

## **Village of Parkside – Phases 1A & 1B- Unanticipated Discoveries Plan**

### **Purpose**

This document outlines the procedures to prepare for and address the unanticipated discovery of historic properties or human remains for the [Click or tap here to enter text](#). Project. It provides direction to personnel and their consultants regarding the proper procedures to follow in the event that unanticipated historic properties or human remains are encountered during construction. An unanticipated discovery can result when previously undocumented or unknown historic properties are discovered during the course of construction, demolition, or other work undertaken for remodeling projects. Work should be conducted in accordance with the *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation*.

**Historic structures or buildings** can be districts, sites, buildings, structures, or objects significant in American history, architecture, engineering, archaeology, or culture at the national, State, or local level. Sometimes elements of historic buildings or structures may be hidden by recent additions or alterations.

**Cultural materials** include man-made objects (prehistoric and historic period items) and features (e.g., walls constructed of natural materials such as cobbles; surfaces paved by cobbles, brick, or other material; or other remnants of cultural activity).

Examples of cultural materials include:

- Accumulation of shell, burned rocks, or other food related materials,
- Bones or small pieces of bone,
- An area of charcoal or very dark stained soil with artifacts,
- Stone tools or waste flakes (i.e., an arrowhead, or stone chips),
- Clusters of tin cans or bottles,
- Logging or agricultural equipment that appears to be older than 50 years,
- Buried railroad tracks, decking, or other industrial materials.

**Human remains** are physical remains of a human person or persons, including, but not limited to, bones, teeth, hair, ashes, and preserved soft tissues (mummified or otherwise preserved) of an individual. Remains may be articulated or disarticulated bones or teeth. Any human remains, regardless of antiquity or ethnic origin, will at all times be treated with dignity and respect.

### **A. PROCEDURES FOR UNANTICIPATED DISCOVERY OF HISTORIC BUILDINGS OR STRUCTURES OR CULTURAL MATERIALS**

**STOP WORK.** If any professional employee, contractor, or subcontractor believes that they have uncovered a historic property, object, or human remains at any point in the project, all work within 100 feet of the discovery must stop. The discovery location should be secured and monitored at all times to prevent looting. Minimize movement of vehicles and equipment in area immediately surrounding the discovery. For the unanticipated discovery of human remains,

Native American funerary objects, sacred objects, items of cultural patrimony, or burial features, see procedures in Section B.

- 1) The monitor or construction manager will notify the Preservation Specialist (PS). The PS will make all calls and notifications to SHPO and Tribal Liaisons.
  - a. SHPO and identified Tribal representatives will be invited to observe the implementation of any proposed work.
- 2) Within 24 hours, if possible, a professional archaeologist will examine the location of the discovery.
  - a. If the archaeologist determines that the discovery is not a historic resource, the archaeologist will immediately advise the PS. The archaeologist will submit a report including photographs of the discovery site to the City of Detroit for distribution to Tribal Liaisons and SHPO with a request for expedited review.
  - b. If the archaeologist determines that the discovery is a historic or cultural resource, the archaeologist will immediately advise the PS. The PS will notify the SHPO and Tribal Liaisons by telephone and e-mail. The SHPO will assign an Archaeological Site Number to the discovery.
    - i. If the resource is determined to hold Tribal associations, the PS, archaeologist, SHPO, and Tribal Liaisons will coordinate to determine appropriate preservation, excavation, and disposition of the discovery.
      1. If any photographs or sketches are collected of Native American human remains or funerary objects, disposition of all images, including electronic and physical copies, will be subject to consultation with Tribes and any digital files will be destroyed.
    - ii. If the resource is believed to represent National Register of Historic Places significance, the archaeologist will prepare a proposal for data recovery and will request SHPO and Tribal Liaison approval to immediately implement the work scope.
    - iii. If the resource is determined ineligible for inclusion on the NRHP, the archaeologist will document the discovery in a report (including photographs of the discovery site). The report must also include a completed site form for the discovery and an explanation of why they believe the resource is not significant. The archaeologist will formally request permission from SHPO, and participating Tribal Liaisons, for construction to recommence.
- 3) When the evaluation of the cultural resources is complete The City of Detroit will notify SHPO, and participating Tribal Liaisons, by telephone and discuss the project archaeologist's opinion concerning the potential significance of the resource and next steps if mitigation is required.
- 4) A final report on the findings will be provided to the PS, participating Tribal Liaisons, and SHPO upon completion.

**B. SPECIAL PROCEDURES FOR THE DISCOVERY OF HUMAN REMAINS, NATIVE AMERICAN FUNERARY OBJECTS (ASSOCIATED AND UNASSOCIATED), SACRED OBJECTS, ITEMS OF CULTURAL PATRIMONY, OR BURIAL FEATURES**

1. STOP WORK. If any professional employee, contractor, or subcontractor believes that he or she has uncovered human remains, Native American funerary objects (associated and unassociated), sacred objects, items of cultural patrimony, or burial features at any point in the project, all work adjacent to the discovery must stop. The location should be secured at all times.
  - a. We recommend establishing a 300-foot radius around the finding, setting up of fencing or other protective barrier, and covering the remains for protection. Be careful not to further disturb the remains. Ensure the location is secure and monitor the location to prevent looting or vandalism.
  - b. Procedures will follow steps set forth in the Michigan Attorney general Opinion No. 6585 of 1989, Cemeteries and Dead Bodies and recommended by the SHPO.
2. Call 911 to notify the law enforcement agency. They will then determine if the remains are human, and whether the discovery constitutes a crime scene
3. Notify the PS.
4. Within 48 hours, Tribes should be informed of the discovery by phone and then in writing via U.S. mail or electronic mail. This notification will include pertinent information regarding human remains, funerary objects, sacred objects, or items of cultural patrimony discovered inadvertently or in areas of prior disturbance, their condition, and the circumstances of the discovery.
5. Within 24-hours of the discovery, if possible, a physical anthropologist with forensic experience or expertise or an archaeologist specializing in human osteology, or a forensic scientist will examine the human remains to determine if they are Native American or non-Native American.
  - a) Photography shall/will be limited to those required for forensic examination and criminal investigations and the resultant photographs shall be kept secure. If any photographs or sketches are collected of Native American human remains or funerary objects, disposition of all images, including electronic and physical copies, will be subject to consultation with Tribes and any digital files will be destroyed.
  - b) Pursuant to the Michigan Compiled Laws (§ 333.2853) and the Michigan 1982 Annual Administrative Code Supplement (AACS) (R 325.8052) an application for disinterment must be filed with the local health officer prior to excavation and disinterment of human remains.
  - c) If skeletal remains are determined to be non-human and there is no archaeological association, the archaeologist making the determination will immediately advise the PS, Tribal Liaisons, and SHPO, and construction may resume. The archaeologist will submit a letter report including photographs of the discovery site to the PS within 15 business days of the determination.
  - d) If the skeletal remains are non-human, but are associated with an archaeological site, follow the steps described in Section A, of the Unanticipated Discovery Plan.
  - e) If the skeletal remains are human and not associated with an archaeological context, the PS will notify the Tribal Liaisons and SHPO.
  - f) If the skeletal remains are human and associated with an archaeological context the

archaeologist, SHPO, and Tribal Liaisons will coordinate to determine appropriate preservation, excavation, and disposition of remains.

6. When the evaluation of the human remains and/or cultural resources is complete, the City of Detroit will notify Tribal Liaisons and SHPO by telephone or e-mail and discuss the project archaeologist's opinion concerning the potential significance of the resource and next steps if mitigation is required.
7. A final report on the findings will be provided to the PS, Tribal Liaisons, and SHPO upon completion.

### **Contact Information**

Detroit Police Department Emergency line- 911  
non-emergency line (313)267-4600

State Historic Preservation Office  
Sarah Surface-Evans, Ph.D., RPA  
Senior Archaeologist  
(517)282-7959  
[surfaceevanss1@michigan.gov](mailto:surfaceevanss1@michigan.gov)

City of Detroit Preservation Specialist  
Tiffany Ciavattone  
(313) 628-0044  
[ciavattone@detroitmi.gov](mailto:ciavattone@detroitmi.gov)

City of Detroit Environmental Review Officer  
Penny Dwoinen  
(313) 224-2933  
[dwoinenp@detroitmi.gov](mailto:dwoinenp@detroitmi.gov)

Designated Cultural Resource Firm/Archaeologist (to be contacted in case of discovery)  
Name: Mannik & Smith Group; Attn: Dr. Bob Chidester  
Title: Associate / Cultural Resources Service Director  
Phone: (419) 891-2222 x2062  
E-mail: [RChidester@manniksmithgroup.com](mailto:RChidester@manniksmithgroup.com)

Property Owner/Developer  
Name: Ginosko Development Company  
Title: [Click or tap here to enter text.](#)  
Phone: (248) 513-4900  
E-mail: [info@ginoskoonline.com](mailto:info@ginoskoonline.com)

**Tribal Representatives/Liaisons (as of March 2024)**

|                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Bay Mills Indian Community<br/>Paula Carrick, THPO<br/>12104 W. Lakeshore Drive Brimley, MI 49715<br/>(906) 248-3241<br/><a href="mailto:paulacarrick@baymills.org">paulacarrick@baymills.org</a></p>                                                          | <p>Forest County Potawatomi Community of Wisconsin<br/>Ben Rhodd, THPO<br/>P.O. Box 340 Crandon, WI 54520<br/>(715) 478-7354<br/><a href="mailto:Benjamin.Rhodd@fcp-nsn.gov">Benjamin.Rhodd@fcp-nsn.gov</a></p>                                                                 |
| <p>Grand Traverse Bay Band of Ottawa and Chippewa Indians<br/>Sammie McClellan-Dyal, Cultural Department Manager<br/><a href="mailto:Sammie.dyal@gtbindians.com">Sammie.dyal@gtbindians.com</a></p>                                                               | <p>Hannahville Indian Community<br/>Kenneth Meshigaud, Chairperson<br/>N14911 Hannahville B1 Road Wilson, MI 4989<br/>(906) 466-2932<br/><a href="mailto:tyderyien@hannahville.org">tyderyien@hannahville.org</a></p>                                                           |
| <p>Ketegitigaaning Ojibwe Nation THPO / Lac Vieux Desert Band of Lake Superior Chippewa Indians<br/>Alina Shively, THPO<br/>P.O. Box 249 Watersmeet, MI 49969<br/>(906) 358-0137<br/><a href="mailto:alina.shively@lvd-nsn.gov">alina.shively@lvd-nsn.gov</a></p> | <p>Keweenaw Bay Indian Community of the Lake Superior Band of Chippewa Indians<br/>Alden Connor, THPO<br/>16429 Beartown Rd. Baraga, MI 49908<br/>(906) 353-6623, ext. 4178<br/><a href="mailto:aconnor@kbic-nsn.gov">aconnor@kbic-nsn.gov</a></p>                              |
| <p>Lac du Flambeau Band of Lake Superior Chippewa Indians<br/>Sarah Thompson, THPO<br/>PO Box 67 Lac du Flambeau, WI 54538<br/>(715) 588-2139<br/><a href="mailto:ldfthpo@ldftribe.com">ldfthpo@ldftribe.com</a></p>                                              | <p>Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan (Gun Lake)<br/>Lakota Pochedley, THPO<br/>2872 Mission Drive Shelbyville, MI 49344-9580<br/>(269) 397-1780 ext. 1296<br/><a href="mailto:Lakota.Pochedley@glt-nsn.gov">Lakota.Pochedley@glt-nsn.gov</a></p> |
| <p>Little Traverse Bay Bands of Odawa Indians<br/>Melissa Wiatrolik, THPO<br/>7500 Odawa Circle Harbor Springs, MI 49740<br/>(231) 242-1408<br/><a href="mailto:Mwiatrolik@LTBBODAWA-NSN.GOV">Mwiatrolik@LTBBODAWA-NSN.GOV</a></p>                                | <p>Little River Band of Ottawa Indians<br/>Jay Sam, THPO<br/>2608 Government Center Drive Manistee, MI 49660<br/>(231) 398-6893<br/><a href="mailto:jsam@lrboi-nsn.gov">jsam@lrboi-nsn.gov</a></p>                                                                              |
| <p>Menominee Indian Tribe of Wisconsin<br/>David Grignon, THPO<br/>PO Box 910 Keshena, WI 54135-0910<br/>(715) 799-5258<br/><a href="mailto:mitwadmin@mitw.org">mitwadmin@mitw.org</a></p>                                                                        | <p>Miami Tribe of Oklahoma<br/>Diane Hunter, THPO<br/>PO Box 1326 Miami, OK 74355<br/>(260) 639-0600<br/><a href="mailto:THPO@miamination.com">THPO@miamination.com</a></p>                                                                                                     |

|                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Pokagon Band of Potawatomi Indians<br/> Matthew Bussler, THPO<br/> 59291 Indian Lake Road<br/> Dowagiac, Michigan 49047<br/> (269) 462-4316<br/> <a href="mailto:Matthew.Bussler@pokagonband-nsn.gov">Matthew.Bussler@pokagonband-nsn.gov</a></p> | <p>Sault Ste. Marie Tribe of Chippewa Indians<br/> Marie Richards, Cultural Repatriation Specialist<br/> 531 Ashmun Street Sault Ste. Marie, MI 49783<br/> (906) 635-6050<br/> <a href="mailto:mrichards@saulttribe.net">mrichards@saulttribe.net</a></p> |
| <p>Saginaw Chippewa Indian Tribe<br/> Marcella Hadden, THPO<br/> 6650 E. Broadway Mt. Pleasant, MI 48858<br/> (989) 775-4751<br/> <a href="mailto:mlhadden@sagchip.org">mlhadden@sagchip.org</a></p>                                                 | <p>Michigan Anishinaabek Cultural Preservation and<br/> Repatriation Alliance<br/> William Johnson<br/> <a href="mailto:WJohnson@sagchip.org">WJohnson@sagchip.org</a></p>                                                                                |
| <p>Seneca Cayuga Nation<br/> William Tarrant, THPO<br/> PO Box 453220 Grove, OK 74345<br/> (918) 787-5452 ext. 344<br/> <a href="mailto:wtarrant@sctribe.com">wtarrant@sctribe.com</a></p>                                                           | <p>Nottawaseppi Huron Band of the Potawatomi<br/> Onyleen Zapata, THPO<br/> Pine Creek Indian Reservation<br/> 1301 T Drive S, Fulton, MI 49052<br/> (269) 704-8347<br/> <a href="mailto:Onyleen.Zapata@nhbp-nsn.gov">Onyleen.Zapata@nhbp-nsn.gov</a></p> |

Updated contact information can be found through HUD's Tribal Directory Assessment Tool (TDAT) <https://egis.hud.gov/TDAT/>.

## **Definitions**

**Documentation of Archaeological Materials** Archaeological deposits discovered during construction will be assumed eligible for inclusion in the National Register of Historic Places under Criterion D until a formal Determination of Eligibility is made. The consultant shall ensure the proper documentation/assessment/curation of any discovered cultural resources in cooperation with the City, SHPO, and affected tribes. All precontact and historic cultural material discovered during project construction will be recorded by a 36 CFR Part 61 qualified archaeologist on cultural resource site or isolate form using standard techniques. Site overviews, features, and artifacts will be photographed; stratigraphic profiles and soil/sediment descriptions will be prepared for subsurface exposures. Discovery locations will be documented on scaled site plans and site location maps. Refer to 36 CFR Part 79 for standards for curation of archaeological collections. Tribes will be given the opportunity to object to the photography of site overviews, features, and artifacts. If any such affected Tribe objects, the same shall not be photographed.

**Funerary Objects (associated and unassociated)-** any artifacts or objects that, as part of a death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later.

**Ground Disturbing Activities-** Ground disturbance is defined as any activity that compacts or disturbs the ground within a project area or staging areas.

**Items of Cultural Patrimony-** An object having ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual Native American, and which, therefore, cannot be alienated, appropriated, or conveyed by any individual regardless of whether or not the individual is a member of the Indian Tribe or Native Hawaiian Organization and such object shall have been considered inalienable by such Native American group at the time the object was separated from such group. [25 USC 3001 (3)(D)]

**Monitoring Plan-** observation of construction excavation activities by an archaeologist and/or Tribal monitor in order to identify, recover, protect and/ or document archaeological information or materials. An archaeologist who meets the Secretary of the Interior's Professional Qualification Standards must be present for all monitored excavations. The selection of a precontact or historic qualified archaeologist should be based upon the type of archaeological deposits that are anticipated to be encountered. During monitoring, excavation is not under the control of the archaeologist although the archaeologist may be given authority to temporarily halt construction work. Therefore, a protocol for construction work stoppages must be developed to enable the archaeologist's time for recordation and/or for any archaeological evaluation or data recovery that may be needed.

**Phase I-** Identification/Technical Report/Preliminary archaeological assessment- Initial investigation as part of 106 application, development of context and background.

If, at the conclusion of the preliminary archaeological assessment, the City of Detroit Preservation Specialist, the Tribes, and SHPO Archaeologists determine either that the site plan area has no substantial archaeological significance, or that the proposed construction or development will not have a substantial adverse impact on any known or potential archaeological resources. The Preservation Specialist will submit a letter certifying that no historic properties are affected (NHPA) or a letter stating there is no adverse effect on a historic resource (NAE) and no further review shall be required.

Example activities include:

Literature review

Inventory of all previously identified cultural resources within 1/2 mile of the project area

Field reconnaissance, including pedestrian survey, shovel testing and remote sensing of the property

Consultation with local residents, historians, archaeologists

Other non-permitted investigations

**Phase II**- Evaluation of site- Complete when enough information is gathered to make a determination.

A Phase II study should determine the historic/cultural significance of sites/materials located during the Phase I survey.

Example activities:

Trenching or Wide-area stripping

Test excavations

Feature excavation

Soil/flotation samples

The research design for any projects in the sensitivity areas should be reviewed by SHPO prior to fieldwork. Outside of the sensitivity areas, study plans for projects over 2 acres in size should be sent to SHPO for comment prior to fieldwork.

**Phase III**- Data Recovery Plan/Mitigation- If Phase I & II evaluations conclude there are Historic Properties on the site, and the project is determined to have an effect on that resource, the Preservation Specialist will coordinate with SHPO and the Tribes to issue a Conditional Approval, Conditional Approval with No Adverse Effects (CNAE), or a finding of an Adverse Effect (AE).

If the City determines that it is not feasible to preserve or avoid NRHP-eligible or listed archaeological resources, the City shall consult with the SHPO archaeologists and the Tribes to develop a site-specific mitigation or treatment plan consistent with the Advisory Council on Historic Preservation (ACHP) publication, Treatment of Archaeological Properties: A Handbook (1980).

- a. Section 106 requires that a Memorandum of Agreement (MOA) be prepared for those projects which will have an adverse effect on the identified archaeological resources. The City shall ensure that the treatment plan is implemented and documented by a qualified archaeologist once it is approved by the SHPO Archaeologist and consulting

Tribes.

Ex: Official site registration, deliverable reports, archaeological artifact inventory, curatorial services

- b. In the case of a failure to reach an agreed-upon treatment plan, the ACHP will issue formal advisory comments to the head of the agency. The head of the agency must then consider and respond to those comments.

**Sacred Objects-** Specific ceremonial objects which are needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents. [25 USC 3001 (3)(C)]