Guidelines for Phase I, II, and III Archaeological Investigations

and Technical Report Preparation

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Preface

The completion of Guidelines for Phase I, II, and III Archaeological Investigations and Technical Report Preparation is due in large part to the efforts of two former Historic Preservation Office archaeologists. Development of the guidelines was initiated by Eric Voigt, author of the original WVSHPO survey and curation regulations. Working from this foundation, Patrick Trader composed the text and compiled the appendices for the current edition, developing a comprehensive and useful document.

The WVSHPO would like to recognize the many individuals that contributed to this process. Under the guidance of Susan Pierce, Director, several past and present members of the WVSHPO staff assisted in the development of these guidelines. They include Dr. Jeanne Day Binning, Jeff Davis, Andrea Keller, Lora Lamarre, Dr. Fred McEvoy, J.T. Sutton, Mark Whitby and Joanna Wilson. West Virginia Division of Highways staff members Rodney DeMott, Matt Wilkerson and Roger Wise provided comments and guidance. C. Michael Anslinger of Cultural Resource Analysts, Inc. reviewed an early draft and supplied many editorial comments.

These guidelines have been revised to allow consultants greater diversity in their approach to archaeological investigation in West Virginia. The WVSHPO hopes that this document serves to clarify its expectations, as well as to assist the consultant in developing survey and excavation strategies.

I. Introduction

The following guidelines for archaeological and historical studies reviewed by the West Virginia State Historic Preservation Office (WVSHPO) were developed to assist researchers in conforming to the standards for cultural resource projects currently accepted by regulatory agencies and the professional archaeological community. These guidelines represent minimum standards and do not preclude innovative strategies. Alternative approaches or variations to approved scopes of work, however, **must be reviewed and approved by the State Historic Preservation Office prior to fieldwork**, and be justified by references to recognized literature regarding archaeological methods and techniques.

Included in these guidelines are professional qualifications for principal investigators, a guide for conducting literature reviews and site-file searches, current curation regulations, and provisions for encountering human skeletal remains. Also included are current state guidelines for conducting independent archaeological research and excavations.

The WVSHPO reviews projects to determine what effects, if any, they may have upon significant cultural resources as outlined within Federal and State laws and regulations. These include Section 106 of the National Historic Preservation Act (NHPA), as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties", the National Environmental Policy Act of 1969, The Archaeological and Historic Preservation Act of 1974, and West Virginia State Code 29-1-8, and its implementing regulations, Title 82, Series 2: “Standards and Procedures for Administering State Historic Preservation Programs”. Other mandatory regulations include State Code 29-1-8a, "Protection of human skeletal remains, grave artifacts and grave markers; permits for excavation and removal; penalties", and its implementing regulations, Title 82, Series 3: "Standards and Procedures for Granting Permits to Excavate Archaeological Sites and Unmarked Graves". The WVSHPO also assists federal and state agencies in the review of and compliance with their cultural resource regulations, including the implementation of Programmatic Agreements, Memoranda of Agreement and Memoranda of Understanding.

As part of the review process, the WVSHPO may recommend archaeological investigations within a given project area or Area of Potential Effect (APE). The necessity for an archaeological investigation is based on the proximity of known archaeological sites within or near the project area, and the probability that archaeological sites might be found within a specific landform. Review of existing land conditions also contributes to this process of determination. If there is a moderate or high probability that archaeological sites may be found within a defined APE, then an archaeological investigation is recommended. The following guidelines have been developed to aid archaeologists in conducting such investigations in the State of West Virginia.

II. Professional Qualifications

All consultants currently conducting archaeological investigations in the State of West Virginia are included in an approved list of consultants. To be included in this list, consultants must meet a series of minimum requirements in accordance with the Secretary of Interior's Professional Qualifications, 36 CFR Part 61. In order to be considered as Principal Investigator for archaeological investigations, a person must satisfy the following requirements:

MA/MS or Ph.D. in Archaeology or Anthropology
or closely related field [1]

plus

At least 1 year full-time professional experience or
equivalent specialized training in archaeological
administration or management.

plus

At least 4 months of supervised field and analytic
experience in general North American archaeology.

plus

Demonstrated ability to carry research to completion.

plus

At least one year of full-time experience
at a supervisory level in the study of
archaeological resources of the prehistoric
or historic periods.

_____To request consideration for placement on the West Virginia State Historic Preservation Office consultants list, please submit current and detailed curriculum vitae for all principal investigators and field directors to the Senior Archaeologist at the West Virginia Division of Culture and History. Corporate or abbreviated vitae will not be accepted. All archaeological investigations must be conducted under the supervision of an archaeologist who meets the above

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[1] What constitutes a closely related field will be established on a case-by-case basis. Persons without degrees in anthropology or archaeology must submit additional documentation to certify the extent of their archaeological background. This may include demonstration of the amount of graduate level coursework in archaeology that has been completed.

qualifications.

III. Archaeological Site File Searches

As of August 1, 1996, all consultants conducting archaeological investigations in review and compliance-related cultural resource inventory projects must conduct a literature review and site file search **prior** to initiating fieldwork. In the event of emergency situations, the conduct of a literature review prior to fieldwork may be waived. The consultant must still conduct the literature review after completion of fieldwork. The consultant must also bear in mind that additional archaeological investigations may be necessary following the literature review.

Literature reviews and site file searches must be conducted at the West Virginia Division of Culture and History/State Historic Preservation Office, located in the Cultural Center in Charleston, West Virginia. Consultants must contact the Survey Archaeologist and/or National Register Survey Coordinator at least 48 hours before scheduling a file search. This is necessary to ensure that appropriate WVSHPO staff are available to assist consultants. Office hours are Monday through Friday, 9 am to 12 pm and 1 pm to 4:30 pm. Walk-ins will not be permitted access to the files. The office is closed between 12 and 1 pm for lunch. There will be no exceptions.

All documents and site files must be removed and returned to the shelves by SHPO staff. Consultants will not be allowed access to these materials unless SHPO personnel are present. Documents may be copied upon approval of SHPO staff at a cost of $0.25 per page. Copies will be free of charge to representatives of state and federal agencies, Historic Landmark Commissions, and Certified Local Governments.

In accordance with the Memorandum of Understanding between the West Virginia SHPO and the United States Forest Service - Monongahela National Forest, all consultants requesting information concerning archaeological sites on the National Forest property must contact the Forest Service Archaeologist in Elkins, West Virginia at 304/636-1800. This information will not be made available by the WVSHPO.

In order to monitor literature reviews and file searches, the WVSHPO has developed a form (see Appendix G) that **must** be filed with all technical reports generated for projects in compliance with Section 106 of NHPA. All file search requests will be assigned the individual WVSHPO File Reference (FR) number, if known. This form must be submitted by the Principal Investigator of each project as an appendix to each technical report. Failure to conduct the literature review and site file search, or to submit the form, will result in the rejection of the project report.

IV. Section 106 and Cultural Resource Investigations

Cultural Resource Investigations are conducted in stages commonly referred to as Phase I, II and III. A discussion of each phase follows.

Phase I Investigation

Phase I investigation consists of a combination of background research and fieldwork designed to identify resources and define site boundaries within a given project area or Area of Potential Effect (APE). During the Phase I investigation, the entirety of the project area must be studied. Locations not surveyed or only partially examined during a Phase I investigation will require additional work. For extensive projects, such as reservoirs or highway corridors, a sampling strategy (i.e. predictive model) may be employed at this stage **only** after consultation with the WVSHPO staff and with WVSHPO approval.

_____Phase I fieldwork consists of a number of methods including pedestrian survey, excavation of shovel test probes, remote sensing, and deep testing of appropriate landscapes. The use of specific field methods and techniques is dependent upon the type of ground cover present, the topographic setting, and the amount of observed disturbance in a given situation.

Phase II Investigation

Phase II archaeological investigation is conducted in order to test or evaluate an archaeological site's eligibility for inclusion in the National Register of Historic Places (NRHP). In order to facilitate the evaluation process, specific information should be recovered during a Phase II investigation. This information may include, but is not limited to: evaluating areas of moderate and high artifact densities, determining the vertical limits of the site, the presence of intact, sub-surface, and/or stratified deposits, site structure, and site formation processes. One of the more traditional and standard means of recovering this information is through the excavation of test units.

Following the completion of Phase II investigations, a consultant should be able to make a Determination of Eligibility (DOE) for all resources evaluated. The Criteria for Evaluation are outlined in the Department of Interior's regulations, 36 CFR Part 60: "National Register of Historic Places". Specific references to Criteria for Evaluation are found in 36 CFR 60.4. Additionally, the National Park Service has a series of publications regarding the evaluation of particular cultural resources, including archaeological sites, historic mining properties, and cemeteries (see Appendix A). Consultants should be aware that the determination of eligibility must also take into account “data gaps”, or lapses in our understanding of area history and prehistory.

Phase II investigations consist of additional background research and fieldwork. Prior to the initiation of fieldwork, a detailed and concise scope of work must be submitted to WVSHPO for approval. The Phase II scope of work may be submitted as an appendix or addendum to the completed Phase I technical report. If, during the course of fieldwork, Phase II methods are

found to be inadequate, the scope of work may be modified upon consultation with WVSHPO staff. In order to facilitate a DOE for an archaeological site, a member of WVSHPO staff may conduct an on-site evaluation to consult with the project sponsor and archaeological consultant.

_____Field investigations at the Phase II level are conducted to determine the horizontal and vertical limits of an archaeological site, and to retrieve spatial, temporal, and subsistence information about the site. Field investigations should be designed to retrieve the information necessary to determine the eligibility of a site without seriously impacting the contextual integrity of the resource. Therefore, a limited testing regimen should be developed upon consultation with the WVSHPO staff.

A number of field methods and techniques may be implemented during Phase II investigations. These include systematic, controlled surface collection, additional shovel tests, mechanical augering, hand-excavated test units, deep testing, mechanical removal of the plowzone, and use of remote sensing techniques.

Phase III Investigation

_____Once an archaeological site is determined to be eligible for inclusion in the National Register, the effect a project may have on the property must be assessed. Avoidance of the property results in a determination of no effect. If the property cannot be avoided, and if any damage or disruption of the resource will result from implementation of the project, a determination of adverse effect is made. Phase III investigation, also known as data recovery, is one response to such a determination. Data recovery efforts are undertaken to mitigate the adverse effect by recovering significant data or information prior to disturbance or destruction.

When Phase III investigations are necessary, the lead federal agency must submit a detailed data recovery plan to the WVSHPO for review and comment. If the Phase III is to be undertaken in completion of Section 106 responsibilities, the Advisory Council on Historic Preservation (ACHP) must also be contacted. Briefly, the data recovery plan must include an overview of previous investigations that were conducted for the archaeological resource(s). The data recovery plan must include a brief description of the Phase II finding and justification for the determination of eligibility, and should guide the level and effort of fieldwork to be conducted.

A number of field methods and techniques may be implemented during Phase III investigations, including hand excavated test units, deep testing, and mechanical removal of the plowzone and other sediments.

V. Background Research

Background research is a necessary component to fieldwork and allows the researcher to form a basic understanding of the environmental, geological and cultural history of the region and project area. Preliminary background searches also serve as the basis for developing archaeological and historical contexts for the region under study. A thorough knowledge of previously recorded cultural resources and environmental characteristics of a region or project area allows the researcher to formulate predictions for the types of archaeological sites that might be encountered during fieldwork. Through a synthesis of this information, strategies for conducting fieldwork may be developed and implemented.

Background research **must** be conducted prior to the initiation of any fieldwork for this to be successful. Documents available at the WVSHPO include United States Geological Survey (USGS) quadrangle maps containing the location of known archaeological sites and previously surveyed project areas, and corresponding archaeological site form files. WVSHPO also maintains a library of cultural resource management technical reports produced for Section 106 projects conducted in the state, as well as county-wide historical survey files, National Register Files and Coal Heritage Survey files. There are a number of other research facilities available for use including the West Virginia State Archives in Charleston, the Institute for the History of Technology and Industrial Archaeology and the Geological and Economic Survey at West Virginia University in Morgantown, and the Eastern Coal Fields Archives in Bluefield. The West Virginia Archeological Society maintains a substantial collection of documents at the South Charleston Library as well. Researchers should contact local historical societies, libraries and courthouses for project-specific information, and should examine artifact collections held privately or in museums when possible.

Prior to initiating Phase II fieldwork, the consultant must conduct additional background research concerning the environmental, archaeological and historical background of the region. The consultant should conduct limited, comparative research on a regional level to identify potential data gaps in the area. A research design should be developed to serve as a guide to fieldwork. The research design should formulate specific questions to be addressed during fieldwork. Research questions should facilitate the determination of eligibility for the resource.

During Phase III investigations, the background research should be inclusive and concentrate on those aspects stipulated in the research design. For historic sites, the background research should include extensive document searches from such sources as local histories, deeds, diaries, correspondence, and journals. Again, the research design should formulate specific questions that can be addressed during fieldwork. Potential research questions may include, but

are not limited to, the following:

- How does the site fit into known regional settlement patterns?
- How did its inhabitants exploit locally available plant, animal and mineral resources?
- What resources were available?
- What are the temporal and/or cultural affiliations of the site?
- What is the research potential of this site?

VI. Field Methods

Pedestrian Survey

A pedestrian survey is conducted over the entirety of the project area in order to determine the locations of above-ground resources (i.e. cemeteries, rockshelters, petroglyphs, pictographs, earthworks and foundation remnants) and to determine the nature of physical and environmental aspects of the project area. This method is most useful in situations where slopes exceed 20%. Pedestrian survey transects shall be spaced at 10-15m intervals to ensure proper ground surveillance. As survey is conducted, photographs of the survey area should be taken, and any above ground resources should be mapped.

Plow Stripping

In project areas which have been previously cultivated, plow-stripping may be used in combination with shovel test probes. Plow-strips should be at least 2m wide and be placed at 15m intervals across the entirety of the project area.

Controlled Surface Collection

A systematic, controlled surface collection may be conducted in areas with surface visibility greater than 75% (100% visibility is preferred). Areas which have been previously cultivated may be disked and/or plowed to create greater surface exposure.

The controlled surface collection should be conducted within a metric, grid-coordinate system superimposed upon the area to be evaluated. Collection units may be 1x1 m, 2x2 m or 5x5 m on a side, but one unit size must be used consistently. All collection units and artifact concentrations must be placed on a map accompanying the technical report. Alternatively, the investigator may map the x, y and z coordinates for diagnostic and other artifact classes, and map artifact concentrations using a total station theodolite or other surveying instrument.

Surface collection should be conducted to define the horizontal limits of a site, to increase the sample size of artifacts (particularly temporally diagnostic artifacts) and to facilitate the identification of moderate and high artifact densities across the site. The identification of these areas should guide the placement of hand-excavated units.

Shovel Test Probes

When ground cover exceeds 25%, shovel test probes (STPs), must be used to locate cultural resources. Shovel tests are used to define areas of low, moderate and high artifact densities in order to guide the placement of excavation units. At a minimum, shovel test transects should:

a). adequately cover project corridors (e.g. follow a project centerline and both right-of-way limits for corridors); and

b). be placed systematically on a metric grid or in transects on land parcels.

Shovel test transects should be placed at 10-15 m intervals over the entirety of the project area. Shovel test pits must be a minimum of .50 x .50 m in diameter and excavated into subsoil or at least 10 cm into archaeologically sterile sediments. All excavated soils must be passed through 1/4-inch mesh hardware cloth. Representative profiles and/or photographs of STPs, including Munsell descriptions, must be included in technical reports.

If an archaeological site is identified, a detailed plan map indicating the location of both positive and negative shovel test probes must accompany the report. For surveys with large APEs, the map should indicate locations where shovel testing occurred. These areas may be outlined with cross-hatching.

When slope gradients exceed 20%, the ground surface is flooded or waterlogged, or landscapes are extensively altered or disturbed, STPs will not be necessary. All areas not shovel tested must be fully documented by photographs and indicated on maps in the technical report.

When a positive STP occurs, subsequent shovel tests must be placed at 5 m intervals in all cardinal directions (radials) until two negative shovel tests in a row are encountered. Testing of positive radials is not necessary if site boundaries have been adequately defined through other methods.

When historic structures greater than 50 years of age are encountered, shovel tests must be placed around the perimeter of each structure in order to determine if historic archaeological deposits are present.

A distinction should be made between a *rock overhang* and *rockshelter*. A rock overhang is used to define absence of human occupation, while the term “rockshelter” is used when evidence of human occupation is identified. When rock overhangs are encountered during pedestrian survey, the floor should be inspected to determine the presence/absence of cultural materials. If cultural material is not evident on the floor, then a shovel test probe must be excavated to determine the presence of cultural materials.

Remote-Sensing Techniques

Remote-sensing techniques are non-invasive means of identifying archaeological sites. They may include (but are not limited to) aerial photography, metal-detecting, magnetometry, electrical resistivity, electromagnetic conductivity surveying, and ground-penetrating radar.

False-color infrared aerial photographs have been used to detect village patterns, earthworks, foundation remnants and mounds. The use of metal detectors has also been successful in identifying and examining archaeological sites, particulary historic and military sites. The use of a metal detector or any other remote sensing technique should supplement rather than replace shovel testing, and must be coordinated with WVSHPO staff.

The implementation of remote-sensing methods should be conducted by persons versed in their use and interpretation. Not every project area and/or site has the potential to produce results worth the expenditure of time and funding to conduct remote sensing. Consult with WVSHPO staff prior to implementing any such methods.

Deep Testing

Deep testing is often necessary to determine if certain landscapes or topographic settings contain deeply buried archaeological deposits. Deep testing is also used to determine if deeply buried cultural deposits exist and to collect information on site structure and site formation processes. Appropriate landscapes include but are not limited to flood plains, terraces, and colluvial/alluvial fans.

During Phase I and II investigations, deep testing is conducted to determine the presence, absence, and nature of buried archaeological deposits. A variety of deep testing methods and techniques may be used, including backhoe trenching, hand-augering, truck-mounted borings to remove intact soil cores, and the examination of cut-bank profiles. The methods used depend upon the topographic setting, the size of the project area, and consultation with WVSHPO staff. Representative photographs and soil profiles, as well as detailed illustrations and descriptions of soil strata and composition, must be included in the technical report for any method chosen. Deep testing methods are used to supplement archaeological investigations, and are not a substitute for STPs or test units. The WVSHPO staff recommends that a professional geomorphologist be consulted during Phase II investigation to develop a geomorphological history and to define site formation processes within the project area. This information must be included in the final report.

The number and placement of backhoe trenches is dependent upon the landscape and should be determined in consultation with WVSHPO staff. Backhoe trenches should be excavated until Pleistocene or channel lag deposits are reached, if possible. Trenches should be excavated in such a way that soil strata may be examined, profiled, recorded, photographed and sampled safely. A complete and detailed profile of any trench must be included in the technical report, including the depth, length, and width of the trench. Additionally, the location of each backhoe trench must be mapped and included in the technical report. Photographs of profiles

must be taken with a photo board and vertical scale. The ground surface of the trench must be clearly visible in the photograph. It is the consultant's responsibility to ensure that all deep testing is performed in compliance with OSHA standards while attaining the necessary soils and resource information.

In order to correlate cultural and geomorphological data on landform and site formation processes, a .50 x .50 m test unit must be excavated along one wall of each backhoe trench. Units must be excavated in 10 cm arbitrary levels within artificial or natural soil strata. All excavated soils must be passed through a 1/4-inch mesh hardware cloth. Test units are not necessary for each backhoe trench, if soil columns are also being gathered.

During Phase III investigations, deep testing is often conducted to facilitate and guide data recovery efforts. Identification of archaeological and geological strata in backhoe trenches can coordinate excavations of deeply buried deposits. Understanding the geomorphological development of the area is as significant as understanding the cultural development of the site. Again, the WVSHPO staff recommends that a professional geomorphologist be consulted.

Excavation Units

Phase II Investigations

During a Phase II investigation, the placement of excavation units should be based on data gathered during the Phase I. Excavation units should also be placed so that the optimum amount of information is gathered without destroying the integrity of the site. Excavation units should be placed within a grid-coordinate system to ensure continuity. Units must be hand-excavated and at least 1x1 m on a side. Units may also be 1x2 m, or 2x2 m, but the unit size that is selected must be used consistently. Hand-excavated units should be excavated in 10 cm arbitrary levels within cultural or natural soil stratigraphy. In situations where soil strata are compacted or difficult to discern, an investigator may also use 5 cm arbitrary levels. All units must be excavated at least two levels (20 cm) below cultural deposits. All excavated sediments must be passed through 1/4-inch mesh hardware cloth. Two contiguous walls of each test unit must be troweled, profiled and photographed.

If cultural features or stratified cultural deposits are encountered during testing, an appropriate sampling strategy must be used. A detailed discussion concerning feature excavation and sampling strategies is found in the sections on **Feature Identification** and **Sampling Procedures**.

Test units placed near standing structures or foundation remnants may be excavated in the English System of measurement in accordance with current and acceptable historic archaeological excavation techniques. If structures and foundations are not evident, however, excavations should follow metric excavation techniques.

When rockshelters are evaluated, excavation strategy should take into consideration the types of site formation processes that developed these resources. Rockshelters represent a delicate and fragile archaeological resource, and contain sensitive environmental information. Because of the nature of deposition found in rockshelters, cultural deposits may be quite shallow, and may contain multiple occupation levels. The number and placement of test units within a rockshelter is dependent upon the size of the shelter to be tested. If possible, rockshelter deposits should be excavated in 5 cm arbitrary levels within cultural or naturally deposited sediments. If 5 cm levels are not possible, the investigator may wish to increase vertical control by obtaining x, y and z coordinates for diagnostic artifacts. If activity loci are defined, this method of vertical control may be used for other artifact classes. All soils should be passed through hardware cloth with mesh no larger than 1/4-inch, although mesh as fine as 1/8-inch may be used if necessary. At least one test unit should be placed outside the drip line of the shelter. Appropriate excavation of features and sampling strategies should follow those outlined below.

Phase III Investigations

During Phase III investigation, test units should be placed in order to optimize data recovery. Phase II investigations and the data recovery plan should guide the placement of test units at the site. For example, the use of block excavations may facilitate access to deeply buried
archaeological deposits. Test units should be used where the use of heavy machinery (such as belly pan scrapers) would negatively impact archaeological deposits. The data recovery effort should include testing of both high and low density areas.

Mechanical Removal of Plowzone and Other Sediments

The mechanical removal of plowzone may be implemented only upon consultation and with the approval of WVSHPO staff, and should be stipulated in any scope of work or data recovery plan. Plowzone removal may be conducted in areas that were subject to previous cultivation practices and that exhibit a **definable** plowzone.

Plowzone removal may be used in previously cultivated areas to facilitate the identification of subsurface features. The degree of plowzone removal shall be determined by the intensity of the investigation effort. Plowzone removal during Phase II investigation should be as non-invasive as possible in order to protect the integrity of the site. Removal during data recovery efforts may be as extensive as necessary to identify subsurface features. It is also acceptable to mechanically remove sediments in order to reach buried archaeological deposits, if buried deposits are **known** to be overlain by culturally sterile soils (i.e. fill).

Phase II Investigations

Following the removal of plowzone, the area should be shovel-scraped or trowel-scraped to expose a clean surface for inspection and identification of subsurface features. A detailed

discussion on feature excavation and sampling strategies is found in the sections titled **Feature Identification** and **Sampling Procedures.**

Phase III Investigation

The mechanical removal of the plowzone may be implemented during Phase III investigations in areas that were subject to previous cultivation practices and that exhibit a **definable** plowzone. During Phase III investigations, plowzone removal may be conducted to expose large, contiguous areas of the surface in order to identify sub-plowzone features.

Feature Identification

Once a subsurface feature has been identified (e.g. postmold, hearth, storage/trash pit, etc.), its location must be mapped according to the site grid-coordinate system. Each feature must be mapped in planview and photographed. Once the planview has been drawn, one-half of the feature must be excavated in order to determine its content and stratigraphic profile. Features may be excavated in halves or quarters along its long axis. If internal stratigraphy is evident,

features should be excavated in 5-10 cm levels within stratified deposits or depositional episodes. One-half of each feature must be profiled and photographed. All profiles should have a north arrow, scale and key. Once the feature has been completely excavated, the basin should be photographed. All photographs should be taken with a photo board, vertical scale and north arrow.

Sampling Procedures

During the course of Phase II and III excavations, appropriate samples must be taken to aid the investigator in gathering as much information about the archaeological site as possible. Samples gathered from test units and features should be removed below the plowzone level to reduce the risk of contamination. It is especially important to collect samples from enclosed environments such as rockshelters, the interiors of containers and vessels, and burials.

Collected samples should include charcoal (for radiocarbon dating and species identification), flotation, phytolith, pollen, and soil. Flotation samples should be at least 5-10 liters in size and taken from each level below plowzone. Flotation samples gathered from features may be up to15 liters per excavated half, or the half itself may be taken for a flotation sample. If internal stratigraphy is evident within feature fill, then a flotation sample should be removed from each stratified deposit. The types of samples to be gathered depend upon a number of factors including preservation, funding and processing capabilities. Most samples must be processed and analyzed by specialists.

Recovery Methods

The methods of recovering archaeological materials should be guided by the Phase II workplan or the data recovery plan. Methodology becomes particularly important when attempting to retrieve information on subsistence or settlement patterns. For example, dry and wet screening methods are both acceptable. Wet-screening, however, is less destructive to botanical and faunal materials. The technique chosen also depends upon soil types and conditions. All excavated soils should be screened through 1/4-inch mesh hardware cloth, although1/8-inch and 1/16-inch mesh hardware cloth is also acceptable if smaller artifacts or ecofacts are expected to be recovered.

VII. Recordation and Documentation of Archaeological Sites

An archaeological site may be defined as a locus of human activity that is manifested by the presence of artifacts. Examples of archaeological sites include isolated finds, petroglyphs, pictographs, rockshelters, village sites, cemeteries, prehistoric earthworks and mounds, historic earthworks and fortifications, farmsteads, industrial sites, foundations, and ephemeral scatters of prehistoric and historic debris.

When an archaeological site is identified, additional steps are necessary to determine its horizontal boundaries. During a pedestrian survey, site boundaries can be defined by reducing survey intervals between observation points (in a plowed field) or by implementing shovel test probes (in wooded or grassy areas). If a previously recorded site is known to be within an area it must be relocated and re-identified.

Proper recordation and documentation of historic or prehistoric archaeological sites requires representative photographs and/or profiles of STPs, and the placement of STPs on the site map. Representative photographs of identified sites must also accompany each site form and technical report.

A West Virginia Archaeological Site Form (see Appendix H) must be prepared for each identified site. A revised archaeological site form must be prepared for each relocated and re-identified site. A West Virginia Isolated Find Site Form (see Appendix I) must be completed for each isolated find, defined as a single artifact find. A West Virginia Cemetery Survey Form (see

Appendix J) must be prepared for each identified cemetery. If standing structures are identified within the boundaries of the project area, then a West Virginia Historic Property Form must be completed (see Appendix K).

Completed West Virginia Archaeological Site forms must include the following: a detailed site plan or sketch map (must include location of STPs), a USGS quadrangle map with site location noted, and representative photographs of the site. The USGS map must include a north arrow, scale, quad name, year and contour interval. Site sketch maps must include a north arrow and scale. The form should also include a discussion of artifact densities or percentages noted, as well as a discussion of all diagnostic artifacts recovered. If structural or foundation remnants are identified, a site plan or sketch map of each foundation must be included. Two copies of each site form must be submitted separately, one for the permanent site records and one as an appendix to the technical report. Site forms must be printed on acid-free paper. Incomplete forms will be returned for revision.

Permanent, trinomial site numbers will be assigned upon receipt of the **original** archaeological site form. Facsimile transmission of site forms is not acceptable. As stated in WVSHPO June 25, 1994 and March 23, 1998 letters, site numbers will **not** be assigned over the telephone. Archaeological site numbers will be assigned within three working days upon receipt of the form. Site numbers are not necessary for report submission.

If a previously unrecorded site is identified during Phase II investigations, a West Virginia Archaeological Site Form must be prepared. An amended and revised archaeological site form should also be prepared for each site in which Phase II investigations have been completed. The form should include information concerning site size, archaeological components present, diagnostic artifacts recovered, and artifact density. The form should also include a map indicating the location of investigations and site boundaries.

VIII. Inclusion of West Virginia Historic Property Inventory Forms

When historic buildings or structures are located within the area of potential effect or project area, no archaeological report is complete without their identification and evaluation. Although report text may include a description of the resources, the West Virginia Historic Property Inventory Form (see Appendix K) must be completed. Original forms must be submitted separately, and copies may be included in the bound report. If Phase I archaeological results dictate additional research at the Phase II level, evaluation of the standing structure(s) according to National Register Criteria may be postponed until that time. If not, full evaluation of the structure(s) must be submitted with the completed Phase I report. Full evaluation includes, at minimum, the following:

1. Historic Context: an explanation of the relationship of the resource to its setting and historic use. Include dates within which the property was in use;

2. Deed Research: identification of date of construction and property ownership;

3. Oral History: information obtained from local informants regarding ownership, use and significance of the property;

4. Brief Description: information regarding the appearance of the structure and materials used in its construction; and

5. Statement of Significance: in relation to National Register Criteria.

The WV SHPO relies upon National Register (NR) Bulletins for further guidance regarding application of the Criteria of Eligibility. Notable among these are NR Bulletin No. 15 "How to Apply the National Register Criteria for Evaluation", NR Bulletin No. 24 "Guidelines for Local Survey: A Basis for Preservation Planning", and NR Bulletin No. 21 "Defining Boundaries for National Register Properties." The WV SHPO encourages early consultation regarding historic properties, and can provide further guidance upon request.

IX. Recommendations

Phase I Investigation

If data generated during a Phase I investigation clearly document the absence of cultural resources, or if identified cultural resources do not meet the criteria for eligibility to the National Register of Historic Places, then a recommendation of no additional work is appropriate. WVSHPO staff will provide additional recommendations to the lead agency regarding the eligibility of the resource and whether additional investigations are necessary.

In order to reach this conclusion, reasons for the determination of ineligibility must be clearly stated. For example, an isolated find usually does not meet the minimum Criteria for inclusion in the National Register and will require no additional investigation. The recordation and documentation of such a site exhausts its research potential, therefore the project will have no effect on the site.

If the research potential for a particular site has not been exhausted at the Phase I level, further archaeological investigations may be necessary. A number of factors and questions may

be considered at this point, including site integrity, presence/absence of intact stratigraphic deposits, subsurface features and/or ecofactual materials, site location, and topographic setting.

If the eligibility of an archaeological resource cannot be determined upon completion of Phase I investigations, then avoidance or Phase II testing may be recommended. If avoidance is not a viable option, then Phase II investigations must proceed.

Phase II Investigation

At the close of Phase II investigation, the investigator must provide recommendations regarding the eligibility of the resource(s) for inclusion in the National Register of Historic Places. Following these recommendations, the federal agency responsible for the undertaking, in consultation with the WVSHPO, makes a final determination of eligibility. If the WVSHPO disagrees with the report's recommendations, or determines that the report is incomplete or insufficient, further Phase II investigations may be required in order to make an accurate determination.

If the resource is recommended to be not eligible for inclusion in the National Register of Historic Places, and the consulting parties concur, then no further archaeological investigations are considered necessary. Monitoring during construction activities may be recommended to ensure that a qualified archaeologist is on site in the event that archaeological deposits or features are discovered.

If the resource is recommended as eligible to the National Register and the consulting parties concur, the agency responsible must determine what effect the undertaking will have on the resource. In accordance with 36 CFR 800.5, the responsible agency must apply the Criteria of Effect. Once a resource has been determined to be eligible, two options may be exercised:

1). Avoidance
or
2). Mitigation

If a resource can be avoided, then the undertaking will have no effect on the National Register eligibility of the resource (36 CFR 800.4(d) as defined in 800.16(i)). If avoidance is possible, stipulations must be established to ensure that the resource will not be harmed. Avoidance measures may require fencing or monitoring activities.

If avoidance is not an option, then the undertaking will have an adverse effect on the resource in accordance with 36 CFR 800.5(a)(1). A finding of adverse effect requires resolution under 36 CFR 800.6, including involvement of consulting parties and the Advisory Council on Historic Preservation. Consultation results in the development of a Memorandum of Agreement outlining the methods to be used in the resolution of the adverse effect.

Phase III data recovery is usually recommended in response to a determination of adverse effect. Once data recovery efforts have been recommended as a mitigative response, a detailed data recovery plan must be submitted for review and comment to the WVSHPO and the Advisory Council on Historic Preservation. The WVSHPO will respond with written comments within thirty days of receipt of the data recovery plan.

X. Determination of Eligibility

A number of factors must be considered in order to make eligibility recommendations. The investigator must be able to answer the following questions: Does the data recovered answer research questions posed in the scope of work? More importantly, does the site have the potential to address research questions not answered?

The quality of significance is of paramount importance in any determination of eligibility for inclusion in the National Register. There are four Criteria of Eligibility, and a resource must meet at least one of these to be considered eligible (NR Bulletin No. 15). Briefly, these Criteria are:

A. Association with events that have made significant contributions to broad patterns

of history;
B. Association with the lives of persons significant to our past;
C. Embodiment of distinctive and significant characteristics of a type, period or method of construction;
D. Having yielded, or having the potential to yield, significant information important to prehistory or history.

Archaeological sites are most often determined eligible under Criterion D, but may qualify under any or all of the Criteria above. For instance, a Civil War battlefield site may be eligible under Criterion A for its association with a pivotal conflict. Archaeological properties may also be classified as individual sites or as historic or prehistoric districts (NR Bulletin No. 36). It is important to keep the overall context of the site in mind when presenting a determination of eligibility.

There are several variables to consider when making recommendations concerning the eligibility of an archaeological site. These include the following:

1). Integrity
2). Site Type
3). Temporal and Cultural Affiliation

Archaeological sites are complex and the variables noted above are interrelated. Generally, an archaeological site is not considered eligible on the merits of one variable alone. In addition to these variables, the researcher should be familiar with the literature covering the area under study. This includes a familiarity with the so-called "gray literature" found in preservation offices and universities. A discussion of each variable follows.

A. Integrity - The integrity of an archaeological site is one of the most important variables to consider when determining the eligibility of a resource. Integrity refers to the level of site preservation as well as to the quality of information recovered from that site. The site must possess relatively intact deposits, even if such deposits lie beneath a plowzone or

other surface disturbance. As well, the site must provide spatially, temporally, and functionally diagnostic information (NR Bulletin No. 36).

B. Site Type - The type of site under investigation also contributes to the eligibility of a resource. It is important to consider the data that may be retrieved from a site and how that information may contribute to the understanding of similar site types in the state. Sites that address “data gaps”, or areas where little or no documented archaeological research exists, are also potentially eligible. For example, little is known about historic grist mills in the western portion of the state, any information that can be gathered from such a site will contribute significantly to our knowledge of the archaeological record.

C. Temporal or Cultural Affiliation - The age or temporal affiliation of a site is another important factor to consider. Some archaeological investigations have focused on sites from a specific temporal or cultural affiliation, to the exclusion of others. Again, sites that address such "data gaps" must be carefully considered.

XI. Data Recovery Plan

The data recovery plan must include an overview of previous investigations that were conducted for the archaeological resource(s) in question. The data recovery plan must include a brief description of the Phase II finding and justification for the determination of National Register eligibility. The plan must also discuss the research potential of the archaeological site(s) under study. The investigator must develop a research design that is tailored to the specific site type, and formulated to gain optimum information from the archaeological site. The development of research questions or topics may guide the research design. Research

questions may include such topics as placement of the site into regional subsistence and settlement patterns, or development of data regarding raw material procurement and trading networks.

A detailed discussion of field and laboratory methods should follow the introduction and research design. A field methods and technique section should discuss an excavation plan, including the size and number of test units and total square meters to be excavated. This section should indicate whether test units are to be excavated in arbitrary or natural levels, or arbitrary levels within natural or archaeological strata. It should also include unit level depth, in centimeters for prehistoric sites or inches for historic sites. As well, this section should discuss recovery techniques and what size hardware cloth mesh will be used. If large-scale mechanical stripping is to occur, the total area of exposure must be determined and included in this section.

The field methods section should also be concerned with the sampling strategy to be used. Because of the time and funding required, it is not always possible to excavate an entire site. In these instances, the site must be sampled in order to properly mitigate an adverse effect. Phase II investigations should be used to determine areas in which to concentrate data recovery efforts. This section must include the types of samples to be taken (e.g. radiocarbon, flotation, and soil), how they are to be recovered, and sample size. Methods for identification, excavation, and sampling of features must also be discussed.

A laboratory methods section should discuss the types of analysis to be used and how analysis is to be conducted. It should also discuss any special methods that may be used (e.g. residue or use-wear analysis, etc.). The data recovery plan should also contain discussion of the identification and treatment of human skeletal remains. In accordance with 36 CFR 79: "Curation of Federally Owned and Administered Archeological Collections", the data recovery plan must discuss the treatment and disposition of artifactual materials and associated documents.

Finally, the data recovery plan must include information about public access to data generated by the project. This may consist of setting up public displays or providing copies of reports to local public libraries, landmark commissions, historical societies or schools. Other means may include public lectures, videos, web sites, or traveling exhibits. The manner in which public access is provided should be developed in consultation with the sponsor and WVSHPO. Any revisions or amendments to the data recovery plan must be reviewed and approved by the WVSHPO and the ACHP prior to commencement of work.

XII. Report Format

Cultural resource reports for different stages of project development should adequately reflect the level of investigation completed. The following format outline is intended to serve as a guide to the types of information that should be included in each report. Certain sections may not be applicable to Phase I or Phase II investigations. The Society for American Archaeology

style guides should be used in preparing any report. Two copies of the report, one with original photographs and on acid-free paper, must be submitted to WVSHPO for review and comment.

During Phase I, II and III investigations, expedient review is often necessary in order to accommodate various state and federal agency project schedules. To facilitate these reviews, WVSHPO has (on a case by case basis) agreed to accept variations to technical reports, including Management Summaries, Addendum Reports and Letter Reports. For projects where no cultural resources or isolated finds are identified, Abbreviated Reports are acceptable. The formats for Management Summaries, Addendum Reports and Abbreviated Reports are found below. The numbers and letters referenced are defined in the Standard Technical Report Format.

Management Summaries

In order to expedite the review of a project, Management Summaries are acceptable with the understanding that a completed Phase I or Phase II report is still required. At the minimum a Management Summary should include:

Title Page
Introduction, 3 a-c (Standard Technical Report Format)
Environmental Setting, 4 d
Field Techniques, 7
Results/Inventory of Resources, 9 a (1,2,4,5,6); and b (1,3,4,5,7)
Composite Assemblage, 10 c
Recommendations
Conclusions
References Cited
Signed copy of Cultural Resources Files and Library User Registration and Research Record Form

Addendum Reports

If Phase I investigations are an extension or amendment to a previously submitted and reviewed project, an Addendum to the existing report may be prepared in lieu of a standard Phase I report and should include:

Title Page
Introduction, 3 a-c
Environmental Setting, 4 d
Field Techniques, 7

Results/Inventory of Resources, 9 a (1,2,4,5,6); and b (1,3,4,5,7)
Composite Assemblage, 10 c
Recommendations

Conclusions
References Cited
Signed copy of Cultural Resources Files and Library User Registration and Research Record Form

Abbreviated Technical Reports

If no cultural resources have been identified during a Phase I Investigation, an Abbreviated Technical Report is acceptable for submission and must include:

Title Page
Introduction, 3 a-c
Environmental Setting, 4 c-d
Field Techniques, 7 a-c, and h
Results 9 a (1-5)
Recommendations
Conclusions
References Cited
Signed copy of Cultural Resources Files and Library User Registration and Research Record Form

Standard Technical Report (Phase I, II and III Investigations)

1. **Title Page:**

   a. Title of report including name and location of project;

   b Author(s);

   c. Principal Investigator(s), affiliation, address, phone number and signature (mandatory);

   d. Name, address and phone number of client;

   e. Lead state/federal agency and contract/permit number(s);

   f. Date of report; and

   g. WVSHPO-assigned FR number, if known (should be placed in upper right hand corner of report to facilitate tracking).

2. **Abstract/Management Summary:** Should not exceed two pages, and should include:

    a. Brief description of the project and purpose of investigation; and

    b. Precise summation of report's findings, conclusions and recommendations.

3. **Introduction:** Discuss the purpose of the project, results and possible impacts to archaeological sites, including the following information:

    a. Project sponsor, permit/contract numbers and include statutory regulations under which project is being conducted;

    b. Detailed description of project area or area of potential effect (APE), specific project location (including county, town, or township), number of acres surveyed, reason for conducting project, how project areas were investigated, and potential impact on cultural resources. Locate the project area geographically on a state or county map, and include the project area on a 7.5' USGS quadrangle. Include the name and date of the USGS map. Construction or project planning maps may also be included. Each map must include a north arrow and key;

    c. Dates of the investigation and personnel involved in the project; and

    d. Disposition of field notes, artifacts and other materials.

4. **Environmental Setting**: This should be a detailed description of the project area environment, focusing on its resource utilization potential and factors affecting the preservation of archaeological sites. This should include past and present disturbances within the project area. This section should also discuss the ecological methods and techniques used to model past environments. At a minium the following information should be included:

    a. Physiographic province and local features of the landscape, including discussions of drainage, soils, hydrology, geomorphology, and geology;

    b. Regional/local Pleistocene and Holocene environmental overview (if appropriate);

    c. Modern environmental setting (historic environment and land use patterns, etc); and

    d. Current land use pattern in project area.

5. **Previous Archaeological Investigations and Background Overview:** This section should include a statement that a site file search has been conducted at WVSHPO. An overview of previous archaeological investigations should include the names of investigators, institutions, dates of work, research purposes, methods, and results. A USGS 7.5' map indicating the locations of previously recorded archaeological sites

within a one mile radius must be included. Other information to be included:

a. Location and nature of any publications, manuscripts, field notes and collected materials;

b. Informants and their addresses;

c. Listing of all known resources located within a one-mile radius of the project area, including all National Register properties and historic properties within and adjacent to a project area. (All previously identified archaeological sites and historic properties must be located on the appropriate USGS 7.5' quadrangle map, including the current project area); and

d. Concise synopsis of the prehistoric and historic cultural record for the project area and the surrounding region.

6. **Research Design:** Include a discussion on the expected archaeological potential for the project area and research objectives. This section should focus on the relation of the investigations to state, regional, and national archaeological, architectural and historical studies. Discuss the hypotheses and implications to be tested, including techniques (field and laboratory) used to test implications. Include discussions on the limitations of the research design.

7. **Field Techniques:** This section should be presented so that reviewers and future researchers may reconstruct what was done and why. Present a detailed discussion and evaluation of field techniques employed, including types of information collected, sampling techniques, artifact retrieval, and provenience recording measures. Include the following information:

a. Field maps (should include locations of all areas investigated, including pedestrian and subsurface surveys);

b. Surface-survey techniques: Describe and justify in detail techniques used in the project area and on specific sites. Document surface conditions, survey intervals, and collection methods;

c. Subsurface techniques: Document shovel test and other subsurface methods used, including STP intervals and dimensions, and recovery methods used;

d. Remote-sensing techniques: Describe and evaluate;

e. Test units: Describe test units, discussing size, depth, types of levels used and screen mesh size. Specific information about individual units should be discussed in the

results section;

f. Backhoe trenches: Describe backhoe trenches, methods used, discussing length, width depth and location. Specific information about individual backhoe trenches should be discussed in the results section;

g. Features: Describe methods used to excavate features. Specific information about individual features should be discussed in the results section; and

h. Note all constraints on the investigation (e.g. limited access, poor visibility, landowner restrictions and weather conditions).

8. **Laboratory Methods and Artifact Curation:** This section should involve a detailed discussion of laboratory methods used to analyze and curate artifacts, and should include the following:

a. Describe classificatory or typological schemes used in artifact description and analysis. Give rationale for selection;

b. Discuss all metric and non-metric techniques used to process and analyze artifacts and other archaeological materials;

c. Note means of chronological determination for artifact assemblages (e.g. relative or radiometric);

d. Describe any specialized samples that were recovered and how they were processed and analyzed (e.g. flotation, radiocarbon, faunal, botanical, pollen, soils, residue analysis, lithics, ceramics or skeletal remains). Discuss size of samples taken; and

e. Include information regarding the future location of the curated artifacts and documents.

9. **Results/Inventory of Resources:**

a. Results: Discuss the results of fieldwork, including surface and subsurface investigations.

1. Maps should include the location of all STPs, auger probes, backhoe trenches, collection blocks, test units and features. All maps must include a north arrow scale, and legend;

2. Representative profiles of STPs, auger probes, backhoe trenches, and test units

must be in the report. All profiles must include a scale and legend;

3. Representative photographs of the project area, excavation unit profiles, feature profiles, and backhoe trenches must be included. Photographs must have a photo board, scale, and legend. Photographs of backhoe trenches must include a vertical scale. All captions must include the direction from which photos are taken. Original photographs, halftones or their equivalents, and high-quality scanned images are acceptable. Black-and-white photos are preferred, but color are also acceptable;

4. Describe the number of STPs, test units, auger probes, and backhoe trenches excavated. Discuss the total area excavated in square meters. If large areas were exposed through plowzone removal, indicate the amount of area in square meters;

5. Describe soils identified in STPs, test units and backhoe trenches, including texture, composition, and Munsell. Include a discussion on geomorphology and site formation processes. Discuss depth or limits of cultural deposits at site;

6. Indicate the depths at which artifacts were encountered within STPs and their overall density across the site;

7. Include planview and profile drawings of identified features with the appropriate scale and legend. Discuss and describe identified feature types (e.g. postmolds, hearths, basin-shaped pits, etc.). Information on length, width, and depth may be presented in table format;

8. Artifact densities per unit and unit level should be presented, as well as distribution of artifact types per unit and unit level. Unit and feature descriptions should include total artifacts and artifact types recovered;

9. Discuss comparisons in the variability between test unit and feature artifact frequencies across the site; and

10. Discuss the occupational history of the site.

b. Inventory of Resources: Discuss all of the cultural resources (i.e. archaeological and architectural) identified during the investigation. Clear, concise descriptions of the resource should include:

1. Maps: Include the location of all identified sites on USGS quadrangle. Sketch or site maps should include the location of all positive/negative STPs, as well as foundations, structures, earthworks, and gravestones;

2. Photographs: Include representative photographs of all resources identified;

3. Site number;

4. Site size and boundaries;

5. Site location, including verbal location description and UTM Coordinates;

6. Site setting, including landform, elevation, soils, and nearest water source;

7. Discussion and description of artifacts recovered from STPs, surface collection, test units and backhoe trenches. Discuss the number and types of artifacts recovered from each site, including the overall artifact density across the site; and

8. For historic sites include a discussion on archival research conducted for the site. Include chain of title, deeds, manifests and other inventories.

10. **Composite Assemblage:** This section should present the results of artifact and sample analysis, including:

a. Definitions of analytical units used (e.g. used flake, shatter, biface, projectile point);

b. Metric observations on artifacts recovered (i.e. length, width, thickness, weight, etc);

c. Complete inventory of all artifacts and other materials recovered from field investigations with appropriate provenience information;

d. Photographs and/or drawings of representative artifact types and diagnostic artifacts, including key and scale;

e. Description and discussion of specialized analysis conducted (e.g. faunal and botanical);

f. If variable densities are noted (e.g. define activity areas), discuss the variation in artifact types recovered at the site from one area to the next;

g. If multiple occupations or components are identified; discuss variability in artifact density and types among and between components; and

h. Discuss intersite variability, comparing the artifact assemblage between site and

similar sites in the region.

11. **Evaluation of Research:** Discuss and evaluate research goals and questions addressed in the research design, including:

    a. Data reliability;

    b. Relation of analysis to stated goals;

    c. Synthesis and comparison of analytical results;

    d. Integration of ancillary data;

.

    e. Identification and discussion of the data in terms of regional and local history and prehistory; and

    f. Address future research questions.

12. **Recommendations:** This section must be a concise statement concerning the eligibility of identified resource(s). Information must contain adequate information so that proper management decisions can be made. The following recommendations may be made:

    A. No cultural resources present - no additional work (Abbreviated Report is acceptable)

.

    B. Cultural resources present:

        1. Resource is not eligible to the National Register - No Effect determination

        2. Eligibility of resource is indeterminable - Phase II testing recommended

        3. Resource is considered eligible to the National Register and project will have Adverse Effect:

            a. Develop Memorandum of Agreement, stipulating mitigative measures; and
            b. Develop data recovery plan to be implemented

        4. Resource is considered eligible to the National Register and project will have no effect, through:

            a. Avoidance; or
            b. Preservation in Place

13. **Conclusions:** Succinct summation of project, findings, recommendations and effect determination.

14. **References Cited/Bibliography:** Must conform to the following Society for American Archaeology guidelines: **Editorial Policy, Information For Authors, And Style Guide For American Antiquity and Latin American Antiquity**, revised August 1996**.**

15. **Appendices**

    a. Project correspondence;

    b. Full reports on ancillary studies (may be placed within main body of report);

    c. Artifact inventories;

    d. Site forms (must also be submitted separately);

    e. Current curriculum vitae of principal investigators and field directors; and

    f. Signed copy of Cultural Resources Files and Library User Registration and Research Record Form.

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* Deed of Gift

*Memorandum of Understanding for Curatorial Services

Appendix A - Reference Materials

Reference Materials

Laws and Executive Orders:

- National Historic Preservation Act of 1966, as amended (P.L. 89-665, 80 Stat. 915)
- National Environmental Policy Act of 1969 (P.L. 91-190; 31 Stat. 852)
- Archeological and Historic Preservation Act of 1974 (P.L. 93-291; 88 Stat. 174)
- Archeological Resources Protection Act of 1979 (P.L. 96-95; 93 Stat. 712)
- Native American Graves Protection and Repatriation Act of 1990 (P.L. 101-601; 104 Stat. 3049)

Federal Regulations:

- 36 CFR 60 (NHPA): "National Register of Historic Places"
- 36 CFR 61 (NHPA): "Procedures for Approved State and Local Government Historic Preservation Programs"
- 36 CFR 63 (NHPA): "Determinations of Eligibility for inclusion in the National Register of Historic Places"
- 36 CFR 68 (NHPA): Secretary of the Interior's Standards for historic preservation

- 36 CFR 79 (NHPA/ARPA): “Curation of Federally Owned and Administered Archeological Collections”
- 36 CFR 800 (NHPA): “Protection of Historic and Cultural Properties”
- 43 CFR 3: Antiquities Act of 1906
- 43 CFR 7 Subparts A and B (ARPA): “Protection of Archeological Resources, Uniform Regulations” and “Department of the Interior Supplemental Regulations”
- 43 CFR 10 (NAGPRA): Determination of rights to Native American human remains, associated and unassociated funerary objects, sacred objects, and objects of cultural patrimony

West Virginia State Code:

- 29-1-8: “Historic preservation section; director
  Title 82 Series 2: “Standards and Procedures for Administering State Historic Preservation Programs”
- 29-1-8a: “Protection of human skeletal remains, grave artifacts and grave markers; permits for excavation and removal; penalties”
  Title 83 Series 3: “Standards and Procedures for Granting Permits to Excavate Archaeological Sites and Unmarked Graves”
- 29-1-8b: “Protection of historic and prehistoric sites; penalties”

National Register Publications (United States Department of the Interior/National Park Service):

- NR Bulletin No. 12: Definition of National Register Boundaries for Archeological Properties
- NR Bulletin No. 15: How to Apply the National Register Criteria for Evaluation
- NR Bulletin No. 21: How to Establish Boundaries for National Register Properties
- NR Bulletin No. 28: Using the UTM Grid System to Record Historic Sites
- NR Bulletin No. 29: Guidelines for Restricting Information About Historic and Prehistoric Resources
- NR Bulletin No. 36: Guidelines for Evaluating and Registering Historical Archaeological Sites and Districts
- NR Bulletin No 40: Guidelines for Identifying, Evaluating, and Registering America’s Historic Battlefields
- NR Bulletin No. 41: Guidelines for Evaluating and Registering Cemeteries and Burial Places

- NR Bulletin No. 42: Guidelines for Identifying, Evaluating and Registering Historic Mining Properties

Additional References:

1993 Henry, Susan L.
Protecting Archeological Sites on Private Lands. United States Department of the Interior, National Park Service, Washington, D.C.

1995 Carnett, Carol L.
A Survey of State Statutes Protecting Archeological Resources. National Trust for Historic Preservation, United States Department of the Interior, National Park Service, Washington, D.C.

1996 Society for American Archaeology
Editorial Policy, Information for Authors, and Style Guide for *American Antiquity* and *Latin American Antiquity* (revised).

1997 National Park Service Cultural Resource Management Guideline. United States Department of the Interior, National Park Service, Washington, D.C.

Appendix B - Excavation and Analysis of Human Skeletal Remains

Appendix C - Treatment of Human Skeletal Remains

Appendix D - Application for Archaeological Excavation Permit

Appendix E - Application for Archaeological Excavation of Unmarked Human Graves

Appendix F - Users Guide to the Cultural Resource Files

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