

STATE CULTURAL RESOURCE INVESTIGATION PERMIT Stipulations and Conditions

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Permit Authority:

The issuance of State Cultural Resource Investigation Permits (SCRIPs) for historic, prehistoric, and archaeological investigations on state lands is authorized under AS 41.35.080 and 11 AAC 16.30-90. Paleontological resources (“fossils”) are included as an archaeological site under AS 41.35.230(2). (See <http://dnr.alaska.gov/parks/oha/archsurv/archregs.pdf>). These statutes and regulations establish the legal framework within which SCRIPs are issued.

OHA issues one-year SCRIPs for public construction (cultural resource management) projects, or where the applicant is in some way being paid for their time or product. For projects conducted for research purposes, where no remuneration is being received for time or product, and which will be conducted over multiple years by the same investigator, OHA may issue a SCRIP for up to three-years. An instructor being paid by a university to conduct a field school must apply for a SCRIP annually. Grants are not considered remuneration for purposes of this SCRIP.

SCRIPs issued for field investigations on state lands are subject to the following stipulations and conditions:

1. Permit Application:

- A. OHA will only issue SCRIPs to one permittee (applicant) per SCRIP. The permittee is responsible for ensuring that the terms of the SCRIP are carried out, including stipulation and reporting requirements. Either the permittee or Field Supervisor must meet the professional qualification standards in 11 AAC 16.040 (see link above). Fieldwork under the SCRIP must be under the direct on-site supervision of a person who meets these standards.
- B. Field projects undertaken in response to the National Historic Preservation Act (e.g., “Section 106 Projects”) must be under the on-site supervision of a qualified professional satisfying appropriate professional qualification standards established in 43 CFR 7.8 (<https://www.gpo.gov/fdsys/pkg/CFR-2014-title43-vol1/pdf/CFR-2014-title43-vol1-sec7-8.pdf>) and the Secretary of the Interior’s Standards and Guidelines, 48 FR 44738-44739 (https://www.nps.gov/history/local-law/arch_stnds_9.htm). These federal standards are more stringent than those in 11 AAC 16.040.
- C. It is the applicant’s responsibility to determine land ownership for the area to be surveyed. OHA only permits surveys on state-owned or managed land. The applicant must identify which state agencies manage the land to be surveyed, and list in the research design the MTRS’s for each state land agency. DNR’s Alaska Mapper program shows state-owned or managed land and the state agencies which manage that land (http://dnr.alaska.gov/mapper/controller?gsid=675154F4D68C767355CCF8DAD717BC81_tomcat-90).
- D. OHA must obtain approval from the appropriate state land manager(s) before issuing a SCRIP (11AAC 16.030d: see top link above or <http://www.legis.state.ak.us/basis/aac.asp#11.16.030>). If the state land manager decides it is

not in their agency's best interest to approve a SCRIP for the applicant to conduct archaeological survey on their agency's land, and does not sign or otherwise approve the SCRIP, OHA cannot issue a SCRIP for survey on that land.

- E. Some land managing agencies require permits separate from the OHA SCRIP to access their lands. These agencies include Alaska Department of Fish and Game (fish bearing streams and state Special Areas [e.g. refuges, sanctuaries, critical habitat areas]), see <http://www.adfg.alaska.gov/index.cfm?adfg=uselicense.main>, the Mental Health Trust Land Office (<https://mhtrustland.org/>), the University of Alaska (<http://www.ualand.com/index.cfm?fuseaction=Processes.Process&pid=10010>), and the DNR/Division of Mining, Land and Water. (DMLW may require a permit for camping on state land; see Section 4). The applicant must contact these agencies to arrange for these permits. These agencies may require these separate permits to be in place before they sign the OHA SCRIP.
- F. A SCRIP is required for archaeological monitoring projects on state land. The applicant must submit a monitoring plan that includes how cultural items will be documented, a set of criteria for what (particularly historic) items will and will not be collected, the location where collected items will be curated, a notification process for reporting discoveries to applicable parties, and a protocol for the discovery of human remains. OHA expects to be notified of discoveries, enabling the office to provide feedback on the process.
- G. The SCRIP is not transferable. If a company changes its permittee for a project, OHA must be notified and a new SCRIP executed prior to any additional fieldwork.
- H. Each permittee is responsible for insuring that reporting requirements are met for work conducted during the terms of their SCRIPs.
- I. Activities shall be conducted as described in the application packet submitted to and approved by OHA and the state land manager.
- J. Allow at least 30 days for processing SCRIP applications. Turn-around time is largely dependent upon the response time of the appropriate land manager(s). OHA cannot guarantee SCRIP finalization by a specified date due to contributions to the process by non-OHA entities.
- K. A SCRIP may be amended, insofar as allowable by regulation and stipulation, to adjust contiguous or minor spatial changes, or to extend the termination date of a SCRIP. Requests for SCRIP amendments should be sent by email to OHA.permits@alaska.gov.
- L. The permittee will fully indemnify the state land managing agency and the OHA.
- M. OHA may terminate a SCRIP if the permittee fails to comply with the terms of the SCRIP and stipulations.
- N. SCRIP eligibility is contingent upon the satisfactory completion of prior SCRIPs. Applicants are not eligible for further SCRIPs until the requirements of SCRIPs from previous field seasons are satisfied.

2. Permit Fieldwork:

- A. OHA expects professionals will conduct subsurface testing, with screening of materials recovered from test pits, on archaeological surveys in areas that may contain prehistoric or historic subsurface resources. Subsurface testing methods must be detailed in the project's research design, and if possible outline how, where, and when tests will and will not be conducted. If the Field Supervisor determines subsurface testing is not warranted, the survey report will provide an explanation and images (i.e., landforms and ground surfaces) showing why subsurface testing was not appropriate.
- B. Some environments may contain archaeological horizons that are buried too deeply to be found by traditional shovel testing methods. It is the applicant's responsibility to determine when this is the case and provide means to discover all cultural horizons, or document why this level of effort was not appropriate for the project.
- C. Any subsurface excavations including test pits, auger tests, and soil probes constitute ground disturbing activities, and must be considered as such for other SCRIP stipulations. SCRIP applications for work that includes any ground disturbing activities and/or the collection of archaeological or paleontological materials must be accompanied by a Provisional Curation Agreement signed by the University of Alaska Museum of the North, (<https://www.uaf.edu/museum/collections/archaeo/pdfs/ProvisionalCurationRequest.pdf>) or by a written agreement from another repository approved by OHA. The permittee may only implement a "no collection" policy for cultural materials if the materials are left undisturbed in original context. Artifacts recovered from excavations, including test pits, auger tests, and soil probes must be collected and curated.
- D. In the event that human remains are discovered, the permittee will cease work that would further disturb the remains and immediately contact the appropriate state agencies as required by AS 12.65.5. (See OHA website guidance for laws and protocols pertaining to the Discovery of Human Remains in Alaska at <http://dnr.alaska.gov/parks/oha/ahrs/remains.htm>). The permittee must consult with OHA within two working days. If logistical considerations (i.e., working in a remote area with no means of communication) prevent consultation within this timeframe, the applicant will consult with OHA as soon as is practicable. If guidance for human remains discoveries is addressed in an overall project agreement document (such as a Memorandum of Agreement, Programmatic Agreement, or Recovery Plan), the permittee will proceed in accordance with the agreement document, in addition to the requirement to notify OHA.
- E. Test pits shall be backfilled at the completion of each investigation. The research design must include information about site stabilization between seasons, if units will be left open, and a plan for surface restoration for projects that entail large block excavations.
- F. OHA personnel may visit SCRIP-permitted surveys or excavations at any time, as per 11 AAC 16.090.
- G. Issuance of a SCRIP in no way absolves the permittee from complying with other laws and regulations that may apply. For instance, excavations are also subject to Occupational Safety & Health Administration regulations. Further information may be found at https://www.osha.gov/Publications/trench_excavation_fs.html.

3. Permit Reporting:

- A. An interim or final report is due within six months after the completion of fieldwork. For multi-year SCRIPs, annual reports are required in addition to a final report. If an interim or annual report is submitted, the permittee should provide a timeline for submittal of the final report.
- B. Reports shall be consistent with the *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation* (48 Federal Register 44716-42, September 29, 1983). They should include topics found in the *Secretary of the Interior's Guidelines for Archeological Documentation* (48 FR 44716) and in the *Standards and Guidelines for Investigating and Reporting Archaeological and Historic Properties in Alaska* (ADNR/DPOR Office of History and Archaeology, *Historic Preservation Series No. 11*) at <http://dnr.alaska.gov/parks/oha/hpseries/hp11.pdf> and the OHA Report Checklist (ADNR/DPOR Office of History and Archaeology, *Historic Preservation Series No.3*) at <http://dnr.alaska.gov/parks/oha/ahrs/reportchk.htm>.
- C. In addition to meeting other (SOI, OHA) reporting standards, survey and monitoring reports will, at a minimum, include:
- Project setting, with maps and descriptions of the areas and acreage surveyed, including 1: 63,360 USGS map.
 - Archaeological, ethnohistoric, and historic overviews as appropriate. When doing determinations of eligibility, include historic contexts, themes and periods of significance.
 - Summary of previous investigations and known sites investigated, if any.
 - Project description, research design/methods, and level of survey, with photographs of environment.
 - Results of investigations with AHRS numbers and descriptions of sites.
 - Photographs of sites, test pits or excavations, and artifacts.
 - Summary and recommendations.
 - Eligibility recommendations, if appropriate.
 - References cited.
- D. Alaska Heritage Resources Survey (AHRS) (<http://dnr.alaska.gov/parks/oha/ahrs/ahrs.htm>). The permittee shall ensure that AHRS records are submitted to OHA for sites investigated under the SCRIP, including both newly discovered sites and known sites that were re-investigated. AHRS records should be submitted in a format, such as MS WORD, that streamlines entry by OHA staff (i.e., staff must be able to “cut and paste”). When the preparation of large numbers of site records is anticipated, permittees may be authorized to enter data directly into the OHA Integrated Business Suite via remote computer if determined to be appropriate by the AHRS Coordinator.
- E. OHA will make submitted reports available to cultural resource professionals, land managers, and others authorized by IBS user agreements to access OHA records. Any information regarded proprietary or privileged for business reasons should be omitted or redacted from the reports prior to submittal. If you feel that it is necessary to transmit proprietary information, it should be sent in a separate document, along with justification under federal or state law for holding the information proprietary and an expiration date for the document's proprietary status. Note that the basic information required under OHA *Historic Preservation Series Numbers 3* and *11* and the list in 3.C above are required and will not be held proprietary.

4. Land-Use Stipulations for State General Lands managed by DNR/DMLW:

- A. **Out Camp Use:** Out Camps on state-owned land must be portable. Sites must be left in a clean, safe condition. All trash, food, and litter should be stored to prevent access by animals, then removed from the site and disposed of properly. Commercial entities camping on state land, including those conducting CRM surveys, will require permit authorization from the DMLW before camping. Establishment and use of any camp requiring occupancy for more than 14 consecutive days requires permit authorization from the DMLW, and may require a permit from the Division of Environmental Conservation. All non-permitted camps must relocate all gear and equipment a minimum of 2 miles at least every 14 days. See “A Fact Sheet of Generally Allowed Uses on State Land” at http://dnr.alaska.gov/mlw/factsht/land_fs/gen_allow_use.pdf.
- B. **Human Waste Disposal:** Solid human waste should be deposited in cat-holes dug 6 to 8 inches deep and located at least 200 feet from water, a camp, and trails. Pack out toilet paper and hygiene products.
- C. **Motorized Travel Across State Land with no roads:** Vehicle use is limited to ATVs that can be operated without killing or breaking through the vegetative mat and exposing the soil to erosion.
- D. **Off-road travel within the North Slope Special Use Area (11 AAC 96.014(b)(1)).** The North Slope Special Use Area designation requires a permit for all motorized travel off established roads on all State lands within the Umiat Meridian (ADL 40666). Transportation activities shall be limited to vehicle types, time periods, and locations approved by the DNR/Division of Mining, Land, and Water.

5. Project Specific Stipulations:

Frequently Asked Questions (FAQ's)

1. When do I need to obtain a State Cultural Resource Investigation Permit?

A SCRIP is needed when any survey of historic, archaeological or paleontological resources is undertaken on state lands (including tide lands and submerged lands). Archaeological surveys on state land are commonly undertaken in advance of public construction, though are also undertaken for research purposes to better understand the historic/archaeological/ paleontological resources in a region.

2. Do I still need to get a SCRIP if I don't intend on digging test pits?

Yes, a SCRIP is required for any cultural resource survey undertaken on state lands. These can include pedestrian surveys, windshield and aerial surveys, and geophysical studies (e.g., remote sensing, sonar, ground penetrating radar).

3. Do I need a SCRIP for archaeological monitoring on State lands?

Yes, a SCRIP is needed for archaeological monitoring on state lands.

4. How long does it take for a SCRIP to be processed?

SCRIPs may take up to 30 days to process. The Office of History and Archaeology attempts to process SCRIPs and get permits out to applicants in a timely manner.

5. How long does a SCRIP last?

SCRIPs for surveys conducted in advance of a commercial project and/or for which the applicant is receiving remuneration are issued for one calendar year/field season. Archaeological and paleontological surveys for research purposes may apply for SCRIPs of up to three years in duration.

6. What do I do if I receive a SCRIP for a survey and then the project is cancelled?

If your project is cancelled before your survey takes place email oha.permits@alaska.gov and explain the situation. After discussion OHA will generally cancel the SCRIP.

7. Does submitting a report to fulfill my SCRIP stipulations also fulfill reporting requirements for Section 106 or Alaska Historic Preservation Act review?

No, submitting a report to satisfy SCRIP stipulations does not satisfy Section 106 or AHPA requirements, unless it is explicitly stated in the lead agency cover letter that it is being sent for both.

8. Who do I contact regarding SCRIPs?

For questions on SCRIPs email oha.permits@alaska.gov or contact the State Archaeologist, Richard VanderHoek, at richard.vanderhoek@alaska.gov, or (907) 269-8728.