



**Environment, Social, Health and Safety  
Management System (ESHS MS)**

## **Cultural Heritage Management Plan**

**Document Number:  
02/ES/PL/OG/001/A01**

TABLE OF CONTENTS

**INTRODUCTION ..... 3**

**1.0 COMPLIANCE FRAMEWORK..... 3**

**1.1 CODE OF CONDUCT ..... 3**

**1.2 PERUVIAN LEGISLATIVE INSTRUMENTS ..... 4**

**2.3 INTERNATIONAL STANDARDS AND GUIDELINES..... 4**

**2.4 ESIA COMMITMENTS..... 6**

**2.0 ROLES AND RESPONSIBILITIES..... 6**

**2.1 PERU LNG ROLES AND RESPONSIBILITIES ..... 6**

**2.2 CONTRACTOR ROLES AND RESPONSIBILITIES ..... 7**

**2.3 CULTURAL HERITAGE TEAM STAFFING AND ORGANIZATION ..... 8**

**3.0 MANAGEMENT PROCESSES AND PROCEDURES..... 9**

**3.1 DESIGN PHASE PROCESSES AND PROCEDURES..... 9**

**3.1.1 Undertaking Identification, Preliminary Design, and Siting ..... 9**

**3.1.2 INC Required Cultural Heritage Projects ..... 9**

**3.1.3 CIRA Procurement ..... 10**

**3.1.4 Peru LNG Actions..... 10**

**3.2 CONSTRUCTION PHASE PROCESSES AND PROCEDURES ..... 11**

**3.2.1 Pre-construction Studies and CIRAs ..... 11**

**3.2.2 Construction Monitoring ..... 11**

**3.2.3 Chance Finds Procedure ..... 11**

**3.2.4 Cultural Heritage Training ..... 14**

**3.2.5 Known Cultural Heritage Sites Protection ..... 14**

**3.3 OPERATIONS PHASE PROCESSES AND PROCEDURES..... 14**

**3.4 ADDITIONAL PROGRAM COMMITMENTS ..... 14**

**4.0 VERIFICATION AND MONITORING..... 15**

**4.1 PERU LNG VERIFICATION AND MONITORING ..... 15**

**4.2 CONTRACTOR VERIFICATION AND MONITORING ..... 16**

## INTRODUCTION

Peru LNG S.R.L. (hereafter Peru LNG) is developing a liquefied natural gas (LNG) export Project (the Project) that includes the construction of a 408 km pipeline (hereafter the Pipeline) from near the city of Ayacucho to a natural gas liquefaction facility at Pampa Melchorita south of Lima. The construction of the Pipeline is the subject of various environmental and social commitments. These commitments have been identified in the Environmental and Social Impact Assessment (ESIA), Peruvian legislation, and international standards and guidelines.

Peru LNG will meet all commitments through the development of an Environmental and Social Management Plan (ESMP), which consists of a number of management plans, including this Cultural Heritage Management Plan (hereafter the Plan or CHMP). This Plan summarizes Cultural Heritage Protection Program requirements and describes the processes, procedures, and resources that will be used by Peru LNG to ensure successful implementation and compliance. The Plan is a requirement of, and component to, the over all Project Environment, Social, Health, and Safety Management System. The Plan will serve as the basis for audits carried out by internal or external parties. This plan is subject to the review and approval of international lending institutions financing the Project.

The overall objective of the Protection Program is to preserve and protect cultural heritage sites from adverse impacts associated with construction and operation of any of the components of the Project. For the purposes of this Plan cultural heritage refers to terrestrial cultural heritage sites only. Government and community consultations held throughout the planning stages of the Project have led to the identification of no non-cultural heritage or underwater cultural heritage sites or concerns.

### 1.0 COMPLIANCE FRAMEWORK

Cultural Heritage Protection Program requirements can be found in the Peru LNG Code of Conduct, Peruvian legislative instruments, international standards and guidelines, and the Project ESIA's. Key requirements are described in this Section.

#### 1.1 CODE OF CONDUCT

The Peru LNG Code of Conduct explains the highest standards and expectations that the Company has for employees and Contractors with regard to the way the Company conducts business. Corporate objectives associated with Cultural Heritage are captured in the Code of Conduct and included below.

“No worker can possess or remove from any Project Site any cultural heritage remains, such as ceremonial vases, ceramics and the like. If cultural heritage remains are found by any Worker on any Project Sites, the Worker must immediately stop his work and report the finding to his or her supervisor, who will in turn report the finding to PLNG’s archaeologist for him to follow the applicable procedure.”

A Code of Conduct is provided by the Company and adopted by each of its Contractors (and their subContractors) to regulate the behavior of workers and staff inside the Project boundaries, as well as when visiting neighboring communities. Contractor and subContractor personnel are required to attend induction classes and sign the Code of Conduct indicating their agreement to abide by its requirements and intent.

## 1.2 PERUVIAN LEGISLATIVE INSTRUMENTS

Peruvian legislative instruments presented below are relevant to cultural heritage management during Pipeline construction. This summary is not a legal opinion and should be interpreted as guidance only.

- Law 28296, General Law for the protection of the Cultural Heritage, dated July 21, 2004. According to this law, all construction Projects must be authorized by the Instituto Nacional de Cultura (INC). In order to obtain this authorization, a certificate of non-existence of cultural heritage remains (CIRA) must be obtained for respective construction site.
- Supreme Resolution 004-2000-ED, Resolution for Cultural heritage Explorations and Excavations, dated January 2000.
  - Article 8 details the types of cultural heritage investigations that are required for the protection of the cultural heritage before and during construction Projects.
  - Article 9 defines emergency cultural heritage investigations to be those conducted for the preservation of cultural heritage remains in case they are affected by a construction Project.
  - Article 10 requires the stoppage of construction activities for the duration of emergency cultural heritage investigations.
  - Article 11 requires any cultural heritage investigation to have prior approval from the INC.
  - Article 18 requires immediate notification to the INC when cultural heritage remains are found during construction Projects.
  - Article 19 requires any cultural heritage remains found during a construction Project to be delivered to the INC.
  - Article 65 details some of the requirements to obtain a CIRA, which include, for sites larger than 5 hectares, an cultural heritage evaluation prepared by a certified archaeologist (for Projects smaller than 5 hectares or 5 kilometers the cultural heritage evaluation is carried out directly by INC staff)
- Supreme Decree 15-2006-EM, Environmental Protection Regulations for Hydrocarbon Activities, dated March 3, 2006. This regulation supersedes the previous regulation, which was cited in the Pipeline EIA (Supreme Decree 043-93-EM). Article 54 states that hydrocarbon activities should be conducted away from cultural heritage sites. In those cases where this cannot be avoided, the following requirements are set forth: if cultural heritage remains are found, all activities around them shall be stopped and both the Supervising Institution for Energy Investments (OSINERG) and the INC shall be notified; the corresponding permits and authorizations to continue, as well as the specific actions to be conducted, shall be obtained from the INC (informing OSINERG); INC, through OSINERG will inform the activities to be performed in the place were the remains were found. All personnel are required to be trained to recognize cultural heritage sites and/or remains.

## 2.3 INTERNATIONAL STANDARDS AND GUIDELINES

Standards and guidelines applicable to the Project are derived largely from the requirements of international development banks providing financing to Peru LNG. A full list of international standards and guidelines applicable to this Project is provided in the Pipeline Environmental and Social Contractor Management Plan.

Cultural heritage standards and guidelines are the focus of the two following international development bank documents:

- The World Bank Cultural Property Operational Policy Note 11.03 Management of Cultural Property in Bank Financed Projects (OPN 11.03)
- International Finance Corporation's Guidance Notes: Performance Standards on Social & Environmental Sustainability Guidance Note 8: Cultural Heritage (Guidance Note 8)

The general policy of the World Bank Group as outlined in OPN 11.03 is to assist in preservation and avoid elimination of cultural heritage. It contains the following key policy statements:

- Financing will be considered only for Projects that are sited or designed to avoid damage to cultural heritage
- Financed Projects should plan on protection and enhancement of associated cultural heritage associated
- Policy deviation is acceptable only if Project benefits outweigh loss and the damage is judged by competent authorities as unavoidable, minor, or otherwise acceptable
- Policy applies to Projects as a whole regardless of the portion of the Project being financed by the Bank

Guidance Note 8's applicable objective is to preserve and protect cultural heritage from Project impacts and specifies methods as follows:

- Include cultural heritage concerns in Project assessment process and management systems
- Integrate cultural heritage impacts into the Social and Environmental Assessment
- Include direct and indirect impacts and opportunities for enhancement to cultural heritage in the Assessment
- Consult with experts, government authorities, local communities, and Indigenous Peoples to identify cultural heritage resources
- Comply with National laws and any applicable treaties and conventions
- Design and site Projects to avoid cultural heritage
- Use internationally recognized practices for the protection, field-based study, and documentation of cultural heritage
- Develop and implement Chance Finds Procedures for construction and operation
- Preserve sites in place unless there are no technically or financially feasible alternatives; and/or benefits from Project outweigh any heritage losses
- Remove cultural heritage that cannot be avoided using the best available techniques

Additional guidance is included in the following World Bank documents:

1. World Bank - Cultural Heritage Country Files – These are data files contain information applicable to the initial phases of Project development and are concerned with possible heritage issues and constraints in the host country.
2. World Bank - Physical Cultural Resources Safeguard Policy - Safeguard Policy Handbook. This contains instructions for implementing The World Bank's Operational Policy 4.11 – Physical Cultural Resources. It also has broader utility as a general guide for treating physical cultural resources as a component of Environmental Impact Assessment (EIA). The Handbook is designed to assist professionals who participate in all phases of development Projects, including: identification, preparation, implementation, operation and evaluation.

3. World Bank - Physical Cultural Resources Country Profiles. The Physical Cultural Resources Country Profile contains information on important aspects of the tangible cultural heritage as well as on environmental laws and regulations. The profiles are intended primarily as reference tools to ensure that physical cultural resources are taken into account during all phases of development Projects.

## **2.4 ESIA COMMITMENTS**

All commitments made in Project ESIA's have been captured in the Commitment Register Document. Almost all heritage commitments revolve around compliance with National legislation, and emphasize:

- Preservation in place as the preferred alternative for heritage site protection
- Obtaining INC permits (CIRAs) in advance of earthmoving
- Compliance with other INC requirements and INC coordination
- Chance Finds monitoring, evaluation, and treatment procedures, especially with respect to and stopping work in the immediate vicinity of a Chance Find
- Training and awareness of Project personnel on cultural heritage identification and procedures

## **2.0 ROLES AND RESPONSIBILITIES**

The Plan identifies the requirements, and processes and procedures for CHMP compliance. Peru LNG has the ultimate responsibility for CHMP compliance but responsibilities regarding the protection program are divided between Peru LNG and Contractors. As part of the ESHS MS corresponding Cultural Heritage Contractor Management Plans have been developed that detail requirements and obligations of Contractors and subcontractors working on all aspects of the Project. Each Contractor is required to prepare Environmental and Social Implementation Plans (ESIPs) that will identify the processes and procedures to ensure compliance with the Cultural Heritage Contractor Management Plan. This section outlines the responsibilities regarding the Protection Program for both Peru LNG and Contractors.

### **2.1 PERU LNG ROLES AND RESPONSIBILITIES**

Peru LNG responsibilities are as follows:

- Include cultural heritage in the Project Environmental and Social Assessment process
- Integrate cultural heritage into the ESHS MS
- Conduct cultural heritage site identification studies in advance of construction
- Solicit input from and provide information to local communities on heritage issues, work, and concerns through the project Community Relations Team.
- Conduct cultural heritage site evaluation studies where applicable in advance of construction
- Involve cultural heritage specialists in the design process
- Design the Project components to avoid or minimize impacts to cultural heritage resources
- Conduct rescue studies as mitigation for impacts to sites that cannot be avoided in advance of construction
- Install permanent marking around cultural heritage sites in compliance with INC requirements
- Obtain permits (CIRAs) in advance of construction, and comply with permit restrictions or requirements

- Develop and report on INC specific monitoring and reporting plans for the Pipeline, Plant and Quarry
- Develop and implement cultural heritage and chance finds training and awareness program for Project personnel
- Provide practical instruction and information on cultural heritage issues to the Contractor and to other Peru LNG Staff
- Develop and implement Chance Finds Procedure (part of this document)
- Provide Cultural Heritage Contractor to carry out studies where in house capabilities do not exist
- Verify Chance Finds made by Project personnel (construction phase)
- Liaise with INC and OSINERGMIN and notify them of verified Chance Finds
- Issue cultural heritage related stop works, permits to resume activity, and other related-instruction to Contractors
- Review and approve the Contractor Cultural Heritage ESIP
- Review and revise Peru LNG plans and procedures as appropriate
- Monitor and verify Contractor compliance with the Peru LNG Cultural Heritage Management Plan and other cultural heritage related documents

## **2.2 CONTRACTOR ROLES AND RESPONSIBILITIES**

Contractor responsibilities are outlined in the Cultural Heritage Contractor Management Plan and summarized as follows:

- Comply with the Peru LNG Cultural Heritage Management Plan, Cultural Heritage Contractor Management Plan, Code of Conduct, Peruvian legislative instruments, international standards and guidelines, and ESIA commitments associated with cultural heritage
- Ensure that all personnel receive training on the Peru LNG Code of Conduct, Chance Finds identification, Chance Finds procedures, and other issues associated with cultural heritage
- Apply disciplinary action for personnel failing to comply with the Cultural Heritage Protection Program requirements
- Prepare an ESIP that outlines processes and procedures for compliance with the Project cultural heritage requirements
- Develop and implement a Chance Finds Procedure consistent with the Peru LNG Chance Finds Procedure and include this in the ESIP
- Provide an organizational chart with key Contractor and subcontractor personnel
- Provide a cultural heritage team consisting of Cultural Heritage Manager(s), Field Cultural Heritage Supervisor(s), and Cultural Heritage Field Officers
- Provide documentation to Peru LNG cultural heritage representatives; including all supporting documentation required for the CIRA procurement process and any other issues related to archaeology or cultural heritage
- Include cultural heritage as an item in Contractor Monthly Environmental report
- Participate in Project meetings where cultural heritage issues will be considered
- Use best practice in cultural heritage studies, identification, treatment, protection, and preservation
- Stop work in the case of a chance find and report to Peru LNG site management and archaeologists (Peru LNG takes responsibility for government notification)
- Strictly enforce any cultural heritage related stop works or activity restrictions
- Comply with instruction aimed at minimizing impacts to cultural heritage sites and construction delays (special construction techniques or machinery, special site protection measures)

The Contractor shall recognize that where documents such as this Plan identify requirements or specify actions and responsibilities of Peru LNG (or 'the client'), the Contractor shall generally be bound to the same requirements. For instance, where Peru LNG is required to undertake internationally recognized practices in respecting National government guidance, the Contractor is required to apply such good practices to all of its Project activities as well.

### 2.3 CULTURAL HERITAGE TEAM STAFFING AND ORGANIZATION

Peru LNG and Contractor have responsibility for the implementation of the Cultural heritage Protection Program. Key roles and responsibilities are presented below.

**Peru LNG Environmental Manager** - This position has overall responsibility for the Plan implementation and administration; that is, the Environmental Manager is responsible for ensuring that Peru LNG delivers on all requirements outlined in Sections 2 and 3 of this document. This is an office-based position reporting to the Peru LNG Environmental and Social Manager.

**Peru LNG Cultural Heritage Supervisor** - This position is responsible for day-to-day management of the Cultural Heritage Protection Program, oversight of Peru LNG's Cultural Heritage staff, documentation of program implementation, management and quality assurance of cultural heritage Contractors and consultants, preparation of internal and external cultural heritage communications, maintenance of the Project cultural heritage database, and training program development. The Peru LNG Cultural Heritage Supervisor reports to the Environmental Manager and is based in office (pre and post-construction phases) or field (construction phase) as activities dictate.

**Peru LNG Archaeologist/Cultural Heritage Coordinator** – This position is responsible for the development, implementation, and documentation of the INC required Construction Monitoring Program. This position is also responsible for on-site coordination with Contractor staff; delivering of training and practical guidance to Project personnel on cultural heritage issues; monitoring of Contractor compliance with construction phase Protection Program requirements; coordination of INC's CIRA including new site identification surveys (for newly identified work areas); preparation of weekly, monthly, biannual, and annual reports to INC and for internal use; and supervision of Cultural Heritage Field Officers. This is a field-based position reporting to the Peru LNG Cultural Heritage Supervisor.

**Peru LNG Cultural Heritage Contractors** - Peru LNG will arrange a Call Off contract with an cultural heritage consulting firm to conduct studies that would required by the Cultural Heritage Protection Program that cannot be carried out in house (site identification studies, evaluations, data recovery, and/or INC coordination, as required).

**Peru LNG Cultural Heritage Consultants** - Peru LNG will retain outside consultants to assist in discreet tasks such as program development, document production, technical assurance, audits, dispute resolution etc.

**Contractor Cultural Heritage Manager** - This position assumes overall responsibility for development, implementation, reporting and compliance monitoring for the Cultural Heritage Contractor Management Plan, ESIP, and Chance Finds Procedures. This is an office based position that is fully integrated into the Environment and Social Management System. Note that this position is specific to pipelines. For the plant site and marine terminal, Contractor Environment and Social Managers are responsible for meeting CHPP requirements.

**Contractor Cultural Heritage Field Supervisor** - This position is responsible for coordination with Peru LNG for cultural heritage monitoring, Chance Finds treatment and reporting, site

protection measures, stop works, avoidance signage, communications and coordination with Contractor personnel. The Contractor Cultural Heritage Field Supervisor is responsible for creating records and documentation associated with the Protection Program implementation and compliance. This position is field based; depending upon construction activity and task allocation it may be necessary for the Contractor to provide more than one Cultural Heritage Field Supervisor. Note that this position is specific to the Pipeline construction; for the Plant and Quarry construction, these responsibilities are fulfilled by the Contractor Environment and Social Managers.

**Contractor Cultural Heritage Field Officers** - These personnel are responsible for carrying out day-to-day monitoring and reporting on construction activities and site protection measures in compliance with the INC approved monitoring plan and other Project requirements. These Officers are provided by the Contractor but report directly to the Peru LNG cultural heritage staff on technical issues and for day-to-day assignments. The number of Officers depends largely on the Contractor activities and the number of open work fronts. All positions are field based. All Officers shall be experienced and qualified archaeologists.

### 3.0 MANAGEMENT PROCESSES AND PROCEDURES

The Cultural Heritage Protection Program requires Peru LNG to consider Project impacts to cultural heritage in the design, construction and operational stages. Processes and procedures for each of these stages are described in the sections that follow.

#### 3.1 DESIGN PHASE PROCESSES AND PROCEDURES

In advance of any Project related activity potentially impacting cultural heritage sites, Peru LNG is obligated to obtain a CIRA under Peruvian law. This law is consistent with Lenders requirements, best practices, and Project commitments. Because all Project undertakings are required to have a CIRA, this process will occur throughout the construction process as new work requirements are identified (construction camps, access roads and shooflies, lay-down and storage areas, borrow pits, disposal sites, and other temporary and permanent workspaces in addition to the RoW). This process applies to all portions of the Peru LNG Project and is elaborated below.

##### 3.1.1 Undertaking Identification, Preliminary Design, and Siting

Peru LNG and/or Contractors or Subcontractors identify an undertaking including all potential impact areas. This plan is submitted by Peru LNG to INC for review and approval and in most cases will require an INC site visit. If the Project area is smaller than 5 km (e.g., access roads or transmission lines) or hectares (ha) (e.g., camps and yards) *and* no potential cultural heritage resources are identified during the walkover, the INC representative may recommend that no additional work (or Cultural Heritage Project) is warranted. Peru LNG can request a CIRA with no further work. If the undertaking is larger than 5 km/ha and/or involves potential cultural heritage resources, then INC will recommend that a Cultural Heritage Project be undertaken.

##### 3.1.2 INC Required Cultural Heritage Projects

Cultural heritage research is generally carried out in phases and government requirements and procedures are outlined in Supreme Resolution 004-2000 ED, Resolution for Cultural heritage Explorations and Excavations dated January 2000. Preliminary work (Phase I) involves site identification surveys and evaluation, normally including both literature review and field reconnaissance, but not excavations. This work may be followed by site evaluation with excavations (Phase II), where the spatial extent of any resources identified during the survey are

examined and clarified through the excavation of trial or test units. Following both, Phase I and Phase II work, Peru LNG will consider cultural heritage site location versus the footprint of the proposed undertaking, and all reasonable efforts will be made to re-site the proposed project to avoid impacts. If cultural heritage resources that have been subject to evaluation with excavations can not be avoided by redesign, data recovery (“rescue” or Phase III) excavations are undertaken. The purpose of the Phase III work is to preserve the site that would be impacted by the planned undertaking through careful systematic excavation and documentation such that the site is available for future research.

For each phase of the work, Peru LNG must prepare a work plan and proposal for INC review and approval prior to the start of work. Following INC approval, any required studies are carried out. When the field element of any phase of the work is complete, an INC site visit is required. Following that, a report on the work is submitted to INC for review and approval. INC must approve each stage of the investigation before the Peru LNG plan for the next stage be reviewed and approved.

The INC review process is complicated and time consuming. All requests for site visits, plan, or Project review must be submitted in writing to INC. Plans and reports are reviewed internally by an INC supervisor assigned to the Project. This supervisor then prepares a recommendation whether or not to accept the plan or report. This recommendation is then reviewed by a cultural heritage commission. With the commission approval, the INC will prepare a Resolucion Directoral (RD) authorizing or approving the plans or reports. Only after the RD is issued can work actually begin.

### **3.1.3 CIRA Procurement**

After all requirements are met to the satisfaction of INC (and RDs are issued to that effect), Peru LNG can prepare and submit a request for CIRA. The INC will review and approve this document formally and then issue the CIRA. The CIRA will include all spatial data associated with the planned undertaking and any work falling outside of the CIRA specified footprint is illegal. No construction work is permitted without a CIRA. The CIRA may also include observations or recommendations with which the Project must comply. Common recommendations for large undertakings include development, implementation, and documentation of a cultural heritage monitoring program; and avoidance of known sites in the vicinity. Work can not begin on the planned undertaking until all requirements for a monitoring program have been met with an additional INC approval.

### **3.1.4 Peru LNG Actions**

For compliance with Peruvian law and the requirements of Lenders, Peru LNG must in all phases of the work attempt to achieve “preservation in place” for cultural heritage resources. Following Phase I, there must be a design review of the planned undertaking, to see if any of the identified sites can be avoided. This must occur again following the site evaluation study. Rescue or Phase III work will only be carried out if the cultural heritage sites cannot be avoided due to engineering, health and safety, land, environmental and social, or other significant constraints. The justification for the work will be reviewed and approved by INC. Peru LNG will confirm that Contractor has considered cultural heritage site avoidance and all alternatives to rescue prior to review by INC.

## 3.2 CONSTRUCTION PHASE PROCESSES AND PROCEDURES

Cultural Heritage Protection Program construction phase requirements are derived from policy, law, Lenders guidance, and the ESIA commitments. They are summarized into six main themes as elaborated in the sections that follow.

### 3.2.1 Pre-construction Studies and CIRAs

The CIRA procurement process is described in detail in Section 4.1 of this document but because new Project areas will be identified as work progresses, the CIRA procurement process is summarized in the present section as well.

Cultural heritage resources must be considered and included in the design phase of any Project-related undertaking with the potential to impact sites. All reasonable efforts must be taken to avoid known cultural heritage resources in the design and construction phases of the Project. This policy applies not only to the RoW and facilities such as the LNG Plant, pump and metering stations, etc.; but also to temporary and permanent off-RoW work areas such as access roads, construction camps, pipe and mechanic yards, borrow pits and quarries, material storage, disposal sites, etc.

All Project impact areas are required by Peruvian law to have a CIRA in place prior to the commencement of activity. Actions that may be required in advance of obtaining a CIRA include government inspections and consultations, site identification studies, site evaluation studies, and, if a site can not be avoided by design, data recovery or rescue excavations, analyses, and reporting.

The minimum time period required to obtain a CIRA is 90 days (90 days is possible if no "Project" is required; the CIRA procurement process is extended in the case of a Project where evaluation and/or rescue work are needed). Best practices must be used in all cultural heritage-related studies. Only after all required studies are complete to the satisfaction of the INC, the Company receives CIRAs permitting work.

### 3.2.2 Construction Monitoring

It is anticipated that the Pipeline CIRA(s) will have a requirement for the development and implementation of a Construction Monitoring Program that will require all construction work to be carried out under the full time supervision of an archaeologist. The archaeologist will document and report on construction monitoring activities regularly as agreed with INC (for the Plant and Quarry construction, the reports are weekly and biannual; different intervals may be required for the Pipeline construction). These reports will be subject to INC review and approval.

### 3.2.3 Chance Finds Procedure

#### 3.2.3.1 Compliance Framework

A Chance Finds Procedure is required by Peruvian law and Lenders, and is also referred to as the Cultural Heritage Contingency Plan. The Procedure objective is to identify and protect previously unrecorded cultural heritage sites, objects, or features from Project-related damage. The Procedure applies to potential cultural heritage objects, features or sites identified as a result of construction activities on an area that has a government-issued CIRA. The Procedure in no way represents an alternative to the CIRA process, and may be modified in response to requirements specified in Project related CIRAs.

### 3.2.3.2 Chance Finds Definition

Chance (or Late) Finds are defined as potential cultural heritage (or paleontological) objects, features, or sites that are identified outside of or after a formal site reconnaissance, normally as a result of construction monitoring. Chance Finds may be made by anyone of the Project including archaeologists, non-cultural heritage site workers, and visitors or guests. Cultural heritage resources are associated with Pre-Hispanic, Colonial, or Republican periods and may include:

- Artifacts, whole or partial, such as ceramic sherds, stone items, glass fragments, bone, shell, metal, textiles, and plant and animal remains
- Features associated with human occupation such as trash dumps, middens, hearths, structural remains (for examples fortifications, temples, fences, and shelters or corrals for humans or animals)
- Prehistoric or historic human remains found in formal graves, cemeteries, or as an isolated occurrence

Paleontological resources include fossilized plant or animal remains or their impressions.

Non-Cultural Heritage Chance Finds may include modern objects, features, and burials as well as isolated artifacts (out of context and therefore lacking research potential or value). In the case of the identification of modern human remains, all work must stop in the area, the materials must be left in place, and the local authorities notified. No construction activity is permitted in the area until the police or other authorities complete any required investigations.

Individual artifacts are important as indicators of the presence of nearby surface or subsurface cultural heritage sites. The principal value of most cultural heritage artifacts is only realized however when the objects are part of an interpretable cultural heritage site. This procedure concerns itself with the protection of cultural heritage sites themselves rather than individual artifacts.

The decision about whether a Chance Find is a cultural heritage resource requiring additional treatment will be made by a Peru LNG Archaeologist based on experience and training.

### 3.2.3.3 Chance Find Procedure

In the case of a Chance Find, activity must cease and the area shall be marked for avoidance; supervisors, field personnel, and Project and government cultural heritage representatives must be notified; and appropriate treatment strategies developed. Site treatment scenarios to be considered include preservation in place through rerouting or specialized construction techniques, and rescue excavations in advance of additional construction work if avoidance is not possible. Only after all treatment work is agreed and any required excavations carried out is Project activity allowed to resume in the area. A detailed description of the Chance Finds Procedure (also referred to as the Cultural Heritage Contingency plan) is provided below:

- Stop work in the immediate area
- Inform site supervisor/foreman
- Inform Peru LNG Site Management and Peru LNG Archaeologist
- Install temporary site protection measures (warning tape and stakes, avoidance signs)
- Inform all Contractor personnel of the chance find if access along the right-of-way or other work area is restricted
- Strictly enforce any no-go area needed to protect the site

- Peru LNG Archaeologists will perform a preliminary evaluation to determine whether the Chance Find is cultural heritage and if so, whether it is an isolate or part of a larger site or feature
- Artifacts will be left in place when possible; if materials are collected they will be placed in bags and labeled by Peru LNG Archaeologist and transmitted to the INC; by Peruvian law no Project personnel are permitted to take or keep artifacts as personal possessions
- Document find through photography, notes, and maps (collect spatial data) as appropriate
- If the Chance Find is an isolate or a not cultural heritage, Peru LNG will authorize the removal of site protection measures and activity can resume
- If the Peru LNG Archaeologist confirms the Chance Find is an cultural heritage site he/she will inform the Peru LNG Environmental Manager and INC Supervisor; and initiate discussions with the latter about treatment
- Prepare and maintain an initial Chance Finds report (for all possible Chance Finds, cultural heritage or not); include spatial data for use in cultural heritage database and GIS system
- Implement INC-required treatment plan with qualified Peru LNG Staff or using cultural heritage Contractors provided by Peru LNG (INC chance find treatment measures are called “Emergency Rescue” work)
- If a Chance Find is a verified cultural heritage site, prepare a final Chance Finds report once INC-required treatment has been completed
- While INC-required treatment is ongoing, coordinate with Contractor and relevant Peru LNG staff keeping them informed as to status and schedule of investigations, and informing both when the construction may resume

Artifacts collected in connection with Chance Finds should be minimized. Those retained because they are accidentally unearthed or broken free of their soil matrix should be retained with precise notation of their original location, and with photographs taken of their original context. Artifact photos and site photos may be useful for consultation regarding Chance Finds and should be taken as soon as possible. Artifacts and associated notes and photographs taken by any Project personnel should be given to the Peru LNG Cultural Heritage staff as soon as possible. Ultimately the artifacts belong to the INC, and Cultural Heritage staff will be responsible for giving these to them.

#### **3.2.3.4 Chance Finds Documentation**

Peru LNG Cultural Heritage staff, Peru LNG non-Cultural Heritage staff, Contractors, and subcontractors will be required to maintain records of monitoring, Chance Finds, and Chance Find response measures executes. These will include:

- Daily monitoring records indicating areas and activities monitored; reported Chance Finds and the results of any evaluations. Communications and instructions (such as stop work and resume work) will also be included.
- Weekly reports summarizing reporting period activities including Chance Finds, assessments and evaluations, internal and external communications and instructions and supporting photographic documentation (or other reference materials as appropriate). An additional report aimed at fulfilling any specific INC requirements is also anticipated.
- Monthly reports summarizing monitoring and evaluation results, status of any site treatment measures required, instructions to Contractor, and other internal and external communications. Additional monthly reporting may be required by INC.

### 3.2.4 Cultural Heritage Training

All Project personnel are required to receive and comply with the Code of Conduct and receive training and demonstrate competency in (1) the identification of Chance Finds cultural heritage sites, objects, or features and (2) Chance Finds management procedures; that is, those actions that are required in the case of a suspected Chance Find. This training will be incorporated into the overall induction process for Company, Contractor, and Subcontractor personnel and will include a quick reference handout.

All employees must be aware of the Peru LNG Code of Conduct and that it is illegal and forbidden to disturb or remove cultural heritage objects offsite for personal gain. Disciplinary action will be taken against any personnel who violate this requirement. To support the training process, Peru LNG will develop training materials for use in the overall induction process.

### 3.2.5 Known Cultural Heritage Sites Protection

Known cultural heritage sites must be protected from Project-related damage. This includes sites identified in advance of construction activities and those found during construction (Chance Finds). Sites may be located on Project areas or adjacent to them. Site protection measures may include warning signs, physical barricades, or other visual indicators of areas of high cultural heritage sensitivity. In some cases it may be necessary to modify construction techniques to protect sites on work areas, for example, building up the running track to protect cultural heritage features from vehicle traffic or the use of excavators with smooth edged buckets to minimize the potential for soil disturbance.

Site information will be provided to Project personnel in written and verbal form in official transmittals, meetings, and tool box talks as appropriate to ensure that known cultural heritage sites are protected.

## 3.3 OPERATIONS PHASE PROCESSES AND PROCEDURES

Construction related activities anticipated during the operation phase of the Project are limited to:

- Completion of any outstanding excavations, analyses, and reporting
- Update and organize of construction phase cultural heritage documentation
- Update GIS system with construction phase cultural heritage data

Peru LNG Operations has a duty of care and good stewardship which requires them to plan work to avoid damaging cultural heritage sites and to have a Chance Finds Procedure in place. The design life of the Pipeline is 30 years; potential impacts to cultural heritage sites should be considered in association with any upgrades, repairs, maintenance, and/or decommissioning. A specific training program and Chance Finds Procedure will be developed for the Operations phase of the Project in the future.

## 3.4 ADDITIONAL PROGRAM COMMITMENTS

International standards and guidelines require that Peru LNG use best practice and scientific community standards in conducting cultural heritage studies. This applies to all field and laboratory studies and includes curation (the long-term storage of cultural heritage collections) and information sharing. A brief summary of both is provided as follows:

### Curation

It involves the long-term care and storage of artifacts and records generated by cultural heritage excavations. As the purpose of rescue or data recovery work is to preserve a site by removing it from the Project or impact area in advance of construction, materials from the site must be available for future research. The collection must be stored in archivally-stable-materials and held in a safe secure facility with climate control measures in place to ensure preservation of the collection. The INC is the government agency responsible for the proper long term storage of cultural heritage collections associated with this Project.

Peru LNG will convey all materials to INC and support their curation by funding the preparation of materials for long term storage (appropriate processing, cleaning, packaging, labeling, and preventive conservation when appropriate, and cataloguing) and paying accession fees levied by that institution. It is worth noting that not all artifacts generated by an excavation need to be stored indefinitely. Permanent curation, because it is expensive and requires adequate well maintained space, is generally reserved for items containing long term research potential. For some items, such as volumes of structural material (brick, stone, mortar, nails, for example), window glass, and non-diagnostic ceramic sherds, documentation prior to discard may be adequate for the final cultural heritage record of a site.

### Information Sharing

The Peru LNG Community Relations Team will include heritage resources as a topic of discussion in public meetings and workshops as appropriate. Written materials on the Peru LNG heritage related undertakings will be distributed to local communities. This will occur throughout the project cycle.

In addition, information sharing is targeted at the scientific community and interested public. Technical reports will be prepared for all cultural heritage projects and will be available to other archaeologists for review through INC. Findings can also be shared with other archaeologists at scientific conferences or in industry journals. General information about the Project will be shared with the public through brochures, posters, the Peru LNG website, and/or other media aimed at a non-scientific audience. Cultural heritage materials may be displayed at local, regional, or national museums and/or information centers.

## **4.0 VERIFICATION AND MONITORING**

The principal objective of verification and monitoring is to provide assurance that the Peru LNG Cultural Heritage Management Plan and Cultural Heritage Protection Program are being implemented in the spirit of cultural heritage preservation and protection. As both Peru LNG and Contractors have responsibilities under these plan and program, Verification and Monitoring must be carried out for both parties in accordance with overall verification and monitoring requirements of the ESHS MS.

### **4.1 PERU LNG VERIFICATION AND MONITORING**

With regard to verification and monitoring of the Cultural Heritage Protection Program including pre-construction CIRA work and the Chance Finds Procedure it should be understood that the regulatory aim is to comply with the following requirements:

- 1) Peru LNG Code of Conduct regarding reporting and possession of artifacts found during construction;

- 2) Observations of the CIRA that corresponds to the work area that a Contractor is assigned to;
- 3) Protection of cultural heritage sites identified before and during construction;
- 4) Requirements of IFC's Social and Environmental Performance Standard 8 for Cultural Heritage and Peruvian law, specifically the requirements related to the Chance Finds Procedure

### **4.2 CONTRACTOR VERIFICATION AND MONITORING**

Peru LNG will carry out monitoring to ensure that Contractor and subcontractors are adhering to the requirements and commitments contained in the Contractor Management Plans (CMPs) and Environmental and Social Implementation Plans (ESIPs). All monitoring requirements shall be established within the Contractor ESIP with details of resources, monitoring, and assurance methods included within the Contractors ESMS.

Peru LNG environmental processes include verification and monitoring. This monitoring by or on behalf of Peru LNG will be independent of the monitoring that the Contractor will undertake.

As part of the Cultural Heritage ESIP, Contractor shall develop monitoring measures in respect of each of the commitments identified in this Plan. The Contractor Cultural Heritage ESIP shall commit Contractors to prepare and submit a monitoring report to Peru LNG each month for review and approval. This report shall include the monthly Chance Finds summary report.

Monitoring of cultural heritage including any artifacts discovered during the works will also be reviewed by third parties undertaking external audits such as Government regulatory agencies (OSINERGMIN) and Lenders.