

**LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
UNANTICIPATED DISCOVERY POLICY**

The following Unanticipated Discovery Policy (UDP) outlines procedures to follow, in accordance with Tribal and Federal laws, if archaeological materials or human remains are discovered.

ON-SITE RESPONSIBILITIES

If anyone from LTBB receives a call from a person that believes that he or she has uncovered any cultural resource or human remains, the Tribal Historic Preservation Office (THPO), which includes the Historic Preservation Officer, the Deputy Historic Preservation Officer and the Native American Graves Protection Repatriation Officer (NAGPRA Officer), will notified immediately.

In the event that there are suspected human remains that are found, the THPO or NAGPRA Officer will contact both the LTBB Tribal Police and the State of Michigan Police.

The THPO/NAGPRA Officer will secure the area and warden off the area. The discovery location should not be left unsecured at any time. If human remains are encountered, treat them with dignity and respect at all times. Cover the remains with a tarp or other materials (not soil or rocks) for temporary protection in place and to shield them from being photographed.

SPECIAL PROCEDURES FOR THE DISCOVERY OF HUMAN SKELETAL MATERIAL

Any human skeletal remains, regardless of ethnic origin, will at all times be treated with dignity and respect. If the project occurs within the exterior boundaries of the Little Traverse Bay Bands of Odawa Indians Tribal Reservation or federal lands (e.g., National Forest or Park, military reservation) the provisions of the Native American Graves Protection and Repatriation Act of 1990 apply. A map of the Little Traverse Bay Bands of Odawa Indians Tribal Reservation is attached to this plan. Note that state highways that cross federal lands are on an easement and are not owned by the state.

The THPO/NAGPRA Officer will make a preliminary determination about the time period, and cultural and racial identification of the human remains based on the physical characteristics as well as contextual data (e.g. racial associated artifacts, soils etc.). The THPO will provide this information to the Tribal and State police who are assigned to the investigation.

If the THPO/NAGPRA Officer determination that the human remains are not Native American and physically appear to have been buried within more recent period of time, the Tribal or State police procedures will apply.

If it is determined by the THPO/NAGPRA Officer that the human remains are Native American burials and can be dated to before circa 1870 then the THPO will engage the following procedures, as needed:

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.

Cultural features, horizons and artifacts detected in buried sediments may require further evaluation using hand-dug test units. Units may be dug in controlled fashion to expose features, collect samples from undisturbed contexts, or interpret complex stratigraphy. A test excavation unit or small trench might also be used to determine if an intact occupation surface is present. Test units will be used only when necessary to gather information on the nature, extent, and integrity of subsurface cultural deposits to evaluate the site's significance. Excavations will be conducted using state-of-the-art techniques for controlling provenience.

Spatial information, depth of excavation levels, natural and cultural stratigraphy, presence or absence of cultural material, and depth to sterile soil, regolith, or bedrock will be recorded for each probe on a standard form. Test excavation units will be recorded on unit-level forms, which include plan maps for each excavated level, and material type, number, and vertical provenience (depth below surface and stratum association where applicable) for all artifacts recovered from the level. A stratigraphic profile will be drawn for at least one wall of each test excavation unit.

Sediments excavated for purposes of cultural resources investigation will be

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screened through 1/8-inch mesh, unless soil conditions warrant 1/4-inch mesh. All prehistoric and historic artifacts collected from the surface and from probes and excavation units will be analyzed, catalogued, and temporarily curated. Ultimate disposition of cultural materials will be determined in consultation with the federal agency(s), DAHP, and the affected tribes.

CONSTRUCTION

Project construction outside the discovery location may continue while documentation and assessment of the cultural resources proceed. The THPO/NAGPRA Officer must determine the boundaries of the discovery location. The THPO/NAGPRA Officer will determine the area of potential effect, (APE), before construction may resume. Any resumed construction shall be monitored by the THPO/NAGPRA Officer for possible discovery of additional human remains or cultural items.

Construction may continue at the discovery location only after the process outlined in this plan is followed and THPO/NAGPRA Officer determines that compliance with tribal and federal laws is complete.

This Policy was approved by Tribal Council on:



Tamara Kiogima, Tribal Council Secretary

06-28-2018

Date

