIRE.

This type of records check shall be documented with a letter prepared by the Information Center or professional archaeologist that conducted the records check. This letter shall include the date the records check was completed and describe the legal location for the area checked including township, range, and sections, name of quad maps, and a listing of identified sites. This letter will be used as an attachment to an archaeological survey report supporting a timber harvesting plan or other CAL FIRE project to verify that a current archaeological records check has been completed.

### **Emergency Notice Timber Operations**

This type of records check applies only to specific timber operation known as an emergency notice. This falls under a different set of forest practice regulations reduced in scope from those applying to timber harvesting plans. These special rules are intended to facilitate timber operations in response to emergency conditions. Emergency conditions cause waste or loss of timber resources that may be minimized by immediate harvesting of infected, infested or damaged timber or salvaging down timber; or those conditions that will cause appreciable financial loss that may be minimized by immediate harvesting of timber. The Board of Forestry and Fire Protection has adopted these unique regulations to require CAL FIRE's environmental review process to be completed more rapidly than for timber harvesting plans. This procedure includes a reduced timeframe the requestor must wait for a completed records check and the authority for the registered professional forester to proceed without the records check information should the Information Center be unable to provide it within the allotted timeframe. Title 14 California Code of Regulations Section 929.1[949.1, 969.1](e)(2) states:

Prior to submitting an Emergency Notice of three acres or more, the [registered professional forester] or the [registered professional forester's] supervised designee shall complete a current archaeological records check. This check may be conducted by telephone. If the Information Center is unable to provide the information within three business days following receipt of [a registered professional forester's] request for an Emergency Notice Records Check, the records check requirement is waived.

The Information Centers shall attempt to conduct records checks for emergency notice timber operations using the procedures described for standard CAL FIRE projects listed above. If the Information Center is unable to meet the three-business day deadline for a series of emergency notice requests, the Information Centers may reduce the scope of research to an identification of all known historical resources, cultural resource sites, features, and objects depicted on base maps maintained at the Information Center that are located within the emergency notice area or within 1/16 mile of its boundary. CAL FIRE would prefer to have the complete information provided, but completion of a limited check is preferable over one that could not be delivered within the three-business-day timeframe. The request form contains a check-box to inform the Information Centers if the project is an emergency notice. The procedures for emergency notice timber operations are addressed in training to requestors and clarification is provided in the records check request instructions.

### **Wildfires or Other Emergency Incidents**

This records check is used by CAL FIRE in response to wildfires and other types of emergency incidents. It requires immediate access to cultural resource site locations within the area potentially affected by wildfires and other emergency incidents. During the initial request for a wildfire records check, CAL FIRE may not have had time to develop a map depicting the limits of the area the Information Center is requested to search. In such instances CAL FIRE shall provide the Information Center with the name of the quad maps or maps involved

and a legal location of the incident including township, range, and sections. The requestor is likely to be a CAL FIRE archaeologist or a CAL FIRE employee who meets the definition of an archaeologically trained resource professional. The requestor shall complete a signed request form but it might be only partially filled-out due to the emergency and reduced time to research and plan for the records check. For example, the request may come from another CAL FIRE archaeologist via telephone call, on behalf of a CAL FIRE archaeologist traveling to the incident. The form may also be completed by the CAL FIRE archaeologist upon arrival at the Information Center or subsequently after arriving to the incident. The CAL FIRE archaeologist may schedule an appointment to pick up records check information while traveling to the incident or may wish to gather it in person. It is also possible that CAL FIRE will request the Information Center to gather the needed information and have someone other than the CAL FIRE archaeologist collect the needed information. The name and address of the appropriate CAL FIRE office to receive the invoice may be unknown at this time, and that information may need to be provided after the archaeologist reports to the incident. The procedures employed by CAL FIRE archaeologists responding to wildfires, including the support role played by the Information Centers, are provided in Appendix VII.

The records check for a CAL FIRE wildfire or other emergency shall consist of the following:

- (1) Identification of all known historical resources, archaeological and historical sites, features, and objects depicted on base maps maintained at the Information Center that are located within or adjacent to the area affected by the emergency. CAL FIRE shall provide a map, legal location, or other guidance on the limits of the search area. These resource locations and their identifier shall be provided either by plotting them onto maps brought by CAL FIRE during an in-house visit or by providing copies of site records.
- (2) Provide copies of resource records for those resources within or potentially affected by the emergency incident as advised by CAL FIRE.
- (3) Depict pertinent study locations and their identifiers on the same or duplicate copy of CAL FIRE's maps. Survey information may be useful to the CAL FIRE archaeologist responding to an incident.

The CHRIS Information Centers shall not include:

- (1) Any recommendations or advice to the requestor on how to comply with legal, regulatory, or policy mandates or what specific actions need to take place. This direction shall be provided by CAL FIRE.
- (2) Any tactical strategies or suggested survey methods. These tactics and strategies are provided by CAL FIRE.

## **V. Timeframes for Completing a CAL FIRE Records Check**

Requestors initiating a mail-in records check request shall choose one of three options pertaining the response time: standard response, priority response, or emergency response. Although priority response will probably always be requested for emergency notice timber operations and emergency response for wildfires, due to the emergency nature of these projects and CAL FIRE's need to respond immediately, the requestor may select the priority response option for any type of CAL FIRE project by indicating this preference on the request form. There will be an increased fee for this priority response service. Emergency response shall only be selected in the case of wildfires or other emergency incidents. Information on the current fee schedule is provided in the most current Information Center Rules of Operation Manual adopted by the State Historical Resources Commission. This is on the Office of Historic Preservation website at: <http://www.ohp.parks.ca.gov>

### **Timeframe for Standard Response**

Although the Information Center Rules of Operation Manual specifies that the Information Centers shall complete a standard records search within 45 calendar days, through this memorandum of understanding, these timeframes are shortened for CAL FIRE projects for the reasons previously described in the memorandum of

understanding. CAL FIRE operates within a unique regulatory environment with reduced timeframes for project planning, and on occasion, responds to emergency incidents, which requires a more rapid process for gathering information during project development. The Information Centers shall attempt to complete a standard response records check pursuant to this memorandum of understanding within the following timeframes:

**Standard Response Records Check:** 14 business days from receipt of completed request form and map.

**Ownership-Wide Check:** When an ownership-wide records check or five-year update is done by the Information Center, the timeframe for completion of this work shall be negotiated between the Information Center and CAL FIRE or the timber company. CAL FIRE and timber companies are encouraged to provide as much lead time as possible. Another possibility may include staggering portions of the total number of quad maps involved in the ownership to complete a series of checks one at a time. If the Information Center is requested to complete this check, it is likely that if the project budget exceeds a certain amount, a contract may be set up between the requestor and the Information Center. Due to large size and scope of the ownership-wide record checks, a cost and time estimate should be requested from the Information Center.

### **Timeframe for Priority Response**

The Information Centers shall attempt to complete a priority response records check pursuant to this memorandum of understanding within three business days from receipt of completed request form and project map. If the requestor sends the map as an email attachment, the Information Center shall be notified via telephone call that a priority response request map is waiting. The completed request form must contain the requestor's signature.

The Information Centers shall be aware of the expected timeframes associated with emergency notice timber operations. The regulatory timeframe for emergency notice timber operations is within three business days following receipt by the Information Center of a request, with the stipulation that the records check requirement is waived if the Information Center is unable to provide the information within three business days.

**Note:** Although the priority response service is an option for any CAL FIRE project, this service comes to CAL FIRE requestors with an increased cost. The fee schedule for priority response service is specified in the most current Information Center Rules of Operation Manual adopted by the State Historical Resources Commission.

If the Information Center is unable to meet these timeframes for a CAL FIRE project, the requestor shall be notified via a telephone call and given an estimated time for completion. These timeframes may be extended if the requestor fails to properly complete the request form or if the requestor chooses to be given a cost estimate prior to beginning a records check.

### **Timeframe for Emergency Response**

The Information Centers shall attempt to complete an emergency response records check pursuant to this memorandum of understanding immediately upon notification by CAL FIRE, if at all possible.

Requestors must sign a confidentiality statement on the request form which shall ensure: (1) that all information regarding specific site locations is kept confidential except for disclosures required by forest practice rules or necessary to carry-out protection of sites, (2) that specific site locations are not included in any document made available to the general public, (3) this information shall not be utilized by the requestor to destroy, excavate, or vandalize historical resources, and (4) the information is not utilized for any project other than a CAL FIRE project, as specified in the memorandum of understanding.

The *Archaeological Records Check Request for a CAL FIRE Project* form and attached project map shall be sent to the appropriate Information Center for processing. A listing of these Information Centers including the names of the coordinators, Information Center addresses and counties of jurisdiction is available at:

<http://www.ohp.parks.ca.gov/>.

CAL FIRE shall ensure that a complete copy of any cultural resource investigation report, including site records, prepared for a CAL FIRE project shall be provided to the appropriate Information Center within 30 days following project approval. This must be a final report containing any corrections required during the review by CAL FIRE. CAL FIRE shall submit copies of any new site records or updates for site records, completed to state standards as determined by CAL FIRE, prepared in reference to the project, if any such site records were prepared, but shall not submit copies of the records check reply letter, or background reference information, or copies of previously recorded sites that were sent to the requestor as a result of the records check, as the Information Center already has these on file. The site records shall be submitted separated from the report as the Information Center stores site records and survey reports in separate files.

A current archaeological records check is defined in the Forest Practice Rules (14 CCR Section 895.1) as one conducted within the past five years. This definition is applicable to all CAL FIRE projects. Records checks for CAL FIRE projects that are older than five years from the date the new project is submitted to CAL FIRE should be resubmitted to the appropriate Information Center for a new records check. A requestor may use an existing records check previously completed for another project on the same property if that records check is current (i.e., was conducted within the previous five years) and if all of the current project areas were covered in the previous records check.

### **Step-by Step Instructions for Completing the Form**

**Requestor** Provide the name of the person requesting the records check.

**Name of Registered Professional Forester or Archaeologist Involved** Provide the name of the registered professional forester or professional archaeologist involved in the preparation of the project for which the records check is requested.

**Affiliation** Provide the name of any company, group, etc., represented by the requestor, and as needed, the name of the company, group, etc. represented by the registered professional forester or professional archaeologist involved in the proposed project.

**Address** Provide the business address of the requestor, and as needed, the business address of the registered professional forester or professional archaeologist involved in the proposed project.

**Phone #** Provide the business phone number of the requestor, and as needed, the business phone number of the registered professional forester or professional archaeologist involved in the proposed project.

**Email Address** Provide the email address of the requestor.

**Course Number(s) CAL FIRE Archaeological Training** Provide the course number of the CAL FIRE archaeological training course attended by the requestor.

**CAL FIRE Archaeologist Reviewing Work** Provide the name of the CAL FIRE archaeologist who will be reviewing the work of the requestor. If someone other than the requestor will be doing the cultural resource assessment work, then provide that person's name.

**Survey Report to be Completed** Indicate whether an archaeological survey report will be completed for the project.

**Explain and Estimate Date Report to be Submitted to CAL FIRE**

**Project Name** Provide the name of the proposed project.

**County of proposed project** Provide the name of the county (or counties) in which the proposed project is located.

**USGS Quad(s)** Provide the name(s) of the USGS 7.5' topographic quadrangle map(s) on which the proposed project area can be found.

**Legal Location** Indicate the township, range, and section(s) for the proposed project.

**Number of Acres** Provide the number of acres included in the proposed project area as depicted on the attached project map.

**Project Type** Indicate the type of proposed CAL FIRE project. Examples include timber harvesting plan (THP), notice of emergency timber operations (EM), exemption notice (EX), conversion exemption, or non-industrial timber management plan (NTMP). Other types of CAL FIRE Resource Management Programs include cost-share grants administered by CAL FIRE's Forestry Assistance Program (such as CFIP, FLEP, or Forest Stewardship), the purchase of conservation easements, vegetation management projects implemented under CAL FIRE's VMP or Pre-Fire Programs, Urban Forestry grants, projects on State Forests, as well as Capital Outlay, Facility Improvements on other CAL FIRE properties, and any other project for which CAL FIRE is the lead agency responsible for review and approval.

**Information Center File # (completed by Information Center)** Leave blank.

**Project Description** Provide a brief description of the nature of the proposed project and proposed project activities that may adversely affect cultural resources.

**DIRECTION TO THE INFORMATION CENTER**

Complete this information in such a way so to give direction to the Information Center on what type of records check you are requesting

**Records Check Timeframe Option (check one)**

Select standard response if you want the Information Center to complete the records check within the standard timeframe using the standard fee schedule. Select rapid response if you want the Information Center to attempt to complete the request within three business days. Keep in mind there is an increased cost for this service.

**Special Types of CAL FIRE Projects (check the one that applies, if one does)**

If the project you are working on is either an ownership-wide records check or five-year update, an emergency notice timber operation pursuant to 14 CCR Section 1052, or a wildfire or other type of emergency incident, please check the appropriate box. This will alert the Information Center to unique records check procedures for these types of projects.

**The Requestor shall provide ... (check the ones that apply)**

Check as many boxes as appropriate for the proposed project. Provide any archaeological or historical site information about the project area that is already known to the requestor. This will avoid unnecessary extra cost for time spent on the records check for the Information Center staff to provide material already available. The Information Center, as indicated by the boxes that the requestor has checked, will provide any and all information. In order to save space such that the form may be completed on one page plus a project map, the requestor may delete any check boxes under this heading that don't apply. The entire "Confidentiality Statement and Documentation Responsibility" section of the form must be included as well as the requestor's signature and the date the form was signed.

**No archaeological or historical information known about this project area.** The requestor may check this box if no information about the project area is known to the Requestor.

**I am aware of the following previous investigations within this project area.** The requestor may check this box if there are previous investigations already known to the requestor. Be sure to reference any known report by author, title, and date.

**I am aware of the following known archaeological or historical sites within or directly adjacent to the property.** The requestor may check this box if there are any sites already known to the requestor that are located in or adjacent to the project area. Provide any site numbers and/or other designations for these known sites and plot the locations on the project map. The Information Center will confirm the accuracy of these plotted locations.

**I do not request photocopies of the site records listed above, as I already have them.** The requestor may check this box if the requestor is already in possession of copies of site records mentioned above.

**Information Center shall notify Requestor, prior to initiating the records check, if the total fee is likely to exceed \$350.** The minimum records check fee is currently \$150 per project. The requestor may check this box if the Requestor needs to know that the total fee for the records check is likely to exceed \$350. By checking this box, the records check will not begin, if it likely to cost more than \$350, until the requestor has authorized the Information Center to begin.

**Other relevant information (attach additional pages if necessary)** The requestor may check this box and provide any additional information relevant to this records check.

**Special Instructions** The requestor may check and provide any special instructions to the Information Center conducting the records check. This may include requests for information concerning ethnographic references, local archaeologists or Native Americans to contact, typical types of sites, artifacts, or material types, etc.

#### **CONFIDENTIALITY STATEMENT AND DOCUMENTATION RESPONSIBILITY**

**Signature of Requestor and Date Signed** The requestor must sign this form in the space provided and enter the date on which the request form was signed. The records check will not be processed until the form is signed and dated. Furthermore, by signing this form, the requestor agrees to comply with the terms set forth in the paragraph titled "Confidentiality Statement and Documentation Responsibility."