|  |
| --- |
| **Permit Numbers. HPD Use Only.** |
|  |
|  |
|  |

**CULTURAL PROPERTIES REVIEW COMMITTEE**

**MECHANICAL EXCAVATION PERMIT APPLICATION FOR PRIVATE LAND WITHIN THE STATE OF NEW MEXICO**

|  |
| --- |
| **1. Applicant Name:** |
| **2. Mailing Address:** |
| **3. Telephone:** | **4. E-mail:** |
| **5. Attachments.** Pursuant to **4.10.14.11 NMAC** provide the following attachments and indicate by checking the boxes below.**[ ] Staff Roster**. Complete the attached staff roster and indicate all supervisory personnel who are listed in the SHPO Directory. A request to list supervisory personnel not on the SHPO Directory must be made by separate application.**[ ] Written Authorization** for the proposed excavation from the owner of the land on which the archaeological site(s) is located.**[ ] A Research Design** consistent with 4.10.16 NMAC and in conformance with the standards in 4.10.14.12 NMAC. The following information must be included: [ ] Written acknowledgement by the applicant that the permittee shall submit a final report on the results of the excavation. [ ] An estimated date of completion for a final report on the results of the excavation**OR****[ ] A Discussion of the Proposed Excavation Project** including a description of the site, the objectives of the excavation and the methods to be used to achieve the objectives in conformance with 4.10.14.12 NMAC **AND;****[ ]** Written acknowledgement by the applicant that the permittee shall submit a final report on the results of the excavation.**[ ]** An estimated date of completion for a final report on the results of the excavation. |
| **6. Permit Term** (to be completed by HPD)**:** |

**Permit Stipulations**. Permittees shall abide by all stipulations contained in 4.10.14.11 NMAC, which are attached and made part of this application for a **Mechanical Excavation Permit** and any special stipulations imposed by the CPRC, the state archaeologist and the SHPO. A failure by a permittee to comply with the standard or special stipulations set forth in this rule and on the permit shall be cause for the CPRC's denial of future permits to the permittee in conformance with **4.10.8.24 NMAC**.

|  |
| --- |
| **Special Stipulations:** |

By virtue of the submission of this application, the applicant certifies agreement to abide by all the rules, terms, and stipulations of the **Mechanical Excavation Permit**, in conformance with the provisions of Sections 18-6-11 of the Cultural Properties Act, NMSA 1978, to all applicable sections of CPRC rule 4.10.14 NMAC.

The applicant further affirms that the information contained in or submitted as an attachment to this application is true and factual. False statements can result in permit denial. Pursuant to Section 4.10.8.21 NMAC through Section 4.10.8.24 NMAC, failure to comply with these requirements will result in the documentation of unacceptable or substandard performance and may constitute grounds for denial of the application to conduct archaeological investigations.

Applicant:

Signature Date

Title

Approved:

Chairman, Cultural Properties Review Committee Date

Concur: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

State Archaeologist Date

Concur:

 State Historic Preservation Officer Date

**STAFF ROSTER**

List all personnel who will be conducting archaeological investigations under this permit. PI/PDs and supervisory archaeologists must be listed on the SHPO Directory. If these individuals are not currently listed in the SHPO directory, please provide a separate SHPO Directory application.

|  |  |
| --- | --- |
| **PRINCIPAL INVESTIGATOR/PROJECT DIRECTOR** | **ON SHPO DIRECTORY?**  |
|       | [ ]  |
|       | [ ]  |
|       | [ ]  |
|       | [ ]  |
| **SUPERVISORY ARCHAEOLOGISTS/CREW CHIEFS** |
|       | [ ]  |
|       | [ ]  |
|       | [ ]  |
|       | [ ]  |
|       | [ ]  |
|       | [ ]  |
|       | [ ]  |
|       | [ ]  |
| **OTHER STAFF (historians, crew members, laboratory personnel, etc.)** |
|       | [ ]  |
|       | [ ]  |
|       | [ ]  |
|       | [ ]  |
|       | [ ]  |
|       | [ ]  |

**PERMIT STIPULATIONS**

**Mechanical Excavation Permit**

 **A**. Permittees shall abide by all stipulations contained in this rule and any special stipulations imposed by the CPRC, the state archaeologist, the SHPO or the owner of the land on which the site is located. These additional stipulations shall be set out in writing on the permit.

 **B.** Permittees shall determine the land status and ownership of the archaeological investigation to insure the work will not be in trespass and that they are in compliance with local, state or federal laws.

 **C.** All costs incurred in the execution of the activities conducted under a permit shall be borne by the permittee or its client.

 **D.** The permittee shall comply with all laws, rules, ordinances and requirements in all matters and things affecting the premises and operations therein pertaining to the permit, archaeological site and the land where the site is located.

 **E.** All activities conducted under the permit shall be carried out so as to prevent erosion of the land, pollution of water resources and any other damage to the natural environment. Any sites or locations, which are disturbed in the course of the archaeological investigations conducted under the permit, shall be restored to their original condition insofar as possible. The areas of limited tests, test excavations and excavation shall be backfilled. All areas examined under the permit shall be left in a state that will not create hazard to life nor endanger livestock or other property, nor contribute to the deterioration of the site or location or adjacent lands by natural forces, unless other provisions are specifically arranged in the permit application.

 **F.** If human burials are discovered during the excavation, local law enforcement shall be notified pursuant to 4.10.11 NMAC. If the human burial cannot be left in place, excavations shall be carried out in conformance with 4.10.11 NMAC.

 **G.** All material remains collected or removed from the site as a result of the excavation conducted under the permit shall be the property of the owner of the land on which the site is located, with the exception of unmarked human burials and any funerary object, material object or artifact buried, entombed or sepulchered with the human burial or burials, which shall be the subject of consultation in accordance with 4.10.11 NMAC. The permittee may encourage the landowner to dispose of the material remains in such a way that the general public may benefit, for example, through the donation of the material remains to a public institution that curates such material.

 **H.** If the excavation is delayed as a result of unforeseen circumstances and cannot be completed within the permit period, the permittee shall notify HPD in writing to request an extension to the term of the permit. This request shall be received by HPD within ten (10) working days prior to the expiration date of the permit in order to be considered. The request for the extension shall be accompanied by an interim report summarizing the excavations completed at that date and a proposed date when the excavations will be completed and when the final report will be submitted.

 **I.** If the archaeological investigation is discontinued and cannot be completed as a result of unforeseen circumstances, the permittee shall notify HPD in writing to request a cancellation of the permit. Disposition of material remains collected under the permit and copies of all written and photographic records resulting from a discontinued investigation will be in accordance with the provisions of this section.

 **J.** If fieldwork has not been initiated within the permit period or an extension has not been requested, the permit shall become void at the end of the permit period.

1. **K.** Failure by a permittee to comply with the standard or special stipulations set forth in this rule and on the permit may be cause for the CPRC's denial of future permits to the permittee in conformance with 4.10.8.24 NMAC.