
Part III
Cultural Heritage Management Plan

Note

The Roşia Montană Project's Cultural Heritage Management Plan

The Roşia Montană Project (RMP)'s Cultural Heritage Management Plan (CHMP) provides the framework required to mitigate potential impacts to cultural aspects resulting from the RMP, as identified in Chapter 4.9 of the EIA.

In addition to providing a clear delineation of responsibilities, the management plan also ensures that all management measures are compliant with legislative requirements.

The Cultural Heritage Management Plan comprises three parts as follows.

Part I Management Plan for the Archaeological Heritage of the Roşia Montană Area

Part I of the Cultural Heritage Management Plan responds to the requirements for the RMP's Environmental Impact Assessment issued by the Ministry of Environment and Water Management on the 20th may 2005 (Ministerial document no. 8070/20.05.2005, Annex II). This document deals with the management of archaeological heritage in Roşia Montană.

In order to enable the evaluation of the management measures this plan includes a significant amount of baseline information and regulatory context, as well as considerations focusing on specific roles and responsibilities.

Part II Management Plan for the Historical Monuments and the Protected Zones of the Roşia Montană Area

Part II of the Cultural Heritage Management Plan responds to the requirements for the RMP's Environmental Impact Assessment issued by the Ministry of Environment and Water Management on the 20th may 2005 (Ministerial document no. 8070/20.05.2005, Annex III). This document deals with the management of the historical monuments and Protected Zone Roşia Montană Historic Centre.

In order to enable the evaluation of the management measures this plan includes a significant amount of baseline information and regulatory context, as well as considerations focusing on specific roles and responsibilities.

Part III The Cultural Heritage Management Plan

Part III is an overview of the Cultural Heritage Management Plan. It provides the structure to ensure RMP's compliance with commitments presented in part I and II. This document also covers the management of cultural aspects that are not covered in part I and II, such as churches and cemeteries.

Part III is also a component of RMP's Environmental and Social Management System.

RMGC Corporate Commitments Summary Sheet

No.	General Commitments Noted in this Chapter or Section
1.	RMGC will therefore seek to achieve in a sequential manner, the progressive development of a better appreciation of Roşia Montană's cultural heritage and potentially related opportunities; see section RMGC POLICY
2.	One of the initiatives shared between the <i>Community Sustainable Development Plan</i> and this plan, is the creation by RMGC of a Foundation (see section Establishment of a Cultural Heritage Foundation) to promote sustainable development and to preserve and display the cultural heritage of Roşia Montană.
3.	RMGC recognises that it will need to take some direct actions until sufficient local capacity is in place and that it will be required to provide the Foundation with adequate resources and funding to ensure its success; see section RMGC POLICY
4.	Ensure that development does not damage or disturb sites, items or places of significant cultural heritage value, prior to preventive archaeological researches;
5.	Minimise and mitigate the negative impacts caused during the construction and operational phases of development; see section RMGC POLICY
6.	Will endeavour to incorporate sites or artefacts of significant cultural heritage value into new sustainable development; see section RMGC POLICY
7.	Will endeavour to ensure the independent management of cultural heritage assets in a way that involves residents in their local heritage and ensures that potential tourism-generated revenue remains in the community. see section RMGC POLICY
8.	The Mining Manager will be responsible for ensuring that RMGC complies with the legal requirements pertaining to the potential discovery of archaeological remains, referred to hereafter as "chance finds"; see section Chance-Finds Protocol
9.	The other responsibilities of the Mining Manager include the management of grievances and complaints, supervising the training of foremen and operators to recognise voids that may contain chance finds, the creation and updating of the Chance Finds section of the RMGC Operations Manual, and ensuring that standard operating procedures relating to chance finds are properly implemented. This also includes a responsibility for regular statutory reporting as outlined in a standard operating procedure that will be developed.
10.	The Mining Manager will be required to ensure that an independent archaeological team, approved by the Ministry of Culture and Religious Affairs (Ministerul Culturii și Cultelor) via the National Commission of Archaeology, is on-site for all topsoil stripping activities and for the archaeological investigation of the churches in Corna that will be directly affected by the Project; see section Chance-Finds Protocol
11.	The Mining Manager will be responsible for ensuring that the independent archaeological team is notified of the discovery of any chance finds and significant voids brought to his/her attention by one of the foremen; see section Chance-Finds Protocol
12.	The Mining Manager will also be responsible for managing internal company policies and determining any RMGC involvement in future cultural heritage initiatives, whether under the direction of RMGC, the Ministry of Culture and Religious Affairs (Ministerul Culturii și Cultelor), or the Foundation.
13.	Foremen will implement standard operating procedures that require that the mining activities be suspended when an operator under their supervision brings a significant void to his/her attention, according to the legal Romanian provisions for chance finds; see section Chance-Finds Protocol
14.	Public access to the Protected Zone will be maintained throughout the life of the proposed project; see section Churches and Cemeteries
15.	RMGC will be the founder along with an Honorary Founder, who is still to be identified. RMGC will appoint the Board of Directors who will determine the strategic direction of the Foundation; see section Establishment of a Cultural Heritage Foundation
16.	Seed funding for the Foundation will be provided by RMGC via 100% grant. The initial commitment from RMGC will be further supplemented by an annual contribution from RMGC based on established criteria i.e.: percentage of profits, or a royalty, etc.
17.	RMGC will make available to the executive director any relevant information acquired during RMGC's public consultation activities; see section Establishment of a Cultural Heritage Foundation
18.	Impacts to the visual landscape resulting from the Project will be progressively rehabilitated in accordance with the ESMS Plan J, Mine Reclamation and Closure Plan ; see section Cultural Landscape

No.	General Commitments Noted in this Chapter or Section
19.	RMGC will commit to maintaining the Historical Monuments in their present condition during the transitional period leading up to transferral of ownership to the Foundation; see section Historical Monuments
20.	RMGC will fund the renovation of all the Historical Monuments and houses in the Protected Zone that are in a relatively good structural condition; see section Historical Monuments
21.	For the congregations that will be displaced as a result of the Project, new churches will be constructed in the new resettlement community of Piatra Albă in order to accommodate the various congregations. If there are not enough parishioners from any of the religions to support a congregation in Piatra Albă, a settlement for the value of the church will be negotiated. The Historic Churches and their locations that will be adversely affected by the Project will be architecturally investigated and recorded prior to any damage; see section Chance-Finds Protocol
22.	Except the two churches from Corna, the churches located within the protected area will not be directly impacted by the Project and access to them will be maintained throughout the life of the Project; see section Chance-Finds Protocol
23.	As was the case with the churches outside the Protected Zone, churches will be constructed as required in Piatra Albă to accommodate the needs of the various active congregations. However, if there are not sufficient parishioners to warrant construction of a new church, as a result of the churches remaining intact in the Protected Zone, compensation will not be required for the Church; see section Chance-Finds Protocol
24.	Some 13 hectares have been allocated at the Piatra Albă site for cemeteries, see section Chance-Finds Protocol
25.	Wherever existing graves have to be removed and if desired by the family, a service conducted by a priest will be conducted both for the re-opening of the grave and the subsequent burial. All fees relating to the relocation of graves and associated ceremonies will be funded by RMGC; see section Chance-Finds Protocol
26.	The grave of the local hero Simion Balint will not be directly impacted by the Project. Access will be maintained to this grave throughout the Project, although access may have to be restricted at times for safety reasons; see section Chance-Finds Protocol
27.	A member of the independent archaeological team will be present during the exhumations to monitor for any significant archaeological finds. In the same manner that churches are often established on the foundations of older churches, cemeteries can also be established on older burial grounds; see section Chance-Finds Protocol
28.	RMGC will enter into consultation with RosiaMin, the owners of the existing museum, and the Ministry of Culture and Religious Affairs (Ministerul Culturii și Cultelor) in order to be permitted to relocate the movable heritage from the existing museum to new locations. Members of the Cultural Heritage Team will undertake the careful dismantling and storage of such items, prior to decisions on an appropriate site for reconstruction, preservation and public display; see section RosiaMin Museum
29.	A 6-year investigation programme will be undertaken for the Orlea and Țarina underground mining networks.
30.	The networks of Păru Carpeni, where an ancient water wheel was discovered, will be investigated through a dedicated research programme starting in 2007.
31.	All artefacts uncovered in the investigation of Păru Carpeni and Cătălina Monulești will be further investigated starting 2007 and preserved accordingly, in the future they will be stored in the new museum or in the RMGC funded existing storage area
32.	The decision on which gallery (Cătălina Monulești or Păru Carpeni) is to be made available for the public and to be funded by RMGC, will be made by RMGC in consultation with the independent archaeological team following the public consultation process of EIA.
33.	The funerary monument located on Tăul Găuri will be preserved in-situ. RMGC has committed to funding the complete in-situ reconstruction of this monument. RMGC will pay any costs associated with the funerary monument until the Foundation has been established, both in terms of expertise and funding, after which it will become the responsibility of the Foundation.; see section Roman Monument Tău Găuri.
34.	The Roman Constructions on Carpeni Hill will be preserved in situ. RMGC will pay any costs associated with the ancient building foundations until the Foundation is established and is deemed able to manage this responsibility, both in terms of expertise and funding; see section Carpeni Hill
35.	RMGC is also committed to the preservation of one of the more significant areas of Roman works for future research, which is located beneath Piatra Corbului, in eastern part of Cărniceștii Măștișii
36.	RMGC will establish the museum and will provide the funds required to equip the museum with displays, office space, to be operated by the Foundation, according to legal provisions.

No.	General Commitments Noted in this Chapter or Section
37.	Evaluation of these two potential locations for the new mining museum (CCMM) will be conducted in consultation with MNIR, MCC, and local stakeholders to determine the most suitable and advantageous location, both from a cultural and sustainable development perspective. RMGC will facilitate meetings of these groups upon approval of the Project so that construction of the CCMM can be achieved in a timely manner.
38.	RMGC is proposing to fund up to 100% of a series of replicas that would consist of a construction either located above ground, in a backfilled feature of the Project such as a quarry, or dug out in an area of competent rock. These options will be further evaluated as the Project progresses, with construction not likely being completed until year 10 of the Project. RMGC will secure the remainder of the funding for this commitment by applying for available grants, donations, and partnerships.; see section Replicas
39.	It should be noted that based on further assessment, it may be more advantageous to place the reconstruction of a water wheel in the underground mining network that is being opened for public access. Regardless of the location, RMGC will commit to showing a replica of a water wheel; see section Replicas
40.	Through the understanding of the historical cultural landscape that previous investigation has made possible, areas will be categorized according to the likelihood of discovering unique archaeological resources (low, medium, high); see section Chance-Finds Protocol
41.	A special protocol will be implemented that requires the supervision of all soil stripping and the opening of the quarry steps by a team under the supervision of the Manager of Archaeology, reporting to Director-level company officers; see section Chance-Finds Protocol
42.	The management structure will respond without delay to the uncovering of artefacts or mining remains and will as required issue temporary or permanent work stoppage where further archaeological research, or relocation activities, or in situ preservation of a monument is required; see section Chance-Finds Protocol
43.	Implementation of the chance finds protocol will abide by the requirements of the standard operating procedure to be developed for the management of environmental and social management system records; see section Chance-Finds Protocol
44.	RMGC will continue to publish volumes in the Alburnus Maior monographic series.
45.	RMGC will facilitate the setting up of a weblog, more commonly known as a blog.

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Key Definitions

- The Museum** - Proposed Cultural Centre and Mining Museum for Roşia Montană.
- MNIR** - The National Museum of History of Romania, Bucharest
- MNUAI** - The National Museum of Union, Alba Iulia
- MNIT** - The National History Museum of Transylvania, Cluj Napoca
- MCDR** - The Museum of Dacian and Roman Civilization, Deva
- IAB** - The “Vasile Pârvan” Institute of Archaeology of the Romanian Academy, Bucharest
- INMI** - The National Institute for Historical Monuments, Bucharest
- IAIAC** - The Institute of Archaeology and Art History of the Romanian Academy, Cluj Napoca
- UB-FIB** - University of Bucharest, the Faculty of History
- UTAH** - Unité Toulousaine D’Archéologie et d’Histoire
- UBB** - The "Babeş-Bolyai" University, Cluj-Napoca, Faculty of Biology and Geology
- CIMEC** - The Institute for Cultural Memory, Bucharest
- CRUTA** - The Romanian Centre for the Use of Remote Sensing in Agriculture, Bucharest
- IASAB** - University “1 December 1918” Albă Iulia, The Research Centre with Multiple Users, Alba Iulia (BCUM), renamed since 2004 as Institute of Systemic Archaeology
- ICOMOS** – International Council on Monuments and Sites
- CMC, MNS** - The Centre for Cultural Management and Education, Bucharest and the “Dimitrie Gusti” National Village Museum
- OPUS** - S.C. OPUS - Atelier de Arhitectură S.R.L., Bucharest
- MCC** - Ministry of Culture and Religious Affairs (Ministerul Culturii și Cultelor)
- Company:** Roşia Montană Gold Corporation S.A. (RMGC).
- EIA:** Environmental Impact Assessment
- MNIR:** The National Museum of History of Romania, Bucharest
- MCC:** Ministry of Culture and Religious Affairs (Ministerul Culturii și Cultelor)
- Baseline Report** - Roşia Montană Project Baseline Reports (Baseline Report 8).

1 Introduction

1.1 Purpose and Scope

The *Cultural Heritage Management Plan* (CHMP) is the first iteration of a comprehensive plan that Roşia Montană Gold Corporation (RMGC) will implement in order to create and maintain a system that ensures the identification and protection of the cultural heritage in the project area. This is believed to be the first undertaking of such a planned approach to cultural heritage management in Romania. The purpose of the RMGC *Cultural Heritage Management Plan* is to provide a framework for actions undertaken to mitigate potential project-associated impacts on cultural resources. This action-plan has been developed to ensure Project compliance with Romanian, European Union (EU), International Council on Monuments and Sites (ICOMOS) guidelines, and World Bank legislation and guidelines.

The geographic scope of this management plan encompasses the project-affected area, which is often defined as an area that is subject to a change in use because of the construction or operation of the Project. Under this definition, the Roşia Montană Project Industrial Boundary would define the project-affected area. However, the scope of this management plan has been expanded to include the Protected Zone (**Section 5.2**) since the project could have indirect effects on the cultural heritage in this area.

The management measures presented in the CHMP focus on the protection of cultural property as defined by the World Bank and relevant Romanian legislation. Although local legislation may vary from country to country, cultural property may be a place, region, physical structure or remains to which community members ascribe significance. The World Bank defines cultural property as including:

“Sites having archaeological (prehistoric), paleontological, historical, religious, and unique natural values. Cultural property, therefore, encompasses both remains left by previous human inhabitants (for example, middens, shrines, and battlegrounds) and unique natural environmental features such as canyons and waterfalls.” (World Bank O.P. 11.03).

In addition to providing an inventory of cultural property, this report will also include elements of “intangible cultural heritage.” The United Nations Educational, Scientific and Cultural Organisation (UNESCO) defines intangible cultural heritage as follows:

Embracing all forms of traditional and popular or folk culture, i.e. collective works originating in a given community and based on tradition. These creations are transmitted orally or by gesture, and are modified over a period of time through a process of collective recreation. They include oral traditions, customs, languages, music, dance, rituals, festivities, traditional medicine and pharmacopoeia, the culinary arts and all kinds of special skills connected with the material aspects of culture, such as tools and the habitat (UNESCO, 2003).

1.2 Project Background

RMGC is proposing to develop a gold and silver mine in the vicinity of the village of Roşia Montană, located in the *comuna* of Roşia Montană in Alba County, Romania. Alba County is located in west-central Romania, in the "Golden Quadrilateral" region of the Apuseni and Metaliferi ranges of the Carpathian Mountains. The development of the Roşia Montană mine will involve a wide range of activities, including:

- Continued open-pit mining, processing operations, tailings management facilities, and various support facilities;

- Management and mitigation of the environmental and social impacts of mining activities;
- Restoration and rehabilitation of mined areas;
- Assistance in the closing of the current government-subsidized mining operations;
- Resettlement and relocation activities;
- Archaeological surveys, assessments, evaluations and research and other cultural heritage mitigation and preservation activities;
- Dissemination of information resulting from the Archaeological Programme including several publications and seminars/conferences;
- Mitigation of impacts on the environment caused by historical mining operations where RMGC and Minvest have a cooperative agreement for these type of liability; and,
- Support for various local and regional community-based sustainable development programs.

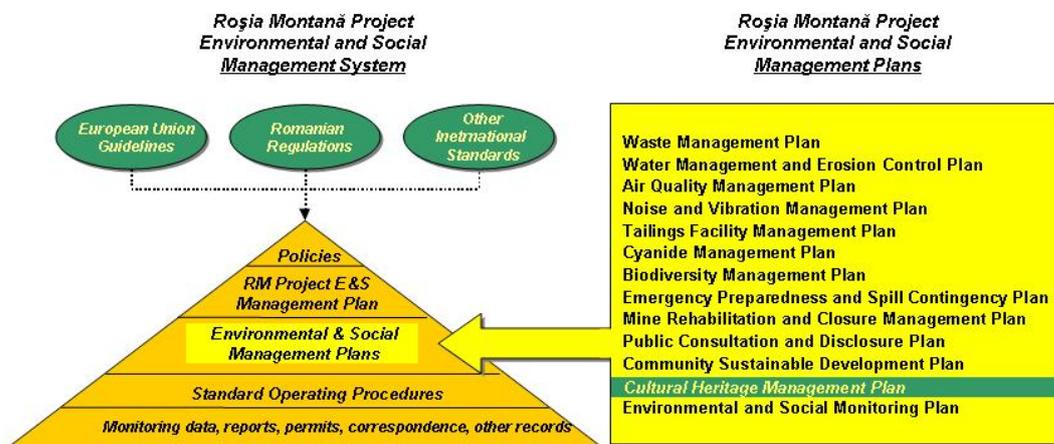
More detailed background discussions of the scope of the project may be found in Chapter 4 of the *Roşia Montană Project Environmental Impact Assessment*.

2 Environmental and Social Management System Considerations

This plan is one of a suite of environmental and social action-plans that have been developed to support the Environmental and Social Management System, separately described in the current version of RMGC’s **Roşia Montană Project Environmental and Social Management System (ESMS) Plans, Plan A, Environmental and Social Management Plan**.

The implementation of this action-plan is also supported by a number of detailed, lower-tier Standard Operating Procedures. These procedures will be compiled in the RMGC Standard Operating Procedures Manual, the development, review, approval, distribution, and update of which is controlled by the RMGC **ESMS Plans, Plan A, Environmental and Social Management Plan**. Other specific document distribution, change control, personnel training, and records management, and requirements to be associated with the implementation of this action plan are likewise addressed through the processes and procedures defined in the **ESMS Plans, Plan A, Environmental and Social Management Plan**.

Figure 2.1. Structural Relationship of Action Plans in Environmental and Social Management System



The management of cultural heritage issues inherently has a number of cross-considerations with issues covered in other management plans. This occurs primarily in the following documents:

- Resettlement and Relocation Action Plan. See the RMGC's website. This plan will not be printed and submitted as part of the EIA;
- ESMS Plans, Plan L, Community Sustainable Development Programme; and,
- ESMS Plans, Plan K, Public Consultation and Disclosure Plan.

The **ESMS Plans, Plan L, Community Sustainable Development Programme** outlines the approach and supporting mechanisms that in cooperation with local stakeholders strives to develop a sustainable economy in Roşia Montană that is independent of mining operations.

For the purpose of this Environmental Impact Assessment, the **ESMS Plan K**, Public Consultation and Disclosure is considered an iterative process that began at the conceptual stage of the project, and will continue throughout construction, operation, and closure. A Public Consultation and Disclosure Plan has been developed to document activities completed to date, and to set out RMGC's future commitments.

Public Consultation and Disclosure ensures that: adequate and timely information is provided to project stakeholders; stakeholders are given sufficient opportunity to voice their opinions and concerns, and stakeholders are enabled to make a contribution to project planning and operations.

3 International Guidelines And Legislative Framework

This section describes the international guidelines and legislative framework that provide the legal requirements and best practice guidance for the preservation of cultural heritage for a development project in Romania.

3.1 Romanian Legislation for the Preservation of Cultural Heritage

There are a series of legislative documents in Romania that provides definitions or mandates for the protection of cultural heritage or cultural property.

The main legislative documents that guide the protection of cultural heritage in Romania include:

- Law no. 378/2001¹, which is the main law that regulates activities concerning archaeological and architectural heritage in Romania, outlining the juridical framework for archaeological field research, and providing definitions and regulations for areas of protected archaeological heritage. This law also indicates the institutions and special bodies entitled to make decisions regarding the protection of Romania's archaeological and architectural heritage, as also establishes the owner or investor as responsible for financing archaeological research required to obtain an archaeological discharge;
- Law no. 5/2000, published in the Romanian Official Monitor no. 152, 2000, establishes national protected zones of cultural patrimonial value;
- Law no. 182 / 2000², which is the main law that regulates activities regarding portable heritage, outlining the juridical framework for the evaluation, classification, export etc of portable heritage items, and providing definitions and regulations for portable heritage items. This law also indicates the institutions and special bodies entitled to make decisions regarding the protection of Romania's portable heritage;
- Law no. 422/2001³ and that conservation of historical monuments must be coordinated by an authorised specialist;
- Law no. 311/2003 *Concerning the Museum and the Public Collections*; and,
- The General Urban Regulation Decision No. 525/1996.

The General Urban Regulation Decision No. 525/1996 defines the urban plan and regulations, which Local Councils are required to prepare and update for the area within their jurisdiction. The Territorial Planning Plan (TPP) and the General Urban Plan (PUG) and the Regulations, constitute the technical and legal basis for any modifications to the area. Collectively, they modify existing land-usage in the comună (village) so as to incorporate and authorize new public utility projects including mining projects. Both the Guide and the General Urban Regulations are part of the Ministry of Public Works and Land Order 80/N/1996. Additional urban plans and regulations include the Urban Zoning Plan (PUZ) and the Detailed Urban Plan (PUD).

¹ Law 378/2001 on Archaeological Heritage Protection and Declaring of Certain Archaeological Sites of National Interest, revised by Law 462/2003, issued November 2003.

² Law no. 182 / 2000 *Regarding the Protection of the National Cultural Movable Heritage*, published in the Official Gazette no. 530 on 27th of October 2000, part I.

³ Law no. 422/2001 *Concerning the Protection of the Historical Monuments*, revised by Law 468/2003, completed by the Minister of Culture and Religious Affairs Ordinances OMCC 2682/2003, OMCC 2684/2003 and by the Governmental Ordinance HG 1430/2003.

PUGs are prepared by the relevant councils (i.e. city, town, borough), and follow a review/permitting process until the councils approve them. The permitting process includes authorization of the PUGs by various authorities (i.e. ministries of environment, of public works, of internal affairs, of health, of culture, etc.).

Taking into account the fact that a series of areas in Roşia Montană are listed under Law 5/2000, in the context of the PUG 2002 of the industrial area of Roşia Montană, RMGC consulted with local authorities and the Ministry of Culture and Religious Affairs in 2002 to establish a Protected Zone for the Historic Centre of Roşia Montană in order to preserve the cultural heritage (churches, historical monuments, and market square) of the significant cultural parts within the village. A special townplanning documentation (PUZ) is currently elaborated for this zone, according to the conditions required by the MCC.

Table 3-1. Regulated Cultural Aspects in Roşia Montană

<p>Law no. 5/2000 of 6 March 2000 regarding the approval of the National Townplanning Documentation PATN – Section III – Protected Zones published in the Official Gazette no. 152 of 12 April 2000</p> <p>Piatra Despicată, Comuna Roşia Montană 0,20 (Annex 1, no. 2.8) Piatra Corbului, Comuna Roşia Montană 5,00 (Annex 1, no. 2.83) Historic Centre Roşia Montană, village Roşia Montană, county Alba (Annex 3, section g – Urban assemblies, position g)3.) The Roman galleries of the auriferous mining exploitations, Comuna Roşia Montană, village Roşia Montană, county Alba (Annex 2, section I – Industrial architecture, infrastructure, position I)1.) Houses – 18th – 20th centuries - Comuna Roşia Montană, village Roşia Montană, county Alba (Annex 3, section m – monuments of folk architecture, position m)2.)</p>
<p>List of Historical Monuments (issued by MCC and published in the Official Gazette no. 646 bis of 16 July 2004, pp. 13-15, no. 140-146)</p> <p>Archaeological sites The Roman settlement from Alburnus Maior, Orlea zone (LMI code AB-I-m-A-00065.01) The mining Roman exploitation from Alburnus Maior, Orlea massif (LMI code AB-I-m-A-00065.02) The Roman vestiges from Alburnus Maior, Carpeni zone (LMI code AB-I-m-A-00065.03) The Roman funerary monument from “Hop-Găuri” zone (LMI code AB-I-m-A-00065.04) The “Cătălina Monuleşti” gallery from the protected zone of the historic centre of the locality (LMI code AB-I-m-A-00065.05) The Roman galleries from Cărnic massif, "Piatra Corbului" area (LMI code AB-I-s-A-20329)</p> <p>Historical buildings 41 historical monuments, out of which two churches – the Romano Catholic Church and a Greek Catholic Church in Roşia Montană</p>

The cultural aspects are presented in **Table 3-1**, including the boundary of the Protected Zone. The creation of this zone is one of the positive benefits arising from this project and was a legal process required for the approval of the industrial PUG. Although the Protected Zone is located outside of the industrial zone and no mining activities will be undertaken there, RMGC will have management responsibilities for cultural aspects in the Protected Zone as outlined in this plan. The PUG was issued with special recommendations and conditions with respect to cultural heritage. One of these conditions is that a PUZ be submitted for the Protected Zone, which amongst other things will define the geographic boundary of this zone.

3.2 International Agreements

The primary European charters, conventions and non-binding standard setting instruments concerning the protection of the cultural heritage include:

- UNESCO Recommendations on International Principles Applicable to Archaeological Excavations (1956);

- The United Nations Convention Concerning the Protection of the World Cultural and Natural Heritage (1972), whereby signatory states undertake to establish an effective system for the protection of the cultural and natural heritage of outstanding universal value;
- The Venice Charter (1966). The International Charter on conservation and Restoration of Monuments and Sites, introducing recommendations for the conservation, excavation and restoration of monuments;
- The Amsterdam Declaration (1975) European Charter of Architectural Heritage of the Council of Europe, which recognizes that Europe's unique architecture is the common heritage of all her peoples and which declares the intention of the Member States to work with one another and with other European governments for its protection;
- Delphi Convention (1985). European Convention on offences relating to cultural property of the Council of Europe which sets out the commitment between the signatory states to take necessary measures to prevent and to prosecute the offences relating to cultural property. This convention has not been ratified by Romania.
- Florence Convention on Landscape (2000). Council of Europe, introducing a set of recommendations devoted exclusively to the protection, management and planning of all landscapes in Europe;
- Granada Convention (1985) of the Council of Europe. Convention for the Protection of the Architectural Heritage. Signatory states undertake to adopt legal measures to protect the architectural heritage, including monuments, groups of buildings and sites;
- Valetta Convention (1992) of the Council of Europe. European Convention on the Protection of the Archaeological Heritage (revised) (Valletta, January 1992), updating the provisions of the 1969 Convention, making conservation and enhancement of the archaeological heritage one of the goals of urban and regional planning policies.

3.3 World Bank Guidelines

Operation Policy Note 11.03 is the often-cited direction followed by lending institutions with respect to archaeological resources. Under this policy-note the United Nations definition of Cultural property is adopted and is as follows:

"Cultural property" includes sites having archaeological (prehistoric), paleontological, historical, religious, and unique natural values. Cultural property, therefore, encompasses both remains left by previous human inhabitants (for example, middens, shrines, and battlegrounds) and unique natural environmental features such as canyons and waterfalls."

The objective of Operational Policy Note 11.03: Cultural Property is to avoid or reduce adverse impacts on cultural resources from development projects that the World Bank finances. Although RMGC is not seeking World Bank funding, this operation note has become an industry standard for responsible development projects. RMGC will adhere to the World Bank definition of Cultural Property and the requirements of this operational note a means of ensuring that the management of cultural aspects in Roşia Montană is comprehensive and to world-class standard.

3.4 ICOMOS Charter for the Protection and Management of the Archaeological Heritage (1990)

ICOMOS is the International Council on Monuments and Sites and is an international non-governmental organization of professionals, dedicated to the conservation of the world's historic monuments and sites. The ICOMOS charter has built upon the results of the Venice Charter and provides global direction for the preservation of archaeological heritage, defined as:

“That part of the material heritage in respect of which archaeological methods provide primary information. It comprises all vestiges of human existence and consists of places relating to all manifestations of human activity, abandoned structures, and remains of all kinds (including subterranean and underwater sites), together with all the portable cultural material associated with them.”

The Charter emphasises the importance of a team of qualified professionals, not limited to archaeologists, conducting a pre-construction survey that forms the basis for future management measures.

The Charter also makes clear the need to abide by the UNESCO Recommendations on International Principles Applicable to Archaeological Excavations (1956), which sets out a clear set of protocols to be followed during archaeological excavations in order to minimise potential damage to archaeological resources. RMGC has funded a 5-year archaeological programme, under the direction of MNIR as detailed in the **Roşia Montană Project Baseline Reports (Baseline Report 8)**. This work was undertaken in full compliance with these protocols and RMGC will commit to ensuring these protocols are adhered to in future archaeological work outlined in this plan.

Another key tenet of the Charter is the requirement to both preserve archaeological resources for future exploration, and to make archaeological heritage available to be experienced by the public. The baseline investigation has resulted in a number of publications and 3-D models of underground mining networks, together with movable heritage archaeological artefacts. The baseline archaeological work has resulted in the discovery of Roman funerary structures and two administrative buildings, as well as the Roman mining works from Piatra Corbului in eastern Cărnic massif, which have resulted in the historical monument status being legislated for the Tăul Găuri and Carpeni Hill, respectively (**see Table 3-1**). Work has also been undertaken to explore the famous Cătălina Monuleşti Gallery, located within the Historic Roşia Montană Centre Protected Zone. Also researches were made at Păru Carpeni mining sector where Roman-era water wheel systems were uncovered during the archaeological programme. RMGC has committed to fund additional work to complete the research of these historic mine working and will determine after these investigations, which working is better suited to allowing public access (**see Section 5.7.2**). These future investigations will comply with all ICOMOS protocols to ensure the international standard of the archaeological programme to date is maintained.

RMGC has committed to funding a Cultural Centre and Mining Museum (museum) where representative elements from the archaeological campaign, and elements of heritage value from the community will be displayed. RMGC will also fund the construction of a replica that illustrates a variety of Roman mining techniques used in Roşia Montană (**see Section 5.7.5**).

The Charter also stresses that archaeological heritage is the common heritage of all humanity and therefore, international cooperation is essential in developing and maintaining standards in its management. This international cooperation requires the exchange of information and experience among professionals dealing with archaeological heritage management and may include conferences, seminars, workshops, etc. at global as well as regional levels, and the establishment of regional centres for postgraduate studies.

4 RMGC Policy Regarding Cultural Heritage Management

This section outlines the guiding principles and goals that form the basis of RMGC's strategy for the management of cultural heritage resources that may potentially be affected by the Project.

One of RMGC's fundamental beliefs when it comes to the management of cultural heritage resources is that these resources belong firstly to the local community where they reside. As such, RMGC's CHMP strives not only to protect Roşia Montană's culture heritage, but also to keep it, and promote it, in the benefit of the local community. RMGC will therefore seek to achieve in a sequential manner, the progressive development for the appreciation of Roşia Montană's cultural heritage.

It must also be recognised that self-promotion of cultural heritage and history in communities with low incomes is often a secondary priority. In addition to the direct benefits from the Project, RMGC will also be funding a variety of sustainable development programmes that will be undertaken in Roşia Montană and the new resettlement community of Piatra Albă. More details on these programmes are provided in the **ESMS Plans, Plan L, Community Sustainable Development Plan**. The management of cultural resources will work in concert with tourism initiatives outlined both in the Cultural Heritage Management Plan (all the three sections) and the *Community Sustainable Development Plan* in order to create a tourism destination that enhances the local economy and that provides a unique learning environment to explore the local and national cultural heritage. Public Consultation as outlined in the **ESMS Plans, Plan K, Public Consultation and Disclosure Plan** will also form an important part of the sustainable development of cultural tourism in Roşia Montană and will ensure that decisions are consistent with local desires and that the local population is the beneficiary.

One of the initiatives shared between the *Community Sustainable Development Plan* and this plan, is the creation by RMGC of a **Foundation (Section Establishment of a Cultural Heritage Foundation)** to promote sustainable development and to preserve and display the cultural heritage of Roşia Montană. Although the Foundation will be responsible for determining the direction of cultural heritage initiatives in Roşia Montană and the funding of these programmes, RMGC recognises that it will continue to participate until sufficient local capacity is in place and that it will be required to provide the Foundation with resources and funding to support its objectives.

From the beginning of the Project, RMGC has been committed to a cultural heritage programme that includes investigation, assessment and evaluation of all aspects of tangible and intangible cultural heritage in Roşia Montană. In addition, as set out in this management plan, RMGC has proposed measures that will provide for the sustaining, and in some cases, enhancement of a number of elements of Roşia Montană's cultural heritage.

It should be stressed that aside from the management and protection of cultural heritage resources, the baseline investigation of archaeology, ethnology, architecture, oral history, and settlement patterns, has already resulted in a better understanding of the history and cultural heritage of Roşia Montană, from the Roman period to the present. This improved understanding of the cultural assets in Roşia Montană has allowed RMGC to modify the Project to avoid culturally important areas and to create a project that conforms to Romanian legislation in all aspects, thereby protecting the local cultural heritage.

RMGC's approach toward the collection of baseline cultural information, mitigation of potential impacts, and taking advantage of potential opportunities to promote cultural heritage, has been an effort consistently undertaken in cooperation and consultation with the Ministry of Culture and Religious Affairs (Ministerul Culturii și Cultelor) (MCC), Romanian and international experts, and regulatory authorities.

The CHMP has been developed on a foundation of key principles that guide RMGC actions and commitments throughout all phases of the projects. These key principles include the following:

- Ensure that development does not damage or disturb sites, items or places of significant cultural heritage value as identified in the baseline investigations and regulated by Romanian legislation, without performing preventive archaeological researches;
- Mitigate the possible impacts (chance finds) caused during the construction and operational phases of development;
- Will endeavour to incorporate sites or artefacts of significant cultural heritage value into a framework of community sustainable development initiatives to promote a sustainable community beyond the life of the proposed mine; and,
- Will endeavour to ensure management of cultural heritage in a way that engages local residents in their cultural heritage and that focuses on developing cultural heritage features as part of a larger framework of sustainable development.

5 Cultural Heritage Management Measures

This section outlines the management measures that RMGC proposes to implement in order to manage impacts identified in Chapter 4 section RMGC POLICY.9 of the EIA, that relate to Roşia Montană's cultural heritage that may arise as a result to the Project. This management plan is intended to eliminate, mitigate and where possible to implement management programs in partnership with the Foundation to derive positive benefit to the local community.

5.1 Cultural Heritage Responsibilities

Prior to the implementation of the management measures outlined in this plan RMGC assembled a comprehensive cultural heritage team to manage the collection of data during the baseline collection of cultural conditions in Roşia Montană. This team disseminated information from the baseline to project stakeholders. The organization of the Cultural Heritage research team is detailed in **Section 2** of the *Cultural Heritage Baseline Report*.

The composition of this team will be modified in order to initiate the management measures described in this plan. The new cultural heritage management team will comprise and will continue to work in partnership with MNIR. MNIR not only represents a valuable source of expertise, but also is the custodian of the artefacts discovered during the RMGC-funded archaeological programme and retains ownership of much of the information gathered during this programme. As a result, decisions relating to additional means of disseminating information from the archaeological programme will be guided by this partnership as required by Ministerial Order 2071/30.06.2000 for Organizing Archaeological Excavations in Romania.

In addition to the above, RMGC will continue to have a cultural heritage management team with clear defined relationship to the RMGC company structure during the lifetime of the Project. With the exception of the archaeological support team, management responsibility of mining personnel is restricted to the implementation of the Chance Finds Protocol and associated responsibilities are presented in that section (**Section 5.7.6**).

Archaeological Support Services (Independent Team for Archaeological Monitoring)

An archaeological support service will be needed for archaeological monitoring during the project life cycle and specifically during church decommissioning, operation in the open pits and during the topsoil stripping phase where they will determine evidence of patrimonial in a timely manner maintaining regulatory controls and supporting the commitments made in the RMGC EIA. Discovery of patrimonial evidence may require additional review and investigation in order to ensure that chance finds are recorded, per national legislation.

Staff comprising the archaeological team will assist in training company and contractor staffs to recognize archaeological features (chance finds) encountered during the project life cycle.

5.2 Establishment of a Cultural Heritage Foundation

In order to ensure management of cultural heritage features in Roşia Montană, during the Project, RMGC will establish a Foundation.

The success of the Foundation and initiatives it chooses to undertake will depend highly upon its ability to work with RMGC to create a sustainable community. The Foundation will manage the majority of initiatives concerned with cultural heritage in a framework of community sustainable development and as a result of this link to "sustainability", greater

detail is provided on the Foundation in the **ESMS Plans, Plan L, Community Sustainable Development Plan**.

As part of the Foundation a specific department (the Heritage Superintendence Roşia Montană) will manage cultural heritage, at Roşia Montană, as identified in the **Roşia Montană Project Baseline Reports (Baseline Report 8)**. The Heritage Superintendence Roşia Montană will be required to have comprehensive knowledge of the various aspects of cultural heritage present in Roşia Montană. Members of the Foundation will include local stakeholders, politicians, and cultural heritage experts able to support and develop decisions related to sustaining Roşia Montană's cultural heritage.

RMGC will be the founder along with an Honorary Founder, who is still to be identified. A Board of Directors will determine the strategic direction of the Foundation. The initial mandate of the Board of Directors will be to nominate a Managing Director who will set up an appropriate management structure.

The Patrimony Department of the Foundation will include representation from interested stakeholders that may be community leaders, archaeologists, museum curators, local authorities, educational professionals, and interested local people. It will be up to the Foundation to determine which measures are able to sustain the cultural heritage of Roşia Montană in a manner that is financially sustainable.

Collaborations or partnerships with similar institutions such as existing Foundations and other professionals, in addition to government and educational institutions should be pursued.

Activities the Foundation could undertake which promote cultural tourism and the protection of cultural resources include:

- Establishing, staffing, and operating a museum/cultural heritage centre to store artifacts from the RMGC financed archaeological programme and the RosiaMin museum, training of local guides and setting up a small shop in association with a museum;
- Maintaining and repairing historical buildings;
- Promotion of the industrial mining heritage of Roşia Montană;
- Promotion of the village as a national and international tourist destination.
- Further dissemination from the Alburnus Maior National Research Programme, including archaeological, ethnological, historical building information via web pages, academic papers, or books, leaflets and other publications.

Other Community development activities by the Foundation that may also contribute to preserving the cultural heritage of Roşia Montană include:

- Using the Skills Enhancement Programme to train locals in local crafts and encouraging existing artisans and tradespersons;
- Training local people in traditional building skills: carpentry/joinery, lime plasterwork, metal working, etc;
- Teaching regional traditional arts to improve local incomes and increase the tourism potential of Roşia Montană.
- Assist in provision of accommodation and food for visitors to the area.

A useful model and source of experience for this function of the Foundation is the Mihai Eminescu Trust, founded in 1987. The Mihai Eminescu Trust is dedicated to the conservation and regeneration of villages and communes in Transylvania and the Maramureş. Its aims include the conservation of built and natural heritage, and the promotion of education and culture in Romania.

The Trust's pioneering 'Whole Village Project' aims to preserve the villages' fabric, remedy their loss of income and revive their sense of community. In selected neighbourhoods the Trust helps the inhabitants to develop new sources of revenue and to restore their houses through use of traditional materials.

The Foundation will be created by RMGC but ultimately will be 100% independent of RMGC. The Foundation is a vehicle created by RMGC as a consequence of the Roşia Montană Project. The Foundation is an initiative by RMGC, created in part to preserve significant cultural heritage present in Roşia Montană.

5.2.1 Foundation Location and Facilities

The Foundation location will strive to be visible, accessible in order to integrate into the social and cultural fabric of Roşia Montană and the Community. The Foundation will be based in the Historical Centre Roşia Montană, house no. 342, and will have also a tourism bureau in Piatra Albă, the new town being developed by RMGC.

In summary:

- The Foundation facilities will be located both in in the Historical Centre Roşia Montană and Piatra Albă in highly visible areas fully accessible to the handicapped and elderly.
- After the Foundation's inception, other branches of the foundation may be set-up outside of Piatra Albă should activities require representative branches.

5.2.2 Financing

Seed funding for the Foundation will be provided by RMGC as a donation. The initial commitment from RMGC will be further supplemented by continued contributions from RMGC. Once the Project and mining operations cease, the Foundation must be financially independent and viable.

Other funding and financial sources to be investigated and/or developed include:

- Romanian govt funding for (regional) development activities;
- EU & bilateral funding for (regional) development activities;
- Donations from appropriate sources;
- Income from fee-based services – business services, etc;
- Income from accommodation service to RMGC during the Project (**see Section Establishment of a Cultural Heritage Foundation.6**);
- Income from (regional) tourism-based services – accommodation service, tours, publications, etc;
- Other services.

Note: This list is not exhaustive and research funding to ensure the long-term viability of the Foundation will form an important activity.

5.2.3 Cultural Heritage Responsibilities of the Foundation

Although the Foundation will operate independently from RMGC, it will be charged with the management of certain cultural heritage responsibilities outlined in this section. These responsibilities will be written into the mandate of the Foundation to ensure their implementation. The management of these responsibilities by the Foundation will ensure

that they are conducted independently of RMGC, and in a manner that is sustainable beyond the life of the mine.

The cultural heritage responsibilities of the Foundation will include:

- Funding any repairs required of all 41 Historical Monuments, not resulting from the Project;
- Managing the Cultural Centre and Mining Museum (**Section Establishment of a Cultural Heritage Foundation**);
- Coordinating with RMGC to organize tours of the modern mine for the public and school trips;
- Promotion of local crafts enterprises, and facilitating and funding ecotourism;
- Securing additional funding and support for cultural heritage initiatives.

5.3 The Roşia Montană Cultural Centre and Mining Museum

RMGC will provide the resources necessary to establish a Cultural Centre and Mining Museum, to be located either in the historical centre of Roşia Montană, or in the new resettlement community of Piatra Albă. This decision will be made via the EIA related public consultation process. In addition to displaying items discovered during the RMGC-funded archaeological baseline data collection campaign, the museum will display items of ethnological and historical value such as folk costumes, tools, and furniture that were acquired by RMGC. RMGC will also request from the appropriate regulatory authority to transfer certain Roman era artifacts and historical mining curios (hand tools, stamp mills) currently on public display at the RosiaMin Museum, to the proposed museum.

Pending regulatory approval, RMGC may establish the museum through cooperative agreements once the establishment aforementioned Foundation is properly established (**Section 5.2**). As with other Foundation initiatives, their potential operation of the museum should ensure that the museum's operation reflects the wishes of the community in order to develop a sustainable operating plan compatible with the post closure period for the project.

5.4 Cultural Landscape

Cultural landscape is a broad term that encompasses the natural environment of a region and its interaction with socio-economic factors, both past and present. In other words, cultural landscape is a reflection of how a community interacts with its environment. Cultural landscapes often reflect specific techniques for the utilization of natural resources, taking into account the features and limitations of the environment (UNESCO, 1996).

Because "cultural landscape" is such a broad term that encompasses so many considerations, the majority of cultural contributions to cultural landscape, such as historical buildings and churches, are considered in their respective sections in this management plan, respectively parts 1 and 2, namely Annex 2 – Management Plan for the archaeological heritage of the Roşia Montană area and Annex 3 – Management Plan for the historical monuments and the protected zone of Roşia Montană area. The management of the visual and socio-economic contribution to the cultural landscape is summarized below with references to more detailed information.

5.4.1 Visual Component of Cultural Landscape

Impacts to the visual landscape resulting from the Project will be progressively rehabilitated in accordance with the **ESMS Plan J, Mine Reclamation and Closure Plan**. Roads no longer

required in the later stages of the mine will be allowed to re-vegetate and a significant portion of the Cârnic and Orlea pits will be backfilled with waste rock and re-vegetated once excavation has concluded in a certain pit. The Jig pit will be entirely backfilled. The Cetate pit will be partially flooded and only a small part will be backfilled and revegetated (according to BAT for environmental management).

Further rehabilitation will commence upon final closure of the mine and will include the removal of the processing plant, the use of topsoil stockpiles, breaching of the Cetate Waste and Mine Drainage Dam, and the re-vegetation of the Tailings Management Facility (TMF), roads, and waste rock dumps.

More detailed descriptions of post mitigation landscape views, including simulated views, are provided in Section 4.7 (Landscape) of the **Roşia Montană Project Environmental Impact Assessment**.

5.4.2 Socio-Economic Component of Cultural Landscape

The cultural landscape of any locale is never static, and is constantly evolving to changing socio-economic dynamics of local and regional economies. In Roşia Montană, a community that once achieved a degree of affluence from a history of mining, has become impoverished due to lay-offs from the non-profitable state-owned mine, RosiaMin. This has resulted in noticeable changes to the cultural landscape in the form of deserted and derelict buildings.

In order for the anthropogenic component of cultural landscape to be maintained, in particular the contribution of the buildings to the landscape setting, the local economy must be sustainable. RMGC proposes to undertake a variety of initiatives to promote the economic viability of the protected area, both during the life of the mine, and after. These initiatives are presented in detail in the **ESMS Plans, Plan L, Community Sustainable Development Programme**.

5.4.3 Historical Monuments

The Roşia Montană PUG identified areas adjacent to the Permitted Industrial Zone, as a Protected Zone in Roşia Montană that includes the main town square and a concentration of buildings declared as having architectural value. The National Commission of Historic Monuments, through its licenses No. 61 of February 2002 and No.178 of June 2002, has approved the establishment of this Protected Zone. A separate application for a PUZ for the Protected Zone will be submitted to Alba County Council during 2006.

The Protected Zone, which was established to protect a number of features of cultural value, is located in close proximity to the Jig and Cârnic massifs. The Protected Zone will include 35 of the 41 Historical Monuments present in Roşia Montană. A list of the 41 buildings is provided in **Appendix A**, with the remaining six, lying in the industrial area. Nonetheless, project development has been designed so that none of these Historical Monuments are directly affected by the project. If required by the legal owners, RMGC will offer to purchase all historical monuments, with the exception of the Greek Catholic church, in accordance with the company's relocation and resettlement programme. As access to the Protected Zone will be maintained throughout the Project, existing owners are not required to sell these buildings. Regardless of ownership, RMGC will commit to maintaining the Historical Monuments at least in their present condition as required by Law 422/2001.

As a means of ensuring the financial viability of the proposed Foundation, RMGC will transfer ownership of all historic buildings to the Foundation once it has been determined that the Foundation is viable. These transfers of ownership to the Foundation will not only provide a source of income for the Foundation (rental to mine workers for accommodation and RMGC offices) but will also ensure that the Historical Monuments are preserved beyond the life of the Project.

As a number of the Historical Monuments are in an increasing state of disrepair, RMGC will fund the renovation of all the Historical Monuments and houses that it owns in the Protected Zone that are in a relatively good structural condition so that they are inhabitable or suitable for offices. RMGC will acquire all required permits to conduct any modifications to Historical Monuments as required by the legislation.

RMGC will provide alternative accommodations to workers during periods where repairs to historical monuments are required to comply with the legislation or to ensure the safety of the accommodation.

5.5 Churches and Cemeteries

The ethnic diversity that has shaped present day Roşia Montană comuna is further demonstrated by its total of 10 churches and 12 cemeteries (not including private cemeteries on private property). However, with the current predominance of the Romanian Orthodox Church in the region and Romania at large, some of these churches are now deserted or in need of restoration works (**see Roşia Montană Project Baseline Reports (Baseline Report 8)**).

There are a total of six (6) churches in Roşia Montană village. Three (3) of these churches are outside of the protected area and include:

- The Romanian Orthodox Church (1741);
- The Greek Catholic Church (1781); and,
- The Pentecostal Prayer House

Churches within the protected area include:

- The Roman Catholic Church (1866);
- The Unitarian Church (1796); and,
- The Reformed Church (abandoned), (early 19th century).

In addition to the churches in Roşia Montană, there are also two churches and two prayer houses in Corna including:

- The Romanian Orthodox Church (1719);
- The Greek Catholic Church (1841); and,
- Two Baptist Church prayer houses.

5.5.1 Churches Located Outside the Protected Area

Of the churches located outside the protected area, both churches and prayer houses located in the Corna Valley will be impacted by the creation of the tailings management facility. An evaluation of the various considerations and potential options for each of the churches and prayer houses in Roşia Montană and Corna is presented in **Table 5-1**.

The Romanian Orthodox Church and the Greek Catholic Church, together with the Pentecostal prayer house although located outside the protected area, will not be directly impacted by the Project. However, although some congregants may have chosen to resettle in Piatra Albă, and therefore remain relatively close to their Church, these churches will be inaccessible during the life of the Project. As a result, consultation with representatives of each of the aforementioned congregations was initiated in 2002 and is ongoing Churches

located within the protected area will not be directly impacted by the Project and access to them will be maintained throughout the life of the Project.

For the churches that will be displaced as a result of the Project, new churches will be constructed in the new resettlement community of Piatra Albă in order to accommodate the various congregations. If there are not enough parishioners from any of the religions to support a congregation in Piatra Albă, a settlement for the value of the church will be negotiated based upon an independent evaluation.

RMGC prepared an inventory of the churches to determine estimated relocation costs of movable items to within 10% of the actual cost of relocation for each of the churches. Between 2000-2001 independent contractors produced detailed investigation related to the architecture and brief history of each church in Roşia Montană and Corna. Archaeological review to investigate the Romanian Orthodox and Greek Catholic churches in Corna will be completed by the archaeological support team prior to development impacts related to Project activities. These investigations will allow RMGC to document and record any patrimonial and cultural information related to these churches.

Table 5-1. Management Considerations for Churches and Prayer Houses in Roșia Montană

General approach elements							
<p>The properties under the foot-print of the project and physically affected will be replaced land for land and asset for asset within same conditions and when this will not be possible, a cash compensation will be offered.</p> <p>The process will be done working closely with the appropriate representatives of each denomination.</p> <p>The company will assist each and any of the congregations during a transition period of five years to maintain and support the activity of the priest and availability of the religious service, based on the number of members of the congregations before and after the implementation of the project. The final goal being to get to a point from where the congregation could exist by its own members, at the same level as before the start of the project.</p> <p>The overall approach is based on tailoring solution individually in partnership with authorities, after assessing the economical impact during transition and value of assets.</p>							
	Location/Geographic Coordinates (Stereo 70)	Directly Affected by Site Development	Protected Monument Status	Photo	Church Considerations and Impact Mitigation/Management Options		
					Architectural Considerations	Parishioner Considerations	Additional Considerations
<p>The Roman Catholic Church (1866) – Roșia Montană</p>	<p>Roșia Montană, Piață Str., No. 549</p> <p>x-535592,9 y-356134,7</p>	No	<p>Historic Monument (LMI code AB-II-m-B-00308; identified in LMI as “house”)</p>		<p>The church contributes to the visual aesthetic of the protected zone. The church resides in the Protected Zone and as a result, cannot be legally moved. The church is in relative good condition with only minor cracking to the exterior.</p> <p><u>Mitigation/Management:</u> RMGC to ensure the church is maintained in it at least its present condition or better for the life of the Project. RMGC to assist in maintaining the churches post-closure through initiatives proposed by the Foundation.</p>	<p>It is unclear what percentage of the congregation of approximately 45 will continue to reside in the Protected Zone and use the church during the life of project</p> <p><u>Mitigation/Management:</u> Access to be maintained to the church in the Protected Zone throughout all phases of the project. The company will assist the congregation during a transition period of five years to maintain and support the activity of the priest and availability of the religious service, based on the number of members of the congregations before and after the implementation of the project. RMGC to ensure the</p>	<p><u>Mitigation/Management:</u> Determine an appropriate compensation amount in consultation with members of the Church.</p>

						<p>public access to this church during the lifetime of the Project, as well as to undertake specific measures in order to protect the rights and interests of the Roman Catholic parishioners.</p> <p>Public access to be maintained to all the churches located in the Protected Zone Historic Centre Roşia Montană throughout all phases of the project.</p>	
<p>The Unitarian Church (1796) - Roşia Montană</p>	<p>Roşia Montană, Brazi Str., No. 530</p> <p>x-535690,2 y-356284,4</p>	No	No		<p>The church contributes to the visual aesthetic of the protected zone. The church resides in the Protected Zone and as a result cannot be legally moved. There is extensive water damage to the exterior and interior of the church. <u>Mitigation/Management:</u> RMGC to ensure the church is maintained in it at least its present condition or better for the life of the Project. RMGC to assist in maintaining the churches post-closure through initiatives proposed by the Foundation.</p>	<p>There are not regular services held at the church.</p> <p><u>Mitigation/Management:</u> Access to be maintained to the church in the Protected Zone throughout all phases of the project. The company will assist the congregation during a transition period of five years to maintain and support the activity of the priest and availability of the religious service, based on the number of members of the congregations before and after the implementation of the project.</p> <p>RMGC to ensure the public access to this church during the lifetime of the Project, as well as</p>	<p><u>Mitigation/Management:</u> Determine an appropriate compensation amount in consultation with members of the Church.</p>

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						<p>to undertake specific measures in order to protect the rights and interests of the Unitarian parishioners.</p> <p>Public access to be maintained to all the churches located in the Protected Zone Historic Centre Roşia Montană throughout all phases of the project.</p>	
<p>The Reformed Church (early 19th century) - Roşia Montană</p>	<p>Roşia Montană, Brazi Str., No. 400 x-535767,7 y-356303,7</p>	No	No		<p>The church contributes to the visual aesthetic of the protected zone. The church resides in the Protected Zone and as a result cannot be legally moved. The church is in a very poor state of repair, with extensive damage to the external render, structural damage to the entrance stairway and floors, and water or mould degradation internally surrounding the mounted pulpit. Other damage includes broken louvers in the bell tower, broken or missing windows, and lifting roof sheeting.</p> <p><u>Mitigation/Management:</u> RMGC to ensure the church is maintained in it at least its present condition or better for the life of the Project. RMGC to assist in</p>	<p>At present there is only 1 (one) parishioner who attends this church and regular services are not held.</p> <p><u>Mitigation/Management:</u> Access to be maintained to the church in the Protected Zone throughout all phases of the project. The company will assist the congregation during a transition period of five years to maintain and support the activity of the priest and availability of the religious service, based on the number of members of the congregations before and after the implementation of the project.</p> <p>RMGC to ensure the public access to this church during the lifetime of the Project, as well as to undertake specific</p>	<p><u>Mitigation/Management:</u> Determine an appropriate compensation amount in consultation with members of the Church.</p>

					maintaining the churches post-closure through initiatives proposed by the Foundation.	measures in order to protect the rights and interests of the Reformed parishioners. Public access to be maintained to all the churches located in the Protected Zone Historic Centre Roşia Montană throughout all phases of the project.	
Greek Catholic Church (1781) - Roşia Montană	Roşia Montană, Orlea Str., No. 135 x-535690,3 y-354365,7	No	Historic Monument (LMI code AB-II-m-B-00269)		The walls of the church comprise soil and rock and have been constructed using compressed earth methodology. There is no block-work evident in the external structural walls making relocation unfeasible. Externally the church appears structurally sound. However, internally there are many cracks, some of which are quite structurally significant. There is also some paint degradation due to water infiltration. <u>Mitigation/Management:</u> RMGC to ensure the church is maintained in it at least its present condition or better for the life of the Project. RMGC to assist in maintaining the churches post-closure through initiatives proposed by the Foundation.	Access to the church cannot be safely maintained during operation of the mine. <u>Mitigation/Management:</u> Access to the church cannot be safely maintained during operation of the mine. Therefore RMGC wants to take all the measurements to preserve on site the church during the operations period, conserve it and assist the restart of the activity after mine closure. <u>Mitigation/Management:</u> RMGC to construct a church in the resettled community or elsewhere to meet the needs of Greek Catholic parishioners during the mining operations and replace other properties which eventually will not be fully usable during the mine life. At the end of the	This church has historical significance related to the Greek Catholic archpriest Simeon Balint, who also later became Avram's lancu's prefect in the Revolution of 1848. Simeon Balint is buried in the Church's cemetery. <u>Mitigation/Management:</u> RMGC to ensure the church is maintained in it at least its present condition or better for the life of the Project. RMGC to assist in maintaining the churches post-closure through initiatives proposed by the Foundation. The grave of Simeon Balint will not be directly affected by the Project.

						operations all the costs to move back all the activity to this building will be supported by the company and the newly built church used during the mining period will remain with the Greek-catholic church authority. The company will assist the congregation during a transition period of five years to maintain and support the activity of the priest and availability of the religious service, based on the number of members of the congregations before and after the implementation of the project.	
The Romanian Orthodox Church (1741) – Roşia Montană	Roşia Montană, Principală Str., No. 175 x-535550,7 y-354816,3	No	No		The walls of the church comprise soil and rock and have been constructed using compressed earth methodology. There is no block-work evident in the external structural walls making relocation unfeasible. The church is in good condition. <u>Mitigation/Management:</u> RMGC to ensure the church is maintained in it at least its present condition or better for the life of the Project. RMGC to assist in maintaining the churches post-closure through initiatives proposed by	Access to the church cannot be safely maintained during operation of the mine. <u>Mitigation/Management:</u> RMGC to construct a church in the resettled community to meet the needs of Orthodox parishioners during the mining operations and replace other properties which eventually will not be fully usable during the mine life. At the end of the operations all the costs to move back all the activity to this building will be supported by the company and the newly built church used during	<u>Mitigation/Management:</u> RMGC to ensure the church is maintained in it at least its present condition or better for the life of the Project. Determine an appropriate compensation amount in consultation with members of the Church.

					the Foundation.	the mining period will remain with the Orthodox church authority. The company will assist the congregation during a transition period of five years to maintain and support the activity of the priest and availability of the religious service, based on the number of members of the congregations before and after the implementation of the project.	
The Pentecostal Prayer House – Roșia Montană	Roșia Montană, Principală Str., No 257 x-535498,8 y-355548,0	No	No		The walls of the church comprise soil and rock and have been constructed using compressed earth methodology. There is no block-work evident in the external structural walls making relocation unfeasible. The prayer house is a relatively simple single level structure. The prayer house is in good condition. The prayer house will not be directly affected by site development activities associated with the Project. <u>Mitigation/Management:</u> As the prayer house is relatively new and does not contain unique architectural features, a new prayer house will be constructed in the resettlement area, as	The prayer house will not be directly affected by site development activities associated with the Project. <u>Mitigation/Management:</u> RMGC to construct a prayer house in the relocation community, as required, to meet the needs of Pentecostal parishioners.	It is possible that there may not be an adequate Pentecostal population in the resettlement area to warrant a prayer house. <u>Mitigation/Management:</u> Determine an appropriate compensation amount in consultation with members of the congregation and based on the special assessment made by authorized experts.

<p>The Romanian Orthodox Church (1719) - Corna</p>	<p>Corna Sat, No. 707 x-533735,2 y-355558,7</p>	<p>Yes</p>	<p>No</p>		<p>required.</p> <p>The walls of the church comprise soil and rock and have been constructed using compressed earth methodology. There is no block-work evident in the external structural walls making relocation unfeasible.</p> <p>The Church is considered to be in very good condition with only minor external damage.</p> <p>The church will be directly affected by site development activities associated with the Project</p> <p><u>Mitigation/Management:</u> RMGC to relocate portions of the church to be used in the construction of a new church in the relocation settlement. These movable assets (cultural items) would be determined through consultation as being unique or of particular sentimental or religious importance.</p>	<p>The church will be directly affected by site development activities associated with the Project.</p> <p><u>Mitigation/Management:</u> The company will assist the congregation during a transition period of five years to maintain and support the activity of the priest and availability of the religious service, based on the number of members of the congregations before and after the implementation of the project</p>	<p><u>Mitigation/Management:</u> Determine an appropriate compensation amount in consultation with members of the Church.</p>
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<p>The Greek Catholic Church (1841) - Corna</p>	<p>Corna Sat, No. 692 x-533549,3 y-355571,8</p>	<p>Yes</p>	<p>No</p>		<p>The walls of the church comprise soil and rock and have been constructed using compressed earth methodology. There is no block-work evident in the external structural walls making relocation unfeasible. <u>Mitigation/Management:</u> RMGC to relocate portions of the church to be used in the construction of a new church, as required, in the relocation settlement. These movable assets (cultural items) would be determined through consultation as being unique or of particular sentimental or religious importance.</p>	<p>The church will be directly affected by site development activities associated with the Project. <u>Mitigation/Management:</u> RMGC to construct a similar church elsewhere, as indicated by the authorities of this denomination, to meet the needs of Greek Catholic parishioners. The company will assist the congregation during a transition period of five years to maintain and support the activity of the priest and availability of the religious service, based on the number of members of the congregations before and after the implementation of the project</p>	<p>It is possible that there may not be an adequate Greek Catholic population in the resettlement area to warrant a church. <u>Mitigation/Management:</u> Determine an appropriate compensation amount in consultation with members of the Church.</p>
<p>Prayer house #2 belonging to the Baptist Church - Corna</p>	<p>Corna Sat, without no. x-533999,9 y-355859,0</p>	<p>Yes</p>	<p>No</p>		<p>The walls of the prayer house comprise soil and rock and have been constructed using compressed earth methodology. There is no block-work evident in the external structural walls making relocation unfeasible <u>Mitigation/Management:</u> Any cultural items would be determined through consultation as importance.</p>	<p>The prayer house will be directly affected by site development activities associated with the Project. <u>Mitigation/Management:</u> RMGC to construct a prayer house in the relocation community, as required, to meet the needs of Baptist parishioners.</p>	<p><u>Mitigation/Management:</u> Determine an appropriate compensation amount in consultation with members of the Church.</p>

<p>Prayer house #1 belonging to the Baptist Church - Corna</p>	<p>Corna Sat, without no. x-533822,3 y-355598,6</p>	<p>Yes</p>	<p>No</p>		<p>The walls of the prayer house comprise soil and rock and have been constructed using compressed earth methodology. There is no block-work evident in the external structural walls making relocation unfeasible. <u>Mitigation/Management:</u> Any cultural items would be determined through consultation as importance.</p>	<p>The prayer house will be directly affected by site development activities associated with the Project. <u>Mitigation/Management:</u> RMGC to construct a prayer house in the relocation community, as required, to meet the needs of Baptist parishioners.</p>	<p><u>Mitigation/Management:</u> Determine an appropriate compensation amount in consultation with members of the Church.</p>
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5.5.2 Churches Located Within the Protected Area

Churches located within the protected area will not be directly impacted by the Project and access will be maintained throughout the life of the Project. Of these churches, the Roman Catholic Church registered as a Historic Monument and the Unitarian Church have regular services, while the Reformed Church is no longer used for regular services. As was the case with the churches outside the Protected Zone, churches will be constructed as required in Piatra Albă to accommodate the needs of the various congregations. However, if there are insufficient parishioners to warrant construction of a new church, as a result of the churches remaining intact in the Protected Zone, compensation is not expected for the Church.

5.5.3. Relocation of Graves/Cemeteries

Romanian legislation does not have specific cultural heritage considerations regarding the relocation of graves, addressing mainly health and safety issues. However from a cultural heritage perspective, cemeteries contribute visually to the cultural landscape of Roşia Montană and local residents religious beliefs and traditions regarding burial are essential when considering the relocation of graves / cemeteries.

RMGC has endeavoured to develop the Project so that the number of graves / cemeteries that require relocation are minimized to the extent possible. Of twelve (12) cemeteries present in Roşia Montană, five (5) will likely be affected by the Project, and approximately 410 graves will require relocation.

Thirteen (13) hectares have been allocated at the Piatra Albă site for cemeteries, to replace cemeteries in Roşia Montană impacted by the new mine and to fulfil the future requirements for a community of the size of Roşia Montană. It is planned that cemeteries in the Corna Valley/ Gura Cornii area that are impacted by the new Mine will be relocated.

If desired by the family, a service conducted by a priest will be conducted both for the re-opening of the grave and the subsequent burial. All fees relating to the relocation of graves and associated ceremonies will be funded by RMGC.

The grave of the local hero Simeon Balint will not be directly impacted by the Project. Access will be maintained to this grave throughout the Project, although access may have to be restricted at certain times due to safety.

A member of the archaeological group will be present during burial site exhumations to monitor archaeological finds. In the same manner that churches are often established on the foundations of older churches, cemeteries can also be established on older burial grounds and vigilance will be a priority.

5.6 Artefacts and Items of Industrial Heritage – RosiaMin Museum

A number of culturally representative artefacts and items of industrial heritage are presently located in the RosiaMin museum in the village centre of Roşia Montană. The Rosia Min museum does not have permanent specialised staff and may be relocated as a result of the proposed Project. RMGC will consult with RosiaMin and the Ministry of Culture and Religious Affairs (Ministerul Culturii și Cultelor) in order to be permitted to relocate the movable heritage from the existing museum to new locations. Members of the Cultural Heritage Team will undertake the removal and storage of such items. An inventory of the artefacts displayed in the open-air museum was produced in 2004. It may be possible that the stamp mills could be relocated to locations where they were actually working, making it easier for viewers to understand how they worked. Other items of movable heritage would ideally be relocated to the Cultural Centre and Mining Museum (**Section Establishment of a Cultural Heritage Foundation**).

5.7 Archaeology

Archaeological sites are aspects of a country's cultural patrimony. The archaeological programme undertaken from 2000-2005 as documented in the **Roşia Montană Project Baseline Reports, Baseline Report 8**, has resulted in archaeological discharges being granted large portions of the Roşia Montană Project Industrial Zone. This programme will continue in subsequent years as required to secure the necessary discharge certificates consistent with the project layout and operational footprint.

5.7.1 Storage spaces

All artefacts uncovered during the RMGC-funded archaeological campaign are the public property of the state. MNIR has been appointed as the custodian of these artefacts by MCC and RMGC has provided a storage facility in Roşia Montană, where following restoration by either the museums in Deva, Cluj, Alba Iulia, and Bucharest, they are catalogued and stored.

RMGC will continue to provide safe storage for any additional archaeological work outlined in this plan.

5.7.2 Păru Carpeni and Cătălina Monuleşti

During the baseline investigation, two ancient mine workings were identified by the archaeological team as warranted in-situ preservation and could be suitable for public access following investigation and restoration works.

The Cătălina Monuleşti gallery is located in Coş massif, to the north east of the valley near the urbanized area of the village surrounded by ancient mining workings and particularly the famous Roman network with the wooden waxed tablets discovered in the 19th century. This network, located at 878 m above sea level, was discovered in 1855 when it was transected by a long exploration gallery, the Cătălina Monuleşti gallery. The ancient network is made up of galleries, sloping galleries and work sites opened up with tools and with a trapezoidal shape characteristic of workings of the Roman era. At the time of the discovery, modern miners found twelve wooden tablets and the remains of an elevation wheel. This discovery is described in the work by Pošepny (1868), accompanied by a map of these ancient workings. Bearing in mind the importance of this ancient discovery, RMGC reopened the access gallery of the modern Cătălina Monuleşti network between 2002 and 2004. As it goes through unconsolidated rocks, it must have been timbered over a major part of its length, up to the ancient workings located more than 350 m inside. During these preliminary investigations of mining archaeology were identified a series of underground Roman mining works and a water wheel system.

RMGC will continue to fund the investigation of these two galleries, which will be conducted by the archaeological support team, commencing during the construction phase of the Project. The investigation of the Păru Carpeni area will be made a priority to ensure that any artefacts are transferred to a safe storage facility before excavation of open pits during the Project life result in any changes in the hydrological regime that may result in damage to these artefacts, or alter the accessibility to these ancient workings. At present, there are ancient tools such as wooden shovels, a ladder fragment, and other mining related tools that temporarily preserved in Păru Carpeni. In 2007, a programme will be implemented to transfer these objects to a suitable storage area. In order to provide for the preservation of the water wheel in Păru Carpeni, the fragmented water wheel may display in the museum (**Section Establishment of a Cultural Heritage Foundation**).

RMGC will commit to making one of the two galleries available for safe public access. The decision on which gallery (Cătălina Monuleşti or Păru Carpeni) is to be made available for the public and to be funded by RMGC, will be made by RMGC in consultation with the independent archaeological team following the public consultation process of EIA.

All artefacts uncovered during these investigations will be catalogued and stored in a manner consistent with the baseline investigations as detailed in the **Roşia Montană Project Baseline Reports, Baseline Report 8**.

5.7.3 Roman Funerary Monument from Tău Găuri

The funerary monument located on Tăul Găuri, which was discovered in 2002, which is presently investigated and protected, will be preserved in-situ, and was added to the list of Historical Monuments. RMGC has committed to funding the complete in-situ reconstruction of this monument. OPUS, an architectural consultancy from Bucharest that specialises in historic buildings' conservation and restoration, was commissioned by RMGC to prepare a plan for the restoration works for this Roman structure, the restoration project being approved by MCC – CNMI in 2004. A preliminary phase of the restoration process, the stone restoration was made in 2004.

Upon completion of the restoration work, RMGC will endeavour to provide controlled public access to this historical aspect throughout the Project life. RMGC presently envisions access to this site being provided in conjunction with access to other interesting features of interest such as the modern mine and will work with the Foundation to create a tour that illustrates Roşia Montană's mining heritage.

Responsibility for maintaining the restored precinct will be transferred to the Foundation, once the Foundation has been determined to be a viable entity. Until that time, RMGC will fund repairs to the precinct required over the life of the mine, as identified by the archaeological support team.

5.7.4 Roman Building Foundations - Carpeni Hill

The foundation of the Roman buildings in this protected area will remain in situ throughout the project life. It is unlikely that project activities will have any impact on the foundations of these ancient structures with the exception of limiting access. Access will be provided to the cultural aspect as part of a tour as was outlined for the Roman precinct in the previous section.

5.7.5 Replicas

The use of replicas to display cultural heritage features is a well-established tool that can have the advantage of recording the details of a feature and displaying it to the public. Replicas enhances the visitors understanding, for example in the case of the visually impaired replicas are preferred as contact with humans often leaves stains which further deteriorate relics to a condition requiring repair.

The underground archaeological investigation uncovered several interesting features of Roman mining techniques that would be ideally viewed as replicas. RMGC will propose to fund a series of replicas consisting of several features found during the baseline campaign.

The features that will be represented in the replicas may include:

- A descent;
- Spiral stairway;
- Pillar chamber,
- Water wheel;
- Vertical Gallery; and,
- A ventilation shaft;

RMGC is committed to preserving and demonstrating publicly a replica of a Roman era water wheel used to de-water mines in that era.

5.7.6 Chance-Finds Protocol

The chance-finds protocol is an essential part of the Cultural Heritage Management Plan that outlines how the Project will ensure that archaeological remains uncovered throughout the life of the Project will be identified and properly managed.

A monitoring programme will be established to ensure that appropriate Chance-finds Protocols as laid out in this section are implemented to ensure proper record of archaeological resources, should they be encountered.

The activities that are likely to require increased vigilance for chance finds include excavation of the open pits, road construction activities, development of the TMF and topsoil stripping.

Baseline studies and excavations completed prior to the submittal of this plan identified areas where increased vigilance for chance finds is warranted. The following sections detail the project's commitment to properly identifying evidence of archaeological resources uncovered during soil stripping or excavation during the Project. The chance-finds protocol will be guided by the following principles:

- Safety training for confined space entry, open pit operations, pedestrian protocols near heavy equipment, mobile radio use and reporting, blasting signals and awareness, slope stability review and pre-entry inspection, harness use and D ring retrieval systems
- Monitoring procedures to identify archaeological resources
- Training, awareness and competence;
- Rapid evaluation of significance of finds;
- Proper recording of chance finds;
- Internal and external communication of chance finds;
- Procedure for managing chance finds;
- Non-conformance reporting and corrective and preventative actions; and,
- Regulatory compliance verification (according to the provisions of Law 462/2003).

The overriding goal of the Chance-finds Protocol is to identify, evaluate significance, and preserve unique archaeological resources as appropriate, while imposing minimal disturbance to construction and operation schedules.

The Mining Manager will be responsible for ensuring that RMGC complies with the legal requirements pertaining to the potential discovery of archaeological remains, referred to hereafter as "chance finds".

5.7.6.1 Staff Training Programme

In consultation and cooperation with the archaeological support team, RMGC will develop a standard operating procedure for a yearly training course for operators, foremen, and supervisors. This course will train staff to recognize voids that could be of archaeological significance. Specifically, operators will be trained to observe anomalous conditions as per the conditions outlined in the standard operating procedure that will be provided. Areas where chance finds could be uncovered are in underground works that are exposed during

routine mining excavation. The identification of these areas is of additional importance, as they represent a safety issue for operators. Upon discovery of an underground work or void, the operator will immediately contact a foreman. Staff will receive a sticker for their construction helmet that will indicate completion of this yearly training programme.

Foremen will support the potential to find void spaces having patrimonial evidence and enhance the department's ability to assess safety access prior to granting access to non-mining personnel.

5.7.6.2 Prioritization of Monitoring Activities

The information assembled for the baseline report and archaeological discharge created a valuable information resource to consult when confirming the significance of chance find material. Through the understanding of the historical cultural landscape, areas will be categorized according to the likelihood of discovering unique archaeological resources.

Areas will be categorized as having a low, medium, or high potential for the discovery of chance archaeological evidence based on the following set of criteria:

- **Low:** Areas where expectation for uncovering additional archaeological resources is unlikely due to current land uses or where ground disturbance has occurred prior to the project commencement.
- **Medium:** Areas where few archaeological resources have been discovered or where moderate ground disturbance has occurred.
- **High:** Areas where archaeological resources have been documented to a regulatory body and there is minimal or no pre-construction ground disturbance.

The archaeological support team will be contracted to create a map of these areas that will be used for the mining supervisors and foremen. The archaeological support team will be present for all blasting activity conducted in areas identified as having a "high" potential. The map will be updated as required by the archaeological support team, as they deem necessary in order to reflect any new information acquired as the Project progresses. This procedure will be conducted according to a standard operating procedure that will be developed, and according to legal provisions identified by Law 462/2003 and the OMCC 2392/2004.

Although all areas will be monitored regardless of their prioritization status special measures will be undertaken for areas with high potential. Meetings will be arranged with contractor staff prior to commencement of excavation activities in order to communicate the type of resources that might be found in this area and how to identify them. If the contractor encounters any evidence of an archaeological context they are to stop all activities in that area and notify the foreman.

5.7.7 Impact Mitigation

A number of management measures will be implemented as part of the Chance-Finds Protocol in order to reduce the chance or to minimise potential impacts on unique archaeological resources. These management measures include the following:

- **Extensive baseline investigation:** The pre-construction collaboration between RMGC and the Ministry of Culture and Religious Affairs has produced an extensive understanding of the archaeological history of the project area. This information will help prioritise areas and focus chance-find identification efforts to areas most likely to have potentially undocumented archaeological resources helping cultural heritage

and trained non-heritage staff in identification of a typical chance find that may be encountered;

- **Surface Stripping Protocol:** It is anticipated that the majority of chance finds would be located in the surface soil, protocols will be implemented requiring review during soil stripping activities based upon this protocol.
- **Relocation and conservation programme:** A programme for the relocation, conservation and storage of archaeological materials including chance finds will operate as needed based upon regulatory controls.
- **Site Marking:** Areas of high potential chance-find discovery or where a work stoppage order has been issued have to be clearly marked, and the access will be restricted in this event; archaeological staff will ensure that each area is properly flagged to prevent entry of equipment or personnel. Training sessions, consultation with foremen, and the RMGC Standard Operating Procedures Manual will explain perimeter control and visual aids.
- **Work Stoppage:** Confirmation during the review of a chance find may cause the temporary stoppage of activities located near the site under review. Patrimonial specialists may be called upon to determine if archaeological research, relocation or preservation is needed prior to initiating work again.
- **Blasting Supervision:** supervisors will be required to monitor all blasting activities and to contact the archaeological support team in the event that an area of potential archaeological importance is identified as outlined in the training course.

The other responsibilities of the Mining Manager include the management of grievances and complaints, supervising the training of foremen and operators to recognise voids that may contain chance finds, the creation and updating of the Chance Finds section of the RMGC Operations Manual, and ensuring that standard operating procedures relating to chance finds are properly implemented.

The Mining Manager will be required to ensure that adequate archaeological field support is on-site during topsoil stripping activities and during archaeological investigations related to religious facilities directly affected by the Project. Furthermore, the Mining Manager will be responsible for ensuring that archaeological support workers participate in and receive notification as required during discovery of exposed mine workings that have patrimonial potential which may be identified during open pit mining operations.

The Mining Manager will also be responsible for managing internal company policies and determining any RMGC involvement in future cultural heritage initiatives, whether under the direction of RMGC, the Ministry of Culture and Religious Affairs (Ministerul Culturii și Cultelor), or the Foundation.

5.7.7.1 Non-conformance Reporting and Corrective and Preventative Action

Actions taken by company employees and contractors not compliance with the requirements published in the RMGC Operations Manual shall be considered as non-conformance, triggering the appropriate response per the ESMS. Non-conformances are defined as conditions that are within RMGC's ability to control or substantially influence that:

- Do not comply with applicable regulatory compliance requirements;
- Have or could result in unanticipated negative environmental or social impacts;
- Are contrary to RMGC's policy commitments; or,
- Represent a lack of conformance with the provisions of the **ESMS Plans, Plan A, Environmental and Social Management Plan** and its supporting documents.

Contractors that witness or are involved in activities that affect archaeological resources are responsible to report suspected non-conformances to RMGC.

Based upon the results of an investigation by the Manager of Heritage confirming that a non-conformance occurred, a Corrective and Preventive Action Request will be initiated and tracked until closure in conformance with the requirements of MP-10. The requirements of MP-10 will be made based upon the results of the following sources:

- Direct observations or reports;
- Surveillance inspections;
- Periodic regulatory compliance verification;
- Annual internal performance verifications; or
- Any external inspections or audits conducted by (or at the direction of) regulatory agencies or other external organisations.

Corrective and Preventive Action Requests and tracking logs are key performance records and will be maintained as described in Section Establishment of a Cultural Heritage Foundation of the **ESMS Plans, Plan A, Environmental and Social Management Plan**, and a standard operating procedure that will be developed to for the management of environmental and social management system records. Such information will be routinely evaluated, as appropriate, in the planning of regulatory compliance verifications, performance verifications, and management reviews.

5.7.7.2 Project Reporting and Documentation

Documentation of all chance finds activities form a key part of the Chance-finds Protocol, developed according to the provisions of Law 462/2003 and OMCC 2392/2004. Standard operating procedures will be developed to ensure proper record keeping of all potential chance finds that are investigated. The practice of completing record cards will be followed in accordance with the procedure put into place during pre-construction archaeological investigations. Identification of a void that may potentially contain chance finds will trigger a reporting requirement by the supervisor according to a standard operating procedure that will be developed. This will be conducted irrespective of whether the void contains chance finds or whether the void is determined to have sufficient potential to require contacting the archaeological support team as set out in this protocol.

Recording procedures will also incorporate changes required to all Cultural Heritage Department activities by the standard operating procedure to be developed for corrective and preventive action for environmental and social action programme non-conformances. Examples of such changes would be new or more frequent training programmes, revising the Cultural Heritage Management Plan, or other measures to prevent the recurrence of non-conformances.

Record-keeping practices will abide by the requirements of standard operating procedure to be developed for the management of environmental and social management system records. Future incorporations of changes related to regulatory compliance and internal performance verifications will be consistent with the ESMS record keeping requirements.

6 References

6.1 Legislation

Governmental Ordinance HG no. 1430/2003

- revising Law 422/2001 regarding historical monuments

Ordinance of the Minister of Culture OMCC no. 2682/2003

- regarding the approval of the Methodological guidelines regarding the classification and recording of the historic monuments, the List of Historic Monuments, the Analytical record card for historic monuments and the Minimal record card for recording historic monuments with changes and following updates, respectively Order of the Minister of Culture and Religious Affairs no. 2807/2003 regarding the Methodological guidelines for the classification and recording of the historic monuments

Ordinance of the Minister of Culture OMCC no. 2392/2004

- regarding standard and procedures in archaeology

Law no. 182 / 2000

- regarding the protection of the national cultural movable heritage

Law no. 422/2001

- *concerning the Protection of the Historical Monuments.*

Law no. 462/2003

- *concerning the protection of the archaeological heritage*

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Appendix A. List of Historical Monuments In Roşia Montană

No.	Code LMI 2004	Name	Juridical status (owner)
01.	AB-I-s-A-00065	Alburnus Maior archaeological site	
02.	AB-I-m-A-00065.01	The Roman settlement from Alburnus Maior, Orlea zone	private owners of the estates where is located the monument
03.	AB-I-m-A-00065.02	The Roman mining exploitation from Alburnus Maior, Orlea massif	The Romanian State
04.	AB-I-m-A-00065.03	The Roman vestiges from Alburnus Maior, Carpeni zone	private ownership of the estates where the monument is located
05.	AB-I-m-A-00065.04	The Roman funerary enclosure from "Hop-Găuri" zone	private ownership of the estates where the monument is located
06.	AB-I-m-A-00065.05	„Cătălina Monuleşti" gallery	The Romanian State
07.	AB-I-s-A-20329	The Roman galleries from Cărnic massif, point "Piatra Corbului"	The Romanian State
08.	AB-II-s-B-00269	The "Dormition/Assumption of the Mother of God" Church	Romanian Orthodox Church
09.	AB-II-s-B-00270	Historical centre of the Roşia Montană locality – „Târgul satului", The Market, Berg district, Brazilor street and the zone upstream of the market towards the lakes	
10.	AB-II-s-B-00271	Orthodox parish house no. 137	Romanian Orthodox Church
11.	AB-II-s-B-00272	House with commercial space, today cityhall no. 184	Roşia Montană cityhall
12.	AB-II-s-B-00273	House, no. 185	private owner
13.	AB-II-s-B-00274	House, no. 186	private owner
14.	AB-II-s-B-00275	House, no. 191	private owner
15.	AB-II-m-B-00277	House, no. 258	RMGC property and private owner
16.	AB-II-m-B-00278	House, no. 273	RMGC property
17.	AB-II-m-B-00279	House, no. 275	private owner
18.	AB-II-m-B-00280	House, no. 324	private owner
19.	AB-II-m-B-00281	House, no. 326	private owner
20.	AB-II-m-B-00282	House, no. 327	RMGC property
21.	AB-II-m-B-00283	House, no. 328	private owner
22.	AB-II-m-B-00284	House, no. 329	private owner
23.	AB-II-m-B-00285	House, no. 331	private owner
24.	AB-II-m-B-00286	House, no. 332	private owner
25.	AB-II-m-B-00287	House, no. 334	RMGC property
26.	AB-II-m-B-00288	House, no. 340	RMGC property
27.	AB-II-m-B-00289	House, no. 341	private owner
28.	AB-II-m-B-00290	House, no. 342	RMGC property
29.	AB-II-m-B-00291	House, no. 372	RMGC property
30.	AB-II-m-B-00292	House, no. 373	private owner
31.	AB-II-m-B-00293	House, no. 376	private owner
32.	AB-II-m-B-00294	House, no. 383	private owner
33.	AB-II-m-B-00295	House, no. 389	private owner
34.	AB-II-m-B-00296	House, no. 390	private owner
35.	AB-II-m-B-00297	House, no. 391	private owner
36.	AB-II-m-B-00298	House, no. 392	RMGC property
37.	AB-II-m-B-00299	House, no. 393	RMGC property
38.	AB-II-m-B-00300	House, no. 395	private owner
39.	AB-II-m-B-00301	House, no. 397	RMGC property
40.	AB-II-m-B-00302	House, no. nr. 398	RMGC property
41.	AB-II-m-B-00303	House, no. 407	private owner
42.	AB-II-m-B-00304	House, no. 408	RMGC property
43.	AB-II-m-B-00305	House, no. 409	private owner

44.	AB-II-m-B-00306	House, no. 482	RMGC property
45.	AB-II-m-B-00307	House, no. 547	private owner
46.	AB-II-m-B-00308	House, no. 549 (Romano-Catholic Church)	The Romano-Catholic Church
47.	AB-II-m-B-00309	House, no. 551	private owner
48.	AB-II-m-B-00310	House, no. 552	RMGC property
49.	AB-II-m-B-00311	House, no. 553	private owner