

RIVERSIDE METROPOLITAN MUSEUM
COLLECTIONS MANAGEMENT POLICY
2015

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Definitions

Accession is an acquisition that a museum formally adds to its collections, to be held in the public trust and administered according to the collections management policy.¹

Acquisition refers to something obtained by a museum; it does not mean that a transfer or ownership has taken place.²

ARGUS.net is the Riverside Metropolitan Museum's [RMM] collections information management software.

Conservation includes examination, documentation, treatment, and preventive care, supported by research and education."³

Conventions and Laws pertaining to Museum collections:

1. U. S. Migratory Bird Act [1913] covers Museums USFWS Salvage Permit
2. Lacey Act covers interstate transport of biological materials.
3. U. S. Endangered Species Act [1972].
4. Laws of Riverside County, State of California and Federal Fish and Wildlife pertaining to natural history specimens as specified on permits issued to the RMM. Scientific Collecting permit from California Department of Fish and Game covers Museum's holdings of non-bird animal materials, with the regions for collecting and restrictions on which species can be collected specified per permit;
5. Secretary of the Interior Standards for Archaeology and Historic Preservation, Section 106 of the National Historic Preservation Act of 1966, the California Historic Building Code, Ethics for the Conservation of Historic and Artistic Works, Americans with Disabilities Act, National Fire Protection Association's codes for Fire Protection of Historical Structures and Codes for Protection of Cultural Resources and the California Environmental Quality Act.
6. Convention of the Import and Transportation of Endangered Species [CITES].

Cultural Property refers to objects, collections, specimens, structures, or sites having artistic, historic, indigenous, scientific, religious or social significance.

Deaccession is the permanent removal of an accessioned object from collection.

Deaccessioning is the formal process of removing an accessioned object or group of objects from the museum's permanent collection.

¹ Simmons, *Things Great and Small*, 37.

² Ibid.

³ American Institute for Conservation of Historic and Artistic Works, "AIC Definitions of Conservation Terminology," *AIC News*, vol. 21, no. 3 (1996), 15.

Disposal is the process of destruction of an accessioned object that has been deaccessioned.⁴

Intellectual Property refers to products of human intelligence that are unique and have potential commercial value.

Object is a three-dimensional structure with artistic, historic, indigenous, social and scientific significance.

Preventative Collections Care refers to the “protection of cultural property through activities that minimize chemical and physical deterioration and damage and that prevent loss of informational content. The primary goal of preservation is to prolong the existence of cultural property.”⁵

Professional stewardship integrates six essential activities:

1. **Collections Management:** Proper collections management practices include complete computerized records of all artifact activities [accessions, loans, inventory, exhibitions] and written policies/plans governing all collections stewardship projects.
2. **Accessibility:** Appropriate accessibility to collections requires a multi-faceted approach including web-access and on-site and off-site programming and exhibits; accessibility must not endanger the collections.
3. **Storage and Exhibition:** Professional storage and exhibition practices including environmental conditions, storage units, housing materials and sufficient space is paramount to ensuring long term preservation of collections.
4. **Risk Management Planning:** A written and practiced Response and Recovery Plan is essential, particularly in a high seismic risk area, to ensure that in the event of a disaster the RMM responds effectively to preserve collections.
5. **Security:** It is imperative that all sites and collections have appropriate levels of security.
6. **Collections Development:** Continual assessment of current collection holdings vis-à-vis RMM mission and strategic goals ensures that our collections and new acquisitions will reflect and engage the greater Riverside regional communities.

Repository agreement is a legal document in which an institution provides long-term professional, systematic, and accountable curatorial services for a collection that belongs to another entity [e.g. state government, federal government or foreign government].

RMM Collections Committee is composed of the RMM Director, Curators and Archivist plus two members of the Metropolitan Museum Board. The committee assesses proposed acquisitions and makes recommendations for their acceptance into the RMM collections.

⁴ Simmons, *Things Great and Small*, 51.

⁵ American Institute for Conservation of Historic and Artistic Works, “AIC Definitions of Conservation Terminology,” 15.

I. RIVERSIDE METROPOLITAN MUSEUM STATEMENT

The Riverside Metropolitan Museum (RMM) is a division of the City of Riverside's Museum and Cultural Affairs Department. The City of Riverside Municipal Code [Chapter 2.12] that established the RMM states that "All collections and exhibitions of the museum shall generally reflect but shall not necessarily be limited to the specific interpretations of the history, natural history and anthropology of the City and County of Riverside and the immediate environs of southern California."

The Mission of the Riverside Museum and Arts and Cultural Affairs Department is to collect the history, tell the stories and create memories for the Riverside region.

The RMM Collections Management Policy is a document that establishes a policy that guides the RMM's use and interpretation of objects or sites for the public presentation of programs and exhibits which includes "a formal and appropriate program of documentation, care and use of collections and/or objects." (Simmons, John E. 2006. Things Great and Small: Collections Management Policies. Washington, D. C.: American Association of Museums)

The RMM Collections Management Policy is a document that is a set of policies that addresses various aspects of collections management including acquisition, accession, registration, cataloging, exhibition, loan, control, risk management, security, storage, and deaccession.

The RMM follows the Institute of Museum and Library Services definition of a museum as an institution that "...owns or utilizes tangible objects, cares for them, and exhibits them to the public on a regular basis."

II. DESCRIPTION OF COLLECTIONS

Permanent Collections

The RMM's permanent primary collection includes three-dimensional objects, archival materials, historic structures and natural history specimens. Accessions to the RMM's permanent collection are intended to be in the RMM's care, and held in the public trust for the foreseeable future. Their collection is guided by the RMM Mission and they are mandated for compliance with the state and federal legislation and international conventions on cultural property and endangered species (See Appendix.).

Teaching Collection

The RMM's teaching collection includes expendable objects intended for use in hands-on activities and demonstrations. Through outreach kits and teaching objects, the 'hands-on' experience is achieved. They will undergo wear and tear during education programming. Teaching objects are selected for their safety and durability and authenticity for their programming use. These objects are not accessioned as they may need to be replaced; however, they are recorded in the RMM's collection management system.

Living Collection

The RMM's Natural History Living collection includes: species of living plants, invertebrates, reptiles and amphibians that will help represent the biological diversity of the Riverside/Southern California region, in particular those organisms which can be humanely maintained and made available to the public in the RMM's Nature Lab and during public programs; living specimens of general natural history interest that will augment the RMM's interpretive resources, in particular the hands-on materials available in the RMM's Nature Lab.

Repository Collection

POLICY

From time to time, RMM has served as a designated repository for archaeological and paleontological collections obtained through field collecting by researchers, salvage efforts at construction projects and systematic surveys in the Riverside region, such activities having been conducted on both public and private lands. The intention behind the acquisition of repositied collections is to enrich the resources at RMM which document and interpret the Riverside region's natural and cultural history, while providing scholars and the general public with continuous access to collections that either cannot legally or practically be retained by the parties or organizations that recover these materials. (See Appendix for a summary of legislation relevant to repositied collections.)

Criteria for determining whether a collection is suited for receipt/acceptance by RMM are the same as those applied to other RMM acquisitions (as described elsewhere in this Collections Policy document), and repositored materials will be curated in accordance with this Policy and the procedural guidelines set by each collection discipline's curator. RMM may, at its discretion, also enter into ongoing repository agreements with research institutions, Native American tribes, federal and state land management programs and natural resources agencies.

Under the terms of a Repository Agreement set up for each collection or project, RMM will receive materials that have already been described, documented and curated to a significant extent. The form and content of Repository Agreements will vary with the nature of the collections received and the agencies or parties involved. Each Agreement will establish the time period that the repository agreement is in effect, describes the minimum standards for the collections/storage environment, care and management; define the required staffing level of the repository institution and states what compensation the RMM will receive for these services. In some instances, the objects that are held under the terms of an Agreement cannot be accessioned because the receipt does not involve a transfer of ownership. However, the depositor must have clear title of ownership of the specific collection that is proposed for repository at the RMM.

REQUIREMENTS

1. Collections submitted to the RMM for repository must comprise a substantially complete collection of the materials, documents, records and information acquired during a study so that they are amenable to further research and public use. A complete collection includes all specimens, artifacts and other cultural and environmental materials collected, analysis records, all fieldwork records, all logs and notes, site and provenance maps, photographs and negatives, and copies of all reports and publications produced as a result of the study. Any materials destroyed during the process of analysis must be accounted for in the written documentation of the project. Other types of materials released for special analyses must also be accounted for in the written documentation.
2. Depositors are required to identify the owners of the specimens/artifacts recovered during fieldwork projects and archival records management projects. The purpose of this requirement is to clarify ownership of the collections and allow time for resolution of any ownership negotiations before submitting the collection to the RMM.
3. Funds needed for curatorial services of a repository would include costs for initially processing, cataloging and accessioning the collection as well as costs for storing, inspecting, inventorying, maintaining, and conserving the collection on a long-term basis. This fee includes staff processing time to enter the collection into ARGUS.net, the RMM's collections management database and materials needed for processing and storage. This curatorial fee is based upon a sliding scale of one-cubic foot boxes.

4. Funds to store, inspect, inventory, maintain and conserve a collection on a long-term basis are assessed as an annual repository fee for a period of ten years, with payment in full at time of deposit to RMM.

PROCEDURE

The protocol for acceptance of collections for repository is as follows: 1] proposal prepared by curatorial staff for presentation to Collections Committee [The Collections Committee is composed of the Museum Director, Museum Curators and Archivist plus two members of the Metropolitan Museum Board. The committee will meet monthly (or on an as-needed basis) to assess proposed acquisitions and make recommendations.]; and 2] discussion at Collections Committee with a recommendation for presentation to Metropolitan Museum Board. Collections Committee recommendation will be based on proposed collection's applicability to the RMM Mission Statement, submitter's compliance with the Repository Policies and Procedures and ability of RMM to ensure compliance with federal regulations regarding archaeological collections (36 CFR Part 79) and ethnographic collections (NAGPRA), biological [CADFW, USFWS] and geological/paleontological [USDOI and County of Riverside]; and 3] The Repository Agreement - a contract between RMM and the party that is the source of the collection - will be drafted by both parties and reviewed/approved by the Riverside City Attorney.

III. ACQUISITIONS, ACCESSIONS, AND DEACCESSIONS

ACQUISITIONS AND ACCESSIONS

POLICY

In the AAM's Code of Ethics for Museums (adopted by Board of Directors of the American Association of Museums in 1991, revised in 2000), it states that Museum staff is accountable for acquisition, conservation, management and deaccession of collections (Simmons, John. 2006. *Things Great and Small: Collections Management Policies*. Washington, D. C., American Association of Museums, p. 51).

It is the policy of the Riverside Metropolitan Museum (RMM) that objects shall only be acquired that have been collected, exported and imported in full compliance with the laws and regulations of the country or countries of origin, of the federal government of the United States and of individual states within the United States. The RMM shall, furthermore, not acquire artifacts, which its administration and appropriate curatorial staff have reason to believe have been unethically collected or alienated from society of origin. Any object acquired for the RMM collections in a manner which violates the procedures outlined in these collection policies shall be returned to the original owner or other appropriate receiver.

The Native American Graves Protection and Repatriation Act (NAGPRA) is a Federal law which provides a process for Museums and Federal agencies to return certain Native American cultural items—human remains, funerary objects, sacred objects, and objects of cultural patrimony—to lineal descendants, and culturally affiliated Native American tribes. The RMM will cooperate in the repatriation of RMM objects which fall under the NAGPRA, as mandated by the Federal and State governments as outlined in the Repatriation Policies of the RMM and approved by the City Council on August 15, 1995. The RMM pledges to consult with appropriate Native American Tribes with regards to NAGPRA and repatriate as required by Federal law.

Any object to be formally acquired by the RMM must have approval of the Collections Committee. The Director shall be chairman with power to decide only conflicts or decisions on which the curators are unable to reach agreement.

Recognizing the opportunities to acquire objects of importance to the RMM's collections may arise at unexpected times, the RMM staff will, on such occasions be allowed to obtain such objects, subject to the following limitations:

1. Donations of potential objects can only be accepted on a temporary basis with the provision that they must be returned to the potential donor in the event that the acquisition of the object(s) is rejected by the Collections Committee.

2. Objects for the RMM's permanent collection will be given priority in review of all acquisitions before objects collected for use in the RMM's education and teaching/study collections.

GIFTS

The RMM receives most of its accessions in the form of gifts. A gift is a voluntary transfer of property from one person or organization to another without financial consideration or other compensation.⁶ A valid gift means that:

- The owner intended to make a gift of an object.
- There was complete and reliable provenance of the object.
- Museum accepted object as a gift via the accession process

The IRS regulations prevent RMM staff from providing donors of objects with appraisals. Museum staff may refer valuation requests to independent appraisers.

PURCHASES

RMM accession policy addresses the purchase of objects for collections if they:

1. Are specified in curatorial collections plans as needed to strengthen the RMM's collections;
2. Meet the RMM's criteria of purchase protocol.

Objects may be purchased when:

1. Purchase is from an acceptable vendor including individual owners, artists, craftspeople, retail shops and galleries, auction houses and on-line. RMM does not purchase objects from RMM staff or Board members. Seller needs to be recognized as an independent vendor such as a tribal artist or nationally identified vendor of such objects.
2. The object does not violate any contravening local, State, Federal [NAGPRA] and international laws/regulations.
3. Legally obtained with provenance known and identified location.
4. It has been determined that purchase price does not exceed fair market value.
5. Appropriate funding sources have been identified for purchases (e.g. RMM Trust, individuals, and businesses).

⁶ John Simmons, *Things Great and Small: Collections Management Policies* (Washington, D.C.: American Association of Museums, 2006, 40.

6. If an immediate opportunity to purchase an object/collection due to exceptional circumstance and outside prescribed Collections Committee protocol, the RMM Director and Metropolitan Museum Board Chair may grant approval based on RMM Collections Plan.

TRANSFERS

Objects may be transferred without compensation to the RMM from an institution whose mission is irrelevant to the item and/or that cannot adequately care for the object and/or that can assure public access. All title to the object being transferred would be transferred with the object. These objects must first be deaccessioned from the transferring institution's ownership.

NON-ACCESSIONED OBJECTS FOUND IN COLLECTIONS

Non-accessioned objects found in collections will be treated as a gift and RMM procedures will be applied. The date of receipt will be the date when the object was found because the donor information is not associated with the object.

PROTOCOL AND PROCEDURES

Proposed acquisitions with supporting documentation will be submitted by the appropriate curator to the Collections Committee for consideration. Documentation should include object description, source, provenance, age and justification for accession into the RMM's collections. Title to any object, accepted as a gift or purchased by the RMM, should be free of any restrictions regarding examination, research, restoration or conservation, exhibition use, storage, loan and/or disposal and rights for reproduction. It is important for the RMM to have clear and unrestricted title to any object.

Collections curators shall establish the procedures and prepare and preserve accession records for all acquisitions. This object documentation includes instruments of conveyance signed by the donor or seller; descriptive information supplied by curator; and identification and provenance provided by the donor.

GIFT/TRANSFER

1. Curator first completes Receipt of Object with the potential donor.
2. Curator conducts further research and documentation and completes the Collections Committee Form.
3. Collections Committee form is circulated to Collections Committee members for review.

4. Proposed gift is presented at Collections Committee by Curator followed by discussion and vote.
5. Gift donation is included in report to the Metropolitan Museum Board, where it is presented, discussed and voted upon with a recommendation to City Council.
6. Gift donation is included in City Council report for approval after presentation to Collections Committee and Metropolitan Museum Board.
7. Object is processed as a gift into RMM collections as a RMM object for permanent, archives or teaching collection.

PURCHASE

1. Curator first completes Purchase Proposal for submission to Collections Committee.
2. Curator conducts further research and documentation, as well as including the funding source and completes the Collections Committee Form.
3. Collections Committee form is circulated to Collections Committee members for review.
4. Proposed purchase is presented at Collections Committee by Curator followed by discussion and vote.
5. Proposed purchase is included in report to the Metropolitan Museum Board, where it is presented, discussed and voted upon with a recommendation to City Council.
6. Purchase is included in City Council report for approval.
7. Object is processed for purchase according to the RMM protocol
8. Object is processed by Curator or Archivist into respective RMM collection

DEACCESSIONS

POLICY

The AAM's Code of Ethics for Museums (adopted by Board of Directors of the American Association of Museums in 1991, revised in 2000) states that RMM staff is accountable for acquisition, conservation, management and deaccession of collections.⁷

⁷ Simmons, *Things Great and Small*, 51.

It also states that the “stewardship of collections entails the highest public trust and carries with it the presumption of rightful ownership, permanence, care, documentation, accessibility and responsible disposal” and, furthermore that “disposal of collections through sale, trade, or research activities is solely for the advancement of the museum’s mission.”

Collections management includes the acquisition and accession of objects/specimens, their conservation, and deaccession when necessary. The Riverside Metropolitan Museum’s responsibility is to follow ‘best practices’ in its stewardship for its collections. As RMM collections grow and change over time, they need to reflect the RMM’s mission. The RMM’s collections are not static; they grow and develop as acquisitions are added to or removed from the collection and staff research and scholarship provides greater knowledge of the RMM’s holdings.

Deaccession may be necessary when there is a change in the RMM’s Mission, a deteriorated condition of object/specimen, or new information regarding an object’s provenance or title. Keeping accessioned objects that do not belong in the RMM diverts resources from the care of the collections that are central to the RMM’s Mission and activities. Using RMM resources to maintain inappropriate collections is an abrogation of the public trust. Deaccessioning is an AAM accepted method for collections stewardship.

RMM deaccessioning decisions are based on thorough research and documentation for each object/collection and meet any pertinent legal and ethical issues pertaining to a specific deaccession proposal. The deaccession process includes documenting each step of the process to ensure that deaccessioning is carried out in a proper and consistent manner.⁸

CONSIDERATIONS FOR DEACCESSION

RMM objects and specimens to be considered for deaccession must meet at least one of the following criteria:

1. The object/specimen is outside of the scope of the RMM's mission and guidelines set by Riverside Municipal Code (Chapter 2.12), acquisition policy, or is irrelevant to the purposes of the Museum.
2. The object/specimen lacks physical integrity or is deteriorated beyond usefulness. Irretrievable damage or loss is defined as destruction of the essential structure or identifying characteristics of an object through action of mechanical, chemical or biological agents, vandalism, disaster or use of an object in destructive scientific sample testing.
3. The object/specimen has failed to retain its identity or authenticity.

⁸ Simmons, *Things Great and Small*, 52.

4. The RMM is unable to properly preserve or store the object/specimen and to provide proper or adequate environment for their collections.
5. The object/specimen has doubtful potential utilization in the foreseeable future in the RMM's exhibition and public programs.
6. The object/specimen's accompanying data is so incomplete that the item has limited or no cultural, historical, or scientific value.
7. The object/specimen must be deaccessioned to comply with state or federal laws such as NAGPRA or Convention on Cultural Property Implementation Act (CPIA).
8. The object/specimen poses a health or safety hazard.
9. The object is part of an exchange or gift agreement into RMM.
10. The specimen was treated with destructive sampling during research activities.
11. The legality or ownership provenance of the object has been successfully challenged.
12. The RMM has more than two comparable objects in the collection.

Before any object or specimen is recommended for deaccession, reasonable efforts will be made to ascertain that the RMM is legally free to do so. It is essential for the RMM to have clear and unrestricted title to an object. Where restrictions to the disposition of an object or specimen are found, the RMM will seek the advice of legal counsel. If RMM does not have clear title or it is incomplete, the RMM will confer with the City Attorney's Office for advice.

RESTRICTIONS

No object or specimen shall be deaccessioned until the RMM has:

1. Complied with any restrictions or state or federal laws.
2. Notified the donor, if alive, or if deceased, the estate, heirs or assigns, if the material was accessioned within the last ten years.
3. Allowed five years to pass since the recorded date of acceptance by the City Council.
4. Completed all deaccession protocols and procedures.
5. Received approval by City Council.

State or federal laws, including those related to the transfer of repatriated materials, endangered species, or items that pose a health or safety hazard, will supersede disposal method priorities.

Disposal of specimens collected under the RMM's Migratory Bird Salvage Permit can be carried out only through incineration or burial, destructive sampling for testing/teaching uses, or transfers to comparable programs or institutions holding equivalent permits. Some samples and specimen preparations in the current collections must receive special disposal considerations due to toxic/controlled substance content. Sale of any and all natural history specimens is prohibited.

No deaccessioned object formerly in RMM collections shall be sold by the Riverside Museum Associates Museum Shops.

PROTOCOL AND PROCEDURES

Deaccession of objects/specimens shall be recommended by the appropriate Curator in a written deaccession proposal to the Collections Committee. Such recommendations will specify the source and/or provenance of the object/specimen, its current estimated market value or appraisal, reason for deaccession, and recommended disposition of the material. With deaccession of rare or valuable objects as determined by Curator in discussion with Collections Committee, the respective Curator shall provide written assessment by an independent expert to accompany the deaccession request. The RMM procedure for deaccession is as follows: recommendation with documentation by curator, approval by Collections Committee, approval by the Metropolitan Museum Board and final approval by the City Council. When a proposed deaccession has received approval by City Council, the RMM accession numbers must be removed.

PRIORITIES, METHODS OF DISPOSAL AND DEACCESSIONED OBJECT DOCUMENTATION

As set forth by the American Association of Museums Code of Ethics, activities associated with methods of disposal are conducted in a manner that respects the protection and preservation of natural and cultural resources and discourages illicit trade in such materials. Also, such activities will conform to the RMM's Mission and public trust responsibilities and all restrictions set out in the RMM Collections Management Policy.

Deaccession shall not include the direct transfer of objects to private citizens or commercial dealers except by means of public sale in accordance with RMM policies.

METHODS OF DISPOSAL

1. Transfers: Transfers of objects/specimens to other institutions will be made for the purpose of promoting research, education or exhibition and be for the public good. Transfers of objects/specimens that are duplicates, without documentation, with little

research or exhibition value can be made to the RMM's teaching collection. The transfer process requires Curator, Collections Committee and Metropolitan Museum Board approval.

2. Exchanges: The formal reciprocal transfer of objects between two or more comparable institutions often serves to advance research, education, or exhibition programs. Such exchanges may increase the probability of preserving materials for future societal benefit.
3. Sales: Sales shall be held publically by independent auction houses. There shall be no private sales of Museum artifacts/specimens to staff members, RMM board members, Riverside Museum Associates members, RMM volunteers, City officials or employees or their representatives.
 - a. All sales of deaccessioned materials will be carried out through an advertised public auction or other public marketplace.
 - b. The proceeds received from the sale of deaccessioned objects shall be deposited in the Riverside Metropolitan Museum Trust and allocated for the purchase and/or the conservation of objects/collections from the collection where they had been previously accessioned. When these funds are dedicated to future accessions the original donor and explanation of the deaccession activity will be recorded in the ARGUS.net database.
4. Destruction: Deaccessioned items designated for destruction must be destroyed. They may not be kept by anyone, including staff members, RMM board members, Riverside Museum Associates members, RMM volunteers, City officials or employees or their representatives. Means of destruction must not be hazardous to individuals and the environment and must be compliant with local, state, and federal regulations.

DEACCESSION OBJECT DOCUMENTATION

A permanent report of all objects/specimens deaccessioned shall be prepared which will include:

1. Condition of object and date of transaction.
2. Name and location of museum, institution or individual to which the object/specimen is transferred.
3. Photographs, description, and measurements of each deaccessioned object/specimen.
4. Recording deaccession activities in the collection records (computerized data base, object file cards) to report the date and disposition of object/specimen, the authority for the action, and any relevant written documentation pertaining to this action.

5. Removal of RMM accession number from object/specimen.

6. Permanent retirement of deaccessioned object/specimen's accession number.

This documentation will be modified to comply with the NAGPRA on a case by case basis and with the review of the National Park Service.

A list of all objects/specimens and collections that have been deaccessioned from the permanent collections within the past 5 years is kept in the RMM's central collections management computerized records (ARGUS.net) and hard copy files and may be distributed by the Director in response to any reasonable inquiry.

IV. LOANS

A loan occurs when the Riverside Metropolitan Museum allows an object/specimen and/or collection to be temporarily transferred to or from the custody of another museum or comparable institution for a specified length of time without a transfer of ownership. A loan is termed an out-going loan when the RMM makes a loan to another institution and an in-coming loan when the RMM borrows an object/specimen from another institution.

PURPOSE

Loans may be made to a peer institution for purposes of exhibition, scholarly use or educational use. A peer institution is generally a museum with a similar mission that is capable of caring for the object/specimen and/or collection while they are on loan.

PROTOCOL

Curatorial staff is responsible for the packing, shipping and/or arranging of all loans, and will complete a condition report on receipt of items coming into the RMM.

Designated Curatorial staff is responsible for maintaining and retaining a complete and up-to-date file on all loans and copies of all loan agreements: past, present, and future.

The return of RMM loans should be accompanied by a complete inventory and condition reports of the objects and final signatures on the loan agreement.

Travelling exhibits originating at the RMM must have a separate loan agreement with each institution the loan is to visit.

OUT-GOING LOAN

The request for loans from the permanent collection must be made in writing and approved by the Collections Committee and the Metropolitan Museum Board. The borrowing institution must also provide proper care and security for the loan at a level appropriate to the loaned object and provide a current AAM General Facility Report. [This report describes an institution's physical specifications and staff practices, and can be used to provide information critical to lenders and insurers, as well as serve as a checklist for construction and engineering in assessing the museum's building and its protection systems.]

Restrictions:

These restrictions apply to objects from the permanent and teaching collections. RMM will not loan the following object/specimen and/or collection when:

- there is ongoing research involving the requested object.
- the object cannot withstand the rigors of packing and transport.
- there are cultural or legal considerations that prevent loaning the object.

Upon recommendation of the Curator of Natural History, specimens representing endangered, threatened or extinct species may only be loaned to institutions holding Federal and State collecting permits. To avoid confiscation, specimens of any and all protected species must be accompanied at all times by their loan documents.

Loaned objects may not be altered. Hanging assemblies, frames, bases or other peripherals part of the object/specimen and/or collection can be changed only with permission of the RMM Director and the Curator.

Loans are non-transferable and must remain in the care of the borrower at the location described on the loan agreement until the objects are returned to the RMM.

Loans will not be made directly to individuals. The liability for the loan rests on the primary benefactor of the transaction. The loan agreement is a document that specifies the loan conditions on the loan document.

Loaned RMM object/specimen[s] from the permanent or teaching collections may not be used for any commercial purpose whatsoever without specific written permission and approval from the Collections Committee and Metropolitan Museum Board.

RMM may require that loans be accompanied by a staff member and that unpacking, mounting, dismounting, and repacking be done under supervision of a RMM staff member, at the borrower's expense.

Procedure:

1. Curatorial receives the loan request and supporting documents for the object/specimen and/or collection and completes the RMM Request for Loan Form.
2. The request is presented to the RMM's Collections Committee for approval and recommended action.

Requirements:

1. Processing Time: The time period between the request for the loan, submission of documents, approval of the outgoing loan and shipment of the requested object/specimen and/or collection must be sufficient for the RMM staff to consider all risks and contractual obligations involved in the transaction.

2. Insurance: Objects shall be insured at the borrower's expense for the value stated on the loan agreement under an all-risk wall-to-wall policy subject to the following standard exclusions: wear and tear, insects, vermin, gradual deterioration or inherent vice; repairing, restoration or retouching processes; hostile or warlike action, insurrection, or rebellion; nuclear reaction, nuclear radiation or radioactive contamination. The RMM shall determine whether the borrower insures the objects or whether the RMM insures them and bills the borrower for the premium. If the borrower is insuring the objects, the RMM must be furnished with a certificate of insurance or a copy of the policy made out in favor of the RMM prior to shipment of the loan. The RMM must be notified in writing at least 30 days prior to any cancellation or meaningful change in the borrower's policy. Any lapses in coverage, any failure to secure insurance and/or inaction by the RMM will not release the borrower from liability for loss or damage.
3. Packing: The objects/specimens/collections must be packed in accordance with professional standards. The loans being returned are to be repacked in the same materials and manner as they were received, unless a change in packing is approved by the RMM.
4. Time period: The RMM loan period will depend on the type of museum and the purpose of the loan. The standard loan period can be as short as 6 months or as long as several years. A loan is a temporary arrangement for a specified term. The RMM loans are not subject to renewal except for unusual circumstances. Long term loans will be reviewed annually up to a loan period of five years.
5. Condition Reports: The RMM will prepare a condition report of each object/specimen and/or collection to be loaned before the loan is sent out and a condition report as soon as the loan is returned. These condition reports are stored in the RMM's ARGUS.net record system.
6. Credit Line: Must include:
 - Riverside Metropolitan Museum
 - Accession number
 - Name of the donor
7. Fee: The RMM may require the borrower to pay a fee per object/specimen and/or collection and/or per loan.
8. Loan Recall: The RMM has the right to recall a loan.

Care and Handling of Out-going Loans

1. Each object/specimen and/or collection shall remain in the condition in which it is received.

2. RMM numbers or tags must not be removed.
3. No object/specimen and/or collection shall be cleaned, repaired, retouched, altered, removed from mats, mounts or bases, dissected, frozen, fumigated, altered by destructive sampling, or changed in any way whatsoever without the express written permission of RMM.
4. Object/specimen and/or collection shall at all times be stored or exhibited as requested by RMM Curatorial staff. No foreign materials (i.e. pins, nails, etc.) are to be used to fasten an object for exhibition purposes. Each object/specimen and/or collection shall at all times be given special care to insure it against loss, damage, or deterioration. Objects/specimens shall be properly protected from the damage of fading by exposure to direct or reflected sunlight and strong artificial light, fluorescent light, or proximity to heat sources. Objects/specimens shall be protected at all times against water damage, temperature and humidity fluctuations, as well as excessively dry conditions. The borrower shall provide suitable protection against theft, fire, and damage from any cause whatever at all times. Should loss, damage, or deterioration be noted, whether in transit or on the borrower's premises, RMM Curatorial staff shall be notified immediately with full details. Should damage occur in transit, all packing materials should be saved for inspection.

Packing and Shipping of Out-going Loans

1. Object/specimen and/or collection should be returned in the original container, carefully packed in the same manner as received. RMM reserves the right to request a carrier and give binding instructions to borrowers regarding packing and shipping.
2. All Type specimens borrowed from RMM must be transported in person by a representative of the borrowing institution. Other materials may also require hand delivery.

Costs Associated with Out-going Loans

Transportation and insurance costs to the borrowing institution are to be arranged in advance. RMM requires a lending fee for the loan of objects/specimens in accordance with the fee structure.

IN-COMING LOAN

The RMM will apply the same AAM standards to in-coming loans that it applies to the acquisition of objects and/or collections.

In-coming loans shall be accepted only for the purposes of temporary exhibition or current research at the RMM.

Considerations:

1. How will the borrowed object/specimen and/or collection be used?
2. From whom will the RMM borrow the object/specimen and/or collection?
3. Does the lender have clear title to the object/specimen and/or collection?
4. Is the object/specimen and/or collection to be borrowed culturally sensitive?
5. What restrictions will be placed on the use of the object/specimen and/or collection while it is on loan?
6. Can the RMM provide adequate security for the loan?
7. Can the RMM provide an adequate storage environment or exhibit environment for the loan?
8. What is the length of the loan period?
9. Can the RMM afford the loan fees, repacking and shipment costs incurred with the loan?
10. Who is responsible for monitoring the borrowed object/specimen and/or collection while it is on loan?
11. Who is responsible for unpacking and repacking the loan?
12. Who will provide insurance for the loan?

Care and Preservation of In-coming Loans:

1. The RMM will exercise the same care of loans as it does in the safekeeping of its own collections.
2. Evidence of damage at the time of receipt or while in the RMM's custody will be reported immediately to the lender.
3. No alterations, restoration, or repair to any object/specimen and/or collection will be undertaken without the written authorization of the lender.
4. The RMM will not receive any objects that cannot withstand the rigors of packing and transport.
5. Unless other arrangements between the lender and the RMM have been agreed to in writing, the RMM will be responsible for loans throughout the period specified in the In-coming Loan Agreement Form.

Transportation and Packing of In-Coming Loans

1. Costs of transportation and packing will be borne by the RMM unless other written arrangements are agreed upon in advance. The method of shipment must be agreed upon by both parties.
2. Customs import/export regulations will be followed for international shipments.
3. The lender will assume that the object[s]/specimen[s] and/or collection[s] are adequately and securely packed for the type of shipment agreed upon, including any special instructions for unpacking and repacking. The object[s]/specimen[s] and/or collection[s] will be returned in the same or similar packing materials as received unless otherwise authorized by the lender. Should it be agreed upon during the loan period that packing and/or shipping arrangements are to be altered for return shipment; any additional expenses are to be borne by the lender.

Insurance Coverage of In-Coming Loans

1. Loaned material will be insured by the RMM fine arts insurance policy upon request by lender against all risks of physical loss or damage while in the possession of RMM, subject to exclusions including wear and tear, gradual deterioration, insects, vermin, or inherent vice and/or acts of nature and/or terrorism as specified by the insurance carrier.
2. If lender elects to maintain other insurance coverage, the Museum must be supplied with the lender's Certificate of Insurance.
3. In the case of extended temporary loans, it is the responsibility of the lender to update insurance valuations.

Return of In-Coming Loans

Unless otherwise notified in writing, the RMM will release the object/specimen and/or collection only to the lender. If the Museum's efforts to contact the lender, within a reasonable period of time following the expiration date of the loan, are unsuccessful, and no special arrangements have been made for the return of the loan, then the borrowed object/specimen and/or collection will be placed in storage at the lender's expense and risk. In case of change of legal ownership during the period of the loan, the new owner is required to provide satisfactory documentation to the RMM.

UNCLAIMED LOAN

An “old loan” is an expired or unclaimed loan whose lender cannot be located. The RMM will follow the requirements of Civil Code 1899 and consult with the City Attorney’s office in the event of an unclaimed loan.

V. COLLECTIONS CARE

The Riverside Metropolitan Museum has a legal and ethical obligation to provide proper care for its collections. Collections care includes “best practices” storage and exhibition environments and their continuous environmental monitoring and protection from the agents of deterioration (direct physical forces; thieves, vandals, curatorial neglect; fire; water; pests; pollutants and contaminants; light and radiation; incorrect temperature and relative humidity) by means of a preventative conservation program

STAFF RESPONSIBILITIES

1. Designated curators are responsible for collections management (inventory, ARGUS.net recording, provision of optimal exhibition and storage environment, protection from agents of deterioration) of specific collections.
2. Staff is trained in preventive conservation and collections care including safe techniques for handling objects/collections and for packing and shipping.
3. Prepare condition reports with images before and after an object is loaned, before and after an object is treated and/or whenever change in an object is observed.
4. Implementing RMM Long-Range Conservation Plan and care guidelines developed for each collection.
5. Maintain a comprehensive Risk Management Plan.
6. Consult with experts as necessary and appropriate.

PREVENTATIVE CONSERVATION

According to AAM “Things Great and Small: Collections Management Policy” 90% of preventive conservation is accomplished by controlling the storage environment.

1. Provide and monitor a stable exhibition/storage environment that meets appropriate environmental standards.
2. Designated curators are responsible for ensuring that agents of deterioration are detected, blocked or mitigated.
3. Trained staff ensure that appropriate physical plant operations [HVAC, electrical, water, plumbing, security] of each facility.

4. Use only archival support and/or documentation materials and storage furniture that are modular, made of inert materials and appropriate for collections.
5. Maintain the following active programs:
 - a. Integrated Pest Management Policy
 - b. Risk assessment and Risk Management Plan
 - c. Fire detection and preventative measures
 - d. Flood detection and preventative measures
 - e. Earthquake preventative measures

Handling of Objects in Collections

The following guidelines for handling objects in collections should be followed:

1. Use common sense; think before you act; handle objects as little as possible; handle each object as if it were irreplaceable and very fragile; handle only one object at a time; move slowly never hurry; do not overload containers or boxes; never walk backwards when handling an object.
2. Know condition of object before you pick it up; decide where object is to be placed and make sure area is clear.
3. Wear cotton gloves as appropriate; use two hands or two people if necessary; lift object (do not slide or drag); handle object by its most stable surface; support object's weight carefully.
4. Establish objects/collections handling procedures, guidelines and training for RMM curators, installers, trained volunteers and visiting researchers.

Conservation Treatments

1. Specific curators responsible for authorizing conservation treatment for objects/collections.
2. Use professionally trained conservators as appropriate.
3. Submit conservation proposal to Collections Committee and Metropolitan Museum Board.

Exhibition and Storage Environment

The environmental monitoring of storage and exhibition environmental conditions data needs to be recorded for five years and the archiving of these records is kept in perpetuity. All collections including borrowed objects are maintained at appropriate environmental conditions. The RMM

specifies and implements appropriate environmental standards depending on the Museum's collections, resources, geographic location and external environmental annual cycle.

OBJECT	TEMPERATURE	RELATIVE HUMIDITY ⁹
Ethnographic	64 degrees F	40-60%
Furniture	approx. 65 degrees F	47-55%
Natural history	65-70 degrees F	47-55%
Painted metal objects	65 degrees F	35%
Paintings	65-75 degrees F	40-55%
Photographs, negatives, and glass plates	59-77 degrees F	20-50%
Textiles	55-68 degrees F	40-50%
Wooden objects other than furniture	65 degrees F	50-55%
Works on paper	60-65 degrees F	45-55%

INTEGRATED PEST MANAGEMENT [IPM] POLICY

Current professional museum standards require that collections-holding institutions maintain facilities in which the deterioration of objects which are stored or exhibited be kept to a minimum permissible under conservation practices. Among these practices are measures known to limit the occurrence of animal pests that are destructive to collections, while at the same time ensuring the safety of RMM staff and visitors. Thus it falls to the RMM to become familiar with and employ such practices.

For decades, chemical pesticides were used to control many pests. Today, the uses of pesticides are not only restricted by occupational safety regulations, but by the understanding that poor landscaping, building structural problems and poor housekeeping methods are typically associated with museum pest problems. And while no pest species can be totally eliminated, it is only by knowing the precise identity of pest species and each species' life cycle and ecology that the numbers of specific pests can be kept to a workable minimum.

Because integrated pest management [IPM] is an interdisciplinary approach involving a broad spectrum of methods, no one person on the RMM staff can be responsible for carrying out all these methods. It is incumbent upon all RMM staff to assist in carrying out the IPM procedures described in the RMM's most current IPM plan.

RMM staff members will work to remove pest harborage and habitat from the vicinities of RMM facilities: building foundations will be raked free of debris; grounds will be policed for garbage and conspicuous trash will be picked up as necessary. Each staff member will take a measure of responsibility for seeing that their respective work areas are cleaned on a regular basis.

⁹ Simmons, *Things Great and Small*, 104.

Staff members will work to prevent conditions in work and storage areas that provide access, food or harborage for pests: commercial corrugated cardboard will not be used for long-term storage; all items and objects stored on building floors will be elevated; consumption of food and beverages in work spaces is discouraged; consumption of food and beverages in public spaces is prohibited; food waste and related waste materials used in RMM work and public spaces must be disposed of according to the provisions of the current IPM plan.

RMM staff will participate in monitoring the results of IPM practices, with careful reporting and documentation of pest activities.

VI. DOCUMENTATION AND RECORD KEEPING

A thorough knowledge of the history and background of the ownership of RMM objects is extremely critical. The RMM object needs to be transparent with complete documentation attesting to object provenance before acceptance into the RMM's collection. If during collection's inventory object provenance is questioned then investigation is initiated with respect to the specific object.

RMM documentation of its collection is the supporting information---recorded in a permanent manner and using a variety of media that provides the identification, condition, history, use and value of each object/specimen. It includes digital images, notes, letters, and photographs. Documentation needs to be as complete and comprehensive as possible as it is a record of all the activities and information of a specific object. Object/specimen documentation provides the paper and electronic trail of each accession in the RMM's collection. RMM objects have paper and electronic records.

The RMM's data base includes the following categories of documentation.

1. Entry record is completed when the object is assigned an accession number and has a complete description.
2. Accession record is a written documentation of the free and clear transfer of title to the RMM; it is a unique number that is assigned to object/specimen at the time of accession. A brief description of the acquisition is written on the gift receipt and stored in the donor's file folder.
3. Current object records are stored in the ARGUS.net database system.
4. ARGUS.net electronic database system is the central storage system for ALL collections data. It provides permanent and current object/specimen information including accession number, condition, location and value as well as any activities such as exhibition, loan or conservation in electronic format.
5. Data retention/recovery is the responsibility of the City's Innovation and Technology Department.

VII. INSURANCE AND RISK MANAGEMENT

The RMM has a fine arts insurance policy with a nationally recognized company on museum collections. This policy is separate from the City's umbrella general policy. The coverage includes objects/specimens that are reported missing/stolen or become damaged. With an insurance claim the document trail will provide necessary information concerning the claim. All information pertaining to a claim is kept in a specific file folder and input into the ARGUS.net database system.

The safety and security of the RMM collections are primarily the responsibility of their Curators, in cooperation with other staff. Admission to the collections storage area shall be allowed only by permission from the Curator or the Director. The Curator is responsible for the proper and safe conduct of visitors to storage areas and the appropriate training of volunteers and interns approved to work in the collections. Monitoring proper functioning of locks and security systems used in protection of the collections is the responsibility of the Curator. Emergency procedures conducted with regard to the collections should be in compliance with the RMM's Risk Management Plan.

PROTOCOL

Stolen Objects/Specimens:

Object[s]/specimen[s] assumed stolen must be reported by Curator to the Director, who will then contact the Riverside Police Department and/or appropriate law enforcement agency. The RMM's fine arts insurance carrier must be notified of the loss.

Missing Objects:

An accessioned object/specimen, which is not located during ongoing collection inventory by the Curator or stored in special "core collection" location, must be reported to the Director. Additional specific search will be initiated to attempt to locate the missing object/specimen. Any changes to the ARGUS.net database need to be input.

Damaged Objects/Specimens:

When object[s]/specimen[s]/RMM facilities are damaged and/or vandalized the respective Curator documents the incident on the Damaged Object/Specimen/Structure Report form. All written and photographic documentation pertaining to damaged object/specimen/structure will be input into the ARGUS.net database. The report will include object/specimen description, condition and photographs and proposed treatment. The RMM's fine arts Insurance carrier and City's Risk Management staff will be notified of any damage.

VIII. INVENTORY

The RMM inventories and documents its collections on an ongoing basis. The inventory is conducted by the Curator in charge of the collection who verifies the location and condition of every object in the collection. Complete inventory of all objects needs to be completed every 10 years. ARGUS.net is the primary tool for conducting the inventory and storing the records. The Curator is responsible for maintaining updated ARGUS.net records on all objects in the specific collection.

During the inventory process, RMM staff may establish for insurance purposes official values for objects in RMM collections.

A current goal of collections management is the bar coding of all collections.

IX. INTELLECTUAL PROPERTY

This policy is regarding Use, Reproduction and Publication of RMM Collection Information, Objects and Media.

Overview: Students, educators, scholars and the public are welcomed to the Riverside Metropolitan Museum to use the RMM Collections for personal use as set forth below.

1. All information, objects and media provided by the Riverside Metropolitan Museum is for the personal use of students, educators, scholars and the public. Any commercial use or publication is strictly prohibited unless specifically granted by the Riverside Metropolitan Museum.
2. Permission for personal use is granted, provided:
 - The document is used for informational purposes only.
 - The document is used for non-commercial purposes only.
 - The document includes the citation described below.
3. Permission to reproduce and/or distribute information and media provided by the Riverside Metropolitan Museum, including any text, or graphics, is prohibited without prior written permission.
4. All materials should be credited "Collections of the Riverside Metropolitan Museum."
5. Copy fees and other fees, including costs for extended staff reference, are set forth in the City of Riverside Fees and Charges Resolution.
6. The staff of the Riverside Metropolitan Museum strives to insure the accuracy and completeness of all information provided, but accepts no responsibility or liability for the public's subsequent use or misuse of the information or media provided. The Riverside Metropolitan Museum reserves the right to make changes to this information without notice. The Riverside Metropolitan Museum makes no representations about the suitability of this information for any purpose. It is provided "as is" without express or implied warranty.
7. Students, educators, scholars and members of the public are requested to present the RMM with a complimentary copy of any publication which uses the images or objects from the Riverside Metropolitan Museum.
8. In all cases, it is the obligation of students, educators, scholars and members of the public to determine and satisfy copyright or other use restrictions when publishing or otherwise distributing materials found in the Riverside Metropolitan Museum collections.

X. ACCESS TO COLLECTIONS

The RMM as steward of the City's RMM collection is mandated to preserve this collection for future generations as well as to make the collection available to the widest possible range of users through exhibition, public programs, web access and special requests by qualified individuals. According to the AAM, much theft in museums is insider theft; therefore collection record-keeping and security are critical concerns. The RMM has established who has access to collections, the method of access [e.g. physical access, electronic access, access only to records], collections preservation and security restrictions.

POLICY

RMM objects/specimens/documents accessibility is subject to the following:

1. Supervision by Curatorial/Archivist
2. Time, space and facility availability
3. RMM procedures for security and preservation are in place

RESTRICTIONS

Non-RMM personnel or any individuals other than RMM staff must be supervised if working in collection's storage.

Collections access is by appointment-only with specified curatorial/archival staff. All non-RMM staff must be supervised while in collections storage or collections research areas.

RMM object/specimen/archival public access records are limited to image, description, dimensions and condition fields via ARGUS.net records.

REQUIREMENTS

Access to collections must:

1. Conform to RMM Mission
2. Respect integrity of object/document and its associated records as well as care and storage restrictions
3. Be ethical
4. Be legal
5. Provide RMM with credit acknowledgement based on use of photographs, reports, papers, data and/or publications

XI. APPENDIX

SUMMARY OF LEGISLATION RELEVANT TO REPOSITED COLLECTIONS

International Legislation

The Convention on Cultural Property Implementation Act [CPIA] is an International law passed in 1983 which provides a process for illegally exported cultural materials to return to their place of origin and UNIDROIT [International Institute for the Unification of Private Law] Convention on Stolen or Illegally Exported Cultural Objects [Rome, 1995].

Federal Legislation

The Native American Graves Protection and Repatriation Act [NAGPRA] is a Federal law passed in 1990 which provides a process for Museums and Federal agencies to return Native American cultural items—human remains, funerary objects, sacred objects, and objects of cultural patrimony—to lineal descendants, and culturally affiliated Native American tribes.

Federal Antiquities Act of 1906 [P.L. 59-202, 32 Stat. 255]. Forbids and establishes criminal sanctions for disturbance of any object of antiquity of federal land without a permit issued by an authorizing authority.

1872 Mining Law, amended 1988. U.S. Forest Service and Bureau of Land Management [BLM] regulate surface effects of development under this law. BLM regulations specifically state that operators may not knowingly disturb or destroy any scientifically important paleontological remains on federal lands; that they notify an authorized officer of such finds; and that said officer shall take action to protect or remove the resource[s].

Mineral Leasing Act of 1920 [sec. 30]. Requires and provides for the protection of interest of the United States. Natural resources, including paleontological resources, are commonly regarded as such interests.

National Natural Landmarks Program, established 1962, administered under Historic Sites Act of 1935 [P.L. 74-292, 16 U.S.C. 461-467]. A National Natural Landmark is defined as “an area of national significance... that contains an outstanding representative example[s] of the nation’s natural heritage, including...geological features...or fossil evidence of the development of life on earth”. National significance is defined as “...examples of the full range of ecological and geological features, the usual as well as the unique, which best represent the nation’s heritage, the knowledge and appreciation of which are important for the perpetuation of their inherent natural values and for associated scientific, educational, recreational, or inspirational benefit” [36 CFR 62, 1985].

National Environmental Policy Act of 1969 [NEPA] [P.L. 91-190, 83 Stat. 852, 42 USC 4321-4327]. Mandates evaluation of impacts in order to “preserve important historic, cultural, and natural aspects of our national heritage” [Section 101.b4].

Executive Order 11593, May 31, 1971, Protection and Enhancement of the Cultural Environment [36 CFR 8921]. Requires federal agencies to inventory and protect properties under their jurisdiction. National Park Service regulations under 36 CFR provide that paleontological specimens may not be disturbed or removed without a permit.

Archaeological and Historic Data Preservation Act of 1974 [P.L. 93-253, as amended by P.L. 93-921, 16 U.S.C. 469]. Act of May 24, 1974 [88 Stat 174, sec. 3 a0, 4a]. Provides for the survey, recovery, and preservation of significant scientific, prehistoric, historic, archaeological, or paleontological data when such data may be destroyed or irreparably lost due to a federal, federally licensed, or federally funded project. A “Statement of Program Approach” was published in the Federal Register on March 26, 1979 [40 FR 18117] to advise the manner in which this law will be implemented.

36 CFR Part 800 [39 FR 3365, January 25, 1974, and 44 FR 6068, January 30, 1979]: Procedures for the Protection of Historic and Cultural Properties. Establishes procedures to ensure that historic and cultural resources are given proper consideration in the preparation of environmental impact statements.

Federal Land Management and Policy Act of 1976 [FLPMA, P.L. 94-579, 43 U.S.C. 1701-1782]. Provides authority for BLM to regulate lands under its jurisdiction, managed in a manner to “protect the quality of scientific, scenic, historic, ecological, environmental...and archaeological values”. Authority is given to establish areas of critical environmental concern [ACEC].

Surface Mining Control and Reclamation Act of 1977 [SMCRA, P.L. 95-87, 30 U.S.C. 1201-1328]. Regulates surface coal mining and provides designation as unsuitable for surface mining if mining would “...result in significant damage to important cultural, scientific, and esthetic values and natural systems....”

Paleontological Resource Management 1998, Handbook H-8270-1 General Procedural Guidance for Paleontological Management.

State of California Legislation

California Environmental Quality Act of 1970 [CEQA, CA Public Resources Code, Section 21000 et seq]. Requires identification of potential adverse impacts of a project to any object or site of scientific importance [CA Public Resources Code, Section 5020.1[b]].

Guidelines for the Implementation of the California Environmental Quality Act, as amended May 10, 1980 [CA Admin. Code, Section 15000 et seq]. Requires mitigation of adverse impacts to a paleontological site from development on public land by construction monitoring.

Guidelines for the Implementation of CEQA, 1992, Appendix G, section J [Significant effects]. Defines when a project will normally have a significant effect on the environment. "A project will normally have a significant effect on the environment if it will...disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scientific study...."

California Environmental Quality Act, CA Public Resources Code, Sections 21000-21177 as amended January 1, 1999, Appendix G Environmental Checklist Form. Impacts to known, important paleontological resources are specifically covered under CEQA as potentially significant effects [i.e., the project will have a significant effect on the environment]. Specifically, each California project must answer the question: Cultural Resource - Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature? There are four possible answers: Potentially Significant Impact, Potentially Significant Unless Mitigation Incorporated, Less than Significant Impact, No Impact.

Warren-Alquist Act [CA Public Resources Code, Section 25000 et seq]. Requires the California Energy Commission to evaluate energy facility siting in unique areas of scientific concern [Section 26627)].

CA Public Resources Code, Section 5097.5. Prohibits excavation or removal of any "vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands". Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. Defines any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands as a misdemeanor.

CA Public Resources Code, Section 30244. Requires reasonable mitigation of adverse impacts to paleontological resources from development on public land.