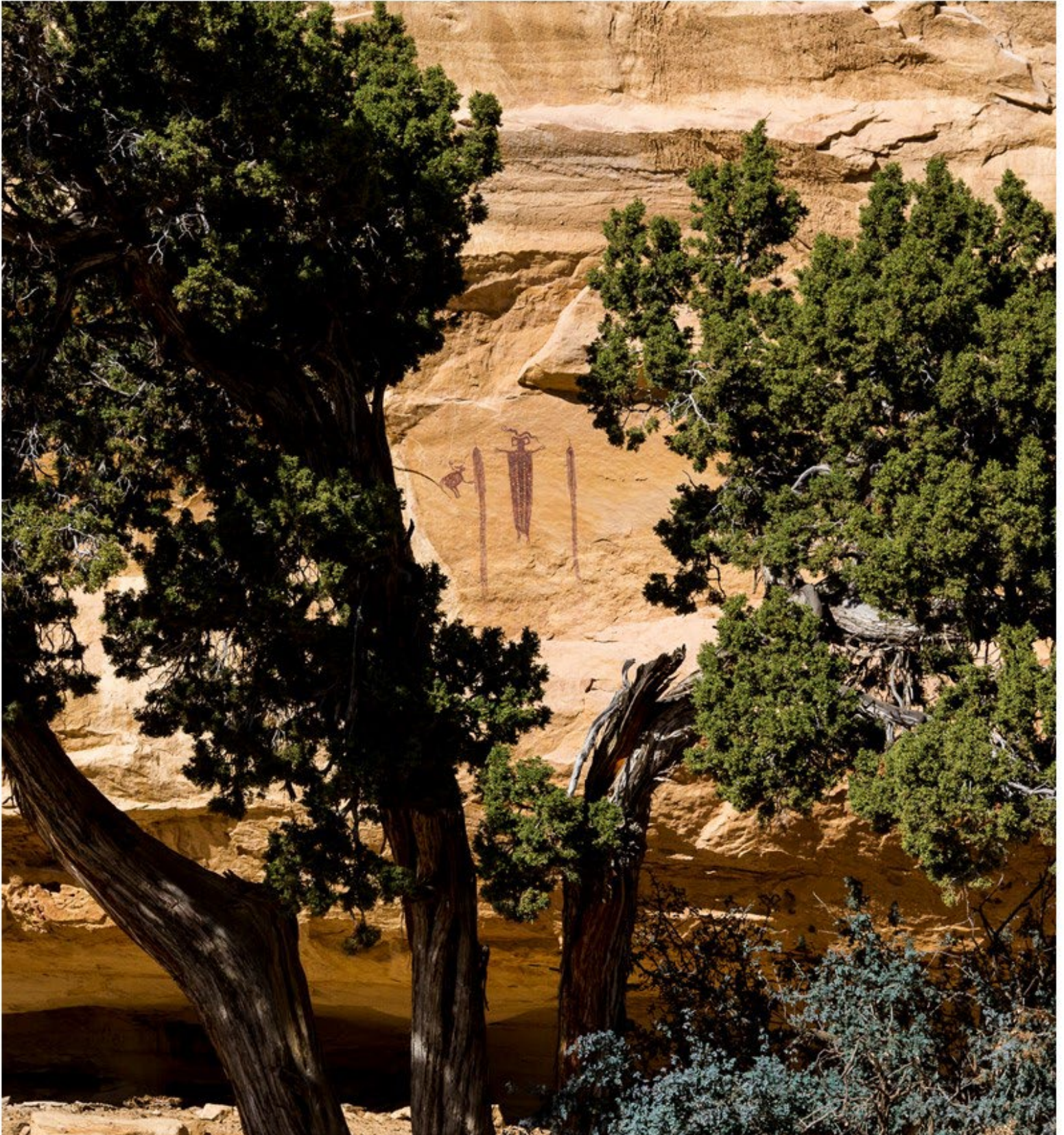




U.S. Department of the Interior
Bureau of Land Management

Cultural Resource Fieldwork Guidelines and Standards

BLM Supplement H-8110 – Utah



**CULTURAL RESOURCE FIELDWORK GUIDELINES
AND STANDARDS
BLM SUPPLEMENT H-8110 - UTAH**

UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
UTAH STATE OFFICE

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Cover: Head of Sinbad, Price Field Office

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I. PURPOSE AND OBJECTIVES

The guidelines in this handbook set the cultural resource identification standards for the Bureau of Land Management (BLM) - Utah for performing cultural resource fieldwork on lands administered or affected by BLM actions in Utah. Its purpose is to ensure the use of consistent, statewide identification, evaluation, treatment, and management procedures and to provide guidance for the proper recording and maintenance of cultural resource data.

The guidelines discussed here and within the BLM Manual Series 8100 (dated December 2, 2004) are to be used by the BLM to guide its own cultural resource efforts (i.e., identification, evaluation, and mitigation) and by cultural resource consultants, who may either apply for or who are currently holding a permit to conduct cultural resource work for a federal undertaking or an independent scientific study. These guidelines provide the scope and requirements to be used when conducting cultural resource identification efforts on BLM-administered lands in Utah.

All parties (BLM, BLM archaeologists, cultural resource consultants, other federal agencies, and project proponents) should be thoroughly familiar with these guidelines and will comply with them. Adherence to these guidelines is a primary stipulation for maintaining compliance with Cultural Resource Use Permits issued by the Utah State Office. These guidelines supplement Bureau Manual Series 8100.

As a federal agency, the BLM is responsible for completing the process outlined in Section 106 of the National Historic Preservation Act and its implementing regulations whenever there is an undertaking or an authorization with potential for effects on *historic properties*. The BLM also has a responsibility towards cultural resources as a whole as dictated by the Federal Lands Policy and Management Act. As many cultural resources have not been identified, are irreplaceable, and are highly sensitive to ground disturbance, it is necessary that the cultural resources are properly identified, evaluated, and reported prior to any action that may affect their significance and associated integrity or condition. All project specific information and collected materials from public lands remain the property of the United States Government.

II. AUTHORITIES

Additional guidance provided for the identification, evaluation, treatment, and management of cultural resources on BLM lands can be found in the *Programmatic Agreement Among the Bureau of Land Management, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers Regarding the Manner in Which BLM will Meet its Responsibilities under the National Historic Preservation Act* (2012 or its most recent version) and the BLM Manual Series 8100. Specifically, in Utah, guidance is provided by the most recent versions of:

- *Programmatic Agreement among the Bureau of Land Management, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers regarding the Manner in Which the BLM will meet its responsibilities under the National Historic Preservation Act* (2012)
- *State Protocol Agreement Between the Bureau of Land Management and the Utah State Historic Preservation Office Regarding the Manner in Which the Bureau of Land Management will Meet its Responsibilities Under the National Historic Preservation Act as provided for in the National Programmatic Agreement* (2020)
- *Programmatic Agreement Between the Advisory Council on Historic Preservation, The Bureau of Land Management – Utah, and The Utah State Historic Preservation Office Regarding National Historic Preservation Act Responsibilities for Small-Scale Undertakings* (2019).
- *Programmatic Agreement among the Advisory Council on Historic Preservation, the Bureau of Land Management – Utah, and the Utah State Historic Preservation Office Regarding National Historic Preservation Act Responsibilities for Travel and Transportation Management Undertakings*
- *Archaeological Compliance Guide Utah State Historic Preservation Office & Antiquities Section.*
- *Utah Archaeology Site Form Manual*
- *Utah Historic Context Documents*

III. MANUALS AND GUIDANCE

- *BLM 8100 – The Foundations for Managing Cultural Resources*
- *BLM 8110 – Identifying and Evaluating Cultural Resources*
- *BLM 8130 – Planning for Uses of Cultural Resources*
- *BLM 8140 – Protecting Cultural Resources*
- *BLM 8150 – Permitting Uses of Cultural Resources*
- *BLM 8170 – Interpreting Cultural Resources for the Public*
- *BLM 1780 – Tribal Relations*
- *BLM Utah Handbook 8110 - Cultural Resource Fieldwork Guidelines and Standards*
- *BLM Utah Handbook 8120 – Guidelines for Protecting Cultural Resources*
- *Archaeological Compliance Guidance – Utah State Historic Preservation Office*
- *Utah Archaeological Site Form Manual – Interagency Heritage Resources Work Group*

IV. PERMIT FOR ARCHAEOLOGICAL INVESTIGATIONS

(See also *BLM Manual 8150* and *BLM Utah Permit Guidelines*)

A Permit for Archaeological Investigations (PAI) is a land use authorization that the State Director, or his/her designee, issues to a qualified applicant, pursuant to *BLM Manual 8150*, for the purpose of carrying out various identification and/or data recovery operations on cultural properties that are located on lands where BLM administers the surface. The permit does not apply to non-federal surface.

Although permits are not issued for consultants working on non-federal land under BLM requirements, the BLM is responsible for the quality of work completed to satisfy historic preservation requirements and may ask to review both the project proponent's proposed choice of consultant and the adequacy of the work proposed and advise the proponent about the adequacy of the qualifications and/or the work through official correspondence. The BLM must accept a consultant's work product before completing the historic preservation review process and approving the proponent's land use application. At no time should a consultant use the permit as the mechanism to gain access to non-federal surface. The proponent is responsible for obtaining landowner consent.

Permits are issued partly under the authority of Section 302(b) of the Federal Land Policy and Management Act of 1976 (FLPMA) and the procedures in BLM Manual Section 2920, but in contrast of other "2920" permits, CRUPs are nonexclusive, noncompetitive, minimum impact permits, and are not subject to Notice of Realty Action, filing fees, or cost reimbursement. CRUPs are required for any person(s) performing cultural resource investigations on BLM-administered lands in Utah. Permits are also issued under the authority of the Archaeological Resources Protection Act of 1979 (ARPA). CRUPs are issued by the BLM Utah State Office. For more information, contact the State Archaeologist, BLM Utah State Office; 440 W 200 S Suite 500, Salt Lake City, Utah 84101, or by email at blm_ut_cr_permits@blm.gov.

While BLM Utah encourages and requires participation by permittees at all stages of the Section 106 process, the Utah BLM retains ultimate responsibility of complying with all requirements of the NHPA.

Permits may also be issued to appropriately qualified applicants, provided that the work proposed would further knowledge in the public interest, would not conflict with other legitimate or protected uses of public lands and resources, and would not be inconsistent with any approved management plan, objective, or established policy applicable to the public lands concerned.

Permits are not issued to other Federal agencies. Officially proposed cultural resource work may be authorized by a written agreement. Approval is subject to the same review process and considerations specified in *Manual 8150*. The written agreement may take the form of a letter.

The letter authorization is subject to the same conditions as applied to other permit holders, which must be referenced in the letter with special conditions attached. Other Federal agencies are required to obtain a fieldwork authorization from the appropriate Field Office manager prior to beginning fieldwork. An employee of another Federal agency, proposing to conduct off-duty personal research that would require a permit is subject to the regular permit application process.

The terms and conditions that apply to all permits must be adhered to for all projects or the permit may be suspended or revoked. Additional information about the permitting process is available on our website at: <https://www.blm.gov/programs/cultural-heritage-and-paleontology/archaeology/what-we-manage/utah>

A. Fieldwork Authorization

Prior to commencement of any field investigations, cultural resource consultants must notify the appropriate Field Office(s) of their intent to carry out fieldwork and submit a Fieldwork Authorization Request (Form 8151-3).

The primary purpose of a Fieldwork Authorization is to determine whether areas have been previously surveyed, whether there are conflicts with other resources, or other factors that could affect timing and scope of the proposed fieldwork.

The Field Office retains the right to recommend postponement of fieldwork. In these cases, the cultural resource specialist shall prepare a letter to the permittee setting out in detail the reasons for the delay and when work may begin. Field Offices may not use the Fieldwork Authorization process as a venue to routinely apply special conditions to the permit beyond what was attached at the original issuance. The Fieldwork Authorization process may also not be used as a second level of review of proposed personnel.

The Fieldwork Authorization request should be submitted at least two weeks prior to conducting field work. Fieldwork may not commence until the Fieldwork Authorization is signed by the appropriate Authorized Official. In addition to the Fieldwork Request form, the following information must be included:

- A description of the anticipated work schedule (e.g., fieldwork dates)
- Description of the proposed project and fieldwork to be completed, including acreage
Identification of key personnel
- 1:24,000 maps of areas to be inventoried, including land status

B. Notification to Indian Tribes of Possible Harm to, or Destruction of Sites on Public Lands Having Religious or Cultural Importance

All applications for limited testing and excavation permits must be reviewed for potential harmful or destructive effects to sites or areas of religious or cultural importance to Indian tribes.

If it is determined that the issuance of a permit may result in harm to, or destruction of, any Indian Tribal religious or cultural resource on public lands, then the notification procedures in 43 CFR 7.7 must be followed prior to making a decision to approve the application. Field Offices will consult under 42 CFR 10.3 whenever there is the possibility that limited testing or excavation proposed may discover cultural items subject to the Native American Graves Protection and Repatriation Act (NAGPRA).

The BLM will act in good faith to consider Tribal concerns regarding the proposed scope of work and analyses; however, the ultimate authority for determining the scope of fieldwork and analysis rests with the BLM.

1. Notification Requirement and Content

Upon receipt of an application for permit which, if approved, could result in harm to or destruction of identified sites or areas of Indian Tribal religious or cultural importance, the respective Field Office Manager shall notify the Indian Tribe(s) having the concerns. Notification should be by mail, return receipt requested.

2. Consultation

When in response to notification, an Indian Tribe asks to consult with the Field Office Manager, the designated BLM contact shall schedule a meeting with the Chief Executive Officer and/or designated Tribal Official(s).

Consultation topics shall be limited to the specific location(s) and nature of religious or cultural concerns of Indian Tribe(s) and should focus on the need for and possible means for avoidance or mitigation of potential harm or destruction to the sites or areas of concern.

V. IDENTIFICATION AND REPORTING

(See *BLM Manual 8110, BLM-Utah Statewide Protocol*)

Utah policy regarding cultural resource identification and evaluation is to:

- Conduct an appropriate level of identification according to professional standards commensurate with the land use activity, environmental conditions, and potential cultural resources.
- Evaluate cultural resources according to the National Register of Historic Places (National Register) criteria and assign cultural resources to appropriate use categories as the basis for management decisions.
- Complete adequate identification and evaluation reports and records and develop and maintain automated cultural resource files to allow efficient use of existing information in land use decision making.

The BLM is responsible for completing the Section 106 process whenever there is an undertaking or authorization with potential for effects on historic properties (i.e., those eligible for inclusion in the National Register). The purpose of cultural resource surveys and site evaluations are to allow the BLM to make informed decisions on multiple-use lands and consider effects to historic properties. As appropriate, these decisions are made in consultation with the State Historic Preservation Officer, Indian Tribes, and Local and State Governments, and at times with the Advisory Council on Historic Preservation. These guidelines are comprehensive instructions for conducting cultural resource surveys on BLM administered lands in Utah but are not intended to serve as comprehensive instructions for complying with all relevant components of the process defined in Section 106 of the National Historic Preservation Act.

A. Identification Procedures

1. Determination of Identification Needs

An appropriate level of identification and evaluation must be conducted prior to authorizing, assisting, or funding any land use activity, including transfer of title, which may affect cultural resources.

The level of identification and/or field methods appropriate for various types of land use activities, or a specific area of potential effect will be determined during the Section 106 compliance process. At a minimum, identification efforts for compliance purposes must be sufficient to identify potentially significant cultural resources within the area of potential effect. The level of identification and/or field methods should be commensurate with the number and classes of cultural properties known or expected to occur and the specific environmental conditions in the area to be surveyed.

A combination of field survey levels and techniques may be used to identify cultural properties. Field survey may be conducted in phases, particularly when existing information is inadequate to design a specific strategy. All environmental and cultural resource information should be considered when designing field surveys.

2. Field Survey Waivers

While complete Class III - Intensive Pedestrian Surveys (Class III surveys) are performed for most land use actions, a Field Manager may waive survey for any part of an Area of Potential Effect when one or more of the follow conditions exist:

1. Previous natural ground disturbance has modified the surface so extensively that the likelihood of finding cultural properties is negligible (Note: This is not the same as being able to document that any existing sites may have been impacted by surface disturbance; ground disturbance must have been so extensive as to reasonably preclude the location of any such sites.).
2. Human activity within the last 50 years has created a new land surface to such an extent as to eradicate locatable traces of cultural properties.
3. Existing Class II – Probabilistic Survey (Class II surveys) or equivalent identification efforts are enough to indicate that the specific environmental situation did not support human occupation or use to a degree that would make further survey information useful or meaningful.
 - a) Previous field surveys must have been conducted according to current professionally acceptable standards.
 - b) Records must be available and accurate, and must document the location, methods, and results of the survey. Class II “equivalent survey data” should include an adequate amount of acreage distributed across the same specific environmental situation that is located within the study area.
4. Survey at the Class III survey level has previously been performed, and records documenting the location, methods, and results of the inventory are available. Such surveys must have been conducted according to current professionally acceptable standards.
5. Natural environmental characteristics are unfavorable to the presence of cultural properties (such as recent landslides or rock falls).
6. The nature of the proposed action is such that no adverse effect can be expected on historic properties.

7. Conditions exist which could endanger the health or safety of personnel, such as the presence of hazardous materials, explosive ordnance, or unstable structures.

3. Actions not Normally Requiring Survey

In consultation with the SHPO, the BLM may exempt certain areas from field survey. If the BLM is uncertain as to if an area should be exempt from field survey, the BLM shall consult the SHPO via phone or email, including enough information for the SHPO to provide comment on the use of an exemption. Exemption from survey does not exempt the project from consultation with the SHPO (Please note that these exemptions may not apply to lands under the purview of the Ute Indian Tribal Historic Preservation Office [THPO]). Survey may be exempted under the following circumstances:

Disturbed areas – Areas with significant modern or natural ground disturbance that would have removed the potential to locate any cultural resources (e.g., active gravel pits, pipeline trenches, well pads, modern landslide).

Environmental conditions: Areas with existing field survey data sufficient to indicate that the specific environmental situation did not support human occupation or use, to a degree that the records documenting the location, methods, results, and reliability of the existing survey would make further survey information not useful or meaningful.

Previously surveyed: Field survey information, regardless of its age, provides the agency official with enough data to make informed decisions. If the agency official determines that the prior survey information is adequate to identify historic properties, no survey is needed. In cases where the agency official will be using field survey that may be approximately 10-years or older in replacement of conducting a new survey, informal consultation (e.g., phone call or email) with the SHPO is required. Consultation may conclude that the previous survey is adequate, needs supplementation, or is not adequate.

Field Manager Discretion: If areas are difficult to access for topographical, geological, ecological, or safety reasons, then that area may be exempted from survey at the agency official's discretion. However, a good faith and reasonable effort should be made to visually assess these areas by aerial photographs, binoculars, spotting scopes, etc. and include background research.

4. Undertakings Exempt from SHPO Consultation

In certain circumstances, the BLM may proceed on an undertaking without consulting the SHPO. (Please note these exemptions may not apply to lands under the purview of the Ute Indian Tribe's THPO.). While an action may be listed here as exempt from SHPO consultation, the agency official, at the recommendation of the BLM archaeologist, may have justification to require SHPO consultation and an inventory/survey and evaluation of cultural resources. Field Offices will internally track and document in the administrative record all undertakings exempt from inventory. The following actions are, in most circumstances, exempt:

Lands and Realty

1. Issuing leases, easements, rights-of-way, and permits (not including grazing permits or oil and gas lease sales) that do not authorize surface disturbance.
2. Acquiring land and easements.
3. Transferring lands or interest in lands to other Federal agencies or Utah State Institutional Trust Land Administration, where future management will be subject to a NHPA Section 106 or Utah Annotated Code 9-8-404 process.
4. Issuing rights-of-way for existing developments, renewal, or acquiring land (name change) of existing rights-of-way except where operation, maintenance, or abandonment activities might result in new surface disturbance.
5. Issuing rights-of-way where proposed disturbance is limited to existing disturbance.
6. Issuing rights-of-way renewals for overhead lines with no pole, tower, or other surface disturbance on BLM-administered lands.
7. Authorizing new lines on existing overhead structures when there is no change in pole or tower configuration and no new surface disturbance.
8. Issuing or renewing rights-of-way for new or existing communication tower or buildings on established or designated communications where the area is previously disturbed, or past survey has occurred.
9. Issuing special land use designations, which do not authorize surface-disturbing projects.

Minerals

1. Seismic operations on maintained roads or trails, and those involving no use of explosives, blading, or other land modifications, nor appreciable disturbance or compaction of vegetation, soils, or desert pavement by vehicle movement or other means except for concentrated foot traffic.
2. Issuing permits for surface collection of mineral materials in a designated common use area previously subject to Section 106 review.

Recreation

1. Dispersed noncommercial recreation activities such as rock collection, Christmas tree cutting, and primitive backcountry camping.
2. Permitting non-surface disturbing special recreation permits such as outfitting, guided tours, and youth programs.
3. Issuing Special Recreation Permits along rivers, hiking trails, snow covered ground, and other specified areas where use is similar to previous permits or designated use and would not increase the level of use and where there will be no new surface disturbance.
4. Issuing river use permits.
5. Activities limited within stream channels, not including terraces and cut banks.
6. Personal use firewood permits which are not specific in size and do not concentrate use.
7. Maintenance of hiking or bicycle trails that have been surveyed.

Wildlife and Botany

1. Modification of existing fences to provide wildlife ingress and egress.
2. Fishery habitat improvements when confined to stream channel and watershed improvements (such as willow plantings).
3. Herbicide application where it would be unlikely to affect archaeological sites and features, rock imagery, or traditional Native American plant gathering areas. Decisions will be consistent with and informed by the 2007 Vegetative Treatments Using Herbicides on BLM Land in 17 Western States Programmatic Environmental Impact Statement.

Range

1. Animal traps and corrals in use for one week or less. Case-by-case review by the BLM archaeologist may be needed to assess potential effects prior to the undertaking.
2. Range improvement maintenance, except at locations not previously subject to Section 106 reviews.
3. Maintenance or replacement of existing fence lines that do not require disturbance beyond replacement of posts or wire and will not result in new concentrations of animals or creation of new two track trails from vehicles.
4. Stock or wildlife waterlines laid on the surface that do not require excavation or other surface disturbance and do not cross known historic properties or previously recorded unevaluated cultural resources.
5. Annual authorization of livestock trailing where types of animals and dates of operation do not change, and the numbers of animals do not exceed the maximum numbers authorized by the grazing permits.

Other

1. Removing modern materials and trash scatters less than 50 years old and not associated with a larger eligible entity. Abandoned motor vehicles are included in this class.
2. Issuing special use or short-term permits not entailing environmental disturbances.
3. Issuing paleontology permits.
4. Survey, data, and information collection (including collection of samples) including land use and land cover, geological, mineralogical and resource evaluation activities, soil testing, cadastral surveys, and geophysical surveys (i.e., placement of surface geophones) and approval of permits for such activities.
5. Minor, routine, or preventive operations and maintenance activities on BLM facilities, lands, and resource developments requiring no new surface disturbance and where facilities being maintained are not historic properties (does not include wildfire rehabilitation).
6. Authorization installation of devices to protect human or animal life.
7. Installation of temporary fencing.
8. Activities which involve no more than one square meter of contiguous disturbance in any given location, unless within the boundaries of a known historic property or an unevaluated cultural resource.

Historic Preservation

1. Maintenance of historic properties where consultation on materials and construction methods has already occurred, or where methods and materials are not changing from currently used techniques.
2. Use of a dry brush, eraser, water, sponge, and or towel to obscure graffiti that is located at least one-meter away from carved images and three-meters away from painted images. Under no circumstances should removal activities using any liquid occur on surfaces where the liquids used may run or drip onto images.
3. Installation of buck and rail, gabion fences, or erosion control materials, such as straw bales, to protect cultural resources.
4. Installation of trailhead register, visitor use tracking mechanisms or interpretive panels.

B. Identification Classes

1. Existing Data Review/Literature Review

Existing cultural resource information must be reviewed for all undertakings at a level commensurate with the size and nature of the proposed action. Additional information about this requirement is located below in Section C2.

2. Class II – Probabilistic Survey

A Class II survey serves as a statistically based sample-oriented survey of cultural resource in a defined area. This type of survey provides baseline data for making an estimate of the nature and distribution of cultural resources in an area and aids in answering related research questions.

3. Class III – Intensive Pedestrian Survey

Class III surveys are designed to identify and record all cultural properties visible from the surface and from exposed profiles within a target area (except for any subareas determined very unlikely to contain discoverable cultural properties). They are continuous, intensive, and complete surveys carried out by trained observers walking close-interval parallel transects until the area has been thoroughly examined. A Class III survey preceded by an existing data review is the most common method for identifying historic properties in Utah for the purpose of complying with Section 106.

Class III surveys are 100-percent pedestrian surveys of the project area. It is important to remember that a 100-percent survey does not mean that every piece of ground within the project area must be looked at to the same degree of intensity. All fieldwork must be carried out by field crews operating under the direct, in-field supervision of a fully qualified BLM cultural resource specialist or BLM-permitted Field Supervisor. To be considered a Class III survey, the survey must:

- Thoroughly cover the area of potential ground disturbance on foot, with a series of close interval parallel pedestrian transects. As appropriate and approved by the respective BLM Field Office Manager based on recommendations from the associated Field Office Archaeologist and in consultation with the Utah SHPO or Ute Indian THPO (where applicable), wider separations may be approved based on conditions within the proposed project area.
- The surface of the APE must be available for adequate visual inspection
- Be preceded by a prehistoric and historic overview (Literature Review) that is acceptable to the BLM.

- Attempt to define a finite site boundary. Boundaries must be established for sites within the APE. If a site boundary extends hundreds of meters outside the APE, the contractor is to contact the BLM immediately. By documenting site boundaries outside of the APE, options for avoidance outside of a proposed APE may be better evaluated.
- Provide complete and accurate site records for all new cultural resources recorded.
- Produce a report to BLM specifications

C. Field Survey Requirements

1. Review of Local Resources

It is the responsibility of the field archaeologist to become familiar with the types of resources known or expected to occur within the project area, characteristic settlement patterns, current research issues, and geomorphic factors which may affect site integrity or visibility.

2. Literature Review

Regardless of the magnitude of the survey, each Class II or III survey must be preceded by a pre-field literature review. The purpose of a literature review and associated background research is to create a series of expectations regarding the nature of the archaeological resources likely to be encountered in order to determine the inventory effort required. At a minimum, the literature review will include relevant data within a 0.25-mile radius of the exterior boundary of the proposed APE, or as stipulated by the BLM. As part of the literature review process, and as applicable, the following sources of information should be checked:

- SEGO database
- Historic Contexts
- Predictive Models
- Water Rights
- Land Patents
- Mining Records
- Grazing Records
- Sanborn Maps
- General Land Office (GLO) maps
- Master Title Plats (MTP) records
- USGS Historical Quadrangle maps
- Pertinent articles, books, theses, dissertations, websites, or other publicly available research that are either relevant to the proposed project area or relevant to known resources within the project area
- Field Office Class I – Existing Information Inventories (Class I Inventory)
- Field Office Records

The BLM may stipulate that additional sources be consulted, depending on the nature of the project and the APE. Consultants should confirm with the appropriate field offices if all recent reports and site forms are on file with the SHPO, and if not, request copies of information not currently available on SEGO or UDAM. The BLM may also stipulate that the search radius be extended depending upon the results of the literature review, background research, and government-to-government consultation with Indian Tribes.

The results of all source inquiries shall be incorporated into the final report regardless of whether those inquiries resulted in useable data (e.g., if a search of the GLO maps shows no potential for cultural resources then it should be stated which maps were consulted but contained no relevant information). Unless otherwise stipulated, all cultural resources or potential cultural resources are to be considered during the literature review and an effort will be made to locate all such identified or possible resources within the APE during the field survey.

3. Transect Spacing

In general, for Class III surveys in Utah, areas should be covered with either 15 or 30 meter transects. An expansion of the transect widths from 15 to 30 meters requires consultation with the State Historic Preservation Office. Either the nature of the terrain or the nature of the cultural resources known to be in the survey area may dictate changes in spacing between crew members. In all cases, the field investigator will report areas where slope, vegetation, and/or terrain justified deviation from the accepted standard. Transects are to be parallel in nature and no un-surveyed areas are to be left between transects.

4. Rate of Survey

Assessment of a productive pedestrian survey rate is a professional judgement, which is affected by several field conditions. However, rates of coverage exceeding 40 acres per person in high and medium density areas and 60 acres in low density per day may be considered too rapid to produce reliable results. Excessive coverage rates may trigger rejection of the report. Deviations should be approved in advance by the BLM Field Office archaeologist. Rates of pedestrian survey that exceed the above guidelines shall be documented in the project report.

5. Lighting Conditions

Low light levels impair survey effectiveness. In general, surveyors should delay survey until one hour after sunrise, and halt survey one hour before sunset. It is also advisable to halt or reschedule survey when visibility is impaired because of smoke, dust, fog, poor winter lighting conditions, or atmospheric conditions.

6. Surface Visibility

At least 80% of the ground surface must be free from snow at the time of the field survey. Exceptions may be granted on a case-by-case basis by the appropriate BLM Field Office

Archaeologist, although the primary factor in such decisions should be the potential for adverse impacts on cultural resource values. In such cases, monitoring during construction shall be required as a protective strategy.

If thick vegetation is adversely affecting ground visibility, then the Principal Investigator should immediately consult with the respective BLM Field Office Archaeologist on how to proceed.

7. Coverage of Area of Potential Effect

Where surface disturbing actions are proposed, the minimum survey area shall include all areas to be physically disturbed by earth-moving activities, as well as areas where vehicle movement, off-loading of equipment, rehabilitation, or any other indirect impacts may be reasonably anticipated.

Site conditions may be such that trampling, increased erosion, or other adverse effects may arise from survey and/or site recording. This may occur, for example, after heavy rains. Professional judgement should be used to ensure that survey does not damage or threaten the preservation of cultural resources. The BLM may contact field crews and advise them to cease inventory if it is believed that trampling, vehicle tracks, etc. may damage cultural resources due to saturated ground or other adverse conditions.

8. Survey of Previously Surveyed Areas

If the Field Office Manager in association with the Field Office Archaeologist determines that prior survey information is adequate to identify historic properties, no survey is needed. In cases where the Field Office Manager will be using field survey that may be approximately 10 -years or older in replacement of conducting new survey, information consultation (e.g., phone call or email) with the SHPO or Ute Indian Tribe THPO (where applicable) is required. After such consultation, the BLM may conclude that the previous survey is adequate, needs supplementation, or is not adequate.

D. Additional Fieldwork Considerations

1. Site Updates

If a site revisit indicates that the character of the site has changed, then a site form update will be prepared. The report will also reflect this updated information. If the character has not changed, then an update is not needed.

Site forms that are older than 10-years, should be updated with new photos and an update of the description. The report will also reflect this updated information. In most cases, only new

photo(s), or a description of what has or hasn't changed at the site should be included in the update.

Non-linear sites which have been revisited twice in the modern period (defined as post 2000) and determined not eligible with concurrence of the SHPO, shall not require additional site updates.

If a previously documented site cannot be relocated by using the information found within the existing site form, then the site form should be updated. The report will also reflect this updated information.

2. Judgmental Survey

Judgmental (selective or reconnaissance) surveys may be appropriate when existing data are enough to indicate areas where cultural properties are likely to occur. Judgmental survey may be useful in verifying assumed conditions that would warrant a waiver of more intensive survey, checking the adequacy of previous surveys, locating architectural or other high-profile properties, locating properties associated with particular kinds of landscape features, and gathering preliminary information on areas where little or no data exist. Judgmental survey may also be used to verify ("ground-truth") existing records and provide missing information needed to evaluate cultural resources.

3. Surface Collection

Isolated artifacts and examples of diagnostic cultural materials may be collected during field survey if their locations are adequately documented, and a provision has been made for their curation; after receiving approval from the appropriate BLM Field Office Archaeologist.

Extensive surface collections of artifacts which substantially impact cultural properties generally should not be conducted during field survey; on-site analysis and other non-destructive techniques should be considered as alternatives. Sample surface collections may be appropriate for evaluation purposes, while sample or complete surface collections may be appropriate for mitigation purposes. Surface collections, other than the occasional collection of isolated artifacts, must be conducted according to a documented methodology approved by the BLM as part of a stated research design.

4. Subsurface Probing and Shovel Testing

Probing (minor exposure of the subsurface with a shovel, trowel, augur, or other tool) to assess the nature and extent of cultural deposits for the purpose of site recordation and evaluation is allowed and encouraged.

Limited shovel testing is an appropriate method for assisting in the identification data potential, depositional integrity, and deposit structure if such information cannot be easily ascertained from surface observations. The number of shovel tests conducted at a site should be limited to

the smallest number needed to determine eligibility and site boundaries. Subsurface probing is not the same as archaeological test excavation, which requires a project specific permit.

Any artifacts encountered during subsurface probing or shovel testing should be remain in the location of discovery, unless the artifact is of such a unique type that collection is merited.

The number of shovel tests and the results of the tests should be described in the associated site form and depicted on the corresponding site map.

E. Recording Cultural Resources

(See *BLM Utah Statewide Protocol: Appendix C*)

1. Site Records

All cultural properties discovered in the course of the survey will be on Utah Archaeological Site Forms (UASF) and accompanying 21 fields table by Bureau personnel, contractors, or permittees. The UASF form, table, and manual are available from the Utah State Historic Preservation Office. Site numbers for all cultural properties recorded on BLM-administered lands are obtained from the Division of State History. The minimum criteria for defining archaeological sites, requiring use of the UASF site record, are that sites should contain remains of past human activity that are at least 50 years old, and should consist of one or more of the following:

1. At least 10 artifacts of a single class (e.g., 10 sherds) within a 10-meter diameter area, except when all pieces appear to originate from a single source (e.g., one ceramic pot, one glass bottle).
2. At least 15 artifacts, which include at least two classes of artifact types (e.g., 10 sherds, and five glass fragments) within a 10-meter diameter area.
3. One or more archaeological features in temporal association with any number of artifacts.
4. Two or more temporally associated archaeological features without artifacts.

Archaeological discoveries which are less substantial than those defined by the criteria above may be recorded as sites if a professional archaeologist believes they are important enough to enter onto the UASF. For example, a location containing only three pieces of pottery within an area 10-meters in diameter might be recorded as a site if there is some indication, such as an exposed vertical profile, that a subsurface component is present. Professional judgment should always be exercised in applying the criteria to cases which are questionable.

Buildings and structures (as defined by the National Register) regardless of their standing or collapsed disposition, are never considered isolated finds. These features represent more

human investment and occupation than an isolated lithic, tin can, or bottle and should be treated as an archaeological site.

Each UASF site form will be submitted as a separate PDF/A file. The file should include all relevant parts of the UASF form including site sketch and location maps, artifact illustrations, and photographs. The naming convention for site PDF files shall be the Smithsonian Trinomial with county abbreviations capitalized, and no leading zeros. Amendments or updates for the same site will consist of the Smithsonian Trinomial followed by a hyphen and a sequential number.

The name of the crew chief directing the documentation of the site shall be documented on the line "recorded by."

2. Isolated Finds

Cultural Resources which fall below the thresholds for an archaeological site as defined in Section C.1 and its caveats are considered isolated finds.

Isolated finds may constitute objects under the definitions of the National Register of Historic Places, and therefore should be considered for their eligibility in a broader context.

For those cultural resources that do not meet the definition for an archaeological site as defined in Section C.1, there is still a requirement to provide some documentation of their location, cultural period, and artifact composition in the cultural resources report and in digital submissions.

1. Tabular Data: At a minimum, the isolated finds should be individually numbered with a unique identifier, include a tabular description of cultural period, cultural affiliation, UTM coordinates, and an estimated date range.
2. Photographic Data: Each recording of a **diagnostic artifact or feature should include at least one digital photograph**. Additional photographs of diagnostic materials such as projectile points, pottery, or unusual or unexpected cultural materials should be considered.

Isolated finds **consisting entirely of lithic debitage, ceramics, bottles, or cans will only be recorded if professional judgement warrants.**

3. Photographs

Photos should be embedded in reports and site forms. Each report and site form should have at least one photograph. Multiple photographs should be included in site forms and isolated occurrences of diagnostic artifacts and features. A maximum of two photos per page with

captions is acceptable. Captions should include at a minimum the site number, project number, date, direction facing, and a brief description. While not required, if individual photograph files are submitted to the BLM, they must be submitted in either JPEG or TIFF formats and numbered using the site or isolate number, a hyphen followed by a sequential number.

4. Field Observations

Descriptions and locations of cultural resources identified in the field by non-cultural resource personnel should be recorded and plotted on a topographic map.

5. Maps

Maps related to the site and/or report shall be embedded in the appropriate PDF/A version of the site form and/or report. If the size or scale of the map is such that including the map in the PDF/A document would in some way be detrimental to the document, the map may be submitted as a separate PDF/A file.

All map images should be properly displayed to the scale listed on the map. For example, a 1:24,000 scaled map should be free from distortions that alter the accuracy of the scaling.

Maps must be appropriately labeled and include at a *minimum* the following information: Map Title/Project Name, Project Number, legend, north star, scale, firm name/authors name, date the map produced, and a *clear* depiction of the area of potential effect, area surveyed, sites recorded, Public Land Survey System (e.g., Township, Range and Section) and land status.

Maps depicting the GPS'd location of sites and project boundaries on the appropriate USGS 7.5' Quadrangle shall be included in the report. Good quality hand drawn site sketch maps or GPS produced site maps are acceptable.

6. Collection Records

Field Offices are responsible for obtaining and maintaining records of all cultural materials collected from lands under their jurisdiction. The records should be in the form of catalogs from the repository housing the collections and should, at a minimum, include site numbers, accession and/or catalog numbers, project name, project date, name of institution conducting the project, and a basic description of the materials accessioned.

F. National Register Evaluation Criteria

Cultural resources are evaluated to determine whether they meet the National Register Evaluation Criteria and to determine ways in which they would be most appropriately managed and used. These two types of evaluation are complementary and should be considered part of a single, integrated evaluation process.

1. National Register Significance

Under the National Register criteria (36 CFR 60.4), significance is measured in terms of a site's integrity, association, representativeness or uniqueness, and information potential. In this context, the word "significant" means that the site meets National Register criteria. Evaluations under the National Register Criteria divide cultural resources into two classes, eligible and not eligible. If a cultural property meets the National Register criteria, it is subject to compliance with Section 106 of the NHPA whenever a proposed undertaking may have an effect on it. National Register status does not in itself signify how a specific cultural resource should be managed in the long term. However, the characteristics and values which make a resource eligible or not eligible should serve as a basis for assigning the resource to use categories and determining how the resource should be managed in accordance with potential uses.

2. Evaluating Cultural Resources to the National Register of Historic Places

In order to evaluate if a cultural resource is eligible for the National Register, a five-step process must be followed, outlined below. This process is outlined in *National Register Bulletin 15*, Section III and reiterated in *National Register Bulletin 36*, Section IV.

- a. Categorize the site
- b. Determine which historic context(s) the site represents
- c. Determine whether the site is significant under the National Register Criteria
- d. Determine if the site is a type usually excluded from the National Register
- e. Determine if the site retains integrity

a. Categorize the site

National Register Bulletin 15 defines the categories of historic properties (buildings, structures, objects, sites, and districts). Section IV. of Bulletin 15 states that the National Register is "not used to list intangible values, except in so far as they are associated with or reflected by historic properties. The National Register does not list cultural events, or skilled or talented individuals, as is done in some countries. Rather, the National Register is oriented to recognizing physically concrete properties that are relatively fixed in Location." Furthermore Section IV. of Bulletin 15, states "small groups of properties are listed under a single category, using the primary resource. For example, a city hall and fountain would be

categorized by the city hall (building), a farmhouse with two outbuildings would be categorized by the farmhouse (building), and a city park with a gazebo would be categorized by the park (site). Properties with large acreage or a number of resources are usually considered districts. Common sense and reason should dictate the selection of categories.”

Section IV. of Bulletin 15, further defines each of these categories:

1. Buildings - A building, such as a house, bar, church, hotel, or similar construction, is created principally to shelter any form of human activity
2. Structures - The term “structure” is used to distinguish from buildings those functional constructions made usually for purposes other than creating human shelter
3. Object - The term “object” is used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment
4. Site – A site is a location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing structure
5. District – A district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development

b. Determine which historic context(s) the site represents

The significance of a historic property can only be judged and evaluated within its historic context. The context is the patterns and trends in which a specific occurrence, property or site is understood and its meaning within history or prehistory is made clear.

Section V. of Bulletin 15 outlines five considerations for evaluating a cultural resource within a historic context. These criteria are as follows:

1. The facet of prehistory or history of the local area, State, or nation that the property represents.
2. If that facet of prehistory or history is significant
3. Whether it is a type of property that has relevance and importance in illustrating the history context
4. How the property illustrates that history
5. Whether the property possesses the physical features necessary to convey the aspect of prehistory or history with which it is associated.

Cultural Resources identified during a field survey must be individually evaluated within the context of local history and prehistory, as well as their relationship to research questions. A discussion of how the identified cultural resource relates to regional research questions as posed in Class I – Existing Information Inventories (Class I inventory) and published historic contexts may and should be included in all recommendations of eligibility. Eligibility recommendations should also include consideration of historic, scientific, ethnic, public, and legal aspects of significance, in addition to site condition and integrity.

The BLM encourages all individuals and organizations conducting cultural resource work on BLM-Utah projects to consult the Class I inventory which have been prepared for most BLM-Utah Field Offices and the historic contexts produced and housed by the Utah Division of State History. Class I inventories and historic contexts available at the time this document was produced are included in the following table. These contexts are important aids to assist with making eligibility recommendations.

Table 1. Class I Inventories and Historic Contexts for Utah

Document Type	Location/Office:	Name	On File at:
Class I	Moab Field Office	<i>A Class I Cultural Resource Inventory of Lands Administered by the Bureau of Land Management, Moab Field Office; Part: 1 Regional Overview</i>	Moab Field Office/ Utah State Office
Class I	Monticello Field Office	<i>A Class I Cultural Resource Inventory of Lands Administered by the Bureau of Land Management, Monticello Field Office; Part 1: Regional Overview</i>	Monticello Field Office/ Utah State Office
Class I	Cedar City Field Office	<i>A Cultural Resources Class I Inventory for the Bureau of Land Management Cedar City Field Office Resource Management Plan</i>	Cedar City Field Office/ Utah State Office
Class I	Richfield Field Office	<i>A Class I Cultural Resource Inventory of Lands Administered by the Bureau of Land Management, Richfield Field Office: Part 1 Regional Overview</i>	Richfield Field Office/ Utah State Office
Class I	Price Field Office	<i>A Class I Cultural Resource Inventory of Lands Administered by the Bureau of Land Management, Price Field Office; Part 1: Regional Overview</i>	Price Field Office/ Utah State Office
Class I	Vernal Field Office	<i>Class I and Site Location Model for the Bureau of Land Management Vernal Field Office Area, Daggett, Duchesne, Uintah, Carbon, and Grand Counties, Utah</i>	Vernal Field Office/ Utah State Office

Document Type	Location/Office:	Name	On File at:
Class I	Fillmore Field Office	<i>A Class I Cultural Resource Inventory of Lands Administered by the Bureau of Land Management, Fillmore Field Office; Part 1: Regional Overview</i>	Fillmore Field Office/ Utah State Office
Class I	Salt Lake Field Office	<i>A Class I Cultural Resources Inventory of the Bureau of Land Management, Salt Lake Field Office</i>	Salt Lake Field Office/ Utah State Office
Class I	St. George Field Office	*No Class I Available	n/a
Class I	Kanab Field Office	<i>A Class I Cultural Resource Inventory of the Bureau of Land Management, Kanab Field Office</i>	Kanab Field Office/ Utah State Office
Class I	Grand Staircase-Escalante National Monument (*prior to boundary reduction)	<i>Hisat'sinom of the High Plains: The Prehistory of the Grand Staircase-Escalante National Monument Class I Analysis and Predictive Model</i>	Grand Staircase-Escalante National Monument/ Utah State Office
Class I	Bears Ears National Monument	*No Class I Available – see Monticello Field Office Class I	n/a
Historic Context	Statewide	<i>Literature Review and Assessment of Historic Railroad Documentation in Utah</i>	Utah SHPO
Historic Context	Richfield Field Office	<i>Radioactive Metal Mining in Wayne County, Utah 1900-1970</i>	Utah SHPO
Historic Context	Vernal Field Office	<i>Irrigation in the Uinta Basin, 1869 to 1972</i>	Utah SHPO
Historic Context	Vernal Field Office	<i>Shepherding and Sheep Camps in the Uinta Basin, 1879 to 1972</i>	Utah SHPO
Prehistoric Context	Vernal Field Office	<i>Prehistoric Temporary Campsites in the Uinta Basin</i>	Utah SHPO
Prehistoric Context	Fillmore, Cedar City, Richfield Field Offices	<i>Great Basin Style Rock Art Thematic Resources</i>	Utah SHPO
Prehistoric Context	Price and Vernal Field Offices	<i>The Historic and Prehistoric Resources of Nile Mile Canyon</i>	Utah SHPO

Many of BLM-Utah’s Class I Inventories provide guidance on the **importance of answering “first order”** research questions **before, higher level research** questions should be addressed. Even though not every Field Office Class-I discusses these questions, this baseline information may be used to **understand what research questions are appropriate for each cultural resource.**

Examples of first order research questions include those listed by Moab Class I (Cannon et. al 2016), such as:

- When was the site occupied?
- Does available evidence suggest a single temporal component? Or are multiple temporal periods present?
- Are there buried archaeological deposits, or is the site a surface manifestation only?

- What is the site's geomorphological setting, and how did that contribute to site formation processes?
- What other natural or cultural activities or processes contributed to site formation?
- What resources were used by occupants of the site?
- Are faunal remains present at the site, and can they be adequately characterized?
- Are there contexts where botanical remains can be collected and analyzed?
- What technologies were employed by occupants of the site?
- What is the site structure and organization in terms of features, artifact disposal areas, etc.?
- Does the archaeological evidence for other key characteristics of site inhabitants (status, gender, economic activities and specialization, resource choice, etc.) support, deny, or refine existing archaeological knowledge or, for Historic period sites, ethnographic or archival data?

Furthermore, **research questions and data needs are also addressed in many of BLM-Utah's Class I Inventories.** Where available, existing research questions such as those in Class I's or published historic contexts, should be used in the evaluation process. Some of the "higher level" research questions from BLM-Utah's Class I's include, but are not limited to:

- What evidence is available that can better inform on the range of variation present in Paleoindian subsistence strategies?
- What are the defining characteristics of Archaic period settlement patterns in the MFO planning area? What is the range of temporal and spatial variation in settlement pattern, and, more important, what caused that variation? Can long-term residential sites or base camps be identified? Is Archaic settlement residentially or logistically structured?
- The transition from dispersed, semi-subterranean pithouses to aggregated, above-ground pueblo villages characterize the Basketmaker-Pueblo temporal horizon. Although hypotheses abound (see Reed 2000), researchers have yet to reach a consensus explanation for this phenomenon. To what extent was this the result of environmental factors? Why did it occur in some major drainage systems but not in others?
- Are lithic procurement areas known to occur in the planning area? And how were lithic materials moving across the social and geographic landscape of the planning area during the Formative period?
- What differences are there, if any, in assemblages from local ranchers and shepherd camps and out-of-state cowboy camps?
- Can short-term encampments be used to trace cattle drive trails?
- What features and associated artifacts make up a typical dog hole mine? How do these sites differ from large corporate mining locations?
- Is there evidence of temporary encampments or dugout features along railroad alignments that are associated with the construction of the line? Can these

encampments and features be positively associated with a specific ethnic group who may have built the line? What differences are there between the camps along the initial railroad building in the county and any later rail lines built for hauling mining materials?

A complete listing of all research questions within BLM-Utah's Class I's is not practicable here. However, **the above list provides a general understanding of the types of research questions that could, and many times should be used.**

It is **critically important** that BLM-Utah's determinations of eligibility incorporate research questions to elevate **our understanding and importance of each identified cultural resource.** Conversely, it is **equally important** to show that some cultural resources on BLM-administered land do not have the potential to provide an understanding of the applicable research questions and may not be eligible under Criteria D.

c. Determine whether the site is significant under the National Register Criteria for Evaluation

Please note, "To qualify for the National Register, a property **must be significant**; that is, it must **represent a significant part** of the history, architecture, archeology, engineering, or culture of an area, and it **must have the characteristics that make it a good representative of properties associated with that aspect of the past**" (National Register Bulletin 15 Section V *emphasis added*).

When evaluated within its historic context, a property must be shown to be significant for one or more of the four National Register Criteria A, B, C, or D. (National Register Criteria or Criteria) The National Register Criteria describes how properties are significant for their association with important events or persons, for their importance in design or construction, or for their information potential. The basis for judging a property's significance and, ultimately, its eligibility under the Criteria is historic context and its passion of the aspects of integrity (see section below). The use of historic context allows a property to be properly evaluated in a nearly infinite number of capacities (National Register Bulletin 15 Section VI).

The Criteria recognizes different types of values embodied in districts, sites, buildings, structures, and objects. These values fall into the following categories:

- **Associative value** (Criteria A and B): Properties significant for their association or linkage to events (Criterion A) or persons (Criterion B) important in the past.
- **Design or Construction value** (Criterion C): Properties significant as representatives of the manmade expression of culture or technology.
- **Information value** (Criterion D): Properties significant for their ability to yield important information about prehistory or history.

For a greater knowledge and to appropriately evaluate cultural resources to the National Register, please review Bulletin 15. Remember, if a cultural resource meets one of the Criteria, it is eligible to the National Register, and therefore it may be listed on the National Register (which is separate and more exhaustive process). If they don't meet any of these Criteria, then they are not eligible. For reference, some of the guidance in National Register Bulletin 15 (*emphasis added*) is provided in the following sections:

Understanding Criteria A and B – Properties that are associated with events that have made a significant contribution to the broad patterns of our history and that are associated with the lives of persons significant in our past

- **General associations** with events or persons significant in the past **will not be considered** sufficient to meet criteria A or B
- A property is **not eligible if its associations are speculative**. Mere association with historic events, trends, or patterns of events is not enough, in and of itself to qualify under Criteria A
- Properties **may have significance** under Criterion A if they are associated with events, or series of events, significant to the **cultural traditions of a community**
- Criteria B applies to properties associated with individuals whose specific **contributions** to history can be **identified and documented**
- Criteria B is generally restricted to those properties that illustrate (rather than commemorate) a person's important achievements
- A property is **not eligible** if its **only justification** for significance is that it was **owned or used** by a person who is a member of an identifiable profession, class, or social or ethnic group. It must be shown that the person gained importance within his or her profession or group.
- Properties that pre-or post-date an individual's significant accomplishments are usually not eligible.

Understanding Criteria C – Properties may be eligible for the National Register if they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction. Criteria C applies to properties that are truly significant for their physical design or construction.

- "embody the distinctive characteristics of a type, period, or method of construction," refers to the way in which a property was conceived, designed, or fabricated by a people or culture in past periods of history
- "The work of a master" refers to the technical or aesthetic achievements of an architect or craftsman

- A **master** is a figure of **generally recognized greatness** in a field, a known craftsman of consummate skill, or an anonymous craftsman whose work is **distinguishable** from others by its characteristic style and quality.
- "**High artistic values**" concerns the expression of aesthetic ideals or preferences and applies to **aesthetic achievement**
- "**Distinctive characteristics**" are the physical features or **traits that commonly recur** in individual types, periods, or methods of construction. To be eligible, a property **must clearly contain enough** of those characteristics to be considered a **true representative** of a particular type, period, or method of construction.
- High artistic values may be expressed in many ways, including areas as diverse as community design or planning, engineering, and sculpture. A property is eligible for its high artistic values if it so fully articulates a particular concept of design that it expresses an aesthetic ideal.
- A property is **not eligible**, however, if it **does not express aesthetic ideals or design concepts** more fully than other properties of its type.

Understanding Criteria D: Properties may be eligible for the National Register if they have yielded, or may be likely to yield, information important in prehistory or history

- **Certain important research questions** about human history can only be answered by the actual **physical material of cultural resources**. Criteria D encompasses **the properties** that have the **potential to answer**, in whole or in part, **those types of research questions**
- Information is considered "**important**" when it is shown to have a **significant bearing** on a research design that addresses such areas as: 1) **current data gaps** or **alternative theories that challenge existing ones** or 2) **priority areas** identified under a **State or Federal agency management plan (e.g., Class I Inventory)**.
- Criteria D most commonly applies to properties that contain or are likely to contain information bearing on an important archeological research question. The property **must have characteristics** suggesting the likelihood that it possesses **configurations of artifacts, soil strata, structural remains, or other natural or cultural features** that make it possible to do the following:
 - **Test a hypothesis** or hypotheses about events, groups, or processes in the past that bear on important research questions in the social or natural sciences or the humanities; or
 - **Corroborate or amplify currently available information** suggesting that a hypothesis is either true or false; or
 - **Reconstruct the sequence of archeological cultures** for the purpose of identifying and explaining continuities and discontinuities in the archeological record for a particular area

- For a building to be eligible under Criteria D, it must be, or must have been, the principal source of the important information

Additional Considerations for the Criteria for Evaluation

- “To qualify for the National Register, a property **must be significant**; that is, it must **represent a significant part** of the history, architecture, archeology, engineering, or culture of an area, and it **must have the characteristics that make it a good representative of properties associated with that aspect of the past**” (National Register Bulletin 15 Section V Bulletin 15 *emphasis added*).
- National Register **Bulletin 36** provides additional guidance on evaluating eligibility of **archaeological properties**
- National Register **Bulletin 38** provides guidance for evaluating and documenting **Traditional Cultural Properties**
- A cultural resource site determined eligible under Criteria D may also be found eligible under Criteria A when the site is specifically mentioned in oral or written histories
- Based on advances in archaeological science and it is possible that the additional information and understanding about a particular resource type may change over time. These advances may therefore require reconsideration of previous determinations of eligibility. It is possible that a site previously determined not eligible may become eligible or vice versa given advancements in the understanding of the culture history of an area. Any changes to eligibility should be thoroughly documented in an updated site form, making particular account of the reasoning behind the change.

d. Determine if the site is a type usually excluded from the National Register

Certain kinds of properties are not usually considered for listing in the National Register. Generally religious properties, moved properties, birthplaces and graves, cemeteries, reconstructed properties, commemorative properties, and properties achieving significance within the past fifty years. However, Section VII of Bulletin 15 provides “Criteria Considerations” for properties which may fall into the types generally excluded from the National Register. While the criteria considerations prevent the listing of these types of sites, that does not mean they should not be documented as cultural resources.

e. Determine if the site retains integrity

This section provides clarification on when and how integrity should be evaluated for cultural resources encountered as part of an undertaking.

Historic properties are assessed for all seven aspects of integrity when evaluating their eligibility for listing in the National Register. The integrity of a historic property relates directly to the qualities of the property's location, design, setting, materials, workmanship, feeling, and association. A property may be eligible for inclusion in the National Register if it meets one or more of the National Register Criteria. The property must retain the essential physical features that enable it to convey its significance. These features are those that define why a property is significant and the period(s) during which it acquired or achieved significance.

Not all aspects of integrity are important for all types of historic properties. For most sites eligible only under **Criteria D**, **the property does not need to recall visually an event, person, process, or design.** It is **only important that the significant data** in the property remain sufficiently intact to yield the expected information if the appropriate study techniques are employed (*National Register Bulletin 15*). For example, **integrity of setting is not relevant** to the significance of most properties eligible only under **Criteria D**.

The Utah Archaeological Site forms ask for the integrity of a site to be evaluated and include check boxes for each of the seven aspects of integrity. This is a change from the previously used Intermountain Antiquates Computer System (IMACS) forms.

The Utah Archaeological Site Form manual does not distinguish whether integrity should be evaluated for eligible sites or non-eligible sites. Therefore, **integrity should be evaluated for all sites, regardless of eligibility.** A record of the integrity of all cultural resources is important for site management and for cases in which the eligibility of a site is reassessed based on advances in archaeological science and cultural understanding.

The **level of effort** provided for each integrity description **should be commensurate with the level of significance** of the site (local, regional, national). **BLM is looking for thoughtful integrity descriptions for sites that are eligible under Criteria A, B, and C. Only the aspects of integrity that the site possesses should be discussed.**

Sites that are only eligible under criterion D will need a brief integrity description, which will usually include notes on location, workmanship, and/or materials. **For less complex sites, or sites that are not eligible, the recorders will only need to check the integrity boxes on the site form and no written description will be needed.**

3. BLM-Utah's Best Practices - All Cultural Resources

Evaluations **must be specific and well thought-out**. Evaluations **which simply state a site is or is not eligible or lack identified research themes or questions will not be accepted**.

Each cultural resource should be evaluated under each Criteria. However, evaluations should not list Criteria (or repeat the text from the National Register Criterion) that is not applicable for the characteristics and/or nature of the site.

Evaluations should not state that cultural resources are *potentially* eligible under Criteria A, B, or C without providing specific information to support eligibility under those criteria.

Evaluations are completed for the entirety of each cultural resource, not just the portion of a site or other resource that falls within the bounds of a particular project or undertaking.

Contractors and permittees are reminded that they conduct work in support of the agency's legal requirements under Section 106 of the National Historic Preservation Act. Therefore, consultants make ***preliminary recommendations*** of eligibility for inclusion in the National Register, which are reviewed by BLM archaeologists. In accordance with 36 CFR 800.4 (c)(2), the BLM will make the final decision as to the eligibility of a cultural resource for the purposes of Section 106. In some circumstances, the State Historic Preservation Officer or Keeper of the National Register may be consulted for controversial situations. ***If a BLM Field Office Archaeologist requests a change to the eligibility recommended by a consultant, it is expected that the consultant will make the change.***

4. BLM-Utah's Best Practices – Criteria D

Criteria D evaluations that are based on speculation of subsurface deposits are unacceptable. An example of a speculative recommendation is highlighted in bold text below:

*... surface artifacts at this site are limited and do not possess the potential to answer important research questions or provide the data needed to understand prehistoric lifeways (see Cannon et. al. 2016). This site also lacks any subsurface indicators such as upright slabs, fire-cracked rock (see Roberts 2022), or charcoal staining, **however the site has good depth potential for subsurface deposits and therefore should be considered Eligible under Criterion D.***

To prevent speculative recommendations based solely on visual observations of depth potential, an archaeologist should carefully consider the context of that soil deposition, the condition of the site, and other subsurface deposit indicators when making a recommendation of eligibility. If the potential for subsurface deposits is used as the primary factor for an eligibility determination for "data potential", that justification should include detailed information outlining the indicators used to make such an assertion. If visual inspections of exposed

artifacts and/or features as well and the surrounding environment prove inconclusive the archaeologist may employ the use of a limited number of shovel tests to determine the data potential, depositional integrity, and deposit structure of the site. If the results of the shovel probing do not contribute to the potential for answering research questions, this site is not eligible under Criteria D.

A cultural resource is **not eligible if it cannot be related to a particular time period or cultural group** and, as a result, **lacks any historic context** within which to evaluate the importance of the information to be gained (National Register Bulletin 15 Criterion D: Information Potential).

Evaluations that **simply repeat Criteria D's** important information requirement, **without including an applicable research theme or question are unacceptable.**

5. BLM-Utah's Best Practices – Unacceptable National Register Evaluation Examples

"This artifact scatter has the potential to provide information to our understanding of prehistory"

This Criteria D evaluation does not connect this site to research question(s), which makes it an unacceptable evaluation. Furthermore, if the evaluator cannot ascribe this site to a time period, or cultural group, other than the general "prehistory", it cannot be eligible to the National Register (see National Register Bulletin 15).

"This artifact scatter (with no features or obvious subsurface indicators, such as charcoal staining) has the potential for subsurface materials, therefore it is eligible under Criteria D."

Remember, "certain important research questions about human history can only be answered by the actual physical material of cultural resources" (see National Register Bulletin 15). This evaluation is unacceptable because it speculates the presence of subsurface physical materials. It is common, yet incorrect for evaluators to mislabel "subsurface materials" for the "potential for important information." The confirmation or knowledge of subsurface materials, followed by a comparison to research questions, should confirm, or negate the possibility of important information.

"This large prehistoric artifact scatter is not associated with events that are significant in the history of the area and therefore is not significant under Criterion A. It is not tied to a specific person in the history of the area and is not eligible under Criterion B. The features are not distinctive in period or type of construction and therefore it is not eligible under Criterion C. However, this site is eligible under Criterion D because of the presence of Fremont ceramics in western Utah.

Each time a site is evaluated, each of the National Register Criteria (A, B, C, and D) must be considered. However, when an evaluation is written, greater attention needs to be placed on those Criteria that are more likely to confirm eligibility. In this example, repeating the text from Criteria A, B, and C is not meaningful or necessary. Rather, Criteria D evaluations should focus on the property type (i.e., building, structure, object, site, district), physical remains, appropriate historic context, and applicable research questions.

6. BLM-Utah's Best Practices - Acceptable National Register Evaluation Examples

"Spread over two small ridges, this expansive and moderately dense prehistoric artifact scatter contains a variety of sourceable or identifiable tool-stone material types that may show how lithic materials were moved across the social and geographic landscape of the Parowan Valley during the Formative period (Yentch and Weymouth 2012). Therefore, this site has the potential to provide important information in prehistory, specifically the Formative period and is eligible under Criteria D. This site maintains integrity of location as erosion has not substantially altered the placement of artifacts. The site also maintains integrity of materials (tool stone) as evidenced in the artifacts located on site."

This evaluation provides a short, but helpful description of the physical remains at this site. This description is followed by a relevant research question and reference. The presentation of this research question and the reference material show what the "important information" may be at this site.

This simple, yet concise evaluation of information potential that is based on a research question(s) assists the BLM agency official as they make a determination of eligibility for this property and finding of effect for the undertaking. In theory, if potential adverse effects are identified, this evaluation would provide the direction for future mitigation efforts.

Since the physical remains at this eligible site appear to be more complex than other sites found during this survey or in the area, a description of the applicable aspects of integrity (location and materials) was included.

"the historic artifacts at this site, including the kitchenware, crushed oil lamp base, and the broken saddle buckles are consistent with the artifact types for western sheep camps during World War I identified by (Oliver et. al. 2017: 48). The dense concentration of heavy and bulkier domestic items, such as cast-iron stove fragments and stove pipe versus lighter artifacts (tobacco tins and horse tack) at this site may provide important information about the potential for Uintah Basin sheep camps to be less mobile (ibid). Therefore, this site has the potential to provide important information (Criteria D) about patterns of sheepherding in the Uintah Basin. This site maintains integrity of location as erosion has not substantially altered the placement of artifacts. The site also maintains integrity of materials."

This evaluation provides a short, but helpful description of the physical remains at this site. This description is followed by a relevant research question and reference. The presentation of this research question and the reference material show what the “important information” may be at this site.

This well-thought out evaluation is based on a research question(s) from a published historic context. As written, it will be helpful to the BLM agency official as they make a determination of eligibility for this property and finding of effect for the undertaking. In theory, if potential adverse effects are identified, this evaluation would provide the direction for future mitigation efforts.

Pending a further review of existing research in this area such as the Vernal Field Office Class – I (Patterson et. al. 2018), and *Shepherding and Sheep Camps in the Uinta Basin, 1879 to 1972* (Oliver et. al. 2017) an evaluation of Criterion A, B, and C may be entirely appropriate and necessary for this property.

Additional information on how to evaluate identified cultural resources is available in the following documents. All individuals or organizations conducting cultural resource related work on BLM administered lands are expected to be familiar with information contained within these documents:

- Secretary of Interior’s Standards and Guidelines for Evaluation
https://www.nps.gov/history/local-law/arch_stnds_3.htm
- National Register Bulletin 15
https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf
- National Register Bulletin 36
<https://www.nps.gov/subjects/nationalregister/upload/NRB36-Complete.pdf>

7. Management Summary and Recommendations

Each report developed by or submitted to the BLM should include a management summary chart of resources. The chart should include:

- Site numbers
- Brief site descriptions
- Recommended site eligibility
- Brief descriptions of how sites may be affected by the undertaking
- Mitigation recommendations

The field archaeologist’s recommendations concerning measures which can be taken to avoid or mitigate the effects of the undertaking on historic properties within the area of potential

environmental effect are invaluable. It may prove impossible to revisit each documented cultural resource, so suggesting on how to protect each resource must be as specific as possible.

The report author(s) must evaluate whether the undertaking could affect the properties recorded. If there will be no effect, there must be an explanation as to why, taking into account where sites are located in relation to the project's ground disturbance, changes in public access, and any other relevant factors.

If the undertaking could affect sites, then it must be stated how each property could be impacted. This section must be specific. Relating suggestions for avoidance or mitigation of effects to individual site sketch maps is recommended. A discussion of the specific qualities making individual properties significant and how they would be affected by the undertaking should also be discussed as it is the adverse effects upon those qualities making property eligible which must be mitigated.

It is **imperative** that recommendations provided by a contract archaeologist be developed in consultation with the relevant BLM Field Office Archaeologist to assure:

1. Appropriate consideration of cultural resource significance,
2. appropriate consideration of other resource values,
3. feasibility and cost effectiveness,
4. compliance with relevant statutes and regulations, and
5. consideration of the needs of the project applicant.

Recommendations should consider if additional work is required and what that work would entail, any ways to mitigate potential adverse effects, it is important to reiterate that impacts are mitigated, not sites.

9. Site Avoidance and Reroutes

If during site recording, a preliminary assessment is made that the site has some significance and avoidance appears to be a viable option, additional acreage should be inspected to allow for potential project redesign/reroutes. As a general rule of thumb, disturbance activities should avoid the site boundaries by at least 100'. Less avoidance may require an archaeological monitor at the initial start of construction and other special considerations. The survey report must include clear maps, depictions, and discussions of the original survey routes, realignments, and associated surveyed areas. These must be indicated on maps and marked clearly in the project area.

G. Survey Report Standards

All reports must be accompanied by a SHPO Cover Page, UT 8110-3 BLM Summary Report, site forms, a table of isolated finds, photographs, and maps. Reports, and all associated documentation shall be clear, legible, and submitted in a quality format. All report submissions shall include a digital submission in PDF/A format with a resolution of 300ppi or higher.

For projects that will not have an impact on sites or for small survey projects, a UT 8110-3 form is sufficient for the report. BLM will also accept a SHPO negative report so long as a UT 8110-3 cover sheet is attached.

1. Large-Scale Survey Report Format

Reports produced for large-scale inventory projects or those which will result in an impact to cultural resources will include the following sections:

- Title Page
 - Table of Contents
 - Abstract
 - Project Information
 - Environmental Background
 - Prehistoric and Historic Overview
 - Expectations
 - Field Methods
 - Results of the Inventory
 - Eligibility Recommendations
 - Management Recommendations
 - Findings of Effect
 - Conclusions
 - References Cited
 - Appendices
- The **Title Page** should include the agency and office for whom the work was performed, the project number, and the number of the Cultural Resource Use Permit under which the work was conducted.
- The **Table of Contents** should include a list of report sections, numbered tables, figures, and plates with associated page numbers.

➤ The **Abstract** should consist of approximately 250 words or less about the Class III inventory report. The abstract must outline the report contents and refer to specific highlights of the findings as follows:

Agency – Identify the lead Federal Agency for the project and any other Federal and State land managing agencies involved.

Project Title – Name of Project

Project Description – Describe the proposed action, including planned construction, transfer of title, need for ancillary facilities, etc.

Location- Identify township, range, and section, name of nearest city or topographical feature, USGS map source, and name of county in which the project is located

Acres- Total number of acres inventoried for the project

Cultural Properties Located- Total number of cultural properties encountered during the inventory. Also include the number considered eligible and the number considered not eligible.

Eligible Properties- Provide Smithsonian Trinomials for all cultural properties considered eligible to the National Register and the criteria under which each property is considered eligible.

Not Eligible- Provide Smithsonian Trinomials for all cultural properties considered not eligible for the National Register.

Comments- If the inventory was conducted to comply with Section 106 of the National Historic Preservation Act, concisely state the potential direct and indirect effects of the undertaking on significant cultural properties and include recommendations for avoidance or mitigation.

- **Project Information** providing the project number, the reason for the survey, crew size, crew members, dates of fieldwork, problems encountered, and disposition of original records and data.
- The **Environmental Background** provides the parameters of the landscape that limit or allow cultural use (such as geology, past and present vegetation and hydrology patterns, landscape islands, past cultural modifications, etc.). This information may be obtained through field observations, GIS data layers, and other research sources.
- The **Prehistoric and Historic Overview** (i.e., literature search) consists of an archival review of pertinent data sources (e.g., BLM reports, published articles and books, ethnographic literature) appropriate to the project area. Based on these data, an overview of the pre-

historic, historic, and ethnographic knowledge of the region scaled to the size and scope of the project is presented.

- The **Expectations** section briefly describes the type and density of artifacts, sites, and features anticipated to be encountered during the survey based on the information gathered during the Overview research, discussions with BLM archaeologists, and the archaeologist's own working knowledge of the region.
- The **Field Methods** describe the survey methodology used (e.g., Class II, Class III) to collect data and record sites. Discuss confidence in meeting the objective of a total inventory of cultural resources within the specified area. Discuss the potential for finding additional surface and subsurface sites and define further data needs.
- The **Results of the Survey** provides the body of the archaeological data findings from the fieldwork. Tables should be used to summarize large quantities of sites or other cultural data. Detail of the data should be in the site form(s) attached to the report, but enough key information should be provided in the report tables to support the eligibility recommendations.
- The **Eligibility Recommendations** provide recommendations and justifications for the eligibility of all cultural resources identified in existing records or located during the survey. All cultural resource sites are to be assessed for significance in the draft and final survey reports. Significance is determined by applying the criteria for inclusion in the National Register of Historic Places (National Register) (36 CFR 60.4). Sites may be significant at a local, regional, or national level, and this should be discussed as appropriate. This information may be captured in a table.

The Section 106 process requires the BLM to determine if properties are eligible for the National Register. All determinations are subject to review by the BLM and though Section 106 consultation requirements found in 36 CFR 800, as appropriate.

- The **Management Recommendations** evaluate effects to National Register listed, eligible, and unevaluated sites, making suggestions for avoiding, minimizing, or reducing any potential adverse effects. These could include, but are not limited to, avoidance measures, fencing, project redesign, monitoring, and mitigation (data recovery) if avoidance is not possible. Monitoring recommendations could include pre- and post-project construction, including long-term agreements that BLM develops under a specific Memorandum of Agreement or Programmatic Agreement. If the BLM asks for a change a management recommendation, the cultural resource consultant is expected to make that change.

- **Findings of Effect:** Based on the permittee's recommendations of National Register eligibility, the report should state that there are **no historic properties affected** if either (a) there are no recommended historic properties or (b) the permittee recommends there are historic properties present but that the undertaking will have no effect on them. If the permittee is recommending that historic properties are present but that they will not be affected, the basis for that determination will be presented.

A finding of **no adverse effect** generally pertains when the criteria of adverse effects are not met. Archaeological data recovery as a means to mitigate anticipated damage or destruction of a historic property through excavation or collection does not qualify for a finding of no adverse effect. A no adverse effect finding generally involves means for preservation, rehabilitation, restoration and/or reconstruction, as those are defined in 36 CFR 68.2 and accompanying guidance, and usually pertains to buildings and structures identified as historic properties.

An **adverse effect** is found when it may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that diminishes the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. A summary of some adverse effects to historic properties includes, but is not limited to: physical destruction or damage; removal of the property from its historic location; change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance; introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features; neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe; transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

For an archaeological resource identified as a historic property, important information is typically preserved in a combination of factors involving location, materials and workmanship, but especially association, which provides horizontal and vertical context to artifacts and features that is used in interpreting the past.

- The **Summary/Discussion/Conclusions** summarize the survey, results of survey, numbers of eligible and ineligible sites recorded, eligibility recommendations, and management recommendations.

- The **References Cited** shall reference all citations in the text, including printed manuscripts, websites, and other results from archival research. Style follows *American Antiquity*.
- The **Appendices** shall include complete site records, isolate location information (isolate table and maps), and a complete photo log of all photos digitally submitted. Minimum data to include in the photo log can be found in Appendix H. Other appendices may include additional supporting maps and archival documents.

2. Small-Scale Inventory Report Format

A small-scale inventory report may be completed using the BLM Form UT-8100-3. In these cases, no additional written report is required. A copy of the most recent version of this form is located on the BLM Utah Cultural Resources website. The form includes prompts for all necessary information. The report form should be filled out completely with no missing information. **BLM encourages use of this form in lieu of larger reports for smaller projects and those projects resulting in no impact to cultural resources.**

This small-scale inventory report form serves as a coversheet for all other survey reports.

3. Negative Survey Report Format

For projects less than 50 acres in size and where no archaeological sites were located, a negative survey report form may be used. This form is issued by the Utah SHPO and identifies only those portions of a normal report which are necessary to complete the Section 106 compliance process.

The negative survey report form eliminates the need for lengthy cultural or historical contexts and backgrounds which are not necessary for negative reports. **A UT 8110-3 form will need to be attached as a cover sheet to this report.**

4. Preliminary Reports

Preliminary or “draft” reports should be submitted to the relevant field office archaeologist within 60 days of completion of fieldwork. Draft reports should be of high quality with limited typographical or grammatical errors. Upon receiving the draft report, the field office archaeologist will conduct a review for the purpose of determining whether BLM survey and site survey record standards were met and whether appropriate mitigation recommendations were offered.

The draft report is to be written as though it is the final report, including all maps, tables, figures, works cited, and site records. BLM expects that the need for revisions to the draft report is minimal. A need for major revisions or an inordinate number of editorial mistakes to the draft report will be seen as unacceptable and may result in the report being “unreviewable” until it is written to meet the standards outlined.

Draft report packages should include the full report in PDF/A format, the 21 fields chart, site forms, a list of isolates, GIS shapefiles, and project photographs.

BLM will have 30 days to review all submitted project reports unless stated otherwise. At the end of the 30-day period, BLM will either accept the report as is, accept the report with editorial modifications, reject the report pending substantive changes, or request additional review time. Corrections must be returned to the BLM within 30 days, unless prior arrangements have been made.

5. Final Reports

A contracted cultural resource consultant must obtain permission from the BLM before submitting any copies of the report to the project proponent. If granted, the proponent must obtain permission from the BLM prior to distributing copies of the report to any other individual, organization, group, or agency. The products of the cultural resource survey are the property of the BLM. BLM may use current data sharing agreements or field manager approval to distribute copies to others.

6. Coversheets

All reports that are submitted to BLM Utah Field Offices will include the UT-8100-3 BLM coversheet and the Utah SHPO coversheet.

H. Report Processing

1. Report Submission

All reports and associated materials shall be submitted to the Field Office where the fieldwork took place.

2. Due Dates

In accordance with the BLM-Utah Standard Cultural Resources Use Permit Terms and Conditions (Permit Terms and Conditions), a draft report must be submitted no later than 60 days after completion of the permitted field work.

3. Format

Reports, coversheets, and site forms must be “born digital” and saved in PDF/A format with appropriate file names as identified in Section V.C.1 of this document, the Utah SHPO guidelines, and the BLM digital data standards. Reports and materials not meeting this format will not be accepted. All materials should be submitted to the respective field office in digital format. **Paper copies will no longer be accepted.**

4. Report Review

Upon receipt of a Cultural Resource Inventory Report, the respective BLM Field Office Archaeologist will conduct a review for the purposes of determining whether BLM inventory and site record standards were met and whether appropriate mitigation recommendations were offered. BLM expects that all materials submitted for BLM review are of high quality with minimal typographical or grammatical errors. As per the Permit Terms and Conditions, the permit holder should have quality control procedures in place that ensure submitted project documents are complete, correct, professional, and meet BLM-Utah standards.

BLM reserves the right to reject incomplete, incorrect, and unprofessional materials which do not meet BLM Utah standards. BLM also reserves the right to question determinations of eligibility made by permittees and request that changes be made.

5. Inadequate Reports

If a Cultural Resource report is determined inadequate, the deficiencies can generally be corrected either through the return of the report to the responsible permittee (with explicit comments on the deficiencies and the steps necessary to correct them); or if the problem is minor, through clarification over the telephone with written confirmation.

If field checks reveal problems such as missed, mis-located, or improperly recorded sites, the responsible permittee will be notified, and a joint field inspection may be arranged. In cases where the report is completely inadequate, where similar past deficiencies have not been corrected, or where the correction of deficiencies may result in substantial time delays, the project applicant or sponsor will be notified. Documentation of any irregularities in report contents will include information concerning the ultimate resolution of the problem. All correspondence regarding report inadequacies and corrections should be forwarded to the State Office for filing in the permittee's case file. Consistent failure to provide appropriate management recommendations, site significance evaluations, or meet site record or inventory report standards may lead to permit suspension, revocation, or nonrenewal.

6. Report Forwarding to SHPO or THPO

The BLM Field Office Archaeologist is responsible for forwarding approved reports to the SHPO or Ute THPO, for completing Section 106 consultation, and for incorporating the report and any identified resource records into the Field Office recordkeeping system.

I. Maintenance of Inventory and Evaluation Data

1. Records System

The Utah SHPO serves as the data steward for BLM Utah. All survey reports and associated records compiled as part of a Section 106 undertaking must be submitted to the SHPO. Additionally, any site forms created as part of Section 110 projects must also be submitted to the SHPO for entry into the site form database.

2. Confidentiality of Cultural Resource Data

Certain sensitive information about historic properties and protected from disclosure to the public under Section 304 of the National Historic Preservation Act and/or Section 9 of the Archaeological Resources Protection Act.

Data can be protected under Section 304 under the NHPA when disclosure would result in a significant invasion of privacy, damage to the historic property, or impeded the use of a traditional

religious site by practitioners. The types of data protected under Section 304 include information about the location, character, or ownership of historic properties.

Section 9 of ARPA **requires** the withholding of information concerning the nature and location of any archaeological resource for which the excavation or removal requires a permit or other permission under ARPA, unless the federal land manager concerned determines that such disclosure would further the purposes of the ARPA and not create a risk of harm to the resource or site where the resource is located.

At their discretion, an authorized officer (in most cases a Field Office Manager) may share cultural resource inventory and evaluation records with other Federal agencies, state and local governments, private individuals, and the public when sharing will further the purposes of the National Historic Preservation Act. Cultural Resource Management firm employees and BLM Field Office archaeologists may not share protected cultural resources information without prior approval of the authorized officer.

VI. RECOVERY OF CULTURAL RESOURCE DATA

A. General Guidance

1. Policy

Data recovery techniques shall be applied to cultural properties undergoing deterioration, threatened with deterioration or other adverse effects, and where avoidance or protection by physical or administrative protection measures is not appropriate.

The techniques and methods of data recovery shall be applicable to the characteristics, which contribute to the use determined appropriate for the cultural property, or to the quality which qualify the cultural property eligible to the National Register.

Data recovery decisions shall be made with the authorized officer in consultation with the SHPO in accordance with the BLM-SHPO protocol, or the Ute Indian Tribe's THPO, when applicable.

If portions of a property are to be preserved in place, data recovery operations shall ensure minimal disruption of these areas.

All field operations and observations shall be fully and accurately documented to ensure that future researchers can understand and reconstruct the completed work.

To the extent feasible, data recovery operations shall cause a minimum of environmental impact to the surrounding area.

2. Coordination

In addition to possible consultation with the SHPO or THPO, data recovery operations may necessitate coordination with Native American Groups as described in 43 CFR 7 and in accordance with *BLM Manual 1780*. Public involvement, such as professional peer review of data recovery proposals or public information efforts, may also be appropriate. If consultation under the Archaeological Resources Protection Act (ARPA) and the NAGPRA is required, contractors should be aware that delays of up to 30 days or more may occur for consultation before permits are issued for data recovery excavations.

3. Implementation

Data recovery operations shall be conducted under the supervision of qualified cultural resources professionals having appropriate experience with the type of sites and data involved. Supervisory personnel shall, at a minimum, meet the requirements for obtaining Cultural Resource Use Permits (43 CFR 7).

Fieldwork performed under contract shall be monitored and reviewed by qualified BLM Field Office Archaeologists.

B. Documentation

Data recovery reports should follow the following report requirements. These requirements should be applied to both data recovery operations and major testing programs.

Three documents must be prepared during the course of a data recovery project. They shall be prepared in accordance with the Advisory Council on Historic Preservation's *Treatment of Historic Properties: A Handbook*. These documents and their contents should include the following:

- Research Design/Mitigation Plan
 - Introduction
 - General Theoretical Perspective
 - Regional Research Problems
 - Testable Hypotheses and Research Questions
 - Relevant Data Needs
 - Field Techniques
 - Laboratory and Analytical Techniques
 - Curation Arrangements
- Status Report
 - Summary of Field Results and Problems
 - Discussion of Ability to Implement Research Design
 - Explanation of How Analyses Will be Accomplished
 - Draft Catalog Sheets of Recovered Artifacts
 - List of Individuals Who Supervised and Participated in Fieldwork
- Data Recovery Report
 - Background
 - Research Design
 - Field Methods
 - Laboratory and Analytical Methods
 - Findings and Conclusions
 - Recommendations
 - Supporting Documentation
 - Updated Site Record Form

1. Research Design/Mitigation Plan

- Introduction: This section should include the background history of the project. A summary of important findings of past reports should be included.
- General Theoretical Perspective: The researcher's theoretical perspective or rationale shall be explained. Theoretical assumptions, biases, and limitations forming the paradigm under which research hypotheses and research questions are to be examined shall be fully described.
- Regional Research Problems: The proposed data recovery project must be considered within a regional context. Discuss how the study of this property can contribute to an understanding of regional research questions posed in Class I Overviews, Historic Contexts, and other reports within the area of investigation.
- Testable Hypotheses and Research Questions: The Research Design/Mitigation Plan shall present testable hypotheses or research questions which can realistically be addressed by the data recovery operations.
- Relevant Data Needs: The information needed to address the proposed hypotheses or research questions shall be fully described.
- Field Techniques: The rationale for the selection and placement of all excavation units, as well as the method of excavation and processing, shall be clearly stated. Discussion shall be presented on whether the specific localities for surface collection and/or excavation will be determined by probabilistic and/or judgmental sampling designs.

The location of all units shall be delineated on a site map. Unless prior arrangements have been made, their locations must be approved in advance by the BLM Field Office Archaeologist.

- Laboratory and Analytical Techniques: A discussion shall be offered which explains which analytical tests shall be run on the data to test the hypothesis and questions. Identify the firm or personnel who will be conducting these specific analyses. Also, provide a brief description of the analytical techniques proposed, a description sufficient to allow for a clear understanding of the method of conducting the analysis.
- Curation Arrangements: Identify the facility, provisions which have been made for the curation of collected materials, and the anticipated time frame for delivery to the curatorial facility.

2. Status Report

Status reports shall be due 30 days after completion of fieldwork. Status reports should include the following information:

- Summary of Field Results and Problems: Briefly Summarize the results of the field effort, including artifact yields, field excavation and depositional conditions, and conditions of weather, stratigraphy, or vegetation which affected the proposed field methods.
- Discussion of Ability to Implement Research Design: Explain any problems which may have affected the researcher's ability to fully implement the research design/mitigation plan.
- Explanation of How Analyses Will Be Accomplished: Explain and fully justify any changes pertaining to proposed laboratory analyses which have occurred since submission of the research design/mitigation plan. Has anything arisen to affect how the in-house or subcontracted analyses will be accomplished?
- Draft Catalog Sheets of Recovered Artifacts: Final catalog listings of artifacts obtained shall be presented as an appendix to the Data Recovery Report. However, with the status report, copies of draft or preliminary catalog sheets showing the yield of surface collection and/or excavation units shall be submitted.
- List of Individuals Who Supervised and Participated in Fieldwork: List and briefly describe the role of each individual who participated in the fieldwork.

3. Data Recovery Report

The Data Recovery Report shall be suitable for publication and shall be prepared in a format reflecting contemporary organization and illustration standards of the principal professional archaeological journals.

- Background: This introductory section shall present a brief summary of the project and surrounding environment as a context for the data recovery project. It shall include a summary of all relevant environmental, prehistoric, ethnographic, and/or historical information within the context of the project areas defined by the Research Design/Mitigation Plan. It shall include a cultural chronology, cultural affiliations, and the relationship and significance of the project to pertinent environmental and cultural regions. This shall be accomplished by synthesizing and referencing relevant previous studies relating to the area, inventory and evaluation reports, data recovery projects, and

other investigations. Brief summary descriptions of the sites subject to data recovery will also be provided. This background section shall also reference the original Research Design/Mitigation Plan and shall explain any justify and deviations from it. This shall be accompanied by a comparative management summary chart which shall repeat the information provided in the management summary chart in the Introduction of the Research Design/Mitigation Plan, and update that chart to reflect how each site was actually treated by the final data recovery program.

- Research Design: The Research Design should take into account the results of the author's and other researchers' previous work in the immediate area or other areas containing comparable archaeological data. Theoretical assumptions, biases, rationale, and any perceived limitations of the analysis shall be clearly presented. The Research Design shall include the theoretical orientation of the research strategy. It shall present the originally proposed hypotheses or research questions, the test implications, and the analytical tests which were run to answer them. This research design should normally be the same as that presented in the Research Design/Mitigation plan document. However, if there are any changes from the research approach proposed before fieldwork was authorized, they should be noted and explained.
- Field Methods: This section shall include complete descriptions of such field procedures as excavation, screening, and labeling procedures; photographic documentation routines; collection procedures for radiocarbon soil, pollen, and floatation samples; backfilling techniques, etc. The fieldwork shall be completely and accurately described and justified. The rationale for specific field data collection techniques including kinds of data collected, sampling techniques, and artifact retrieval procedures shall be explicitly stated. Graphic presentations showing locations of all surface collection grids and excavation units with respect to a permanent datum and prominent natural or cultural features should be included. Field cataloguing procedures shall be described. In all cases, procedures for mapping and artifact and/or feature provenience recording shall be clearly stated.
- Laboratory and Analytical Methods: Laboratory Procedures and analytical methods must be described in sufficient detail to enable others to replicate them. While detailed accounts of the technical analyses may be presented as appendices to the main text, this section should identify the institution and researchers performing the work, and briefly describe and justify the particular analytical processes or techniques used for the material. At a minimum, provide clear descriptions for any classificatory schemes used in artifact description, analyses, or interpretation; for all methods of chronological determination, and for any special analytical methods and techniques as might apply to soil analysis, paleontology, lithic studies, obsidian sourcing and hydration, ceramic

analyses, faunal analyses, etc. In addition, procedures followed for laboratory processing, sorting, and cataloging shall be made clear. The procedures used to incorporate field notes and conduct in-house analyses shall be clearly stated.

- Findings and Conclusions: The results of the fieldwork and analyses are presented in this section. A discussion of how the recovered data contribute to knowledge of the prehistory and/or history of the area shall be provided. Correlations of findings with other investigations may be included in this section. Excavation results should be compared to the survey data and to the findings of other survey and excavation projects in the geographical area. This section should include interpretations based on the analyses of stratigraphy and soils, artifactual analyses, faunal studies, chronological controls, and paleoenvironmental reconstructions. A detailed analysis shall be included here which explains the hypotheses proposed in the Research Design should be accepted or rejected and how the research questions were answered. The success of the data recovery work shall be evaluated in terms of the objectives of the Research Design.
- Recommendations: If appropriate, future data recovery methods should be suggested for similar sites. Also, suggestions for future testing or modifications of the original hypotheses should be developed.
- Supporting Documentation: In addition to a listing of references cited. The report should also include a locational map, site map, illustrations and tables, photos, and any necessary appendices. In addition, a full accounting of all archaeological materials recovered must be submitted.
- Updated Site Record Form: As part of the Data Recovery Report, an updated site form shall be submitted. Please note that data recovery may exhaust the data potential of a site eligible only under Criterion D, therefore changing the site from eligible to not eligible.

VII: COLLECTION AND CURATION OF CULTURAL RESOURCE MATERIALS

A. Policy

1. Removal

Qualified Individuals may be authorized by the State Director or their designee to remove material remains which are in danger of loss, or which are needed for scientific study, public interpretation, or evaluation of the cultural resources.

2. Curation

Cultural resources removed from public lands in Utah, along with copies of the associated records must be curated as property of the United States in a federally approved repository.

B. Removal of Artifacts

1. Rationale

- Danger of Damage or Loss: Material Remains with scientific or management value which are in immediate danger of damage or loss through natural, or human caused actions should be removed and placed in proper curation with appropriate documentation. If time or other factors do not allow for removal methods which would protect the scientific value of the material, the material remains must be left in place until the proper methods are available.
- Scientific Study: Material remains may be removed when the material is needed for scientific study. Items which are needed for the future scientific study of a cultural resource should not be removed until scientific study is undertaken. Without prior approval, only limited collections will be made on public lands in Utah in the following circumstances:
 - If the item is a museum-quality specimen, such as would be attractive to illegal collectors (diagnostic projectile points, complete ceramic vessels, shell ornaments, etc.)
 - If additional study is needed to verify the style or material of the item
- Public Interpretation: Material remains which were removed for scientific study or to prevent damage of loss will normally provide a suitable source of material for public interpretation. Normally materials would not be removed from public lands for the sole purpose of public interpretation.

- Evaluation: Material remains may be removed from public lands when they are needed for further evaluation of the materials or documentation of the cultural resources. The material remains should not be removed if they are needed for further field evaluation of the cultural resources.

C. Disposition of Material Remains

1. Recordkeeping

- Artifact Catalog: All artifacts are to be recorded in an artifact catalog developed in consultation with the curation facility. Copies of artifact catalogs should be stored at the curation center with copies available to the BLM.
- Site Record or Isolated Occurrence Table: Material remains removed from public lands are to be described and documented on the appropriate Site Form or isolated occurrence table. The curating institution shall also be noted.
- Inventory Report: The collection strategy (including sampling procedure, collection units, recording formats, and analysis) and the location and nature for all materials removed from public lands shall be included in the appropriate inventory formant.

2. Preparation for Curation

Material remains removed from public lands and prepared for curation by completing the proper recordkeeping, cleaning, preserving, stabilizing, and boxing according to the requirements of specific curation agreements.

3. Bureau Curation

Field Offices shall not attempt long-term curation of materials except for the following purposes:

- Reference collection used by BLM Field Office Archaeologists in performing identification and evaluation duties.
- Small interpretive collections used for illustration of Bureau resources of procedures to the public.

All materials held in Field Offices must be kept in a clean, dry, locked storage area. Vulnerable materials should not be subjected to extremes of temperature or humidity. Personnel controlling access to this area must be clearly identified by the Field Office Manager.

4. Curation Facilities

Subsequent to analysis and preparation, material remains removed from public lands are submitted to an approved curation facility under the terms of a specific curation agreement either held by the State Director or appropriate cultural resource use permittee.

5. Confirmation of Museum Collections Disposition

Field Office Archaeologists and contractors working under a Cultural Resource Use Permit must notify the appropriate Field Office and the BLM State Archaeologist of each lot of material deposited at a curation facility.

6. Use of Material Remains

Material remains may be temporarily removed from curation centers by BLM archaeologists for use in training, public interpretation, scientific study, or further evaluation.

Material remains may be temporarily removed from curation centers by qualified individuals for scientific study or public interpretation upon approval from the Deputy State Director for Natural Resources or their designee at the BLM Utah State Office.

Prior to the removal of materials from curation centers by Bureau or non-Bureau personnel, a written agreement shall be developed specifying the terms and conditions of removal addressing at a minimum the period of the loan, procedures for protecting and storage of the material, liability in case of loss or damage to the material or its packaging, location of temporary storage, proposed use, and if needed the BLM manager assuming responsibility for the protection of materials. In most cases, this agreement will be made between the repository curating the materials and the requester of the loan. Loans will only be made by the repository after written approval from the BLM Utah State Office. While the material remains the property of the United States, every attempt shall be made to accommodate the needs and policies of curation centers in this regard. Agreements shall remain on file with the appropriate BLM office, the lending repository, and the loan recipient and shall be subject to periodic review and monitoring.

VIII. PERFORMANCE MONITORING

A. Monitoring and Review

Field Office Managers shall be responsible for monitoring the permittee's performance, including adherence to terms and conditions, at various intervals throughout the life of a permit. Performance monitoring shall be conducted with enough frequency so that developing problems can be recognized and brought to the permittee's attention at a time when they may still be easily corrected. Each field office should monitor 10% of surveys undertaken by permittees. In addition, post construction monitoring of the direct and indirect effects on undertakings on nearby sites shall also be carried out on at least 10% of projects.

B. Documentation

Positive and negative performance monitoring or annual review shall be submitted to the Utah State Office for entry into the permanent case file. Such findings shall be considered when issuing, extending, or renewing a permit is being considered.

C. Handling Unacceptable Permittee Performance

1. Performance that Does Not Merit an Official Warning

If deficiencies noted in fieldwork or reports are minor, these should be corrected over the telephone or by email with the permittee. Examples include mistakes in legal descriptions, land ownership status, captions on maps, or minor errors in site mapping or plotting.

The report of fieldwork may contain a whole series of tedious inaccuracies. The errors may not be sufficient in and of themselves to cause the basic findings of the report to be questioned, but they do indicate that the authors were careless in assembling the report and/or site records. If this is the case, a letter or email indicating documenting the errors should be sent to the permittee to document the errors. The Field Office manager should sign the letter or be copied on the email as an early warning to management that there are performance problems with this permittee. Copies of all letters and correspondence should be sent to the Utah State Office for filing in the permittee's case file.

2. Performance that Does Merit an Official Warning

In general, official warning letters are issued when permittee performance is so seriously deficient as to cause the Bureau to question whether or not all historic properties were located in the area of potential effect or whether the located properties were recorded accurately enough to judge their National Register potential.

Specific examples which merit warnings include but are not limited to missed site(s), seriously under-recording a site or inaccurately recording a site, actual on-the-ground survey coverage varying from what was reported in the report, inaccurate descriptions on project impact areas

in relation to sites, use of unauthorized personnel to perform fieldwork, or providing falsified information in a permit application, modification, or site record.

If an individual falsifies information pertaining to his or her qualifications on a permit application or modification, the BLM will suspend further consideration of that individual. A warning letter will be sent to the company requesting the services of the individual notifying them of this action. If any part of a report or site record is deliberately falsified, a warning letter to the company shall be sent informing them that such performance could lead to the termination of the permit.

3. Warning Letters

Warning letters are issued by the State Director directly to the permittee and, when appropriate, a copy will be provided to the sponsoring company.

Warning letters must contain four critical elements:

First, they must clearly identify the performance problem by pointing out how the permittee's work fails to meet BLM standards. Reference to the appropriate state and/or applicable BLM Field Office standards should be made. The letter should also clearly state the fact that adherence to those standards has been made a condition of the permit.

Second, clear direction must be given regarding what actions are needed to rectify the situation. This may entail rerecording sites, rewriting sections of a report, re-inventorying portions of the project area, or other remedial actions.

Third, make certain that the warning letter states, "this constitutes the first (second, third, etc.) official warning letter that you have received and failure to correct the identified deficiencies could result in the loss of your permit."

Fourth, each warning letter should request that responsible officials from the permitted firm either meet with the BLM or discuss the matter with BLM in a conference call so that the nature of the deficiencies and required remedial actions are clearly understood. The appropriate Field Office Manager and BLM State Archaeologist or Assistant State Archaeologist shall attend such meetings or participate in such conference calls. A follow-up letter to the permittee should carefully document what was discussed and the actions the parties agreed to follow to correct the performance problems.

It is expected that the permittee will take immediate steps to correct the deficiencies noted in the warning letter. However, the fact that corrective actions have been taken does not expunge from the record the warning letter(s) which had to be issued to resolve serious performance problems. Written warnings become part of the permit permanent record and can influence future permit decisions.

4. Required Documentation

When initial problems surface that involve sites being inaccurately recorded or even missed, the Field Office may ask the State Director to issue a warning letter noting the errors and requiring additional fieldwork to correct the problem.

Beginning with the second missed site or grossly inaccurately recorded site, the BLM Field Office Archaeologists should record the site in the field (if it has not been adequately recording by previous, unrelated survey), make an accurate map of the site, and photograph the site. This site record should be placed in the permit case file at the State Office.

It is advisable to involve a BLM archaeologist from another Field Office in the review and documentation of problem permittee work to provide a second professional opinion. This report should be made a part of the permittee file.

When faced with permittee performance problems, Field Office's will submit to the State Office both the original reports and site records judged to be deficient, as well as the site records, maps, and photographs taken by BLM archaeologists.

5. Effects of a Decision to Not Renew a Permit, Suspension, or Revocation

The decision not to renew a permit means that the firm named on the permit will no longer be allowed to perform cultural resources work in the area of BLM Utah's responsibility.

Supervisory personnel whose fieldwork led to or contributed significantly to a firm's deficient performance evaluation and subsequent loss of permit will forfeit their authorization to work in a supervisory capacity on public lands in the area of BLM Utah's responsibility. BLM may appraise firms considering hiring such individuals of the circumstances of previous permit denial if requested to do so.

Firms requesting a permit modification, including the addition of such former supervisory personnel, must demonstrate that the performance deficiencies involving inadequate site or cultural property recognition and/or recordation have been remedied through additional training or experience. Firms wishing to add personnel, whose field performance has been judged deficient should expect to provide a minimum of three months of direct supervision in archaeological survey and site recordation the affected individual before an application for permit modification and addition of personnel is submitted. Some performance deficiencies cannot be remedied through additional training or experience. Individuals whose conduct has included deliberate falsification of field records or site records or violations of 16 USC 470ee or 36 CFR 7.4, shall not be eligible to serve as supervisory personnel on public lands in the area of BLM Utah responsibilities, nor shall they become eligible in the future.

Supervisory personnel whose work was not deficient and did not contribute to the performance evaluation that led to a failure to renew a permit or a suspension or revocation of a firm's permit, shall be eligible to hold supervisory positions with other firms.