

# Emergency Discovery Guidelines

Environmental Affairs Division – Archeological Studies Branch

## Procedures – Possible Archeological Finds

When construction or maintenance activities uncover possible archeological finds (see below), take the following actions.

1. Stop work in the area where the materials were discovered. Document the discovery (see below).
2. Immediately notify the project supervisor/engineer.
3. Follow your district’s procedures for notifying management and the district environmental quality coordinator (DEQC) or district environmental coordinator (EC).
4. The DEQC/EC will then immediately notify ENV’s Archeological Studies Branch staff at (512)865-8694 or (512)924-7418

## Procedures – Possible Burials

When construction or maintenance activities uncover possible unmarked burials (see below), take the following actions.

1. Stop work in the area where the evidence was discovered. Do not move any materials. Document the discovery (see below).
2. Immediately notify the project supervisor/engineer.
3. Notify local law enforcement. Call a direct line and **do not dial 911**. Unmarked burials should be regarded as a potential crime scene until law enforcement has determined that the remains are not a crime scene under their jurisdiction.
4. Follow your district’s procedures for notifying management and the district environmental quality coordinator (DEQC) or district environmental coordinator (EC).
5. The DEQC/EC will then notify ENV’s Archeological Studies Branch (ENV ARCH) staff at (512)865-8694 or (512)924-7418

### What Happens after Notification?

Subject matter experts in the Division will decide if further action is needed.

- In most cases, the find won’t require further action, and construction can proceed.
- TxDOT staff will consult with regulatory agency officials and other parties as necessary to develop an action plan.

### How Much Time Is Needed to Resolve the Issue?

- Most issues can be resolved within several hours of notification.
- A small proportion of cases require 48-96 hours to resolve following notification.
- In the worst-case scenario, burials in the ROW that can’t be avoided, construction in the area could be halted for months. TxDOT must obtain a court order and permit to disinter burials.

Effective Date: May 2023

Version 1

410.03.GUI

## Field Documentation Guidance



Figure 1. Artifact Photo

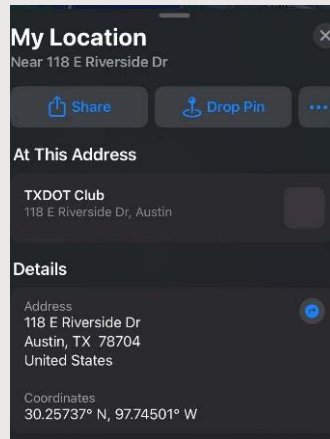


Figure 2. Artifact Location

The following tips will provide ENV ARCH staff and other responsible parties with the information needed to resolve the issue.

- Do not move any materials from their original location if possible. Materials that came from a spoil pile can be moved but do not remove materials from the field.
- Photograph the object(s) from multiple angles, placing an object in the picture for scale (e.g., a pencil or coin).
- Find the location of the object(s). The mapping app on your phone can provide coordinates.
- Send the photographs and locations to the DEQC or EC to pass along to ENV ARCH staff.
- Delete photographs after they are sent.

# Emergency Discovery Guidelines

## Archeological Artifacts and Features

Archeological artifacts may take a variety of forms. Ancient stone tools look like sharp and angular pieces of semi-glossy stone. Burned rock from long-abandoned hearths and campfires may look like reddened or blackened faceted cobbles. Historic artifacts can include pieces of purple glass, thick pottery fragments, porcelain, square and rusty nails, and bricks. Archeological features may be distinct and large stains in the ground or clusters of bone, shell, and stone. The evidence can be ambiguous and hard to interpret. When in doubt, initiate the emergency discovery procedures to have an archeologist look at the possible find.



Figure 3. Prehistoric Artifacts



Figure 4. Historic Artifacts

## Burials

Unmarked burials may occur in the ROW, even extending under existing pavement. Grave shafts often appear as rectangular stains that stand out against the surrounding soil. These stains may be the first evidence that an unmarked burial is present in the ROW. Burials may contain human remains, funerary objects, coffins, and coffin hardware.



Figure 5. Grave Shafts



Figure 6. More Grave Shafts

### What Additional Actions Might be Necessary?

TxDOT archeologists may visit the location for further documentation.

The contractor and/or district may need to protect that location. Fencing, on-site security, or other temporary measures may be used to avoid vandalism and looting.

TxDOT has occasionally constructed a concrete pad over a find location to permanently protect it.

### Laws, Rules, Policy

The Antiquities Code of Texas (Natural Resources Code, Chapter 191) protects archeological sites from ground-disturbing activities on city, county, and state property, including the ROW.

The Health and Safety Code (HSC) defines cemeteries as a place that contains human burials (HSC Chapter 711.001(4)). The HSC states that cemeteries cannot be used for other purposes, such as a road (HSC 711.010 and 711.035).

The Code of Criminal Procedure, Chapter 49 requires an investigation when human remains are found.

TxDOT's rules require the agency to address finds that occur during construction or maintenance activities, See 43 TAC 2.264.

Item 7.1 of the TxDOT Standard Specification Book requires construction to stop in case of an emergency discovery.