

June 2022 | Mitigation Monitoring and Reporting Program

# LAGUNA NIGUEL CITY CENTER MIXED-USE PROJECT

City of Laguna Niguel

*Prepared for:*

## **City of Laguna Niguel**

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## Mitigation Monitoring and Reporting Program

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## Mitigation Monitoring and Reporting Program

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# 1. Introduction

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## 1.1 PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been developed to provide a vehicle to monitor mitigation measures and conditions of approval outlined in the Final Environmental Impact Report. The MMRP has been prepared in conformance with Section 21081.6 of the Public Resources Code and City of Laguna Niguel monitoring requirements. Section 21081.6 states:

(a) When making the findings required by paragraph (1) of subdivision subsection (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:

(1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

(2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

(b) A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.

(c) Prior to the close of the public review period for a draft environmental impact report or mitigated negative declaration, a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead

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agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit the authority of the responsible agency or agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

The MMRP will serve to document compliance with adopted/certified mitigation measures that are formulated to minimize impacts associated with the proposed project.

## 1.2 PROJECT SUMMARY

The proposed project would include specialty retail, restaurants, office, a new community library, community-oriented event/programmable space, integrated residential apartment homes, and extensive walkable open spaces, paseos, and plazas. The proposed project would include the development of approximately 175,000 square feet of commercial and civic uses and 275 multifamily residential units. The commercial component would include a wide range of uses, such as restaurants, retail shops, health/wellness focused retail and medical office, and creative office space. The civic space consists of an approximately 16,290 square foot county library, which would replace the existing library. The residential component of the proposal is comprised of two apartment buildings—one 200-unit apartment building and one 75-unit apartment building. On-site parking accommodations for the proposed project would include a combination of surface and structured parking for the commercial/civic uses and a mixture of surface parking; private garage; and on-grade, multilevel garage for the residential component. The development vision includes a focus on creating a landmark project for the City with an architecture design blending traditional styles with modern elements. The project applicant will pursue Leadership in Energy and Environmental Design (LEED) certification for the commercial and residential component of the project

## 1.3 PROJECT LOCATION

The City of Laguna Niguel (City) is in southern Orange County, southern California. It is bordered by Laguna Hills and Aliso Viejo to the north, San Juan Capistrano and Mission Viejo to the east, Dana Point to the south, and Laguna Beach and unincorporated Orange County (Aliso and Wood Canyons Wilderness Park) to the west.

East of Laguna Niguel, Interstate 5 (I-5) runs north-south, connecting the City to the majority of southern California. State Route 73 (San Joaquin Hills Transportation Corridor) runs along the northern City limits and connects with I-5 in the northeastern portion of Laguna Niguel. Highway 1, also known as East/West Coast Highway, runs near the southern boundary of Laguna Niguel and connects the City to the Pacific coast.

The project site (Assessor's Parcel Number 656-242-18) is approximately 25 acres, is owned by the County of Orange and leased to Laguna Niguel Town Center Partners LLC to develop the proposed mixed-use project. The property consists of the South County Justice Center (closed in 2008), the Orange County Library, a county

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maintenance yard, Orange County Fire Station No. 5, and undeveloped land. The site is immediately adjacent to City Hall. The site is generally bounded by Pacific Island Drive to the north, Alicia Parkway to the east, Crown Valley Parkway to the south, and multifamily residential communities to the west (e.g., Niguel Summit Apartments, El Niguel Terrace townhomes, and Charter Terrace single-family homes).

### **1.4 MITIGATION MONITORING PROGRAM ORGANIZATION**

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Draft EIR, specifications are made herein that identify the action required and the monitoring and reporting that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the MMRP. To effectively track and document the status of mitigation measures, a mitigation matrix has been prepared (see Table 1-1, *Mitigation Monitoring and Reporting Requirements*).

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## Mitigation Monitoring and Reporting Program

**Table 1-1 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
<b>5.2 AIR QUALITY</b>						
AQ-1	During Construction	Construction Contractor	City of Laguna Niguel Building and Safety Division	City of Laguna Niguel Building and Safety Division		
AQ-2	During Demolition and Soil Hauling Activities	Construction Contractor	City of Laguna Niguel Building and Safety Division	City of Laguna Niguel Building and Safety Division		

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14 cubic-yard trucks and a one-way haul distance of approximately 37 miles. All plans shall identify the disposal site for exported material, the distance to the disposal site, and the number of permitted truck trips to the disposal site to remain under the miles per day limit.  These requirements shall be noted on all construction management plans prior to issuance of any construction permits and verified by the City of Laguna Niguel during the demolition and soil-disturbing phases.						
AQ-3 The construction contractor shall prepare a dust control plan and implement the following measures during ground-disturbing activities—in addition to the existing requirements for fugitive dust control under South Coast Air Quality Management District (AQMD) Rule 403—to further reduce PM <sub>10</sub> and PM <sub>2.5</sub> emissions: <ul style="list-style-type: none"> <li>Following all grading activities, the construction contractor shall prevent dust and wind-born erosion by either planting ground cover or applying a binder/gel tackifier.</li> <li>During all construction activities, the construction contractor shall sweep streets with South Coast AQMD Rule 1186-compliant, PM<sub>10</sub>-efficient vacuum units on a daily basis if silt is carried over to adjacent public thoroughfares or occurs as a result of hauling.</li> <li>During all construction activities, the construction contractor shall maintain a minimum 24-inch freeboard on trucks hauling dirt, sand, soil, or other loose materials and shall tarp materials with a fabric cover or other cover that achieves the same amount of protection.</li> <li>During all construction activities, the construction contractor shall water exposed ground surfaces and disturbed areas a minimum of every three hours on the construction site and a minimum of three times per day.</li> <li>During all construction activities, the construction contractor</li> </ul>	During Ground-Disturbing Activities	Construction Contractor	City of Laguna Niguel Building and Safety Division	City of Laguna Niguel Building and Safety Division		

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<p>shall limit on-site vehicle speeds on unpaved roads to no more than 15 miles per hour.</p> <ul style="list-style-type: none"> <li>During all ground-disturbing activities, the construction contractor shall apply nontoxic soil stabilizers to minimize fugitive dust.</li> </ul> <p>Prior to construction activities, the construction contractor shall ensure that all construction plans submitted to the City clearly show the watering and soil stabilizer requirement to control fugitive dust. During construction activities, the City of Laguna Niguel shall verify that these measures have been implemented during normal construction site inspections.</p>						

### 5.3 BIOLOGICAL RESOURCES

BIO-1	<p>Prior to removal of potentially suitable nesting habitat for raptors or songbirds, the project applicant shall demonstrate to the satisfaction of the City of Laguna Niguel that the following has been or will be accomplished:</p> <p>The project applicant and construction contractor shall schedule all vegetation removal activities outside the nesting season to avoid potential impacts to nesting birds, including sensitive raptor species such as Cooper's hawk and white-tailed kite. The nesting season is February 15 to September 15 for songbirds and January 15 to September 15 for raptors.</p> <p>If vegetation removal cannot be avoided during the nesting season—January 15 through September 15—the project applicant shall have a qualified biologist survey all potential nesting vegetation within the property for nesting birds prior to commencing vegetation removal. If no nesting activities are observed, work activities may begin. If an active bird nest is located, the nest site should be avoided, and a buffer should be marked/flagged at an appropriate distance in all directions. The buffer distance is dependent on the nesting bird species, typically 500 feet for endangered, threatened, and candidate species and all</p>	Prior to the Removal of Potentially Suitable Nesting Habitat for Raptors and Songbirds	Project Applicant/Developer	City of Laguna Niguel Building and Safety Division	City of Laguna Niguel Building and Safety Division	
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raptors, and 100 to 300 feet for other species, as determined appropriate by the qualified biologist. No work shall occur within the buffer area until after the nest becomes inactive, or unless a qualified biologist monitors the nest during construction activities within the buffer and does not observe any signs of stress or erratic behavior that indicate a negative effect on nesting. The biologist shall inform construction personnel of the location of active nest(s) and required avoidance measures. The survey results shall be submitted to the City of Laguna Niguel Planning Division for review and approval.						

### 5.4 CULTURAL RESOURCES

CUL-1	Prior to the issuance of grading permits, and for any subsequent permit involving excavation to increased depths, the project applicant shall provide a letter to the City of Laguna Niguel from a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards. The letters shall state that the applicant has retained this individual, and that the consultant will monitor all grading and other significant ground-disturbing activities in native soil. Prior to the initiation of grading, the project applicant shall meet with the Juaneño Band of Mission Indians, Acjachemen Nation Cultural Resource Director to coordinate monitoring by a Native American monitor. During all ground-disturbing activities/earthwork, a professional Native American monitor, procured by the Juaneño Band of Mission Indians, Acjachemen Nation, shall be present to monitor grading activities. During initial monitoring, if the qualified archaeologist and/or designated Native American representative can demonstrate that the level of monitoring should be reduced or discontinued, or if the qualified archaeologist and/or designated Native American representative can demonstrate a need for continuing monitoring, the qualified archaeologist and Native American representative, in consultation with the Laguna Niguel Planning Division, may adjust the level of monitoring to circumstances as warranted. In the event archaeological resources are discovered during ground-disturbing activities, the archeological monitor and designated Native American	Prior to Issuance of Grading Permits	Project Applicant/Developer	City of Laguna Niguel Building and Safety Division	City of Laguna Niguel Building and Safety Division	
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Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
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<p>monitor shall have the authority to halt any activities that may adversely impact potentially significant cultural resources until they can be formally evaluated. Suspension of ground disturbances in the vicinity of the discoveries shall not be lifted until the archaeological and/or designated Native American monitor has evaluated discoveries to assess whether they are classified as significant cultural resources, pursuant to the California Environmental Quality Act (CEQA) and determined construction activities can resume without damaging resources.</p> <p>If archaeological resources are discovered, the archeologist and designated Native American monitor shall assess the most appropriate treatment for the resources, prioritizing preservation in place. When data recovery through excavation is the only feasible treatment method, the archeologist, in consultation with the designated Native American monitor, shall prepare a data recovery plan with provisions for adequately recovering the scientifically consequential information from and about the historical resource and shall deposit studies with the California Historical Resources Regional Information Center.</p> <p>Recovered archaeological resources shall be offered to a repository with a retrievable collection system and an educational and research interest in the materials, such as the John D. Cooper Center or California State University, Fullerton, or a responsible public or private institution with a suitable repository willing to and capable of accepting and housing the resource. If no museum or repository willing to accept the resource is found, the resource shall be considered the property of the City and may be stored, disposed of, transferred, exchanged, or otherwise handled by the City at its discretion.</p> <p>If significant Native American cultural resources are discovered for which a treatment plan must be prepared the project applicant or the archaeologist on call shall contact the applicable Native American tribal contact(s). If requested by the Native American tribe(s), the project applicant or archaeologist on call shall, in good faith, consult on the</p>						

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**Table 1-1 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
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discovery and its disposition (e.g., avoidance, preservation, reburial, return of artifacts to tribe).						
<b>5.6 GEOLOGY AND SOILS</b>						
GEO-1	Prior to the issuance of grading permits, and for any subsequent permit involving excavation to increased depths, the project applicant shall provide a letter to the City of Laguna Niguel from a qualified paleontologist and paleontological monitor who meet the Secretary of the Interior's Professional Qualifications Standards. The letters shall state that the applicant has retained these individuals, and that the consultant(s) will monitor all grading and significant ground-disturbing activities in areas identified as likely to contain paleontological resources during project construction. These areas are defined as all excavations of previously undisturbed sediments in areas mapped as the Capistrano Formation and in areas of Quaternary alluvium where excavations would exceed depths of five feet.  The qualified paleontologist and/or paleontological monitor shall attend all pre-grade meetings to ensure all construction personnel that would conduct grading and significant ground-disturbing activities receive training to recognize fossil materials in the event any are uncovered during earthwork.  The qualified paleontological monitor shall be equipped to salvage fossils and samples of sediments as they are unearthed to avoid construction delays and shall be empowered to temporarily halt or divert grading activities in order to recover the fossil specimens. The paleontological monitor may establish a protected buffer around a discovery for the duration of recovery of the discovery.  If previously undiscovered paleontological resources are discovered on-site, suspension of ground disturbances in the vicinity of the discoveries shall not be lifted until the paleontological monitor has evaluated discoveries to assess whether they are classified as unique paleontological resources pursuant to the California Environmental	Prior to Issuance of Grading Permits	Project Applicant/Developer	City of Laguna Niguel Building and Safety Division	City of Laguna Niguel Building and Safety Division	

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<p>Quality Act (CEQA) and authorized the resumption of construction activities. Recovered specimens shall be prepared to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. Found specimens shall then be curated into the John D. Cooper Center in Santa Ana or a responsible public or private institution with a suitable repository willing to and capable of accepting and housing the resource. If no museum or repository is willing to accept the resource, it shall be considered the property of the City and may be stored, disposed of, transferred, exchanged, or otherwise handled by the City at its discretion to avoid a significant impact.</p> <p>Upon completion of construction activities, the qualified paleontological monitor shall prepare a report of paleontological resource findings within 30 days of construction completion. The report shall append itemized inventory of recovered resources, documentation of each locality, and interpretation of recovered fossils. The report and inventory, when submitted and approved by the City, will signify completion of the program to mitigate impacts to paleontological resources.</p>						

### 5.7 GREENHOUSE GAS

GHG-1	All installed/provided major appliances shall be "Energy Star" appliances. Prior to issuance of building permits for residential and nonresidential buildings, the property owner/applicant shall identify on the building plans that all major appliances (dishwashers, refrigerators, clothes washers, and dryers) to be provided/installed are "Energy Star" appliances. Proper installation of these features shall be verified by the City of Laguna Niguel prior to issuance of a Certificate of Occupancy.	Prior to Issuance of Occupancy	Project Applicant/Developer	City of Laguna Niguel Building and Safety Division	City of Laguna Niguel Building and Safety Division	
GHG-2	Prior to issuance of building permits for residential and nonresidential development buildings, the project applicant shall indicate on the building plans that the following features shall be incorporated into the	Prior to Issuance of Building Permit	Project Applicant/Developer	City of Laguna Niguel Building and Safety Division	City of Laguna Niguel Building and Safety Division	

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Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
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<p>design of the building(s). Proper installation of these features shall be verified by the City prior to issuance of a Certificate of Occupancy.</p> <ul style="list-style-type: none"> <li>For residential and nonresidential buildings, electric vehicle charging shall be provided as specified in Section A4.106.8.2 (Residential Voluntary Measures) and A5.106.5.3 (Nonresidential Voluntary Measures) of the 2019 CALGreen Code as applicable.</li> <li>Bicycle parking shall be provided as specified in Section A4.106.9 (Residential Voluntary Measures) and A5.106.5.4 (Nonresidential Voluntary Measures) of the 2019 CALGreen Code and reproduced below. <ul style="list-style-type: none"> <li>Short-term bicycle parking. Permanently anchored bicycle racks shall be provided within 100 feet of the visitor's entrance to the residential building, readily visible to passers-by, for 5 percent of visitor motorized vehicle parking capacity for the multifamily units, with a minimum of one 2-bike capacity rack.</li> <li>Long-term bicycle parking for multifamily buildings. Provide on-site bicycle parking for at least one bicycle for every two dwelling units. Acceptable bike parking facilities shall be conveniently reached from the street.</li> </ul> </li> </ul>				Safety Division		
GHG-3 Prior to issuance of building permits for nonresidential development buildings, the project applicant shall indicate on the building plans that the following features have been incorporated into the design of the building(s). Proper installation of these features shall be verified by the City prior to issuance of a Certificate of Occupancy.	Prior to Issuance of Building Permit	Project Applicant/Developer	City of Laguna Niguel Building and Safety Division	City of Laguna Niguel Building and Safety Division		
<ul style="list-style-type: none"> <li>Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1 (Nonresidential Voluntary Measures) of the 2019</li> </ul>						

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Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
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CALGreen Code. Facilities shall be installed to support future electric vehicle charging at each nonresidential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3 (Nonresidential Voluntary Measures) of the 2019 CALGreen Code.						
<b>5.8 HAZARDS AND HAZARDOUS MATERIALS</b>						
HAZ-1	Prior to issuance of grading permits, the project applicant shall prepare a soils management plan (SMP) for the vehicle maintenance facility and the former fire station to address removal of contaminated soil prior to grading of the area. The SMP shall be approved by the City and the appropriate oversight agency, such as Orange County Environmental Health Department or Department of Toxic Substances Control. Prior to grading, implementation of the SMP shall occur, including proper identification and removal of petroleum (>100 mg/kg) and VOC-impacted soil in order to comply with applicable limits for the proposed land uses. The SMP will ensure that safe and appropriate handling, transportation, off-site disposal, reporting, oversight, and protocols are used during removal of the contaminated soil. The SMP shall establish methodology and procedures to perform additional testing during grading if unknown hazardous materials are encountered. If, during grading activities, additional contamination is discovered, grading within that area shall be temporarily halted and redirected around the area until the appropriate evaluation and follow-up remedial measures are implemented in accordance with the SMP to render the area suitable to resume grading activities. Soil remediation and/or export of hazardous materials must be performed in accordance with the appropriate agency's requirements (Regional Water Quality Control Board, Orange County Environmental Health Department, Department of Toxic Substances Control, and/or South Coast Air Quality Management District).	Prior to Issuance of Grading Permits	Project Applicant/Developer	City of Laguna Niguel Building and Safety Division	City of Laguna Niguel Building and Safety Division	

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HAZ-2	After grading is complete, the project applicant shall perform a post-grading soil vapor survey within the footprint of future structures in the areas of the vehicle maintenance facility and former fire station. The survey results shall be approved by the City and the appropriate oversight agency (OC EHD or DTSC) and document soil vapor levels less than applicable limits for the proposed land uses prior to sign-off of the grading permit.	After Completion of Grading	Project Applicant/Developer	City of Laguna Niguel Building and Safety Division	City of Laguna Niguel Building and Safety Division	
HAZ-3	Prior to the issuance of a demolition permit for any structure on the property, the project applicant shall conduct a comprehensive survey for asbestos-containing materials to identify the locations and quantities of asbestos-containing materials in above-ground structures. The project applicant shall retain a licensed or certified asbestos consultant to inspect buildings and structures on-site. If asbestos is discovered, the project applicant shall retain a licensed or certified contractor to remove and dispose of all asbestos containing materials in accordance with the appropriate South Coast AQMD asbestos-containing material removal practices and procedures.	Prior to Issuance of Demolition Permit	Project Applicant/Developer	City of Laguna Niguel Building and Safety Division	City of Laguna Niguel Building and Safety Division	

### 5.16 TRIBAL CULTURAL RESOURCES

CUL-1	Prior to the issuance of grading permits, and for any subsequent permit involving excavation to increased depths, the project applicant shall provide a letter to the City of Laguna Niguel from a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards. The letters shall state that the applicant has retained this individual, and that the consultant will monitor all grading and other significant ground-disturbing activities in native soil. Prior to the initiation of grading, the project applicant shall meet with the Juaneño Band of Mission Indians, Acjachemen Nation Cultural Resource Director to coordinate monitoring by a Native American monitor. During all ground-disturbing activities/earthwork, a professional Native American monitor, procured by the Juaneño Band of Mission Indians, Acjachemen Nation, shall be present to monitor	Prior to Issuance of Grading Permits	Project Applicant/Developer	City of Laguna Niguel Building and Safety Division	City of Laguna Niguel Building and Safety Division	
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Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
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<p>grading activities. During initial monitoring, if the qualified archaeologist and/or designated Native American representative can demonstrate that the level of monitoring should be reduced or discontinued, or if the qualified archaeologist and/or designated Native American representative can demonstrate a need for continuing monitoring, the qualified archaeologist and Native American representative, in consultation with the Laguna Niguel Planning Division, may adjust the level of monitoring to circumstances as warranted. In the event archaeological resources are discovered during ground-disturbing activities, the archeological monitor and designated Native American monitor shall have the authority to halt any activities that may adversely impact potentially significant cultural resources until they can be formally evaluated. Suspension of ground disturbances in the vicinity of the discoveries shall not be lifted until the archaeological and/or designated Native American monitor has evaluated discoveries to assess whether they are classified as significant cultural resources, pursuant to the California Environmental Quality Act (CEQA) and determined construction activities can resume without damaging resources.</p> <p>If archaeological resources are discovered, the archeologist and designated Native American monitor shall assess the most appropriate treatment for the resources, prioritizing preservation in place. When data recovery through excavation is the only feasible treatment method, the archeologist, in consultation with the designated Native American monitor, shall prepare a data recovery plan with provisions for adequately recovering the scientifically consequential information from and about the historical resource and shall deposit studies with the California Historical Resources Regional Information Center.</p> <p>Recovered archeological resources shall be offered to a repository with a retrievable collection system and an educational and research interest in the materials, such as the John D. Cooper Center or California State University, Fullerton, or a responsible public or private institution with a suitable repository willing to and capable of accepting and housing the resource. If no museum or repository willing to accept</p>						

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the resource is found, the resource shall be considered the property of the City and may be stored, disposed of, transferred, exchanged, or otherwise handled by the City at its discretion.  If significant Native American cultural resources are discovered for which a treatment plan must be prepared the project applicant or the archaeologist on call shall contact the applicable Native American tribal contact(s). If requested by the Native American tribe(s), the project applicant or archaeologist on call shall, in good faith, consult on the discovery and its disposition (e.g., avoidance, preservation, reburial, return of artifacts to tribe).						