



Transcontinental Gas Pipe Line Company, LLC

**Virginia
Unanticipated Discovery Plan for Cultural Resources and Human Remains**

Southeast Supply Enhancement Project

October 2024

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LIST OF ACRONYMS AND ABBREVIATIONS

CFR	Code of Federal Regulations
Council	Advisory Council on Historic Preservation
EI	Environmental Inspectors
FR	Federal Register
FERC or Commission	Federal Energy Regulatory Commission
NAGPRA	Native American Graves Protection and Repatriation Act
NCSHPO	North Carolina State Historic Preservation Office (NCSHPO)
Project or undertaking	Southeast Supply Enhancement Project
Transco	Transcontinental Gas Pipe Line Company, LLC
UDP or Plan	Unanticipated Discovery Plan for Cultural Resources and Human Remains
USC	United States Code

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PROCEDURES GUIDING THE DISCOVERY OF UNANTICIPATED CULTURAL AND HUMAN REMAINS IN NORTH CAROLINA

To assist the Federal Energy Regulatory Commission (FERC or Commission) in meeting the requirements of Section 106 of the National Historic Preservation Act as defined in the Advisory Council on Historic Preservation (Council) regulations "Protection of Historic Properties" (36 Code of Federal Regulations [CFR] Part 800), Transcontinental Gas Pipeline Company, LLC (Transco) has developed the following Unanticipated Discovery Plan for Cultural Resources and Human Remains (UDP or Plan) to be implemented should new or additional cultural resources be found in North Carolina after construction has begun on the Southeast Supply Enhancement Project (Project or undertaking). This Plan has been developed through reference to the regulations embodied in: Section 6 of the *Archaeological Resources Protection Act*, as amended (16 United States Code [USC] 470ee); Secretary of the Interior's *Standards for Archaeology and Historic Preservation* (48 Federal Register [FR] 4471642); Advisory Council for Historic Preservation (2007) *Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects*; the *Native American Graves Protection and Repatriation Act* (NAGPRA); and consultation with the North Carolina State Historic Preservation Office (NCSHPO).

Termed "unanticipated discovery" or "post-review discovery," the identification of new or additional cultural resources during implementation of an undertaking can occur in the case of projects that involve excavation or ground-disturbing activities. This Plan will be implemented by Transco if previously undiscovered archaeological resources or human remains are identified. Archaeological resources include manmade objects (e.g., prehistoric and historic period artifacts such as stone tools, pottery, glass, nails, bones, etc.) and features (e.g., stone or brick walls or pavements, pits, fireplaces, other evidence of burning, or other remnants of human activity that are not classified as artifacts).

Environmental Inspectors (EI) and construction contractors and subcontractors will receive training regarding the identification and preliminary treatment of unanticipated discoveries and their responsibilities for protecting discoveries and initiating implementation of the Plan. Training will occur as part of the pre-construction on-site training program for foremen, company inspectors, and construction supervisors and will be given by a qualified cultural resource specialist. During construction, the EI will be responsible for advising construction contractor personnel on the procedure to follow in the event that an unanticipated discovery is made. The EI will advise operators of equipment involved in grading, stripping, or trenching activities to stop work immediately if they observe any indications of the presence of cultural materials, contact the

EI as soon as possible, comply with unanticipated discovery procedures (outlined below), and treat human remains with dignity and respect.

PROCEDURE WHEN CULTURAL MATERIALS ARE OBSERVED

The following measures will be implemented should an unanticipated cultural resource discovery be made by a Transco inspector, a contractor, or subcontractor during construction of the proposed undertaking.

- Construction activities within the immediate area of an unanticipated discovery will be halted and the discovery protected from further disturbance. Defining “immediate area” is a context-specific measure, however roughly 30 to 50 feet is generally adequate, although special attention should be given to the possible extension of a new find beyond this buffer zone.
- Transco will notify their archaeological consultant. If the archaeological consultant determines the find does not represent human remains or an archaeological site, or determines that the find is a previously known and cleared archaeological resource and that the find would not alter the current understanding of that resource, the Transco project manager will be informed and the construction activities may resume.
- If the find is not a previously known and cleared resource, or potentially represents information that would alter the current understanding of a previously known and cleared archaeological resource, the archaeological consultant will notify Transco, and Transco will notify by telephone FERC and the NCSHPO, and (if necessary) the applicable County Coroner and Sheriff (the latter two parties will be notified only in the case of a finding of human remains).
- Specific FERC and NCSHPO instructions concerning an unanticipated discovery resulting from the notification as described above will be followed and may require: archaeological work to be performed on the unanticipated discovery location to stabilize deposits; protection of deposits from scavengers or looters; and collection of readily available samples (e.g., for radiocarbon dating) which may help pinpoint the age of deposits.
- Transco will further consult with FERC and the NCSHPO to determine and implement additional measures necessary subsequent to the initial archaeological work. This may involve further archaeological study or consultation with federally

recognized Native American tribes or other parties with established cultural affiliation. Construction activities will remain halted until FERC indicates to Transco that it may proceed in the area of a specific unanticipated discovery.

Procedures Specific to Discovery of Human Remains

In the case of an unanticipated discovery of human remains, Transco intends to follow relevant state and federal law, and FERC or NCSHPO recommendations regarding treatment of human remains. Transco recognizes the importance of providing careful and respectful treatment for human remains recovered as an unanticipated discovery or as part of an archaeological investigation. In the event of an unanticipated discovery of human remains, Transco will refer to FERC and the NCSHPO as to the appropriate groups with which to consult. Lastly, in coordination with FERC, the NCSHPO, and other interested parties, a decision will be made for the treatment of the remains (e.g., reburial, preservation in place, scientific study, sacred rituals, or a combination thereof). This protocol includes the following:

- 1) If human remains are encountered, work in the general area of the discovery will stop immediately and the location will be immediately secured and protected from damage and disturbance.
- 2) Human remains or associated artifacts will be left in place and not disturbed. No skeletal remains or materials associated with the remains will be collected or removed until appropriate consultation has taken place and a plan of action has been developed.
- 3) Discovery of human remains should not be made public, including but not limited to conversations with local residents, posting on social media, or communication with news outlets.
- 4) The appropriate County Coroner, County Sheriff (or local law enforcement if so directed), FERC, and the NCSHPO will be notified immediately. The coroner and law enforcement will make the official ruling on the nature of the remains, being either forensic or archaeological.
- 5) If human remains are determined to be Native American, the remains will be left in place and protected from further disturbance until appropriate federally recognized Native American tribes are notified and a plan for their avoidance or removal can be generated. Transco will assist FERC in consulting with the NCSHPO and appropriate federally recognized Native American tribes or other

groups (that have requested to be consulted for this Project) to develop a plan of action that is consistent with the *Native American Graves Protection and Repatriation Act* guidance (Public Law 101-601; 25 U.S.C. 3001-3013; 104 Stat. 3048-3058).

- 6) If human remains are determined to be non-Native American, the remains will be left in place and protected from further disturbance until a plan for their avoidance or removal can be generated. Consultation with FERC, the NCSHPO, and other appropriate parties will be required to develop a plan of action (e.g., historic research and consultation with local authorities and historical experts to try to determine the possible identity and affiliation of the remains and determine if there are any lineal descendants who should be consulted concerning the treatment of the remains).

CONTACT LIST

FERC Environmental Contacts

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Transco Contact

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NCSHPO Contact

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Deputy State Historic Preservation Officer
State Historic Preservation Office
109 East Jones Street, Room 258
Raleigh, North Carolina 27601
919-814-6583
ramona.bartos@dncr.nc.gov

Local County Contacts

North Carolina Chief Medical Examiner
4312 District Drive
Raleigh, North Carolina 27607
919-743-9000

Cleveland County Sheriff's Office
100 Justice Place
Shelby, North Carolina 28150
704-484-4888

Davidson County Sheriff's Office
2511 East US Highway 64
Lexington, North Carolina 27292
336-242-2100

Guilford County Sheriff's Office
400 W Washington Street
Greensboro, North Carolina 27401
336-641-3694

Iredell County Sheriff's Office
231 Constitution Lane
Statesville, North Carolina 28677
704-878-3180

Rockingham County Sheriff's Office
130 Justice Center Drive
Reidsville, North Carolina 27320
336-634-3232

Federally Recognized Native American Tribal Contacts

(this reflects only those entities to date that have requested to be consulted on this Project)

Alabama-Coushatta Tribe of Texas
Tribal Historic Preservation Office
Delvin Johnson, THPO
571 State Park Road
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Catawba Indian Nation
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Eastern Shawnee Tribe of Oklahoma
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