

## EXHIBIT A

### TREATMENT PLAN FOR ARCHAEOLOGICAL DATA RECOVERY AT THE BIRELY TANNERY SITE (18FR575), FREDERICK, MARYLAND

DECEMBER 27, 2017 (WITH CITY REVISIONS DATED 1/10/18)

#### Introduction

Site 18FR575 (Birely Tannery) is located in The City of Frederick, Maryland (City) within the Frederick Historic District (F-3-39) on the north bank of Carroll Creek between East Patrick Street, South Carroll Street, and South East Street. The nineteenth and twentieth-century Birely Tannery site occupies an area of approximately 1.08 acres. In 1988, the southern 30 m of the site (0.4 acres) were subjected to data recovery excavations in advance of the development of the Carroll Creek Linear Park (Thomas et al. 1991). Phase II excavations were conducted on the remaining 0.68 acres of the site in 2016 (Kerns 2016). The site currently is occupied by the Birely Tannery building (FHD-1303) and a gravel-paved parking area.

The Birely Tannery archaeological site was determined eligible for listing in the National Register of Historic Places (NRHP) on October 19, 1983. Because that determination was limited to the southern portion of the site identified in 1983 and subjected to data recovery in 1988, the eligibility of the northern portion of the site was not addressed until it was evaluated in 2016 (Kerns 2016); the results of that Phase II evaluation effort were reviewed by the Maryland Historical Trust (MHT) in February 2017. As a result of that review, the northern portion of the site also was determined eligible for listing under both Criteria A and D (36 CFR 60.4 [a-d]). This proposed treatment plan for archaeological data recovery of the northern portion of the Birely Tannery site has been developed in accordance with all relevant Maryland and Federal standards and guidelines, including the *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994) and with *Archeology and Historic Preservation: The Secretary of the Interior's Standards and Guidelines*. This treatment plan also was developed in accordance with the Advisory Council on Historic Preservation's *Treatment of Archeological Properties: A Handbook*.

## **Planned Project Impacts**

Project plans for this site entail the development of the Downtown Frederick Hotel and Conference Center as a joint enterprise of the City and Plamondon Hospitality Partners (PHP), together comprising the project Development Team (Development Team). The project will receive state grants from the Maryland Department of Housing and Community Development (DHCD) and Maryland Capital Grants and Bond Bill Grants ; thus, it will be carried out pursuant to the Maryland Historical Trust Act of 1985.

The hotel will be located on a parcel that encompasses 200 East Patrick St. and the rear portion of 212 East Patrick St., within the boundaries of the Frederick Historic District. The project will include construction of a hotel and conference facility, a public parking garage and adaptive reuse of the Frederick News Post / Frederick Railway Terminal Building. The project also will entail the demolition of the Birely Tannery building (FHD-1303) and the destruction of remaining portions of the NRHP-eligible Birely Tannery archaeological site (18FR575). Because the project will involve the destruction of Site 18FR575, the MHT has determined that the project will have an adverse effect on archaeological properties, and that resolution of the adverse effects of this undertaking should be memorialized in a legally-binding Memorandum of Agreement (MOA) between DHCD, MHT, and City, with the City's selected developer Plamondon Hospitality Partners (PHP) as an invited signatory.

## **Previous Investigations at Site 18FR575**

### Phase I Identification Survey

Initial archaeological investigation of the project area was undertaken in April and May of 1979 (Carr and Gardner 1979) as part of a survey for the planned Carroll Creek Flood Control project. The reconnaissance survey included archival background research and limited soil auger testing. That survey included the entire impact area for the Carroll Creek project; it identified fourteen areas as significant. Of these fourteen, one was the Kunkel and Birely tannery complex (Site 10). The Birely Tannery was labeled Site 10b; it was deemed the least disturbed of all of the tanneries. A recommendation was made for Phase II field investigations to evaluate the tannery and other sites identified during the survey (Carr and Gardner 1979:25).

### Phase II Evaluation Investigations (1983)

Based on the results and recommendations of the Phase I survey, six sites were selected for additional Phase II evaluation. Of the six sites tested in 1983 (Cheek et al. 1984), only the Birely Tannery site (18FR575) was recommended eligible for listing in the NRHP. Because of the location of the planned impacts from the Carroll Creek Flood Control project, the Phase II testing effort focused on the southern portion of the site, adjacent to Carroll Creek; no testing was completed in the northern portion of the Birely Tannery. The tested portion of the site was determined eligible for the NRHP in 1983 (Thomas et al. 1991).

The 1983 investigation included detailed archival and cartographic review of the tannery development and ownership, as well as discussion of the tanning process and of regional markets (Cheek et al. 1984:28-34). During field work, five backhoe trenches, three auger tests, and four shovel tests were excavated. The testing revealed a stone foundation, a tanning vat, a leather discard pile, and lime deposits suggesting the location of the lime house indicated on Sanborn maps dating 1887 – 1922 (Cheek et al. 1984:73). The water table was reached in at least two locations at a depth of only 40 inches below ground surface. Testing also identified eight episodes of construction, demolition, or other site alteration activities. The stratigraphic analysis indicated that there were five basic strata at the site including the original soil level; construction of the beam house; a uniform intentional fill layer across the site, possibly post 1867; the destruction of the beam house by fire, probably in 1909; and modern level (Cheek et al. 1984:109).

Testing indicated that the original ground surface at the site was sealed beneath an intentionally placed stratum of dense clay, which preserved both artifacts and features (*ibid*) and that provided excellent integrity. That level of integrity and the long period of operation of the tannery formed the primary base for recommending additional archaeological work at the site. The recommended work included data recovery excavations at the beam house, adjacent to the lime shed; at the bark mill complex north of the beam house; and at the finishing structure located in the south-central portion of the site. Artifacts recovered during the Phase II investigations included redware, tin-glazed earthenware, creamware, whiteware, porcelain, bottle glass, leather and rubber shoe fragments and scraps, nails and unidentified metal fragments, and miscellaneous bone and wood fragments (Cheek et al. 1984; 18FR575 Site Inventory Form:8), all consistent with an occupation and use period from the late eighteenth through the early twentieth centuries. Additional historical research on the tanning industry also was recommended so that its role in the development of The City of Frederick could be recorded (Cheek et al. 1984:116).

### Phase III Data Recovery Excavations (1988)

In 1987, it was determined that the NRHP-eligible Birely Tannery site could not be avoided during construction of the Carroll Creek Flood Control project, and in 1988, a contract to conduct data recovery excavations at the site was awarded to MAAR Associates, Inc. The portion of the site subjected to data recovery comprised a 30 x 55 m (98 x 181 ft) area adjacent to Carroll Creek, which already had been subjected to Phase II investigations. The remainder of the Birely Tannery, which had not been delineated or tested, would not be affected by the Carroll Creek Flood Control project. The data recovery project included development of a data recovery plan/research design that incorporated additional historical research on the tanning industry; field investigations; analyses of recovered cultural materials; and preparation of technical and popular reports (Thomas et al. 1991).

During the subsequent investigations, a series of systematic shovel tests excavated at a 25 ft. interval was completed to characterize the subsurface conditions. It showed that the site had been capped by recent fill deposits. Therefore, excavation equipment was used to remove the fill to the level of the 1909 fire deposits. Following mechanized stripping, the grid was re-established and all visible features at the nineteenth century grade were mapped and photographed. The nineteenth century features were capped by flood deposits and intentional fill placed over the site; eighteenth century features and deposits were present below the nineteenth century feature plane. Features identified and excavated during the Phase III investigations included structural foundations, vats, post molds, a paling fence, a cobble road, a leather and hair dump, and midden areas. In total, 40 features were identified and investigated. The remains of four tannery structures were noted and recorded, including a bark mill, a hide house, a lime house, and a beam house.

Artifacts primarily were associated with the tanning industry, although toys (n=4); kitchen ceramics (n=1,267) ranging in date from the eighteenth century to the twentieth century; food remains including eggshells, nut shells, fruit pits; and personal items including clay pipes, a bone toothbrush, jewelry, and chamber pot fragments also were found. Animal bone (n=1,212) derived primarily from cow, although sheep/goat bones (n=60), pig (n=37), horse (n=27), dog (n=95) and cat (n=36) bones also were present. Bird and fish bones, along with rodent and other mammal bones were noted (MHT Site Inventory Form 18FR575:9). Analysis of the faunal assemblage at the Birely Tannery site indicated that more than 80 percent of the bovine individuals accounted for were slaughtered between the ages of nine and fifteen months, indicating that the tannery's primary product was calf skin leather, a specialty item in the trade (Thomas 1991:III-33). Other items related to the tannery included tools such as beaming knives,

fleshing knives, a cleaver, an axe head, and files. Distributional analysis of the recovered cultural materials indicated that the bulk of the artifacts and manufactured goods were non-industrial goods (73.2 percent), while only 1.2 percent were specialized tannery tools. The non-industrial materials included ceramics (stoneware, redware, creamware, pearlware) thought to pre-date construction of the tannery ca. 1829. In addition, some decorative glassware was thought to predate the tannery (Thomas et al. 1991:II-61). Later materials including ceramics, bottle glass, and clay pipes were attributed to worker activities at the site (*ibid*).

The data recovery excavations in the southern portion of Site 18FR575 provided important data related to the layout and function of tanneries; the morphology of the various feature types associated with the tanning operations; the introduction of new technologies during the long period of tannery operation; and information related to historic traditions associated with tanning (Thomas et al:III-31).

#### Phase I and II Investigations (2016)

In anticipation of the development of the Downtown Frederick Hotel and Conference Center project, Kerns CRM Consultants was contracted in 2016 to conduct additional Phase I and Phase II investigations in the northern portion of the Birely Tannery (18FR575) site (Kerns 2016; MHT Inventory Form 18FR57U). The area included in the 2016 testing measured approximately 48 x 55 m (160 x 180 ft) in size and was located to the north of the Carrol Creek Linear Park boundary wall. It was bounded on the west by a stone retaining wall. The Birely Tannery structure (FHD-1303) is located in the south-central portion of the area tested; the remainder of the tested area is a gravel-surfaced parking lot.

The 2016 Phase I/II testing included additional background and archival research on the Birely Tannery, including a chain-of-title for the property. The initial (Phase I) testing was intended to delineate tannery-related features and deposits in the northern and previously undefined portion of the tannery property. Testing on all sides of the tannery building involved excavation of a total of 13 trenches to depths ranging from four to seven feet below current grade. Testing locations were based in part on cartographic data from as early as 1853 (Kerns 2016:61; MHT Inventory Form 18FR575U). Testing revealed a thick layer of demolition rubble dating circa 1955, when the site was razed. An approximately 2 ft thick layer of gravel overlies the site parcel.

The 2016 investigations recorded 13 archaeological features, including four tanning vats, a waste pit, two areas of stone paving, three stone foundation walls associated with three structures, a section of brick foundation and a small section of articulated brick (MHT Inventory Form 18FR575U). Although

some of the features were identified during deep trenching, many of the features were identified during horizontal grading to remove the upper gravel stratum and an underlying clay fill deposit. The features identified during monitoring included the vats, the waste pit, and the section of articulated brick (Feature 3). Although subsoil was encountered in most trenches at depths between four and six ft below current grade (Kerns 2016), no evidence was recorded of an intentional clay fill over eighteenth century deposits like that identified previously in the southern section of the site (MHT Inventory Form 18FR575U).

Kerns suggested that the vats and other features had been used for trash disposal after circa 1924 when the tannery no longer was in operation, but prior to the 1955 redevelopment of the property. Most of the artifacts recovered came from the tanning pit features on the western side of the site; much of these materials were modern (Kerns 2016:93), and only a small sample was retained. Seven of the thirteen trenches either did not produce any diagnostic artifacts, or produced only modern material that was not retained. In the northwestern portion of the site, Trench 11 produced evidence of the foundation of a building depicted on the 1853 map of the site; beneath the foundation were several ceramic fragments dating from the late 1820s. This suggests a potential for intact early occupation levels at the site (Kerns 2016:107-108). At the southeastern edge of the site, evidence of a vat or pit (Feature 9) filled with organic material was identified, but excavation there was curtailed because of water seepage (Kerns 2016:73). The location of that feature just to the north of the 1988 excavations suggests the potential for relatively intact cultural deposits.

The Phase I/II investigations carried out in 2016 identified additional intact tannery features and cultural material related to the nineteenth century Birely Tannery. Nonetheless, the 2016 report on the investigations argued that the site no longer retained sufficient integrity to warrant continued listing in the NRHP (Kerns 2016:110-111). Review of those recommendations by the MHT (Hughes to Griffin, July 26 2017) did not concur; instead, the MHT determined that the northern portion of Site 18FR575 retained NRHP eligibility and that the project would have an adverse effect.

## **Statement of Significance**

The Birely Tannery (18FR575) was a late eighteenth, nineteenth, and early twentieth-century industrial site established in the southeastern section of Frederick on the north bank of Carroll Creek. The tannery occupied lots near what now is the corner of Patrick and Carroll Streets. It may have been operated by a tanner named Matthius Nead as early as 1764, although the dates of the eighteenth century tanning operations are unclear. Frederick Birely, who arrived in Frederick in 1776, was recorded as the operator of tannery in Frederick as early as 1800, perhaps on the site of the old Nead tannery (Lot 268).

Frederick Birely died in 1806, and his son Lewis took over operation of the tannery, which at the time was owned Peter Fout. Frederick's wife Elizabeth Birely purchased the tannery lot (Lot 268) in 1819 from Peter Fout. Records also show that the Birely family was operating the tannery there by at least 1822 (Thomas et al. 1991:I-14). Upon her death in 1828, Elizabeth Birely willed the tannery, all of her stock in trade at the tannery, two horses, and two "negro men Abraham and Basil" to her son Valentine, who was required to pay money to his brother Lewis from the proceeds of the tannery. Records indicate that in 1835, Valentine owned six slaves; the four male slaves were listed as tanners (Thomas et al. 1991:I-15). In 1841, the tanyard on Lot 268 was conveyed to Lewis Birely. The 1850 census appraised Lewis Bierly's operation on Lot 268 at \$5,000, and that it required an annual investment of \$3,000 in raw hides and \$1,015 in bark. The tannery employed six hands at an average monthly wage of \$96.00 (Thomas et al. 1991:I-15). There was no mention of slaves at that time, but upon his death in 1857, Lewis willed the tannery and "Jim" to his son George Birely (Thomas et al. 1991:I-17). Sanborn maps of the tannery show continual expansion of the business and the buildings over the following decades. In 1891, an assessment of the business recorded a new "dry house" valued at \$500; similarly, the 1897 Sanborn map indicated that open vats had been converted to underground leaches and that the main building had been expanded on the northeast side (Thomas et al. 1991:I-20). The tannery continued in operation until 1909, when a fire destroyed much of the physical plant. After the fire, the tannery was rebuilt and the buildings improved. It continued in operation until 1924, when then owner George Birely died. His brother Lewis continued the tanning operation for a while, but eventually turned it into a leather supply company, selling leather and shoe parts (Thomas et al. 1991:I-21 – 23). The property later was used as a poultry processing facility; the main building housed several apartments.

The tanning industry was an important element in the industrial development of Frederick, Maryland. The 1810 census recorded eight tanneries in Fredericktown, and a total of 47 tanneries in Frederick County. By 1850, there were eleven tanneries in town, and by 1866, nearly half of the 93 tanneries in Maryland were located in Frederick County. Throughout the eighteenth and nineteenth centuries, the tanning industry was second only to agriculture in its economic importance. The Birely tannery continued in operation for more than a century; it was an important contributor to the development and economy of Frederick and an important element of the industrial landscape along Carroll Creek.

The 1988 data recovery excavations in the southern section of the Birely Tannery archaeological site (18FR575) (Thomas et al. 1991), provided comprehensive data on the types of features and remains that can be expected at tannery sites. It also elucidated the tanning process and the layout of tanneries, and permitted analysis of the historic traditions of the tanning craft (MHT Inventory Form 18FR575).

The excellent preservation of faunal and floral remains provided insight into the tanning methods and the source of the hides.

The Phase I/II investigations in the northern portion of Site 18FR575 in 2016 indicated that the northern portion of the site may contain features and data similar in type and possibly scope to those recovered in 1988. The northern portion of the site also is believed to have contained a number of features essential to the tanning process not represented in the southern portion. Although evaluation indicated that additional disturbance to the site is present in the northern section, primarily from razing and clearing activities carried out between 1955 and 1960 (Kerns 2016), the stratigraphic sequence within the excavated trenches suggests that considerable depositional integrity may remain. Although the vat and pit features appear to have been used for modern refuse disposal and dumping prior to site razing, a relatively high level of preservation of faunal and floral remains may be retained within those feature levels.

Site 18FR575 has been determined eligible for listing in the National Register of Historic Places under Criteria A and D (36 CFR 60.4 [a-d]). The Birely Tannery site is a significant archaeological resource both individually and as a contributing resource to the National Register listed Fredericktown Historic District. Under Criterion A, it is associated with “a pattern of events or a historic trend that made a significant contribution to the development of a community” (United States Department of the Interior 1990:12). The Birely tannery was associated with the growth and evolution of the tanning industry both in general and in Frederick. It was an important element in the industrial development of Frederick City, Frederick County, and the State of Maryland.

The Birely Tannery site also is significant under Criterion D for the information it has contributed and can contribute to understanding of the role, layout, process, and function of tanneries during the eighteenth, nineteenth, and early twentieth centuries. The archaeological remains have the potential to address issues related to industrial process, material culture, and commerce in the community.

## **Research Questions**

The research design that was prepared prior to the 1988 data recovery excavations in the southern portion of the Birely Tannery site (Thomas et al. 1991: Appendix A) included a number of site-specific research questions. Although the initial data recovery was instrumental in addressing these questions, some aspects of the earlier research design remain pertinent. Additional data recovery excavations in the northern portion of the site should provide supplemental data important to our understanding of the research issues enumerated below:

**1. Are changes in tanning technology apparent at the site? Were they associated with any changes in tannery layout over time?**

Although extensive archival research has indicated consistency in tanning methods throughout the operation of the Birely Tannery, additional excavations in the northern portion of the site may provide data to indicate changes in vatting and leeching structures over time. Chemical analyses of soil samples and additional analyses of floral and faunal samples may provide data indicating changes in those methods over time. Analysis of tannery layout over time should include consideration of the structures and vat features also of the yard itself, where various tanning procedures are likely to have taken place, and where less substantial structures may have been present. Analysis of temporal changes in building functions and locations should attempt to correlate these factors with known cartographic and archival records of improvements.

**2. Is there material evidence that can be associated with the tannery labor force?**

The archival record indicates that the tannery employed six “hands” at a salary of \$96 per month during the mid-nineteenth century. The record also suggests that at some point in the first half of the century, at least one enslaved male tanner was working at the Birely tannery. The 1988 data recovery excavations resulted in the recovery of a number of domestic and personal artifacts, as well as a quantity of nuts, seeds, fish bone, and egg shells. During the additional excavations and analyses, attempts should be made to correlate any domestic or personal artifacts recovered with discussion of economic and social lifeways of tannery personnel. In addition, the presence or absence of any evidence about the locations of possible living quarters for labor should be addressed, and related material remains should be analyzed accordingly, if present.

**3. Is there evidence of the earlier eighteenth century Nead tannery? Is there evidence of land use for earlier non-tannery functions?**

Evidence of earlier eighteenth century land-use was identified during the 1988 data recovery excavations. An eighteenth century occupation surface was identified beneath intentional fill and flood-deposited strata. At that level, evidence of a paling fence and an early midden were recorded. In the northern section, no evidence of this late eighteenth century occupation surface was noted, but some indications of potential earlier strata were recorded in Test Trench 5 south of the 1887 addition to the main tannery building where excavations were curtailed due to high water levels. Even if the absence of intentional

early nineteenth century fill and flood deposits like those that preserved earlier deposits in the southern section of the site argues against widespread preservation of that early occupational surface in much of the northern section of the site, there remains a potential for small areas to have survived that retain evidence of earlier occupation.

## **Research Methods**

### Archival Research

Investigations in the northern section of Site 18FR575 should begin with a complete review and synthesis of the substantial research already completed during the earlier Phase I, Phase II, and Phase III investigations. Additional archival research should focus on supplementing information on the Birely family, the tannery's labor force, the tanning industry and technology, and on the trajectory of related industrial development in Frederick.

### Field Design and Methods

All field procedures and methods of recordation will follow the standards established by the Maryland Historical Trust's *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994). Prior to field investigations, all relevant Sanborn maps, archaeological site plans from the Phase I and II work, and all available project design plans should be correlated geospatially and graphically in a geographic information system (GIS) format showing the former locations of buildings, structures, vats, areas of prior archaeological testing and archaeological features. The results of this exercise then should be applied in selection of areas for block excavation. Block excavations should examine both areas of known activities and buildings and yard areas where no buildings were present historically. Following preliminary identification of focal areas for excavations, a datum and site grid should be established, and the current conditions on the site should be mapped with an Electronic Distance Meter (EDM) and documented photographically.

Survey and testing in the northern portion of the site indicates that a mantle of approximately 1.5 to 2.0 ft of dense gravel fill is underlain in many places by a layer of coal, coal ash, and coal slag that was used as fill after the 1909 fire and during grading for redevelopment of the site in 1955 – 1960 (Kerns 2016:57). These fill deposits date from the last half of the twentieth century and are not associated with the operation of the Birely Tannery. Therefore, up to approximately 2,150 m<sup>2</sup> (23,142.4 ft<sup>2</sup>) will be

stripped mechanically using a backhoe or Gradall to remove the upper gravel and slag package that overlies the circa 1909 intense fire horizon. The Gradall or backhoe will be used only for removal of modern or fill deposits.

Following removal of the overlying fill package, excavation should proceed in two phases. During the first phase, the surface of the early twentieth-century/late nineteenth century occupation level will be cleaned manually and visible features noted, photographed, mapped in planview and sampled stratigraphically to verify their nature, contents, and integrity. Selection of features for data recovery excavation will be based on the feature types, their level of preservation and on the numbers of each type, e.g., redundancy. A minimum of 25 percent of all exposed features should be subjected to data recovery excavations; the features selected should include the full range of feature types (i/e., vats, pits, foundations, postholes, etc.).

All features will be photographed and mapped in plan, and then sampled in cross-section. All feature cross sections also will be photographed and drawn in profile. Depending on the nature of the feature, at least 50 percent of the feature will be excavated completely. In the case of vat features, a minimum of two liters of feature fill will be retained for archaeobotanical and chemical analyses. Additional flotation samples may be retained if warranted by the nature of the fill. In addition, either hand-excavated units or mechanically excavated trenches will be used to examine areas adjacent to exposed features or foundations to identify builder's trenches or other potential buried cultural deposits.

During the second phase of mitigation, additional excavation units or backhoe trenches will be excavated in each of the focal areas to identify more deeply buried cultural strata that may have been associated with earlier tannery operations or pre-tannery occupation(s). If warranted, mechanized removal of the nineteenth-century tanyard deposits may be undertaken to expose, document, and sample any surviving early cultural components. A minimum of 25 per cent of each focal area will be sampled during this second phase of mitigation.

Test trench excavation will proceed in controlled increments within the natural stratigraphy. Unit excavation will proceed in 10-cm (3.9-in) arbitrary levels within the natural stratigraphy. All excavated soil will be screened through 0.635-cm (0.25-in) hardware mesh. Documentation of each test unit or trench will include the completion of standardized forms, scaled profile drawings, and digital photography of a minimum of two stratigraphic profiles per unit. Soil characterizations will follow Munsell Soil Color Chart designations and standard soil nomenclature.

### Laboratory Analyses

All materials will be cleaned as appropriate, identified, photographed if warranted, and catalogued following laboratory processing guidelines and the curation standards established by the Maryland Historical Trust (MHT).

All artifact data and field records will be inventoried utilizing a database program. Each entry will include the material class, artifact type, functional category, and site and provenience designations. The hierarchically-arranged classification system for historic materials should incorporate sufficient major classification levels and sub-levels to facilitate intensive and detailed analysis of part or all of the artifact data, as required by the research design. Standard provenience information and artifact counts will be included.

The classification system also should permit entry of data on vessel morphology; vessel or item function; modifications and decorative techniques; place of manufacture/point of origin; and date ranges. The classification of glass artifacts will record the manufacturing techniques used to produce the vessel, after models established in Jones and Sullivan (1989) and others.

Archaeobotanical analysis will be conducted on samples collected from flotation and feature deposits. Water flotation is a recovery technique that utilizes the differences in density of organic and inorganic materials to achieve the isolation of organic remains from the soil matrix. Careful flotation processing permits the recovery of all sizes and classes of botanical material preserved in a soil sample, to enable a thorough analysis of vegetative remains. Flotation and botanical analysis will be undertaken by an archaeobotanist. The recovered plant material will be identified to the genus level when possible, and to the species level if the assignment can be made with certainty.

Any faunal remains will be examined using standard zooarcheological methods. Both bone and shell remains will be included in the analyses. For bone remains, specimens will be weighed and identified to species. For a sample of up to 1,000 specimens, more specialized analyses may be conducted including measurement of mammalian and avian elements, the identification of portion recovered, notation of modifications, and degree of fusion. The Minimum Number of Individuals (MNI) will be estimated based on paired elements, portion, symmetry, and fusion.

Soil samples should be taken from feature soil matrices, if warranted, to enable the identification of chemical residues within the soils. Such chemical analyses may assist determination of vat function or of temporal changes in tanning methods.

## **Report Preparation**

Following field investigations and analyses, a draft technical report will be prepared to provide the results of the data recovery investigations in the northern portion of Site 18FR575. The graphically illustrated report will review the findings of the excavations, of the artifacts, and of any specialized analyses of faunal, floral, or soils data. The report will synthesize the results of this investigation with those of the prior Phase I, II, and III investigations in other portions of the site, to provide as comprehensive a picture as possible both of the history of the site and of the tannery. The report also should review the Birely Tannery in the context of the historical trajectory of Frederick's tanneries, and review its place in that sequence of development to adequately characterize its importance. Following review of the report by the City and by the MHT, a final technical report will be prepared that addresses any comments.

## **Curation of Records and Materials**

All materials produced as part of the Phase III data recovery will be prepared for curation in accordance with the collections and conservation standards of *Technical Update No. 1 of the Standards and Guidelines for Archeological Investigations in Maryland*. Upon completion of the project, the artifacts and accompanying documentation will be turned over to the Maryland Archaeological Conservation (MAC) Laboratory for permanent curation.

## **Public Interpretation**

In their letter dated July 26, 2017, the MHT stated that project outcome should include "a robust and creative public education and interpretation effort geared to tell the story of the project area's important industrial and transportation history and its role within the district." This will be achieved through the preparation and implementation of an integrated Public Interpretation program.

The integrated Public Interpretation program for archaeological data recovery at the Birely Tannery Site (18FR575) should include: (1) the preparation of an on-site brochure for distribution to casual visitors to the site; (2) outreach during the project to the interested public with at least one visitor day at the site; (3) coordination with local archaeological and preservation groups to provide public talks on the history and archaeology of the Birely Tannery site; (4) development of a booklet for distribution to the public that provides information on the site, the archaeological project, and on the importance of

tanneries in historic Frederick; and (5) identification of artifacts, historic images and maps for use in an interpretive display for later installation in key public locations developed in coordination with the City of Frederick and interested local agencies or facilities.

### **Unexpected Discovery of Historic Properties**

In the event of the inadvertent discovery of a previously unidentified archaeological resource during construction, the City will ensure that the MHT is notified within two working days of discovery and afforded an opportunity to review and comment on the findings and/or on the need for archaeological salvage. Construction involving additional subsurface disturbance in the location of the inadvertent discovery will be halted immediately both in the area of the discovered resource and in the area immediately surrounding the resource where further subsurface deposits reasonably would be expected to occur. The City and the MHT, or an archaeologist approved by the MHT, will inspect the work site and determine the nature, potential significance and parameters of the affected archaeological site. Within fifteen working days of first notifying the MHT, the City, in consultation with the MHT, will assess the National Register eligibility of the resource. If the resource is assessed as eligible for the National Register, the City will ensure that the appropriate avoidance, protection, and treatment measures are implemented.

### **Unexpected Discovery of Human Remains**

If a cultural feature is discovered that appears to contain human remains or grave-related materials during data recovery or after the data recovery has been completed and project construction has begun, construction work in that location will stop and the City will be informed; the City or its designee then will contact local law enforcement and the MHT within 24 hours. A plan for appropriate treatment of those remains will be developed in consultation with the MHT and in accordance with Maryland State burial law (Title 10, Subtitle 4, §10-401 through §10-4-4, Annotated Code of Maryland). Excavation of the burial or grave-related materials will proceed only following the completion of all consultation requirements. The MHT may request the City to provide a professional archaeologist to undertake emergency recovery of any burials.

### **References Cited**

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December 27, 2017 (with City revisions dated 1/10/18)

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