

DECATUR BATTERY ENERGY STORAGE FACILITY

Exhibit A-1.14 UNANTICIPATED DISCOVERIES PLAN

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EXHIBIT A-1.14 – UNANTICIPATED DISCOVERIES PLAN

A-1.14.a – Submit an Unanticipated Discoveries Plan (UDP) that addresses the anticipated impacts and plans to mitigate impacts to the environment and natural resources, including, but not limited to, sensitive habitats and waterways, wetlands and floodplains, wildlife corridors, parks, historic and cultural sites, and threatened or endangered species. The UDP must include:

1. A set of procedures to be followed if cultural resources are discovered. Examples of cultural materials include, but are not limited to, the following:

- i. An accumulation of shell, burned rocks, or other food-related materials**
- ii. Bones or small pieces of bone**
- iii. An area of charcoal or very dark stained soil with artifacts**
- iv. Stone tools or waste flakes (i.e., an arrowhead, or stone chips)**
- v. Clusters of tin cans or bottles**
- vi. Logging or agricultural equipment that appears to be older than 50 years**
- vii. Buried railroad tracks, decking, or other industrial materials**

3. A set of procedures to be followed if human remains are discovered.

4. A contact list that includes the following:

- i. Contact for the State Historic Preservation Office**
- ii. Contacts for Tribal Historic Preservation Offices of Michigan**
- iii. Local, project-specific, emergency contacts (i.e., County Sheriff, County Medical Examiner.)**

An Unanticipated Discoveries Plan (UDP) has been prepared for the proposed Project and is available in **Appendix 1.14-A** to address potential impacts and mitigation strategies for the environment and natural resources, including sensitive habitats, waterways, wetlands, floodplains, wildlife corridors, parks, historic and cultural sites, and threatened or endangered species. The UDP includes procedures to follow if cultural resources, such as food-related materials, bones, artifacts, stone tools, clusters of cans or bottle, equipment older than 50 years, or buried industrial materials are discovered. Additionally, it outlines steps to take if human remains are found. The plan also provides a contact list, including the State Historic Preservation Office, Tribal Historic Preservation Offices of Michigan, and relevant local emergency contacts.

Appendix 1.14-A: UNANTICIPATED DISCOVERIES PLAN



MEMORANDUM

To: Decatur Energy Storage, LLC

From: Atwell, LLC

Date: June 16, 2026

Re: Decatur Energy Storage Project – **Unanticipated Discoveries Plan**

1 INTRODUCTION

Atwell, LLC (Atwell) was contracted by Decatur Energy Storage, LLC (Decatur Energy Storage) to provide a cultural resources Unanticipated Discoveries Plan (UDP) for the Decatur Energy Storage Project (Project). The UDP outlines the procedures that Decatur Energy Storage and its contractors will follow if previously undocumented cultural resources, including archaeological sites and known or potential human remains, are discovered during construction activities, and addresses anticipated impacts to the environmental and natural resources.

Adherence to the UDP will assist the Applicant in complying with applicable state and federal statutes and policies regarding the protection and treatment of historic properties and human remains. Historic properties are any precontact or historic district, site, building, structure, or object listed in, or eligible for listing in, the National Register of Historic Places (NRHP). The UDP complies with industry best practices and Michigan law, including Michigan Compiled Laws Chapter 750 Act 328 Sections 750.160 and 750.387, Michigan Administrative Code R325.8051 Rule 1, and the Michigan Public Service Commission's Application Filing Instructions and Procedures pursuant to PA 233 of 2023 (Exhibit 1.14).

During development of the Decatur Energy Storage Project, qualified consultants were contracted to conduct various studies and agency consultations to determine the presence of natural and cultural resources within the Project area, including the following:

- Critical Issues Analysis (CIA)
- Environmental Compliance Report
- Threatened and Endangered Species Habitat Assessment Memorandum
- Obtain U.S. Fish and Wildlife Service (USFWS) concurrence for achieving Endangered Species Act compliance.
- Desktop Cultural Resources Sensitivity Study

- Wetland and Watercourse Delineation Assessments
- Phase I Environmental Site Assessment

Using these in-depth environmental and natural resource reviews, the project has been sited such to minimize direct impacts and mitigate potential indirect impacts to regulated wetlands, watercourses, floodplains, protected areas, parks, listed species and suitable habitats, and known historic and cultural resources. Refer to the Environmental Compliance Report provided in Exhibit 6.2 of this application package for copies of the environmental studies and assessments used to inform siting, design, and development of the Project. Decatur Energy Storage is committed to coordinating with the USFWS, Michigan Department of Natural Resources, Michigan State Historic Preservation Department (SHPO), and the Michigan Department of Environment, Great Lakes, and Energy to obtain all applicable permits, approvals, and concurrences prior to construction for which those permits are required. Best management practices will be implemented during construction to ensure continued compliance through agency consultation.

The sections outlined below provide the procedure to be following during the Project construction phase, in the event of the discovery of unanticipated historic and cultural resources.

2 TRAINING AND ORIENTATION

Construction supervisors and construction compliance monitors will be trained in the basic recognition of human remains and evidence of cultural material that may be encountered during construction and the procedure to follow for unanticipated discoveries. The construction compliance monitor will provide UDP training to foremen and all operators of equipment involved in grading, stripping, and trenching activities.

A contact list of individuals and telephone numbers, for communication with the Applicant and Atwell when a potential unanticipated discovery is encountered, is provided in Sections 5 of this UDP. Implementation of this UDP is the responsibility of the construction supervisor and construction compliance monitor until the arrival of Atwell on-site personnel or until case specific instructions are received from the Applicant. This training will help construction personnel identify various types of cultural resources, including (but not limited to):

- Human remains;
- Linear, dark soil staining or arrangements of stone (e.g., trenches, structure foundations);
- Accumulations of shell, burned rock, or other food-related materials;
- Bones or small pieces of bone;
- An area of charcoal or very dark stained soil containing artifacts;
- Prehistoric pottery, stone tools or waste flakes (e.g., arrowheads, stone chips);
- Clusters of tin cans or bottles;

- Logging or agricultural equipment that appears to be older than 50 years; and
- Buried railroad tracks, decking, or other industrial materials

The training will also emphasize construction personnel's responsibilities under this UDP, summarized here and more fully described in Section 3.

- The construction supervisor and construction compliance monitor will direct all operators of ground disturbing equipment to stop work immediately and contact the construction supervisor if they observe any cultural materials noted above.
- If the construction supervisor or construction compliance monitor is not available, the crew member(s) who made the discovery will contact the Applicant as soon as possible.
- All construction crew will comply with unanticipated discovery procedures.
- All construction crew members will treat human remains with dignity and respect. Consistent with Michigan law, no photographs will be taken of any human remains other than those taken by law enforcement personnel.

3 PROCEDURE WHEN CULTURAL MATERIAL IS OBSERVED

The following procedures shall be followed if potential cultural resources are encountered during project construction.

1. **Discovery.** Personnel will stop work in the immediate vicinity of the observed cultural material.
 - a. The construction supervisor or construction compliance monitor will be notified immediately of the observation.
 - b. If the construction supervisor or construction compliance monitor believes that an unanticipated discovery has been made, the following steps will be taken:
 - i. All ground disturbing activities within a minimum of 100 feet of the discovery (stop-work zone) will be immediately suspended by the construction supervisor.
 - ii. The boundaries of the stop-work zone will be clearly marked with flagging or fencing and secured against further damage or removal of cultural materials.
 - iii. Movement of equipment or vehicles will be minimized within the stop-work zone.
2. **Notify Decatur Energy Storage, LLC.** The construction supervisor will notify the Applicant within 4 hours of the discovery. See Section 5 for contact details. If possible, photographs of the discovery and location information (i.e., GPS coordinates) should be provided as part of the notification.
3. **Notify Atwell.** The Applicant will notify Atwell within 4 hours of the discovery. See Section 5 for contact details. If possible, photographs of the discovery and location information (i.e., GPS

coordinates) should be provided as part of notification. Atwell will verify the find and initiate agency contact.

4. **Initial Investigation.** Atwell will be provided the opportunity to inspect any exposed or displaced materials at the location of the discovery, and any material removed from the location immediately before the discovery was noted, within 24 to 48 hours of the find.
 - a. If Atwell determines that *the discovery is not a cultural resource*, Atwell will immediately notify the Applicant and the construction supervisor who has authority to remove the stop-work order. Atwell will submit an internal letter report including photographs of the discovery site to the Applicant within 30 business days.
 - b. If Atwell determines that *the discovery is a cultural resource*, Atwell will immediately notify the Applicant and the construction supervisor and begin the process of documenting the resource. Atwell will document the resource to initially characterize its age, extent, cultural affiliation, and potential eligibility for listing in the NRHP. Resource documentation will be sufficient to support initial agency coordination.
5. **Agency Coordination.** Upon completing initial resource documentation, Atwell will notify the SHPO and any Tribal Historic Preservation Offices (THPOs), if necessary, to discuss the resource and its potential NRHP eligibility. Notification will be by telephone and will occur as soon as the SHPO/THPO is available.
 - a. If the discovery is a cultural resource that Atwell recommends not eligible for listing in the NRHP based on an initial investigation, Atwell will describe the resource, the methods of documentation, and the rationale for Atwell's NRHP recommendation during the telephone meeting with SHPO/THPO. Atwell will request SHPO/THPO concurrence with Atwell's NRHP recommendation and the recommendation to allow construction to proceed. If SHPO/THPO concur, the investigation will be documented in accordance with SHPO reporting standards and construction will proceed.
 - b. If the discovery is a cultural resource that qualifies as a historic property or a potential historic property, Atwell will document the discovery following the State of Michigan documentation standards. Atwell will assist the Applicant in notifying the SHPO/THPO of the discovery by telephone. Atwell will describe the resource, the methods of documentation, and the rationale for Atwell's NRHP recommendation. Atwell and the SHPO/THPO will then discuss a plan for evaluating the resource's NRHP eligibility. A formal written plan memorializing the results of the telephone discussion will be submitted to the SHPO and participating THPO(s) within (3) three business days of the telephone conversation. The plan will include a description of the materials found, methods of evaluation, and an invitation for the SHPO/THPOs to observe the implementation of any proposed work.
6. **Additional Investigation.** Following SHPO/THPO approval of the evaluation plan, Atwell will complete the evaluation per the agreed upon scope of work. Atwell will prepare a written report of the evaluation as soon as possible following completion of the fieldwork. The written

report will be provided to the Applicant for review and comment, then it will be submitted to the SHPO/THPO. The SHPO/THPO review period is typically 30 days.

- a. If Atwell recommends the resource *not eligible for listing in the NRHP*, Atwell will request SHPO/THPO concurrence with the NRHP recommendation and the recommendation to allow construction to proceed.
- b. If Atwell recommends the resource *eligible for listing in the NRHP*, Atwell will request SHPO/THPO concurrence with the NRHP recommendation and will provide an assessment of effects to the SHPO/THPO for review.
 - i. If the SHPO/THPO determines that the project will not adversely affect the resource, Atwell will request concurrence that construction can proceed.
 - ii. If the SHPO/THPO determines that the project will adversely affect the resource, Atwell will develop a treatment plan to avoid, minimize, or mitigate adverse effects in consultation with the SHPO/THPO. Construction will not resume in the immediate vicinity of the resource until the treatment plan has been executed and all final documentation has been approved by SHPO/THPO.
- c. Upon submission of the written report, the Applicant or Atwell will schedule a meeting in person or by telephone with the SHPO/THPO to discuss the potential significance of the resource, and potential effects on the resource resulting from project activities. Upon review of the findings, the SHPO will either concur with the determination of "not significant" or evaluate the recommendation for further treatment.

4 PROCEDURE WHEN KNOWN OR POTENTIAL HUMAN REMAINS ARE OBSERVED

The term "human remains" refers to any piece or component of a human body, including any amount of human bone, hair, teeth, or soft tissues of any kind. **Any human remains and the context in which they are found could be evidence in a criminal investigation.** Additionally, Michigan Compiled Laws Chapter 750 Act 328 Section 750.160 states that any "person, not being lawfully authorized so to do, who shall willfully dig up, disinter, remove, or convey away a human body, or the remains thereof, from the place where the body may be interred or deposited, or who shall knowingly aid in such...[and similar activities]...shall be guilty of a felony, punishable by imprisonment for not more than 10 years, or by fine of not more than \$5,000.00." All employees and contractors are to treat the remains with respect, and no photos will be taken other than those procured by law enforcement.

The following procedures shall be followed if known or potential human remains are encountered during project construction:

1. **Discovery.** Work within the vicinity of the discovery involving potential human remains will immediately stop.

- a. The construction supervisor or construction compliance monitor will be notified immediately of the observation.
 - b. If the construction supervisor or construction compliance monitor believes that human remains have been discovered, the following steps will be taken:
 - i. All work within 100 feet of the discovery (stop-work zone) will be immediately suspended by the construction supervisor.
 - ii. The boundaries of the stop-work zone will be clearly marked with flagging or fencing and secured against further disturbance or damage to the potential human remains.
 - iii. Movement of all equipment or vehicles will be routed away from the stop-work zone.
2. **Notify Decatur Energy Storage, LLC.** The construction supervisor will notify the Applicant within 4 hours of the discovery. See Section 5 for contact details. If possible, a description of the discovery and location information (i.e., GPS coordinates) should be provided as part of the notification.
3. **Notify Atwell.** The Applicant will notify Atwell within 4 hours of the discovery. See Section 5 for contact details. If possible, a description of the discovery and location information (i.e., GPS coordinates) should be provided as part of notification.
4. **Initial Investigation.** Atwell will be provided the opportunity to inspect any exposed or displaced materials at the location of the discovery, and any material removed from the location immediately before the discovery was noted, within 24 hours of the discovery.
 - a. *If the discovery is determined to be non-human and is not a cultural resource*, Atwell will immediately notify the Applicant and the construction supervisor who has authority to remove the stop-work order. Atwell will submit an internal letter report including photographs of the discovery site to the Applicant within 30 business days.
 - b. *If the discovery is determined to be non-human and to be a cultural resource*, follow the procedures set forth in Section 3.
 - c. *If the discovery is determined to be human remains or potential human remains*, the Applicant will notify the Van Buren County Sheriff's Office within 48 hours from the time of the discovery. See Section 5 for contact details.
5. **Law Enforcement and Agency Involvement.**
 - a. The County Sheriff will contact:
 - i. The County Coroner/Medical Examiner's Office; and
 - ii. The SHPO.
 - b. The county attorney will determine if the human remains are associated with a crime.

- c. The SHPO will assist in determining the age and cultural affiliation of the human remains. If the remains are not associated with a crime, SHPO will determine the disposition of the remains based on their cultural affiliation and the wishes of known relatives, Native American ancestors (tribal liaisons), or the descendant community.
6. **Construction Approval.** If the human remains are removed by the County Sheriff, County Coroner, or SHPO, construction will not resume at the site of discovery (within the stop-work zone) until written permission to resume construction is granted by the appropriate agency.

5 PROCEDURE WHEN PREVIOUSLY UNDOCUMENTED NATURAL FEATURE OR THREATENED OR ENDANGERED SPECIES IS OBSERVED

Extensive studies have been completed as part of the due diligence process for the Project. Refer to the Environmental Compliance Report provided in Exhibit A-6.2 of this application package for copies of the environmental studies and assessments conducted to date and used to inform siting, design, and development of the Project. In the unlikely event that a previously undocumented natural feature or threatened or endangered species is observed, the following steps will take place.

1. Personnel will stop work in the immediate vicinity of the observed natural feature.
 - a. The construction supervisor or construction compliance monitor will be notified immediately of the observation.
 - b. If the construction supervisor or construction compliance monitor believes that an unanticipated discovery has been made, the following steps will be taken:
 - iv. All ground disturbing activities within a minimum of 100 feet of the discovery (stop-work zone) will be immediately suspended by the construction supervisor.
 - v. The boundaries of the stop-work zone will be clearly marked with flagging or fencing and secured against further impacts to natural features.
 - vi. Movement of equipment or vehicles will be minimized within the stop-work zone.
2. The construction supervisor will immediately notify Decatur Energy Storage within 4 hours of the discovery. See Section 6 for contact details. If possible, photographs of the discovery and location information (i.e. GPS coordinates) should be provided as part of notification.
3. Decatur Energy Storage will immediately notify Atwell within 4 hours of the discovery. See Section 6 for contact details. If possible, photographs of the discovery and location information (i.e. GPS coordinates) should be provided as part of the notification. Atwell will verify the find and initiate agency contact.

- a. Atwell will be provided the opportunity to inspect any identified natural feature within 24 to 48 hours of the discovery.
 - b. If Atwell determines that the discovery is not a regulated natural feature, Atwell will immediately notify Decatur Energy Storage and the construction supervisor who has authority to remove the stop-work order. Atwell will submit an internal letter report including photographs of the discovery site to Decatur Energy Storage as soon as possible.
 - c. If Atwell determines that the discovery is a regulated natural feature, Atwell will immediately notify Decatur Energy Storage and the construction supervisor and begin the process of evaluating the necessary next steps for notifying the appropriate agency.
4. Notification to Michigan Department of Environment, Great Lakes, and Energy (EGLE), Michigan Department of Natural Resources (MDNR), and U.S. Fish and Wildlife Service (USFWS) will be made depending on jurisdiction over the observed natural feature.

6 KEY CONTACTS

1. Decatur Energy Storage, LLC

Chuck Beisner
Senior Project Developer
(612) 701-4855

*The Decatur Energy Storage contact is subject to change as the Project progresses; updated contact information will be provided as necessary.

2. Atwell, LLC

Leonard Powell
Atwell Associate Director
(248) 447-2000

Matthew Chouest
Atwell Senior Environmental Consultant
(517) 231-2053

3. County Sheriff

Daniel Abbott
Van Buren County Sheriff
(269) 657-2006

4. Michigan State Historic Preservation Office (SHPO)

Dr. Sarah Surface-Evans
Senior Archaeologist
(517) 282-7959

5. Bay Mills Indian Community

Kayla Perron Assinewe
Deputy Tribal Historic Preservation Officer and NAGPRA Representative
(906) 248-8760

6. Grand Traverse Band of Ottawa & Chippewa Indians

Aaron Chivis
Cultural Department Manager
(231) 534-7764

7. Hannahville Indian Community

Dustin Meshigaud
Tribal Historic Preservation Officer
(906) 723-2271

8. Keweenaw Bay Indian Community of the Lake Superior Chippewa Indians

Paul Halverson
Tribal Historic Preservation Officer
(906) 353-6623 ext. 4178

9. Lac Vieux Desert Band of Lake Superior Chippewa Indians

Alina Shively
Tribal Historic Preservation Officer
(906) 358-0137

10. Little River Band of Ottawa Indians

Corey Wells
Tribal Historic Preservation Officer
coreyawells@lrboi-nsn.gov

11. Little Traverse Bay Bands of Odawa Indians

Mae Wright
Tribal Historic Preservation Officer
(231) 242-1408

12. Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians (Gun Lake Tribe)

Lakota Hobia
Tribal Historic Preservation Officer
(269) 397-1780

13. Nottawaseppi Huron Band of Potawatomi

Onyleen Zapata
Tribal Historic Preservation Officer
(269) 704-8347

14. Pokagon Band of Potawatomi Indians

Matthew J.N. Bussler
Tribal Historic Preservation Officer
(269) 462-4316

15. Saginaw Chippewa Indian Tribe of Michigan

Gage Cowell
Tribal Historic Preservation Officer
(989) 775-4751

16. Sault St. Marie Tribe of Chippewa Indians

Emma Donmyer
Repatriation and Historic Preservation Specialist

(906) 635-6050 ext. 26143