



## OHIO HISTORY CONNECTION: ARCHAEOLOGICAL SURVEY/EXCAVATION PERMIT

Under the authority of Section 149.54 of the Ohio Revised Code \_\_\_\_\_ is hereby granted permission by the Director of Ohio History Connection (OHC) to engage in archaeological survey and/or excavation at the referenced location(s) in accordance with the conditions outlined in this document.

Site to be survey/excavated: \_\_\_\_\_

Location of excavation/survey (attach maps): \_\_\_\_\_

Dates of fieldwork: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Applicant's Telephone Number: \_\_\_\_\_

Institutional Affiliation (if different from above address): \_\_\_\_\_

Attach a copy of the principal investigator/researcher's resume.

It is agreed that the archaeological investigation subject to this permit will be performed in accordance with the methodology and objectives described in the attached proposal and in accordance with the following conditions, if relevant:

- 1) This agreement will not be construed as creating an employment relationship between the Ohio History Connection and \_\_\_\_\_ or any other persons participating in this project, it being understood that by executing this agreement Ohio History Connection is granting a mere license to enter upon the site for the purposes stated. As consideration for this license, \_\_\_\_\_ releases Ohio History Connection from any claim which may arise for personal injury or property damage by reason of their entry upon the premises and agree to procure a similar release from any person assisting in this project. \_\_\_\_\_ shall hold Ohio History Connection harmless from any liability, claim, or expense arising out of the activity authorized by this agreement.
- 2) Ohio History Connection has the right to terminate this agreement under the provisions of Section E (3), 149-1-02 Guidelines for Archaeological Investigations on Public Land, Archaeological Preserves, and Sites Listed in the State Registry of Archaeological Landmarks.
- 3) The survey/excavations will be open for site inspections by Ohio History Connection personnel at a mutually agreed upon time at least once during the fieldwork portion of the project.
- 4) The applicant and crewmembers will exercise due precautions by maintaining safe working conditions to minimize hazards to themselves, the public, and the property.

- 5) The applicant will notify the Ohio History Connection in writing at the end of the survey/excavation, briefly describing the results of the work. A preliminary written report indicating the results of the investigation, the cultural material recovered, and the specific areas excavated is to be filed with Ohio History Connection by \_\_\_\_\_ within 1 year of the execution of this permit. A final written report meeting the Ohio Historic Preservation Office's *Archaeology Guidelines* is to be submitted to Ohio History Connection by \_\_\_\_\_ within 2 years of the execution of this permit.
- 6) All primary notes, records, photographs, and maps for work carried out under the terms of this permit and any requested digital copies are to be curated for further study at the Ohio History Connection by \_\_\_\_\_ within 3 years of the execution of this permit.
- 7) Cultural material recovered during investigations under this permit shall remain the property of the State of Ohio. The Director of Ohio History Connection has the authority to determine the final disposition of artifacts and human remains recovered from state lands. Cultural materials are to be processed and catalogued by the applicant in accordance with a system acceptable to Ohio History Connection. They are to be curated at Ohio History Connection within 3 years of the execution of this permit.

All collections and records made under the provisions of this permit will be made available for scholarly study and public education without charge upon reasonable notice.

The permittee does not have the right to dispose of collections curated under the provisions of this permit. The permittee must obtain prior written consent from the Director for Ohio History Connection before making loans of said collections to any other institutions or individual.

In the event that the institution housing collections subject to this permit is dissolved during processing, for whatever reason, the collections and records will revert to the custody of Ohio History Connection.

- 8) Site locations is to be disclosed only to persons having legitimate reasons for obtaining such information, such as research projects or environmental impact studies.

\_\_\_\_\_  
Name of Applicant

\_\_\_\_\_  
Megan Wood  
Executive Director/CEO

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

## ARCHAEOLOGICAL SURVEY/EXCAVATION RESEARCH APPLICATION

Project description and objective (attach as a separate document if necessary):

Field methods and techniques:

Proposed schedule:

Plan to disseminate the results:

Describe how the research will benefit the Ohio History Connection, the profession of archaeology, and the public:

In a separate document, please attach:

- Relevant mapping identifying the proposed project area,
- Researcher's resume or curriculum vitae,
- Student researchers must submit a letter of endorsement from their faculty advisor.

**TRIBAL CONSULTATION IN ACCORDANCE WITH THE OHIO HISTORY CONNECTION'S AMERICAN INDIAN POLICY**

Archaeological surveys/excavations proposed at sites related to American Indian history may require consent by culturally and/or geographically affiliated Federally Recognized Tribes as per Ohio History Connection's American Indian Policy. Researchers may obtain this consent prior to the submittal of this application or during the application review process.

If your project is occurring at a site related to American Indian history, please answer the following questions.

Describe how your research will benefit the affiliated Federally Recognized Tribe(s).

Have affiliated Federally Recognized Tribe(s) been contacted?

Yes

No

If yes, separately attach all relevant Tribal communications.

Do you require assistance in obtaining the contact information of the affiliated Federally Recognized Tribe(s)?

Yes

No

## Procedures Involving the Discovery of Human Remains at Ohio History Connection Sites

In Ohio, the initial course of action upon discovery of any human remains, unless they are discovered on Federal lands, is to contact the County Coroner (or Medical Examiner in the case of Summit County).<sup>1</sup> Only the County Coroner/Medical Examiner has the legal authority to decide if the remains are of medical-legal interest. The remains will be regarded as under the jurisdiction of the County Coroner/Medical Examiner until the Ohio History Connection receives written notification from them that the remains are not of medical-legal interest.

The following guidelines are to be enacted if human remains are discovered during archaeological investigations at an Ohio History Connection site:

1. All human remains will be treated with respect.
2. They will be left in situ, if possible,<sup>2</sup> and the local County Coroner will be consulted. The Archaeology Projects Department at Ohio History Connection will be informed and will forward the information to the NAGPRA Specialist, the Manager of Security, the Director of Historic Sites & Museums, and the Executive Director/CEO. If the coroner determines that the remains are not of medical-legal interest, their disposition becomes the responsibility of the Executive Director/CEO of the Ohio History Connection (ORC § 149.53). If the remains are determined to be of American Indian ancestry, consultation with the relevant culturally and/or geographically affiliated Federally Recognized Tribe(s) will start as soon as possible.
3. Human remains and associated objects may be exposed so that information regarding their ancestry and antiquity may be gathered.
4. Formal burials will not be removed from context and will be re-buried in place if possible. The decision to remove the burials will be made by the descendant community.
5. The location of the burial will be recorded and measures will be taken to protect the burial from further disturbance.
6. The Ohio Historic Preservation Office's draft document on the treatment of human remains may be used as the general guideline for Ohio History Connection projects (OHPO 1997). This document addresses situations in which Section 106 of the National Historic Preservation Act applies. The following steps are suggested if human remains are discovered in a context that suggests an intentional interment:
  - Human remains are to be treated with respect.
  - The excavation should proceed to the extent that basic information regarding the antiquity and ancestry of the remains can be collected.
  - The remains must be protected from vandalism and weather.
  - The project should be coordinated with the OHPO.
  - The appropriate individuals or organizations should be contacted depending on the ancestry of the remains (for example, federally recognized Indian tribe[s] if the remains are Native American) and other interested parties.

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<sup>1</sup> This should be done regardless of the opinion of the discoverer(s) regarding the medical-legal significance of the discovery.

<sup>2</sup> An example of a situation in which human remains could not be left in situ would if they are actively eroding out of a stream bank.

It may be the case that human remains will be out of context when they come to the attention of the investigators. For example, a visitor to the site or site staff may discover exposed human remains. In such cases, we will make every effort to ascertain the discovery site of the human remains, determine whether other material is preserved in place, and, if so, institute appropriate protective measures until an administrative determination can be made as to how further adverse effects to the site can best be mitigated.

Human remains discovered during laboratory analysis (including cleaning, sorting, and cataloging of material) will be reported to the Ohio History Connection's Archaeology Projects Department. If the remains are not of medical-legal interest, they will be reconstructed and analyzed following procedures outlined in Buikstra and Ubelaker (1994). An example of a situation in which human remains might not be identified until lab work begins is the case of fragmentary, poorly preserved, or cremated remains. In the event that the context or observable features of such remains indicates that they represent an individual of Native American ancestry, a NAGPRA inventory will be prepared in accordance with Public Law 101-601 section 5.

#### References:

Buikstra J.E. and Ubelaker D.H.

1994 *Standards for Data Collection from Human Skeletal Remains: Proceedings of a Seminar at The Field Museum of Natural History*. Fayetteville, Arkansas, Arkansas Archaeological Survey.