

PERFORMANCE STANDARDS AND GUIDELINES
FOR ARCHAEOLOGY IN RHODE ISLAND

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Rhode Island Historical Preservation and Heritage Commission

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Available on request, and at www.preservation.ri.gov :	
An Act Relating to Historic Cemeteries, RIGL 23-18-11.1	
Rhode Island Professional Archaeological Site Inventory form	
Rhode Island Archaeological Permit Application form (in DOCX format)	

1. SCOPE AND PURPOSE

This document establishes the performance standards and guidelines for archaeological projects reviewed by the Rhode Island Historical Preservation and Heritage Commission (RIHPHC) and/or authorized by a state permit from the RIHPHC. They cover archaeological fieldwork and reporting procedures for both terrestrial (land) and underwater settings. Key frameworks are described that apply to archaeological investigation of cemeteries and the treatment of human remains. Several dimensions of Native American participation in archaeological projects are addressed as well. Requirements for the treatment, conservation, curation, and storage of archaeological collections are stated, in addition to the RIHPHC's positions on publication and education as they relate to permitted archaeological investigations and reports. Other important topics include cold-weather restrictions on archaeological fieldwork, and how to effectively prepare a Rhode Island Archaeological Permit Application.

Regulatory project reviews, such as those addressing sewer lines, subdivisions, and road improvements, often require archaeological investigations wherever project-related impacts are anticipated. Indeed, most archaeological work conducted in Rhode Island is carried out under such circumstances. To satisfy this requirement, the person or agency planning such an undertaking typically enlists a professional archaeological consultant. Any such service provider, regardless of staff size, must understand the professional character and quality of work required under any RIHPHC-issued permit. To ensure that the RIHPHC agrees with the results, interpretations, and management recommendations consultants provide for their clients, their work must be accountable to these standards and guidelines. Though this document contains a substantial amount of information intended for an audience of professional archaeologists, it also specifies to their client base what to expect regarding work performance. Academic and avocational archaeological investigations conducted under RIHPHC permits are also held to these standards, ensuring that their work effectively contributes to the study of Rhode Island's archaeological heritage.

2. GENERAL STANDARDS FOR ARCHAEOLOGY

The consulting archaeologist shall submit to the RIHPHC *curricula vitae* for key field and laboratory personnel engaged in this work. Supervisory personnel should be well acquainted with archaeology of Rhode Island and must meet the Secretary of Interior's "[Professional Qualifications Standards](#)" for archaeology as published by the National Park Service.

To adequately prepare for any archaeological fieldwork, the archaeologist must:

- assess the adequacy of her/his qualifications in regard to the demands of the project, and counterbalance any inadequacies by acquiring additional expertise or enlisting appropriately qualified associates;
- inform herself/himself of relevant previous research;
- develop a research plan that specifies the project's objectives, accounts for previous relevant research, employs an appropriate methodology, provides for economical use of resources, and considers the importance of the project to local communities with cultural connections to the project area;
- ensure that adequate staff and support facilities are available to complete the project, and that adequate curatorial facilities for specimens and records are available;
- comply with all legal requirements and obtain permission from landowners or other persons.

In conducting research, the archaeologist must follow the approved research design, except to the extent that unanticipated circumstances warrant its modification. The archaeologist must consult with the RIHPHC in order to modify the research design.

Procedures for field investigation must meet the following minimal standards.

- If specimens are collected, a system for identifying and recording their proveniences must be maintained.
- Uncollected entities such as environmental or cultural features, depositional strata, and the like, must be fully and accurately described. Likewise, the methods employed in data collection must be fully and accurately described. Significant stratigraphic and associational relationships among artifacts, other specimens, and cultural and environmental features must also be fully and accurately recorded.
- Appropriate conservation measures must be used for various classes of artifacts and materials; features must also be fully and accurately recorded.
- All records should be intelligible to other archaeologists. If terms lacking commonly used referents are used, they should be clearly defined.
- The metric system of measurement is the default standard for archaeological investigations, though English measurements (with metric equivalents shown in parentheses) may be used for investigations that specifically address standing structures, foundations, or shipwrecks.
- Careful mapping should be conducted that allows sites and testing units to be located again if future investigations become necessary. GPS coordinates should be used to map project area boundaries, the boundaries of large sites, and the center points of small sites. See Appendix B for the requirements of submitting electronic geospatial data.

During accessioning, analysis, and storage of archaeological specimens and field records, the archaeologist shall ensure that all information remains clearly correlated so that provenience and contextual relationships are not confused, obscured, or lost. Specimens and research records resulting from a public project shall be deposited at a Rhode Island institution with permanent curatorial facilities, unless otherwise required by law or unless other arrangements satisfactory to the RIHPHC are agreed upon. Artifacts usually are considered to belong to the landowner. After required studies have been performed, owners may donate the artifacts to a repository or request their return. The archaeologist shall report the results of her/his research to the project proponent, the Rhode Island Historical Preservation and Heritage Commission and any other relevant parties. Typically, the period of performance for completing a field investigation and submitting a report should not exceed one year, unless otherwise specified in the permit.

Information about the location of sites revealed during field investigations required by the RIHPHC's Procedures for Registration and Protection of Historic Properties is confidential between the archaeologist and the RIHPHC. The RIHPHC may use its discretion in revealing site locations to appropriate individuals.

3. TERRESTRIAL ARCHAEOLOGICAL SURVEY

Different levels, or phases, of archaeological survey may be required as planning elements of projects. Disturbance assessments determine whether a project area has a reasonable potential to contain archaeological resources. Phase I investigations determine the presence or absence of archaeological sites in a project area, while Phase II investigations provide detailed characterizations of archaeological sites that

assess their research value. In some cases, machine-assisted stripping of fill or topsoil layers may be required to determine the presence and distribution of archaeological features beneath. This procedure may be required as an individual work effort, or as an element of a Phase I or Phase II investigation.

Any of the aforementioned work should be carried out early in the project design process, so that if archaeological sites are present, they may be given all possible consideration for preservation-in-place through avoidance or project re-design. Early consultation with the RIHPHC is typically required to determine what level of survey(s) should be implemented and how the research should be structured, and to tailor scopes of work to accommodate project-specific demands. For some projects, RIHPHC review of background research is required prior to beginning archaeological fieldwork to ensure that it informs the survey strategy appropriately. If the full extent of a property or project area is not addressed by a particular survey, the excluded area(s) may be subject to survey in the future.

If preservation of a significant archaeological site proves impractical or impossible, a Phase III data recovery study may be necessary to excavate the site prior to construction-related ground disturbances.

3.1. *Disturbance Assessment*

A disturbance assessment determines the extent of soil disturbance throughout a project area and whether a more intensive Phase I study is required. Generally, these studies are appropriate for projects such as minimal highway improvements, small residential developments, or short pipelines. Survey tasks typically include:

- background research, including review of archaeological files at the RIHPHC, town and local histories, historic maps, and soil maps; and,
- vehicular and pedestrian survey to assess the character and extent of previous disturbance to the landscape, including topography, and to identify surface features such as building foundations.

In some instances, limited subsurface testing may be conducted to further ascertain soil integrity.

Most disturbance assessments of small project areas can be adequately reported in a technical memorandum. This should include:

- a description of the project area;
- a description of human modifications to the project area;
- a description of soil conditions throughout the project area
- an explanation of why subsurface testing was (or was not) conducted;
- recommendations for additional investigation, if necessary; and,
- an engineering map showing the proposed project area impacts.

3.2. *Phase I (Site Identification)*

Two types of Phase I archaeological surveys are commonly conducted in Rhode Island, both of which seek to determine the presence or absence of archaeological sites within a given project area. Early consultation with the RIHPHC is required to determine which type should be implemented, to meet project-specific demands, and how the research should be structured:

- *Phase I Reconnaissance Survey.* A reconnaissance survey, while still a preliminary study, generally provides more detailed information than a disturbance assessment and addresses larger areas.

Minimal subsurface testing may be appropriate at this stage to evaluate the character of soils and inform predictions concerning the presence or absence of archaeological sites. A reconnaissance survey should determine if a project area contains recorded archaeological sites and evaluate its potential to contain additional (undiscovered) archaeological sites. The survey should clarify whether additional (intensive) archaeological survey is warranted, and, if so, where it should be conducted.

- Phase I *Intensive Survey*. The primary goal of an intensive survey is to locate all archaeological sites in a project area, to the best extent possible according to current technologies and methodologies. While intensive surveys generally address the same issues as reconnaissance surveys, intensive surveys typically require more subsurface testing and laboratory work. Intensive surveys occur when a project area is known to contain archaeological sites, and/or is considered to have a significant potential to contain archaeological sites.

Tasks required for most Phase I surveys include:

- background study of regional geology, geography, ecology, soils, land use patterns, and history (including pre-Contact, Contact, and post-Contact periods);
- research to identify the locations of recorded historical and archaeological sites, which includes examination of all available historic maps and atlases and local histories;
- review of records at the RIHPHC (e.g. archaeological site files, town survey files, National Register files) to identify known historic properties in the project area, including (but not limited to) those that are listed, potentially eligible for listing, and determined eligible for listing in the National and State Registers of Historic Places;
- (for some projects) property title search and an examination of historical documents such as tax books, plat maps, and probate records will be required to provide an adequate historical context;
- interviews with local professional and avocational archaeologists, artifact collectors, historical commissions and societies, and landowners to locate known archaeological sites;
- consultation with tribal authorities concerning the possible presence of sites and places important in Native American history and culture (see Chapter 7, “Native American Participation,” in these *Standards and Guidelines*, in addition to the National Park Service publication [National Register Bulletin 38: Guidelines for Evaluating and Documenting Traditional Cultural Properties](#));
- vehicular and pedestrian survey and subsurface testing depending on the nature and extent of the proposed project; and,
- an assessment of the observed and expected archaeological sensitivity or complexity of project alternates or areas.

Phase I survey reports should document the completion of all project tasks and, at a minimum, include:

- a description of the area and proposed project; and a description of the scope of work
- a U.S.G.S. quadrangle(s), or relevant portions thereof, with the project and investigation areas accurately delineated;

- more detailed maps showing the project area, locations of fieldwork, and areas of known and expected archaeological resources;
- sufficient GPS coordinates to allow the project area to be mapped;
- maps at best available scale showing locations of walkover, subsurface testing, and areas that were not tested;
- a presentation of the map history and title search (copies of relevant historical maps should be included in the report);
- a description of the research design, methodology, and research techniques used;
- a description and justification of laboratory methods and analysis;
- a description of the known and expected archaeological properties and their potential or known eligibility for the National and State Registers of Historic Places;
- recommendations for further Phase I or Phase II study;
- scaled photographs or line drawings of artifacts used to make temporal or cultural inferences;
- a complete artifact catalogue with accession numbers for each artifact;
- a complete listing of sources, including individuals, records, and literature consulted;
- photographs of cultural features, structures, and site locations, and local artifact collections; and,
- complete documentation of all subsurface test units, including profiles and locations.

In some cases, when a Phase I archaeological survey will clearly transition to a Phase II archaeological survey, it may be sufficient to report the results of the Phase I survey in a technical memorandum during the transition and combine the full results of the Phase I and II surveys into a single technical report upon completion of field and laboratory work. The decision to combine the results into a single report, to maximize project efficiency, should be made in consultation with the funding agency and the RIHPHC. A combined report is acceptable only if the same archaeology firm conducts both phases of investigation. Technical memoranda addressing Phase I surveys must contain, at a minimum:

- maps showing areas tested and not tested;
- maps showing locations of all sites located;
- quantitative and qualitative descriptions of each site;
- sites recommended for Phase II survey and reasons for the recommendations; and,
- sites not recommended for Phase II survey and the reasons for the recommendations.

Unless otherwise specified by the RIHPHC, a full technical report is a required product of a Phase I archaeological survey. Two (2) draft copies of shall be submitted to the RIHPHC for review and approval.

Two (2) final copies of the technical report shall be submitted to the RIHPHC within the time frame specified in the permit. Additional copies may be required for distribution to consulting parties and other interested groups. Send an electronic copy, on disk or flash drive or via e-mail, to the RIHPHC as well for digital archiving (pdf file format preferred). Meet the following specifications when producing a report:

- Print on 8 ½ x 11-inch white paper, double-sided, using single-spaced text
- Securely bind pages
- Include a cover page that identifies:
 - project name;
 - name of the permit-holder;
 - permit number;
 - date of permit issue;
 - report production date;
 - name of principal investigator;
 - name of landowner; and,
 - project location.
- Page two shall be a general project area map that locates the project area within a larger geographical context, including nearby roads and highways. If the base map used is not a USGS topographic map, a USGS map clearly showing the location of the project area must also be included. The boundaries of the project area indicated on the USGS map must be as close as possible to the exact project bounds; approximations (circles, ovals) are not acceptable.
- Include such additional maps and site plans as are necessary to clearly identify:
 - natural features such as water bodies;
 - development features, such as nearby buildings, driveways, roads, and railroad tracks, which may have disturbed archaeological resources; and,
 - locations of all subsurface archaeological investigations conducted.
- All graphic images (e.g. charts, diagrams, photographs, maps, etc.) must be produced clearly.
- Prose shall follow academic editorial formats for syntax, citation of sources, bibliography, spelling, and punctuation.
- Send an electronic copy to the RIHPHC (small file formats such as pdf preferred).

These standards apply to both draft reports and final reports. Reports that do not adhere to these standards will not be accepted.

RIHPHC site inventory forms must be completed for each site discovered. Each form must include a U.S.G.S. map showing the site location; a detailed, site plan (with north arrow and scale) including the location of archaeological test units and/or any foundations or structures; a discussion of artifact spatial distributions; a discussion of diagnostic artifacts; and a discussion of any subsurface features. Incomplete forms will be returned for revision. Permanent site numbers will be assigned by the RIHPHC upon receipt and acceptance of the original site forms; site numbers are not necessary for report submission.

3.3. *Phase II (Site Examination)*

A Phase II site examination is designed to collect enough information to determine whether a site is eligible for listing in the National Register of Historic Places. Phase II investigations should reliably estimate a site's internal attributes and spatial boundaries to inform a determination of eligibility, and, if necessary, a data recovery plan.

Sometimes it is necessary to conduct additional Phase II investigations after a site examination is finished and the site's National Register eligibility has been established. This additional work or "Supplemental Phase II" occurs only on significant sites that cannot be avoided by project construction and may be needed because information sufficient to prepare a determination of eligibility is not always detailed enough to prepare a data recovery plan. This staged approach to Phase II ensures that the amount of site excavation provides the level of information needed in the planning process.

A specific scope of work is not presented here for a Supplemental Phase II. Consultation with the RIHPHC is required to determine each individual scope of work. These investigations generally consist of additional excavations at selected areas within the site to better evaluate its internal character.

A Phase II report should follow the same general principles, technical parameters, and submission procedures as those described for the Phase I. However, Phase II reports must also include:

- a description of the general area, the proposed project, and a U.S.G.S. quadrangle map showing the investigation area;
- individual site maps showing all Phase I and Phase II test locations, site boundaries, topographic features, and benchmarks or datum points;
- a summary of previous investigations including the dates, the individuals or organizations involved, and any published or unpublished references;
- a description and justification of the research design including specific mention of the survey, excavation, and laboratory methodologies and techniques. The intensity of testing at each site should be discussed and justified. For sites relating to Native American history, the results of discussions with involved Native American organizations should be presented (see Standards and Guidelines for Native American Participation; For traditional cultural places consult the National Park Service publication [National Register Bulletin 38: Guidelines for Evaluating and Documenting Traditional Cultural Places](#));
- a description of the spatial, structural, and contextual characteristics of each site. For historic sites, a property history should be compiled from land records, probate records, historical maps, and other relevant primary and secondary documents and sources. The historic use of the project area should be always described, even when a pre-Contact period Native American site is the object of examination. The historical background research should be conducted before the fieldwork, so that it can be used to guide both the research design and the placement of excavation units;
- images of representative units and features;
- scaled profiles of representative features;

- complete documentation of all subsurface test units;
- scaled photographs or line drawings of artifacts used to assign site function and time period;
- artifact catalog with accession numbers of all artifacts recovered during Phase II testing;
- a quantitative and qualitative summary of artifacts and features found at each site;
- floral, faunal, and C-14 analysis when data are available;
- a list and justification of sites suggested as eligible for listing in the National Register, either individually or as part of a district;
- a list and justification of sites considered not eligible for listing in the National Register, either individually or as part of a district;
- a complete listing of sources, including individuals, records, and literature consulted during the investigation;
- a summary explicitly outlining how the known or expected materials and data can contribute to specific research topics;
- all information necessary for completion of a National Register nomination for sites that meet eligibility criteria;
- an updated RIHPHC site inventory form (incomplete forms will be returned for revision); and
- a copy of the scope of work submitted as part of the permit application.

3.4. *Phase III (Data Recovery)*

When an archaeological site has been determined eligible for listing in the National Register and impacts to that site during the proposed project cannot be avoided, data recovery is a standard stipulation of the state or federal agreement governing the project. The purpose of data recovery is to mitigate the adverse effects of project impacts by collecting information. It is the last opportunity to learn about the site before it is destroyed, and is done as a last resort, after all attempts to avoid the site have been considered and preservation of the site in place is found not to be prudent or feasible.

A data recovery is a carefully planned study, based on a comprehensive and up-to-date research design. The field investigation should be thorough and complete to avoid unexpected discoveries during construction that could cause project delays. For this reason, the impact area, in most cases, should be machine-stripped after the completion of hand excavations so that any remaining cultural deposits may be investigated.

Data recovery investigations vary considerably according to the character of the site and the extent of project-related impacts. Accordingly, data recovery scopes of work and research designs are prepared on a project-specific basis in consultation with and approval of the RIHPHC.

The RIHPHC uses the Advisory Council on Historic Preservation publication [Section 106: Archaeology Guidance](#) as a guide and expects that data recovery studies will account for the following:

- The research design should be based on questions of importance to the humanities or the sciences and to matters of importance to the local communities with historical or cultural connections to the site (see, for example, Standards and Guidelines for Native American Participation).
- The research design should relate positively to the Rhode Island Historic Preservation Plan; it should either make a major contribution to a research topic or issue or produce information that improves the plan.
- The absolute dating of features is critical to the reconstruction of site chronology. Accordingly, an absolute date should be obtained from as many features as possible.
- Block excavations are usually required to reveal site structure.
- A data recovery program should provide a means for informing the public of the project and its results before, during and after the conclusion of the program.
- A data recovery report should meet contemporary professional standards and its significant findings should be disseminated to a public and scholarly audience.

3.5. *Archaeological Monitoring*

The RIHPHC may occasionally require construction monitoring by professional archaeologists, either as a part of data recovery or as a site discovery and evaluation technique. In general, monitoring is prohibited as a discovery and evaluation technique because it risks damaging undocumented archaeological resources during construction, and because the discovery of significant resources may cause serious project delays or costly project redesign. For these reasons, phased investigations are standard for most projects. In some cases, however, when the proposed ground disturbance is minimal, and project conditions make it impractical to conduct subsurface testing in advance of construction, monitoring may be appropriate. Utility construction along public roadways is the most common type of project for which monitoring is required. Monitoring may be required when soil stripping is not possible as a last step during a data recovery investigation.

A permit from the RIHPHC is required when (a) the monitoring is part of an undertaking under the RIHPHC's review, or (b) is on land owned or controlled by the state, its agencies, departments, or institutions, or on the bottoms of navigable waters within the state's jurisdiction in the territorial waters.

When archaeological monitoring is required, the RIHPHC will develop a scope of work in consultation with the project proponent depending on the needs of the project. The archaeologist must closely adhere to their scope of work, consult the RIHPHC when managing unanticipated discoveries, and avoid unnecessary impacts to archaeological resources, or risk revocation of RIHPHC's permit for the project.

If archaeological materials are encountered during construction monitoring, the archaeologist supervising the work must evaluate them and determine the extent to which they should be documented (e.g. twentieth century trash deposits, for instance, require minimal documentation). If the archaeological materials encountered are potentially significant, construction work in that area of the project must be halted to enable the archaeologist to adequately assess and document what has been discovered, and to consult with the RIHPHC and any Tribal Historic Preservation Offices that may be involved.

3.6. *Machine Assisted Investigation*

Machine-assisted removal of topsoil or fill deposits can be a useful tool for verifying the significance and extent of a site and for determining the presence or absence of significant cultural features. If machine-assisted investigations are to be undertaken, the following stipulations apply.

Topsoils should be removed in gradual increments using a flat-bladed backhoe to the depth of the topsoil/subsoil interface. The exposed surface at the interface should be hand scraped by flat shovel and trowel and examined for anomalies and/or artifact concentrations. Confirmed cultural features (if any) should be photographed and mapped in plan, and the shape, color and any exposed contents documented. Beyond this initial exposure, no further excavation of any features should occur without consultation with the RIHPHC.

If machine-assisted excavation is taking place within fill deposits, excavation should go to a depth just below that of the proposed project impacts, or until intact soils are encountered. When intact soils are encountered, the procedures described in the preceding paragraph apply.

In the event of unsafe work conditions, modifications to these procedures may be agreed on by RIHPHC and the project archaeologist.

4. UNDERWATER ARCHAEOLOGICAL SURVEY

The State of Rhode Island is the owner of shipwrecks and associated materials and artifacts lying on or within the submerged bottoms of navigable waters under state jurisdiction (Rhode Island Antiquities Act, R.I.G.L. 42-45.1, and the Abandoned Shipwreck Act, P.L. 100-298)

Exceptions to state ownership may be (1) vessels wrecked after the passage of the Rivers and Harbors Act of 1899 – for these wrecks the United States Coast Guard and the United States Army Corps of Engineers should be contacted to determine ownership; (2) a shipwreck that may be entitled to U.S. sovereignty – for these shipwrecks, the Office of the Judge Advocate General, United States Department of Navy, and the General Services Administration should be contacted to determine ownership; (3) a shipwreck representing a foreign flag warship or other foreign flag vessel entitled to sovereign immunity – for these shipwrecks, the Bureau of Oceans and International Environmental and Scientific Affairs and the United States Department of State should be contacted.

A state permit is required for any project that involves the disturbance of underwater sediment or the removal or displacement of cultural materials, whether or not the state is determined to be the owner of the cultural materials.

The conduct of underwater archaeology projects follows the staged approach outlined above from assessment level studies through data recovery. In general, the same methodological principles apply to both terrestrial and underwater archaeology. However, there are important differences in emphasis regarding the latter. These are outlined below:

- The permit applicant must be familiar with the maritime history of New England, the range of vessels once present, and the logistics of conducting underwater archaeology in Rhode Island waters; and meet the qualifications for leading an historic shipwrecks project as specified by the National Park Service in its "[Abandoned Shipwreck Act Guidelines](#)."
- Phase I surveys will generally require a series of remote sensing studies. Magnetometer, side-scan sonar, and sub-bottom profiling must be integrated within a survey plan that is approved and supervised by the RIHPHC and the archaeologist. The distance between remote sensing transects

should be determined by background research and an informed expectation of the kinds of wrecks likely to be encountered. Visual inspection by archaeologists of the possible sites suggested by the remote sensing or background research is required.

- Conservation costs for artifact removal or for a data recovery project should be carefully considered and presented as part of the permit application prior to beginning the project. For data recovery projects, conservation costs generally represent at least one half the total project budget.
- The logistics of carrying out a successful underwater project are generally more complex than a land-based project. For that reason, the RIHPHC may require up to 30 days to review the permit application.

5. ARCHAEOLOGICAL INVESTIGATION OF CEMETERIES AND THE TREATMENT OF HUMAN REMAINS

Rhode Island General Laws Title 23, Chapter 18 authorizes City and Town Councils to prescribe standards regulating historic cemeteries to prevent any construction or excavation that might cause deterioration or damage to any cemetery or burial ground, or to any structures or gravesites located in any cemetery or burial ground or any historic cemetery. RIGL 23-18-11.2 further specifies that in the absence of a local ordinance establishing standards, regulations adopted by the RIHPHC shall govern. The RIHPHC's "Rules and Regulations Pertaining to Registration and Protection of Historic Cemeteries" is available on request and may be downloaded from www.preservation.ri.gov.

RIGL 23-18-1 defines a historic cemetery as "any tract of land which has been for more than one hundred (100) years used as a burial place, whether or not marked with an historic marker, including but not limited to, ancient burial places known or suspected to contain the remains of one or more American Indians." A permit from the RIHPHC is required for any project involving ground disturbance that is required by a municipality, or that is subject to state and/or federal review.

Archaeological verification may be required to determine if a particular tract of land contains a whole or a part of a historic cemetery. Archaeological investigation of cemeteries may include determining the boundaries of cemeteries, managing burials inadvertently discovered during construction, and aiding in the relocation of cemeteries or individual burials.

5.1. Confirmation that Above-Ground Features Indicate the Presence of Burials, and Delineating Cemetery Boundaries

In some cases, the documentation of above-ground features (fences or stone enclosures, marked gravestones, linear arrangements of unmarked fieldstone slabs) may be sufficient for the parties involved to agree that burials are present. Stone piles are sometimes thought to mark tribal burials, although in Rhode Island there is no documentary or archaeological evidence linking stone piles to human burials. Tribal oral history and archaeological evidence, however, inform us that some stone piles do indicate the location of graves elsewhere in the region.

Archaeological investigation may be required to determine if burials are present in ambiguous cases; the scope of work for such projects is determined on a case-by-case basis.

RIGL 23-18-11 specifies that no disturbance is allowed within 25 feet of a cemetery boundary. If ground disturbance is proposed in proximity to a known cemetery, an archaeological survey may be needed to verify the limits of the cemetery. Such a survey would require excavation far enough

outside the known or suspected burial area to establish the 25-foot buffer and should extend to a depth at which a grave shaft or the funerary feature would be expected to be visible.

5.2. *Examination of a Project Area where Burials are Possible*

In an area with no above-ground indications of a cemetery, but where burials might reasonably be expected (based on environmental, documentary, oral historical, and archaeological evidence), municipal, state, or federal requirements might necessitate archaeological investigation to see if any burials are present in advance of ground-disturbing construction.

Machine-scraping, in which the dark A horizon soils are removed, can generally be used to expose just the top of any grave shafts or burial features. The extent of the machine stripping is established on a case-by-case basis based on the particulars of each project area. If no suspected burial features are found after machine stripping, the RIHPHC will consider it unlikely that burials are present in the project area.

If suspected burial features are found, this limited testing may be sufficient documentation of burials when other graves are known to exist nearby.

Sometimes it may be necessary to partially excavate a suspected burial feature to determine if human remains or associated grave associations are present. This excavation should not be undertaken until consultation with all the parties involved in a particular project has occurred. If burials are located, treatment of the burial place must comply with the provisions of RIGL 23-18.

5.3. *Discovery of Burials during Archaeological Investigation*

Whenever a previously unknown cemetery, unmarked cemetery, archaeological burial site, or human skeletal material is inadvertently located during any archaeological excavation, excavation shall halt. The building official of the city or town where the discovery is located shall be immediately notified. The building official shall, in turn, notify the state medical examiner. The archaeologists shall also notify the RIHPHC, the relevant Tribal Historic Preservation Office(s), and the property owner/project proponent.

Prior to the continuation of any further construction, excavation, or other ground disturbing activity, and unless the provisions of § 23-18-7 shall apply, the property owner may, at his or her expense, seek to delineate the boundaries of the cemetery through archaeological investigation conducted under a permit issued by the RIHPHC. Such an archaeological boundary investigation should establish an area twenty-five (25) feet in width along the perimeter of any grave or archaeological burial site. A written report shall be produced incorporating the findings of the archaeological investigation in text and graphic form. A copy of the report shall be provided to the building official and to the RIHPHC. [25-18-11(c)]

Alternatively, in order to avoid historic graves or archaeological burial sites, the property owner may redesign the proposed site alteration plan and conduct an archaeological investigation under a permit issued by the RIHPHC to demonstrate that no graves or archaeological burial sites will be affected and that at least twenty-five (25) feet separates the proposed project from the archaeological burial site. A written report shall be produced incorporating the findings of the archaeological investigation in text and graphic form. A copy of the report shall be provided to the building official and to the RIHPHC.

5.4. *Archaeological Examination of Disturbed Burials*

When unmarked burials are encountered during construction, or are exposed by erosion, archaeological excavation may be necessary to recover disturbed human remains and associated grave

goods, to determine the extent to which the burial(s) have been disturbed, and to determine if it is prudent and feasible to establish cemetery boundaries before construction resumes.

Additional disturbance to any *in situ* elements of the burial should be kept to a minimum. No archaeological investigations of either the *in situ* elements or the disturbed soils should commence without full consultation of all parties involved.

In the case of a burial threatened by erosion, the appropriate course of action (retrieval of any elements still in place, or unchecked erosion) should be determined by consultation with interested parties including the municipality, the Narragansett Tribal Historic Preservation Office or other identifiable next of kin, including other federally recognized tribes, and the RIHPHC.

5.5. *Archaeological Investigations Required for the Relocation of Burials*

The scope of work for archaeological investigations associated with deliberate relocation of burials is determined on a case-by-case basis.

5.6. *Reporting Standards for Archaeological Investigations of Cemeteries*

Reports for the various forms of archaeological investigations of cemeteries must include:

- a description of the area, the proposed project, and a U.S.G.S. quadrangle map showing the investigation area;
- thorough documentation of the existing cultural features, including maps, scaled drawings, and photographs;
- a summary of any previous investigations in the project area (including any archaeological work conducted in the vicinity of the project that might prove relevant to determining if the project at hand is or once was a burial site);
- a description and justification of the research design (include specific mention of the survey, excavation, and laboratory methodologies and techniques; the intensity of testing at each site, if applicable, should be discussed and justified);
- For sites that might contain Native American cemeteries, the results of discussions with involved Native American organizations (see Standards and Guidelines for Native American Participation; For traditional cultural places consult the National Park Service publication [National Register Bulletin 38: Guidelines for Evaluating and Documenting Traditional Cultural Places](#));
- a description of the spatial, structural, and contextual characteristics of each site. For historic sites, a property history should be compiled from land records, probate records, historical maps, and other relevant primary and secondary documents and sources. The historic use of the project area should be described. If possible, the historical background research should be conducted before the fieldwork;
- images of any features (whether burial features or not) encountered during sub-surface testing;
- profiles of representative features;
- documentation of the location of all sub-surface testing: In the case of machine-stripping, representative profiles of the units are adequate. In the case of burial removal, the level of documentation should be commensurate with the level of investigation agreed upon by the parties involved.; and,

- a complete listing of sources, including individuals, records, and literature consulted during the investigation.

5.7. *Archaeological Study of Human Remains*

Archaeological and scientific study of skeletal remains requires approval from the city or town and a permit issued by the RIHPHC. Additionally, when federal or tribal land is involved, the Native American Graves Protection and Repatriation Act (NAGPRA) relates to the environmental review process in three ways: (1) it requires consultation with Indian tribes; (2) it requires cessation of construction activity if skeletal remains and other cultural objects are discovered; and (3) it requires that the appropriate treatment of these remains and associated objects be determined by the affiliated Native American group.

Compliance with NAGPRA does not relieve a federal agency official or archaeologist of requirements to comply with Section 106 of the National Historic Preservation Act (hereafter NHPA).

Compliance with the NHPA and 36 CFR 800 is required when the excavation is intentional and approved by all parties or if skeletal remains are inadvertently discovered during an archaeological excavation or construction project.

Together, these federal and state requirements strongly restrict the archaeological study of skeletal remains. Study is possible, however, if the descendants of the deceased have no objection and all other legal requirements have been satisfied. In all cases involving the inadvertent discovery or possible study of skeletal remains, the RIHPHC should be contacted as soon as possible to begin determining the appropriate course of action.

6. ARCHAEOLOGICAL COLLECTIONS MANAGEMENT

6.1. *Conservation and Curation*

Project proposals/scopes of work shall provide for proper conservation and curatorial services as a direct project cost (see 36 CFR 66.4). In certain instances, a conservation plan that includes in-field procedures through final treatment shall be developed, reviewed and approved by the RIHPHC, and implemented.

Collections shall be properly conserved and curated. Improperly conserved and curated collections will not be accepted by the RIHPHC. A collection is defined as all artifacts, ecofacts, analytical samples, field notes, laboratory forms, color slides, black-and-white photograph contact sheets, and project reports.

Treatment of artifacts should accord to the following:

- Lightly clean artifacts with brushes to remove soil unless samples have been retained for specific analytical purposes. Water should only be used for cleaning if necessary. Detergent cleaning is strongly discouraged.
- Label each artifact with a site number and artifact number (in addition to all other pertinent information). An artifact catalogue must be submitted with each collection. Whiteout should not be used. Use tie tag labels whenever possible.
- Bag artifacts in heavy duty clear Ziplock plastic bags with an outside label and an acid-free label inside the bag.

- Pack bagged artifacts in acid free boxes 12-1/2" x 16" x 10" (e.g. Hollinger record storage boxes) with inert packing material. Box like classes of artifacts together for large collections.

Each box shall have a packing slip listing its contents attached to the inside cover of the box; a master list of packing slips will be provided. Any special conservation or curatorial problems shall be separately noted on both the inside cover of the box and on the artifact catalogue list. The conservator's report shall be attached to the catalogue list with recommendations for future curation and any specific curatorial problems. All collections shall be boxed in standard-size, acid-free storage containers and delivered to the RIHPHC within two years of the fieldwork end date unless other arrangements have been made with the RIHPHC. A fee of \$25.00 per box shall accompany the collection.

6.2. *Storage and Custody*

The Rhode Island Historical Preservation and Heritage Commission Act (RIGL 42-45) directs the RIHPHC "to advise the departments and agencies of state government of the appropriateness, suitability, proper procedures, and other safeguards which should be observed in preserving, displaying, or using items... of historic architectural, or archaeological interest." These standards are the Commission's general advisory on the subject and should be applied to all archaeological collections in state ownership or custody.

These standards are the minimum acceptable level of treatment for storage and the custody of archaeological collections. Because most of the State's archaeological collections consist of relatively stable materials, these minimum standards apply to most cases.

Storage areas must provide safe, secure, clean, dry conditions, which protect against reasonably foreseeable dangers to the collection. Specifically, storage areas must:

- Maintain a relative humidity level of 40 to 60 percent;
- Maintain a temperature between 60 and 75 degrees Fahrenheit;
- Be monitored frequently by professional staff;
- Be locked and secure from unauthorized entry;
- Block or filter sunlight entering storage and work areas. Fluorescent lights with UV filters are recommended.
- Provide a dry carbon dioxide manual fire extinguisher;
- Be free of insects and rodents; and
- Provide strong, stable shelving—preferably without a wooden surface.

Special Conditions may be required when the collection includes fragile or perishable items such as ethnographic artifacts, paper, hair, animal hide, basketry, fabric, etc. *Special Conditions* may specify maintenance or particular environmental conditions, limited use of archaeological materials, supervision by specially qualified personnel, conservation and curation measures, or other requirements. Collections which have not been conserved and curated in accordance with RIHPHC standards may become subject to *Special Conditions* requiring that the conservation and curation standards are met.

Collections in state ownership or custody must be accessible for study by qualified researchers and for public examination or display if appropriate. Reasonable hours for use may be established in consultation with the RIHPHC. The storage facility must provide safe and adequate workspace for use of the collection.

6.3. *Access, Loan, and Exhibition*

While the RIHPHC encourages the use of archaeological collections for educational purposes, extensive use of collections for classroom study or by students may result in damage or loss to collections. Classroom or student use of collections is permitted only under the careful supervision of a qualified archaeologist or conservator. Public display or exhibition of collections is permitted as an educational activity, however, plans for exhibits must be approved in advance by the RIHPHC. Storage requirements generally apply to exhibits also.

Maintenance of these standards for storage and use shall be documented in an annual report filed with the RIHPHC. The annual report shall provide an inventory of collections, describe any changes to the collections, and designate a collection custodian responsible for overseeing the storage and use of the collections. The RIHPHC will summarize these reports and make them available to interested persons. Any loss, damage or other material changes in the collection shall be reported to the RIHPHC immediately. Collections shall be reviewed completely every five years to assure their safety and completeness. Problems in meeting these standards should be corrected in a timely way. Failure to maintain these standards may result in the removal of a collection to a place where these standards can be more fully met.

Verification that these standards are met will be a requirement of any loan agreement for archaeological collections.

7. NATIVE AMERICAN PARTICIPATION IN ARCHAEOLOGICAL PROJECTS

Archaeology is an important source of knowledge about Native American history, and many archaeological sites are part of Native American heritage. However, the practices of archaeology, while preserving information about the past, generally destroy the site which is excavated. For these reasons, Native Americans are often interested in participating in archaeological projects and contributing tribal knowledge to them.

7.1. *Project Review*

The RIHPHC takes Native American tribal concerns into consideration when issuing approvals and monitoring compliance with permits, and seeks to ensure that interested tribal representatives have opportunities to visit sites under investigation and view recovered artifacts. Native Americans may choose which projects are of concern to them, and if they decline to become involved, the RIHPHC review process will be completed without their participation.

Archaeological sites may comprise or contain aspects of *traditional cultural places* as recognized by local Native Americans. Archaeologists practicing in Rhode Island are expected to be familiar with [National Register Bulletin 38: Guidelines for Evaluating and Documenting Traditional Cultural Properties](#). This bulletin also provides guidance for considering traditional cultural properties that are not archaeological in nature or Native American in affiliation.

7.2. *Native American Burials*

Unmarked human burials occasionally are discovered in archaeological projects. State and federal laws require special protection for burial sites. Burial sites must be treated with great sensitivity, and decisions about the preservation or relocation of burials are made on a case-by-case basis in consultation with Native Americans. When Native American burials are identified within a project area, Native American representatives are notified and generally are present on the site during any further excavation around the burial area. Artifacts of sacred value or recovered from burials are subject to federal and state laws.

7.3. *Tribal Consultants*

The Narragansett Indian Tribe, the only federally recognized Indian Tribe based in Rhode Island, usually takes the lead in representing Native American interests in archaeological projects in Rhode Island. On archaeological projects of concern to the Narragansett Indian Tribe, the Tribal Historic Preservation Officer is the tribe's official contact person. Other tribes, such as the federally recognized Mashpee Wampanoag Tribe, the federally recognized Wampanoag Tribe of Gay Head (Aquinnah), and the Nipmuck Nation, may also have shared and/or separate interests in archaeological projects in Rhode Island.

Although not generally required by regulation, project proponents may voluntarily agree to employ Native American representatives on an archaeological project to contribute traditional tribal knowledge and/or serve as on-site liaisons (aka tribal monitors).

7.4. *Coordination between the NITHPO and the RIHPHC*

RIHPHC recognizes the NITHPO as being entitled to receive the same information about archaeological projects as the RIHPHC, particularly when those archaeological projects concern, or have the potential to concern, Native American cultural resources. Accordingly, RIHPHC provides opportunities for the Narragansett Indian Tribal Historic Preservation Office (hereafter NITHPO) to participate in archaeological projects by receiving information about them, offering comments about them, and visiting project areas and sites where fieldwork is being conducted.

If the NITHPO becomes concerned about any aspect of an archaeological project, the NITHPO should inform the RIHPHC. The RIHPHC will consider the NITHPO's concerns when issuing permits and monitoring compliance with permits. Federal and state regulations describe the roles of all parties in the project review process and how decisions of the RIHPHC may be appealed.

This general procedure is intended to help the RIHPHC and the NITHPO share information and coordinate the review of archaeological projects off tribal lands. The RIHPHC will be responsible for ensuring that each of the following steps takes place. At each step, the NITHPO is invited to provide information about the project area and to offer comments to the RIHPHC regarding identification and evaluation of cultural resources and resolution of adverse effects. As needed, the communication represented by these steps may be supplemented by meetings between the NITHPO and RIHPHC staff and by meetings among the consulting and interested parties to a particular project. The following communications are standard procedure:

- Whenever the RIHPHC requires an archaeological investigation involving Native American sites, the NITHPO will be informed.

- Whenever application for an archaeological permit is made to the RIHPHC for investigation of Native American sites in which the NITHPO has stated an interest, a copy of the application will be sent to the NITHPO.
- Archaeological permits issued by the RIHPHC for projects in which a Tribal Historic Preservation Officer (THPO) has stated an interest require the archaeologist to:
 - seek the input of the THPO in carrying out the work (the RIHPHC encourages archaeologists and the THPO to maintain cooperative and collegial relationships and to share information about work in progress),
 - inform the RIHPHC and the THPO when fieldwork will begin, and
 - send copies of the draft and final report or management memo to the RIHPHC and the THPO.
- The RIHPHC will consider any comments from the THPO on draft reports and notify the THPO when archaeological reports are accepted for projects in which the THPO has stated an interest and what further work (if any) the RIHPHC has required.

This general procedure for coordination of archaeological projects was mutually developed by RIHPHC and the NITHPO to recognize and coordinate their respective authorities and responsibilities.

8. PUBLICATION AND EDUCATION

When archaeological sites containing significant data are investigated to comply with Section 106 of the NHPA, the sponsoring agency is responsible for informing the public of its findings. Data recovery plans, as elements of Phase III archaeological investigations, should provide for reporting and disseminating results, and ensure that this information will be understandable and accessible to the public. In some instances, Phase I and Phase II investigations yield discoveries that merit dissemination to a public audience as well, on the basis of their substantive contributions to the known archaeological record.

The RIHPHC generally encourages the dissemination of significant archaeological findings, regardless of the presence or absence of an external mandate. Ideally, archaeologists practicing in Rhode Island conduct public outreach in the spirit of historic preservation. They are well-positioned to promote knowledge about ongoing archaeological work in the state and highlight the returns that these efforts produce. Promoting such discourse keeps the value of archaeological research in clear view of its stakeholders, which include federal, state, and local agencies, Native American tribal organizations, preservation organizations and partners, industry representatives, and the general public.

Archaeologists should consult the RIHPHC before publicizing the location of any archaeological sites within the state of Rhode Island. Information about the location, character, or ownership of a cultural resource is typically withheld from the public if it causes a significant invasion of privacy, risks harm to the resource, or impedes its traditional or sacred use by Native Americans. Under the authority of the Freedom of Information Act, the RIHPHC may keep certain site locations confidential. In many cases, the precision of locational and graphic information may be adjusted so that disclosure to the public will not compromise the safety of a site.

Archaeologists should also be mindful that disclosing information about certain archaeological sites, sacred sites, and traditional cultural properties in Rhode Island may be objectionable to the Narragansett Indian Tribe and/or other interested tribes, and should recognize tribes as key partners in the management of Rhode Island's shared cultural heritage. Accordingly, archaeologists are advised to independently consult

with the NITHPO in addition to any other interested THPOs regarding the appropriateness of disseminating information about cultural resources in the State of Rhode Island that possess a Native American cultural affiliation.

9. COLD WEATHER POLICY FOR ARCHAEOLOGICAL FIELDWORK

The RIHPHC will issue permits for archaeological investigations during the winter months provided that the work meets the RIHPHC's "Performance Standards and Guidelines for Archaeology in Rhode Island."

Ordinarily, the presence of frozen ground prohibits archaeological testing because it is difficult to carry out acceptable investigations under these conditions. Essential operations such as screening, artifact retrieval profiling, and recording cannot be conducted when the ground is frozen. In addition, exposed features and their contents are damaged when exposed to freezing temperatures. It may be possible, however, to implement measures to allow subsurface investigations to take place. These extraordinary measures will increase the cost of the project and must be reviewed and approved by the RIHPHC prior to any subsurface investigations.

Ground conditions can vary considerably depending on project location. It may be possible, therefore, to conduct excavations in some locations while in others frozen soils or snow cover will prevent normal testing.

In general, the following conditions apply to archaeological survey and excavation during cold weather:

- Walkovers, windshield surveys, and Phase I testing are prohibited when snow covers the ground.
- The excavation of shovel tests and larger units is prohibited when the ground is frozen.
- Machine-assisted testing to remove the plow zone or other overburden is prohibited when the temperature drops below freezing during any 24-hour period, unless steps are taken to prevent any exposed features and surrounding soils from freezing.

10. ARCHAEOLOGICAL PERMITTING POLICIES

The RIHPHC issues permits as part of the project review for all archaeological studies required by federal and state regulation (e.g. 36 CFR 800, the RIHPHC'S Procedures for Registration and Protection of Historic Properties). Generally speaking, an RIHPHC-issued permit is required when an archaeological investigation is (a) part of an undertaking under the RIHPHC's review; (b) conducted on land owned or controlled by the state, its agencies, departments, or institutions, or on the bottoms of navigable waters within the state's jurisdiction in the territorial waters; (c) conducted on a State Archaeological Landmark property. Permits may also be issued as part of an advisory to local communities, or at the request of a project proponent conducting voluntary archaeological survey. There is no fee for this permit. A permit may also be requested for any archaeological survey outside of the RIHPHC's regulatory purview. The RIHPHC's "Rhode Island Archaeological Permit Application" form is included in Appendix A, and may be downloaded in DOCX format from www.preservation.ri.gov.

Archaeological permits are not required for disturbance assessments that do not include subsurface excavation (see the description of Phase 1a surveys in the Performance Standards and Guidelines), either on land or water. If subsurface testing is proposed, a permit is required. A permit is required for archaeological monitoring.

Completed application forms, signed by the Principal Investigator and the landowner/project proponent, shall be sent to the RIHPHC. RIHPHC routinely forwards permit applications that pertain (or potentially

pertain) to Native American cultural resources to the THPOs of the Narragansett Indian Tribe, the Wampanoag Tribe of Gay Head (Aquinnah), and the Mashpee Wampanoag Tribe, offering them ten business days in which to offer comments or express interest to RIHPHC before rendering a decision.

The RIHPHC may impose special conditions (most commonly regarding issues such as level of effort, depth of background research, and field methodology) on permits when circumstances warrant. If a THPO expresses a desire to be informed or consulted on the proposed work in specific way, the RIHPHC may include that as an addendum to the permit as a required 'Native American Special Condition.'

New permits will not be issued to those persons, corporations, societies or organizations that do not have demonstrated professional training and competence, or who have failed to demonstrate professional competency in work conducted under previously issued permits.

RIHPHC staff has the right to inspect a permitted project at any time. The RIHPHC reserves the right to amend the terms and conditions of this permit based on new information received in the course of the project, and has the right to revoke, suspend, or deny the issuance of a permit to anyone who violates the state statutes or departmental regulations.

It is a violation of the Antiquities Act of Rhode Island to conduct archaeological excavation, including metal detecting and artifact recovery on state-owned or -controlled land without a permit from the RIHPHC.

The State of Rhode Island assumes no liability for injuries or losses sustained during work conducted under an RIHPHC permit.

When applying for an RIHPHC archaeological permit, take into account RIHPHC's Policy Concerning Tribal Review of Archaeological Permit Applications for scheduling purposes. This policy is presented in Appendix C.

When filling out the Rhode Island Archaeological Permit Application, use as much space as needed, and attach additional pages as necessary. Applications that fail to include critical categories of information may be returned for revision and resubmission.

- *Previous experience (attach vita):* This may be submitted electronically. If a vita has been submitted in the past, and only minor changes have been made since, the RIHPHC does not require a new/updated version.
- *Beginning date of project:* This is the earliest date that archaeological fieldwork will be conducted.
- *Duration of project:* This is an estimation of how long it will take to satisfy all requirements of the archaeological project under a particular permit, including submission of a final technical report to the RIHPHC.
- *Location of project:* Provide a topographic map showing the location of the project area, which should be depicted as an exact polygon, as well as more detailed maps showing the areas of potential effect of the proposed project, and the specific areas to be tested. Attach additional pages if necessary.
- *Ownership:* Name the owner of the property that will be subject to archaeological survey.
- *Scope of project:* Describe what the undertaking is and the extent of ground-disturbance that it will entail. Describe the archaeological work to be done, referring to any applicable scope in the

Survey Standards. Be as specific as possible, stating the number of test pits or other units to be excavated, describing the location of the proposed testing, and explaining any other relevant measures that will be used to address specific site conditions and concerns. In most instances, it will be necessary to attach additional pages to present a sufficiently detailed scope.

- *Research Design:* This aspect of the permit application is most important at the Phase II and Phase III levels; for these, we expect detailed research designs attached as separate pages. However, even at the Phase I level we expect a discussion of the sensitivity of the project area, with reference to nearby sites (if any), as well as to environmental factors. Research designs should present research problems, formulate hypotheses, and discuss how hypotheses will be tested with data.
- *Project Budget:* This is requested to ensure that the resources and time allocated are sufficient to successfully complete the work proposed. We do not need the cost of each test pit, hourly salaries, or the company's overhead. We do, however, need to see the number of person-hours allocated and the dollar amount budgeted for conservation and curation expenses.
- *Specify repository:* Provide the name and address of the facility where the archaeological collection will be housed. The repository must meet the standards described in the RIHPHC's Performance Standards and Guidelines for Archaeological Projects.

Appendix A:
Rhode Island Archaeological Permit Application

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RHODE ISLAND HISTORICAL PRESERVATION & HERITAGE COMMISSION

Application for permission to conduct archaeological field investigations, pursuant to the Antiquities Act of Rhode Island, G.L. 42-45 and the Rhode Island Procedures for Registration and Protection of Historic Properties. Key policies regarding this application are outlined in Section 10 of the “Performance Standards and Guidelines for Archaeology in Rhode Island.”

1. Applicant’s Name and Address

- A. Principal investigator(s):
- B. Field supervisor(s):

2. Previous experience:

3. Beginning date of project:

4. Duration of the project:

5. Location of project:

6. Ownership:

7. Scope of project:

8. Research design:

9. Project budget:

10. Specify repository:

11. Projected completion of final report and date when a draft review copy will be submitted to RIHPHC:

I, _____ [archaeologist], certify that the information contained in this application is correct, and that I will comply with applicable federal and state legislation, regulations and standards, and any special conditions appended to this application (see below). I understand that any change to the specifications of this permit, the research design, or project scope of work, without the approval of the RIHPHC, may result in the revocation of this permit and the cessation of archaeological investigations. I also understand that should I fail to satisfy the conditions of this permit (items 7,8,9,10,11) the RIHPHC may decide not to issue me, or my employer, permits for future projects until the deficiencies under this permit are resolved.

I, _____ [landowner or project proponent], agree to comply with applicable federal and state legislation and special conditions attached to this permit. I also agree to maintain adequate security at the project area, and, if determined necessary by the RIHPHC, will take steps, as required by the RIHPHC, to prevent trespassers or other unauthorized individuals from causing harm to the archaeological site or sites under investigation.

Permit effective date

Signature of applicant

Signature of approval
Rhode Island Historical Preservation
& Heritage Commission

Signature of property owner or
project proponent

Reviewed by: _____, RIHPHC staff archaeologist

RIHPHC Permit # _____

See below for any attached Special Conditions that may apply to this permit:

1. Native American special condition yes ___ no ___

2. Other special condition yes ___ no ___

The RIHP&HC reserves the right to amend the terms and conditions of this permit based on new information received in the course of the project.

Form updated May, 2021

Appendix B: RIHPHC Standards for Archaeological GIS Data Deliverables

RIHPHC Standards for Archaeological GIS Data Deliverables

Geospatial Data

All projects permitted by or subject to review by the Rhode Island Historical Preservation and Heritage Commission (RIHPHC) must include electronic geospatial data.

All digital geospatial data delivered to the RIHPHC should be submitted in standard Geographic Information Systems (GIS) formats organized within an ESRI ArcGIS geodatabase. Other GIS formats are also acceptable provided they are usable with standard industry software. Vendors or researchers should contact the RIHPHC if they have questions about acceptable formats.

All geospatial data should be projected in Rhode Island State Plane US Feet (SPRI FIPS 3800 Feet) or Geographic Coordinate System (GCS) Latitude/Longitude coordinates and referenced to either the North American Datum 1983 (NAD83) or World Geodetic System 1984 (WGS84) datum. Both the coordinate system and datum used should be consistent throughout the dataset and clearly identified in all associated metadata. Digital geospatial data sources and georeferenced maps should meet or exceed the thresholds outlined in either the National Standard for Spatial Data Accuracy (NSSDA) or United States National Map Accuracy Standards (NMAS).

All location data and relevant attributes should be submitted in ESRI ArcGIS readable formats, e.g. Microsoft Excel (.xlsx), Comma separated value (.csv), Text file (.txt), Shapefile (.shp) or Feature Class/Geodatabase (.gdb). All source materials should be accurately obtained and clearly defined in associated table attributes and metadata. Attribute data components should each occupy a single field within the attribute table. Datasets should at minimum include:

- Site location X and Y coordinates (points)
- Z coordinates if applicable (in NAVD_1988)
- Site boundaries (polygons)
- State site number/s as applicable
- Temporary site number/s as applicable
- Project number/s (if applicable)
- Site time period/s (e.g. contact, pre-contact, etc.)
- Site type/s (e.g. lithic scatter, farmstead, battery, shipwreck, etc.)
- USGS topographic map name/s and/or NOAA nautical chart name and number
- Municipality and county name/s
- Property owner/jurisdictions (if known).
- Survey type (e.g. reconnaissance, site ID, examination, data recovery, monitoring, etc.)
- National Register Eligibility
- Surveyor/s, affiliation, and date/s
- Report name (if applicable)

Electronic Survey Data

Related data obtained from electronically surveyed areas should include navigational information, anomaly/target records, survey lines, boundaries, associated event markers, and/or any other pertinent information or interpretations. Recommended vector, raster, and metadata include (if applicable):

- GNSS receiver type/s and accurately reported GNSS field data, both uncorrected and corrected
- Points, lines, and/or polygons highlighting features and/or anomalies plotted via GNSS or total station survey source data
- Relevant geo-rectified basemaps and interpretative raster image files (e.g. .TIFF, .JP2, etc.)
- Date and time data acquired in Coordinated Universal Time (UTC)
- XYZ coordinates as applicable
- Survey line numbers (or other clear designations)
- Anomaly/target IDs
- Anomaly/target descriptions/interpretations
- Type of survey data employed (e.g. magnetic, acoustic, resistivity, Ground Penetrating Radar (GPR), seismic, etc.)
- Specific instruments used
- Sensor altitude/s and other relevant offsets
- Gamma intensity/peak gradient amplitude of magnetic anomalies
- Duration (m) of magnetic anomalies
- Characterization of magnetic anomalies as a dipole, positive (+) or negative (-) monopole, or complex signature
- GPR reflectivity (e.g. raster cell values)
- GPR feature/target geometry (length, width, depth, orientation, and composition), amplitude (low, moderate, high), and source (point, linear, planar)
- GPR ground material/s, conductivity, velocity, and attenuation
- Side-scan sonar target length, width, height, any associated shadow dimensions, and water depth
- Sub-bottom Profiler reflectors/horizon identifications and interpretations
- Bathymetry contours
- Other relevant electronic field and interpretative data as necessary

Digital Maps

Any accompanying digital maps should contain similar geospatial elements as listed above and be consistent in overall format. Graphic elements should include:

- Map title
- Date
- Author/s and affiliation/s
- Site/anomaly numbers
- North arrow
- Scale bar
- Accurately geo-rectified and identified basemap or chart
- Locus map/s
- Clearly labeled points and project areas
- Graticules delineating state plane or lat/lon coordinates
- Legend/s including the key geographic and/or survey layers.
- Relevant boundaries and map borders

Metadata

All geospatial layers must include relevant metadata, preferably in accordance with the FGDC Content Standard for Digital Geospatial Metadata (CSDGM). For more complex datasets, please contact the RIHPHC GIS Specialist to develop a detailed geospatial data submission plan.

Appendix C: Policy Concerning Tribal Review of Archaeological Permit Applications

Rhode Island Historical Preservation & Heritage Commission Policy Concerning Tribal Review of Archaeological Permit Applications

Policy Statement: The Rhode Island Historical Preservation & Heritage Commission (RIHPHC) routinely affords partnering Tribal Historic Preservation Officers (THPOs) 10 business days to review and comment on archaeological permit applications prior to approval. RIHPHC initiates such a review by sending THPOs the subject application attached to an email specifying the review deadline. RIHPHC considers all THPO comments received via email before the deadline, while retaining exclusive authority to issue archaeological permits at any time.

This policy operates in accordance with the following definitions and principles.

- RIHPHC - Rhode Island's state agency for historical preservation and heritage programs.
- THPO - An official designee of a federally-recognized Indian tribe who directs a program approved by the National Park Service in which the THPO must have assumed some or all of the functions of the State Historic Preservation Officer on Tribal lands.
- archaeologist - Any individual or corporation who provides archaeological consulting services and meets or exceeds the professional standards maintained by RIHPHC's *Standards and Guidelines for Archaeology in Rhode Island*.
- RIHPHC evaluates archaeological permit applications against the *Standards and Guidelines for Archaeology in Rhode Island*. RIHPHC's authority to issue archaeological permits cannot be transferred to, or shared with, any other agent, including a THPO. Accordingly, RIHPHC may independently issue an archaeological permit at any time according to its discretion.
- RIHPHC does not compel THPOs to agree with the specifics of any given archaeological permit application. Nor does RIHPHC compel archaeologists to modify their archaeological permit applications to satisfy the opinions or recommendations of THPOs.
- RIHPHC implements the 10-day THPO review and comment period in good faith as a professional courtesy where budgets, politics, and external deadlines do not present immediate conflicts.
- RIHPHC does not presume archaeologists possess the expertise of THPOs, or vice versa.
- RIHPHC has no interest in contractual relationships or financial exchanges involving THPOs, project proponents, and/or archaeologists.



J. Paul Loether
Executive Director and State Historic Preservation Officer

9/13/19
Date