

Permit Number: _____
Date: / / _____

BLM-Utah Standard Cultural Resource Use Permit Terms and Conditions

This permit is subject to all applicable provisions of 43 CFR Part 3, 43 CFR Part 8, 26 CFR 262, and applicable Departmental and Bureau policies and procedures, which are made a part hereof. All federal, state, and local laws and regulations continue to apply to the implementation of all permitted activities, and BLM-Utah will pursue criminal and/or civil penalties for any violations of federal laws and regulations as appropriate.

Administrative Terms and Conditions

1. The signature of the Permit Administrator on these this document and the Cultural Resource Use Permit signifies the permit holder's acceptance of all permit terms and conditions. A copy of the signed permit must be returned to BLM-Utah's Deputy Preservation Officer within 30 days of receipt. Failure to sign and return may result in immediate suspension of the Cultural Resource Use Permit.
2. This permit may not be transferred or assigned.
3. The permit holder shall immediately request BLM-Utah's Deputy Preservation Officer to make a modification of the permit to accommodate any change in an essential condition of the permit (permit items 1, 4, 5, 8a, 8b, and 9), and shall without delay notify the Deputy Preservation Officer of any other changes affecting the permit or regarding information submitted as part of the application for the permit. Failure to do so may result in permit suspension or revocation or criminal charges.
4. This permit is issued for the term specified in items 6 and 7 of the Cultural Resource Use Permit (Form 8151-2). It is subject to suspension or revocation, for management purpose or for cause, at the discretion of the State Director, upon written notice.
5. Permit extension requests may be submitted in in writing to BLM-Utah's Deputy Preservation Officer at any time prior to the expiration of the permit. The extension request must specify a limited amount of time required to complete the permitted work.
6. Permittee may submit a request for a permit renewal from the BLM Utah State Office no more than two months prior to expiration of the current permit term. Permittees are responsible for submitting a renewal request at least one month prior to avoid permit lapses.
7. Any correspondence about this permit or work conducted under its authority must cite the permit number.
8. Special conditions attached to this permit are made a part thereof.
9. Permittee's initiation of work or other activities under the authority of this permit signifies the permittee's acceptance of the terms and conditions of the permit.

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10. The permit holder may request reconsideration of any decision regarding the modification, suspension, revocation, or non-renewal of this permit. Such request must be submitted in writing to the BLM-Utah State Director within 30 calendar days of the relevant decision and must include sufficient details regarding the reason(s) why the permit holder believes that the decision should be reconsidered.
11. The permit holder shall not be released from the requirements of this permit or be allowed to obtain a new, extended, and/or renewed permit until all outstanding obligations have been satisfied, regardless of whether the term of the permit has expired.
12. BLM-Utah will consider a permit applicant/holder's past performance working with/for any government agency in any state when making decisions regarding permit applications, extensions, renewals, suspensions, and revocations. Individuals identified on permit applications and modification requests who have knowingly and willfully misrepresented, falsified, or omitted application information, project data, or field or site records or made project data available to the public without specific authorization will not be eligible to participate in any capacity on an existing or future BLM-Utah Cultural Resource Use Permit.
13. All costs associated with these permitted activities shall be borne by the permit holder. This includes any initial, one-time curation fees that an approved repository charges for curating a federal archaeological collection in perpetuity.

Pre-Fieldwork Terms and Conditions

1. The permit holder shall conduct a records search through the Antiquities Section of the Utah Division of State History and any other relevant sources no more than 60 days prior to field survey. The permit holder shall also contact the appropriate field office archaeologist for additional records information regarding current and recent projects in the relevant area.
2. Prior to beginning any fieldwork authorized under the permit, permit holders must submit a *Fieldwork Authorization Request* (BLM Form 8151-3) to the appropriate District or Field Office Manager. The BLM will respond to such requests within 10 business days. Exact dates of fieldwork must be provided in the request. If weather or another priority causes the fieldwork to be cancelled or modified, the permit holder must notify the appropriate manager or their representative telephone, fax or e-mail. New fieldwork dates must be provided as soon as they are known.

Fieldwork Terms and Conditions

1. Fieldwork must be performed to the standards set in the project Statement of Work and in BLM-Utah's most current version of the H-8110 Guidelines: [Cultural Resource Fieldwork Guidelines and Standards](#) and H-8120: [Guidelines for Protecting Cultural Resources](#).
2. Fieldwork shall occur only when environmental conditions allow for professional quality work, including weather, light conditions, ground visibility, and soil conditions.

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3. All remains of past human activity at least 50 years of age shall be recorded for each project conducted under this permit. Cultural resource sites shall be recorded on the most recently approved site form.
4. The permit holder is required to use the following the definitions of sites and isolated finds found in BLM-Utah's most current version of the H-8110 Guidelines: [Cultural Resource Fieldwork Guidelines and Standards](#).
5. All sites and isolated resources must be documented via Global Positioning System (GPS) and adhere to the most recent version of [BLM-Utah's Digital Data Standards](#).
6. All archaeological materials collected from public lands under the provisions of this permit remain the property of the United States Government and may be recalled at any time for use by the BLM.
7. Shovel tests and auger probes may be used during inventory and evaluation to assess the nature and extent of a cultural resource for the purpose of determining its eligibility for the National Register of Historic Places or to determine an undertaking's potential effect on a resource. Shovel tests and auger probes should be limited to the minimum amount of disturbance necessary for this purpose. These efforts must not diminish or substantially alter the significance or integrity of a cultural resource.
8. Any person working under this permit who knows or has reason to know that he or she has discovered human remains, funerary objects, sacred objects or objects of cultural patrimony (as defined in the Native American Graves Protection and Repatriation Act, Section 2 (3)) on Federal lands must provide immediate telephone notification of the discovery, with written confirmation, to the appropriate Field Manager, with copies of written confirmation to the Utah State Office. All work in the immediate vicinity of the discovery will cease, and reasonable actions must be taken to protect the discovery. Work will not resume at the location of the discovery unless authorized. (see Native American Graves Protection and Repatriation Act, Section 3 (d)).
9. At least one person listed under items 8a and 8b of the Cultural Resource Use Permit shall physically be in the field, within sight of and in supervisory control of crew members, at all times when work is in progress. Each principal investigator and field director must have a copy of their current BLM Cultural Resource Use Permit and signed *Fieldwork Authorization Request* with them when in the field.
10. The permit holder shall backfill all subsurface exposures after recording the results and shall restore them as closely as reasonable to the original contour.
11. Unless otherwise instructed, the permit holder shall immediately remove and properly dispose of all temporary stakes, flagging, pin flags, and/or other materials installed to complete the permitted fieldwork. Prior to entering the field, the permit holder must contact the District or Field Office Archaeologist to determine if the field office has additional instructions regarding site identification materials left overnight.

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Reporting Terms and Conditions

1. Any cancellation of the project or elements of the project, authorized under this permit shall not negate the reporting requirements for survey results set forth herein. In the event that the project, or element of the project, is cancelled during or after field work, the permit holder shall at a minimum submit to BLM-Utah's Deputy Preservation Office a letter report summarizing: (1) project location; (2) methods used, areas inventoried, and findings; and (3) project GIS data, field notes, and photos.
2. The permit holder shall report project findings to the standards set in the project Statement of Work, BLM Utah's Handbooks 8110 ([Guidelines for Identifying Cultural Resources](#)) and 8120 ([Guidelines for Protecting Cultural Resources](#)), and BLM-Utah's most current Digital Data Standards. The permit holder shall have quality control procedures in place to ensure that submitted project documents are complete, correct, professional, and meet BLM-Utah standards. BLM-Utah will reject project reports that BLM-Utah determines are not complete, correct, professional, and/or do not meet BLM-Utah standards.
3. Cultural resource sites must be mapped at an appropriate scale with sufficient detail to allow site evaluations and determinations of effect. Maps must include project name and number, site number(s), legend or appropriate labeling, north arrow, scale bar, UTM datum and zone (if applicable), firm and author names, and the date the map was produced.
4. No later than 60 days after the completion of permitted fieldwork, the permit holder shall submit a draft project report and all associated documentation to the appropriate District or Field Office Manager. Extension requests must be submitted in writing to the appropriate District or Field Office Manager at least five business days before the project report is due. The manager will respond in writing, approving or denying the request, and this letter must be attached to the project report when it is submitted.
5. All cover pages of project reports and accompanying maps must contain the following statement in a large, bold font: **"For Official Use Only: Disclosure of Site Locations Prohibited (43 C.F.R. § 7.18)."**
6. No later than 90 days after the final project report is submitted to the appropriate District or Field Office Manager, the permit holder shall deposit all artifacts, samples, collections, original records, data, photographs, and other associated records resulting from permitted field work with the agreed upon curatorial facility. No later than 180 days after the final project report is submitted to the manager, the permit holder shall provide BLM-Utah's Deputy Preservation Officer with a catalog of all materials deposited with the curatorial facility, including the facility's accession and/or catalog numbers, the name of the item, the name of the project, and the name of the BLM-Utah field office the materials originated from. Extension requests may be submitted in writing to the appropriate manager at least five business days before the collection would be due for curation.
7. The permit holder shall provide BLM-Utah's Deputy Preservation Officer with written confirmation that all materials have been deposited with the approved curatorial facility. Such confirmation must state the type, number, and condition of the materials deposited at the facility, the date the materials were deposited, and be signed by the authorized curatorial facility official.

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8. The permittee shall be held responsible for the protection of confidential information and shall advise clients, project proponents, and members of the public of permittee responsibilities under this permit. Breach of the provisions of this permit or confidentiality may be subject to suspension, revocation or civil penalties pursuant to ARPA and the implementing regulations found at 43 CFR §7.15. At any time, the Agency Official may limit or prohibit the release of confidential information to clients and project proponents.

Publications and Presentations

1. BLM-Utah shall be afforded the opportunity to review drafts of publications and presentations prior to publication or presentation. Any publication of the results of work conducted under the authority of this permit must fully credit BLM-Utah.
2. The permit holder shall submit one hard copy and one digital copy of all publications resulting from the permitted work to the appropriate District or Field Office Manager.

Annual Requirements

1. For each year under permit, the permit holder shall provide a current curation agreement with a repository meeting the U.S. Department of the Interior's standards for museum property. Current curation agreements must be submitted to BLM-Utah's Deputy Preservation Officer no later than one month prior to expiration of the current curation agreement. An exception to the thirty-day time frame will be provided to those who obtain annual curation agreements from the Natural History Museum of Utah (NHMU) during the month of December, due to the nature of NHMU's curation agreement renewal process.
2. No later than December 31 of each year that this permit is/was in effect, the permit holder shall submit an annual report to BLM-Utah's Deputy Preservation Officer summarizing all projects performed under this permit for each permit year. For survey and recordation projects, the report should include project titles, project numbers, number of acres surveyed, number of sites recorded on BLM-administered public lands, and whether or not collections were made. For testing and excavation projects, the report shall include a listing of all materials deposited in curatorial facilities, including the name of the facility, the site number and accession numbers of the materials deposited, and date(s) of deposit. If no work is conducted under this permit, the permit holder shall report that fact by letter or email.

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Land Use and Resource Protection Conditions

1. The permit holder shall grant District or Field Office Managers and their representatives full access to the permitted work area at any time for the purposes of monitoring their compliance with these terms and conditions.
2. The permit holder shall take precautions to protect livestock, wildlife, the public, and other authorized public land users from accidental injuries involving testing and/or excavation holes. All holes must be backfilled as soon as possible. If work is not complete and a hole needs to be left open, protective precautions will be determined by the appropriate District or Field Office Manager.
3. Permittee shall not conduct any flint knapping or lithic replication experiments at any archaeological sites, aboriginal quarry source, or non-site location that might be mistaken as an archaeological site as a result of such experiments.
4. The permit holder shall perform all permitted fieldwork in a manner that does not impede or interfere with other uses of the public lands, except when the authorized officer specifically provides otherwise.
5. The permit holder shall restrict all motorized travel to designated roads and trails unless the appropriate District or Field Office Manager authorizes otherwise in writing. If unrestricted motorized travel is authorized, a copy of the manager's written authorization must be in the possession of the Principal Investigator or Field Director while in the field.
6. Permittee shall keep disturbance to the minimum area consistent with the nature and purpose of the field work.
7. Unless provided for in writing by the appropriate District or Field Office Manager, the permit holder shall conduct all operations in such a manner as to prevent or minimize scarring and erosion of the land, pollution of the water resources, and damage to watershed and vegetation resources. Disturbances must be kept to the minimum area consistent with the nature and purpose of the fieldwork.

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By signing below, I, the Permit Administrator, acknowledge that I have read and understand the Permit for Archaeological Investigations and agree to its standard permit conditions as evidenced by my signature below and initiation of work or other activities under the permit. I also certify that all Field Directors and Principal Investigators have read and understand the standard permit conditions.

Signature and Title:

Date:

Failure of the permit administrator to sign and return this page within 30 days of receipt will result in immediate suspension of the permit. Please return this page to the Bureau of Land Management, Utah State Office; Attn; Deputy Preservation Officer, 440 W 200s Suite 500, Salt Lake City, UT 84101. Signed forms may also be submitted electronically to blm_ut_cr_permits@blm.gov.

Paperwork Reduction Act and Estimated Burden Statement: This information is being collected pursuant to 16 U.S.C. 470cc and 470mm, to provide the necessary facts to enable the Federal land manager (1) to evaluate the applicant's professional qualifications and organizational capability to conduct the proposed archeological work; (2) to determine whether the proposed work would be in the public interest; (3) to verify the adequacy of arrangements for permanent curatorial preservation, as United States property, of specimens and records resulting from the proposed work; (4) to ensure that the proposed activities would not be inconsistent with any management plan applicable to the public lands involved; (5) to provide the necessary information needed to complete the Secretary's Report to Congress on Federal Archeology Programs; and (6) to allow the National Park Service to evaluate Federal archeological protection programs and assess compliance with the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470). Submission of the information is required before the applicant may enjoy the benefit of using publicly owned archeological resources. To conduct such activities without a permit is punishable by felony-level criminal penalties, civil penalties, and forfeiture of property. A federal agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. Public reporting for this collection of information is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Departmental Consulting Archeologist; NPS; 1849 C Street, NW (2275); Washington, DC 20240-0001.