



Bad River Tribal Historic Preservation Office
Section 106 NHPA Compliance
On-Reservation Request for Review Form

(For office use only) Review#: _____

Part I: Project Identification

Submission Date: _____

Tribal Department/Program: _____

Lead Federal Agency of Project: _____

Account Funding String for Project: _____ - _____ - _____

Project #: (if any) _____

Land Description: Township ___N; Range ___W; Section _____

Local/Common Land Description: (Include number of acres within project APE) _____

Part II: Type of Undertaking (check all that apply)

_____ Ground Disturbance _____ Permit _____ License

Other Type: _____

Part III: Project Details (Attach a copy of approved or conceptual plans, or, on a separate sheet of paper describe the undertaking in detail. Include maps and/or aerial photos outlining the area of potential effect (APE) and identify proposed excavation areas.)

Part IV: Efforts to Identify Historic Properties (On a separate sheet of paper describe any efforts to identify historic properties that may be affected by this project. Attach any research or reports from surveys/ assessments conducted, i.e.; EPA, NEPA, archaeological surveys, botanical surveys, ground water impact assessment, wetland delineation, etc. including the credentials of individuals developing reports/research.)

If no efforts were made to identify historic properties, write "**None**" in this space: _____

If efforts were made and the results of those efforts have concluded in findings to base a determination, **list your determination here** and attach supporting documentation: _____



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DO NOT WRITE BELOW THIS SECTION; FOR OFFICE USE ONLY

THPO DETERMINATION / CONCURRENCE:

The Bad River Tribal Historic Preservation Officer has conducted a review of this undertaking and based on the information provided, has determined that in the course of this undertaking this project will/may have:

- a. ____ A Direct or Indirect **ADVERSE EFFECT ON HISTORIC PROPERTIES AND SHALL NOT PROCEED** until consultation occurs with all interested parties to assess the undertaking and seek ways to avoid, minimize or mitigate the potential adverse effects from this proposed undertaking.
- b. ____ **No Properties** of historic significance are present and this undertaking may proceed as specified in authorized plans.
- c. ____ **No Effect** to Historic Properties present and this undertaking may proceed as specified in authorized plans.
- d. ____ **No Adverse Effect** to Historic Properties present and this undertaking may proceed as specified in authorized plans provided the mitigation measures in **Attachment-A** of this document are in place. This project will be monitored by the Bad River THPO to ensure compliance of Section 106 of the National Historic Preservation Act.

The Bad River Tribal Historic Preservation Officer has reviewed the findings of research on this project provided by the lead federal agency responsible for this undertaking and concurs with the determination of:

_____ regarding this undertaking. _____ (THPO initials)

The THPO determination made here will not apply to any future changes in this project that are subject to review under Section 106 of the NHPA.

Authorization:

I verify, that I am the official representative for purposes of Section 106 of the National Historic Preservation Act who is delegated by the Tribal Council of the Bad River Band of the Lake Superior Tribe of the Chippewa and recognized by the Department of the Interior – National Park Service to review undertakings on properties significant to the Bad River Band and consult on behalf of the Bad River Band of the Lake Superior Tribe of the Chippewa in accordance with the National Historic Preservation Act of 1966, as amended. I have reviewed this federal undertaking for its potential to impact historic properties and provided the determination cited above. (Tribal Council Resolution # 2-17-04-212; 16 U.S.C. 470a (d); 36 CFR 800)

SIGNED: _____

DATE: _____

Edith S. Leoso
Tribal Historic Preservation Officer
Bad River Band of the Lake Superior Tribe of the Chippewa



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Attachment – A

The Bad River Indian Reservation land and its waterways are significant historic properties to the Bad River Tribe, as those properties are: 1) associated with events that have made a contribution to the broad patterns of United States history; 2) associated with Chippewa Chiefs who were significant in Treaty negotiations with the United States; 3) located in a district where a unique Tribe customarily continues with ancient societal practices, traditions, beliefs, lifeways, arts and crafts, and such activities are reflected in their modern day lives; 4) may likely yield important information from an era previous to European contact, to enhance the history of the Bad River Band of the Lake Superior Tribe of the Chippewa.

Since there is no evidence of an archeological survey being conducted to the standards of today at the time of _____, we require ____ Tribal Monitors on each ground disturbing activity to observe for archeological anomalies.

Should an inadvertent discovery occur, all activity within the area must cease and the THPO contacted immediately to mitigate impacts of the discovery and determine placement of discovered human remains/items. We also require that the company/agency hire a registered professional archeologist (RPA) to be available in the event of an inadvertent discovery, who is qualified in bone identification and that their qualifications are reviewed by the THPO.

The Bad River Tribe has a *no removal* policy for inadvertent discoveries within the exterior boundaries of the reservation, in accordance with our *Tribal Repatriation Policy*; Tribal Council Resolution #12-16-09-141. The Bad River Tribal Repatriation Committee will address those protocols, in the event of an inadvertent discovery.

If previously undisturbed areas are disturbed, we require a flat blade is used on excavation equipment with low treads, and that 2" incremental scraping takes place for Tribal Monitors to observe for archeological anomalies that may indicate a burial is present. _____ shall be liable for all required contractors while on their job site.