



COMMONWEALTH of VIRGINIA

Department of Historic Resources

Molly Joseph Ward
Secretary of Natural Resources

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Julie V. Langan
Acting Director

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February 18, 2014

Mr. Richard Drazenovich
City of Danville Economic Development
P.O. Box 3300
427 Patton Street
Danville, VA 24543-3300

Re: Application for the Archaeological Recovery of Buried Human Remains Located Within the Fearn Burying Ground (DHR ID# 108-5651) on the GOK Industrial Park Property, City of Danville, Virginia
DHR File No. 2012-0100

Dear Mr. Drazenovich:

In accordance with Section 10.1-2305 of the *Code of Virginia*, final regulations adopted by the Virginia Board of Historic Resources and published in the Virginia Register on July 15, 1991, and following review by the Department of Historic Resources, the Department on this 17th day of February, 2014, hereby grants to Mr. Richard Drazenovich, of the City of Danville Economic Development, permission to archaeologically recover human skeletal remains located within the Fearn Burying Ground on the GOK Industrial Park property in the City of Danville, Virginia.

The granting of this permit signifies that:

1. The Department is aware that archaeological investigation of selected grave features at the Fearn Burying Ground (accomplished under a prior burial permit) located no human skeletal remains, burial containers, or other physical evidence of purposeful interment;
2. The Department is concerned that further excavation may yet identify human skeletal remains, burial containers, funerary objects, and other physical evidence of purposeful interment;

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3. The Department has reviewed the resumes of the professional archaeologist and physical anthropologist selected for this project, and has found these individuals qualified to complete the recovery;
4. The Department has received accurate information as to the location of the Fearn Burying Ground;
5. The Department is in receipt of transcripts and other documentation confirming the completion of a public hearing to discuss the proposed relocation;
6. The Department is aware that the City of Danville has determined that the cemetery cannot be left in place under its development plan for the GOK Industrial Site, and that the City has decided to relocate the graves to accommodate this economic development initiative;
7. The Department has concluded that issuance of a permit for the archaeological recovery of human remains will ensure that any and all human remains and associated funerary objects present in the Fearn Burying Ground will be respectfully and completely recovered, and that important information about the burying ground and this period of Danville's history will be properly recorded; and
8. The Department has been provided with information from the U.S. Army Corps of Engineers indicating that the Fearn Burying Ground is not located within the Corps' permit area for the wetlands permit for the larger GOK Industrial Park project, and that the removal is therefore not an undertaking subject to Section 106 of the National Historic Preservation Act of 1966, as amended.

This permit is granted subject to the following conditions:

1. The Permittee shall ensure that all earthmoving activity takes place at the direction and under the supervision of a qualified archaeologist. The monitoring archaeologist shall be allowed to dictate the terms under which soil is removed from any potential grave site, including but not limited to depth and direction of cut.
2. The Permittee shall ensure that all earthmovers are fitted with toothless buckets unless otherwise specified by the monitoring archaeologist.
3. The Permittee shall ensure that all earthmoving equipment operators are made aware of their obligation to cease any and all activity upon the request of the monitoring

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archaeologist. No such activity shall resume without the express permission of the monitoring archaeologist.

4. If, during investigation of any individual grave feature, the monitoring archaeologist determines that no human remains or funerary objects are present, the Permittee shall ensure that a representative sample of earth is recovered and placed in an appropriate container for later reburial. The monitoring archaeologist shall record all relevant information about the feature.
5. If, during investigation of any individual grave feature, the monitoring archaeologist identifies funerary objects (coffin hardware, coffin wood, personal effects, etc.) such funerary objects shall be properly maintained and reburied with the earth sample recovered from that feature. The monitoring archaeologist shall phodocument and map the objects in situ prior to their removal, and shall also record all relevant information about the feature.
6. This permit is issued with the understanding that no human skeletal remains have been identified on the property. If, during investigation of any individual grave feature, the monitoring archaeologist identifies human skeletal or other remains, all mechanical activity in that location shall cease and the Department shall be contacted immediately. Amendment of this permit to include standard archaeological recovery, osteological analysis, and further treatment of the remains shall be at the discretion of the Department.
7. The Permittee shall inform the Department in writing within two (2) weeks of the completion of archaeological monitoring and recovery at the Fearn Burying Ground. This notification shall include a management summary report of the results of the archaeological monitoring and recovery.
8. The Permittee shall cause all human skeletal remains, burial containers, funerary objects, and earth samples recovered from the Fearn Burying Ground to be housed in a respectful manner and in a secure and discreet location until a) all human remains have been inspected and analyzed to the extent possible by the project physical anthropologist; and b) all human skeletal remains, earth samples, and associated funerary materials are properly reburied.
9. The Permittee shall provide a formal reburial plan to the Department for review and approval, and shall not proceed with reburial until such approval is granted. The Permittee shall inform the Department in writing within two (2) weeks of the reburial of all human remains, funerary objects, and earth samples.

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10. The Permittee shall ensure that the monitoring archaeologist prepares and submits an archaeological site form and associated mapping for the Fearn Burying Ground to be submitted to the Department for review and approval.
11. The Permittee shall cause the reburial site to be formally recorded as a cemetery in the land records of the City of Danville, and shall provide a copy of the recorded deed to the Department prior to the expiration of this permit.
12. The Permittee shall allow persons who have expressed an interest in the Fearn Burying Ground to visit the site during recovery. For reasons of safety and liability, the Permittee may establish a specific viewing area and restrict visitors to that area.
13. The Permittee shall post the property with signs prohibiting trespassing and shall report any and all unauthorized access to the local sheriff.
14. Out of respect for the unknown persons interred in the Fearn Burying Ground, the Permittee shall restrict media access to the site and shall not allow photography of open graves, human remains, or funerary objects by anyone other than the monitoring archaeologist.
15. All non-burial related archaeological materials resulting from investigations conducted under this permit, including artifacts, field records and photographs, shall be placed in permanent curation at the Department.

This permit shall be valid for six months from the date of issuance. This permit is not transferable.

Sincerely,



Julie V. Langan
Acting Director

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