

United States Department of the Interior
PERMIT FOR ARCHEOLOGICAL INVESTIGATIONS

To conduct archeological work on Department of the Interior lands and Indian lands under the authority of:

- ☒ The Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa-mm) and its regulations (43 CFR 7).
☐ The Antiquities Act of 1906 (P.L. 59-209; 34 Stat. 225, 16 U.S.C. 431-433) and its regulations (43 CFR 3).
☐ Supplemental regulations (25 CFR 262) pertaining to Indian lands.
☐ Bureau-specific statutory and/or regulatory authority: _____

1. Permit issued to: Brazos Valley Research Associates		2. Under application dated April 24, 2006	
3. Address 813 Beck Street Bryan, Texas 77803		4. Telephone number(s) (979) 823-1148	
		5. E-mail address(es) bvracrm@cox-internet.com	
6. Name of Permit Administrator William E. Moore Telephone number(s): (979) 823-1148 Email address(es): bvracrm@cox-internet.com		7. Name of Principal Investigator(s) William E. Moore Telephone number(s): (979) 823-1148 Email address(es): bvracrm@cox-internet.com	
8. Name of Field Director(s) authorized to carry out field projects Edward P. Baxter		Telephone number(s): (979) 225-4897 Email address(es): e.p.Baxter@att.net	
9. Activity authorized Survey and Recordation involving limited shovel testing on lands specified in No. 10.			
10. On lands described as follows Archeological survey of the Seismic Assistant's Ltd.'s 3-D project area within the Big Sandy Corridor Creek Unit, Turkey Creek Unit, and Village Creek Unit of the Big Thicket National Preserve in Hardin County, Texas as per attached map.			
11. During the duration of the project From August 2006 To February 2007			
12. Name and address of the curatorial facility in which collections, records, data, photographs, and other documents resulting from work under this permit shall be deposited for permanent preservation on behalf of the United States Government. Texas Archeological Research Laboratory, The University of Texas at Austin, J. J. Pickle Research Campus, Building 5, 1 University Station R7500 Austin, Texas 78712-0714 (512)-471-6007			
13. Permittee is required to observe the listed standard permit conditions and the special permit conditions attached to this permit.			
14. Signature and title of approving official 		15. Date 8/2/06	

15. Standard Permit Conditions

- a. This permit is subject to all applicable provisions of 43 CFR Part 3, 43 CFR 7, and 25 CFR 262, and applicable departmental and bureau policies and procedures, which are made a part hereof.
- b. The permittee and this permit are subject to all other Federal, State, and local laws and regulations applicable to the public lands and resources.
- c. This permit shall not be exclusive in character, and shall not affect the ability of the land managing bureau to use, lease or permit the use of lands subject to this permit for any purpose.
- d. This permit may not be assigned.
- e. This permit may be suspended or terminated for breach of any condition or for management purposes at the discretion of the approving official, upon written notice.
- f. This permit is issued for the term specified in 11 above.
- g. Permits issued for a duration of more than one year must be reviewed annually by the agency official and the permittee.
- h. The permittee shall obtain all other required permit(s) to conduct the specified project.
- i. Archeological project design, literature review, development of the regional historic context framework, site evaluation, and recommendations for subsequent investigations must be developed with direct involvement of an archeologist who meets the Secretary of the Interior's Standards for Archeology and Historic Preservation; fieldwork must be generally overseen by an individual who meets the Secretary of the Interior's Standards for Archeology and Historic Preservation.
- j. Permittee shall immediately request that the approving official (14. above) make a modification to accommodate any change in an essential condition of the permit, including individuals named and the nature, location, purpose, and time of authorized work, and shall without delay notify the approving official of any other changes affecting the permit or regarding information submitted as part of the application for the permit. Failure to do so may result in permit suspension or revocation.
- k. Permittee may request permit extension, in writing, at any time prior to expiration of the term of the permit, specifying a limited, definite amount of time required to complete permitted work.
- l. Any correspondence about this permit or work conducted under its authority must cite the permit number. Any publication of results of work conducted under the authority of this permit must cite the approving bureau and the permit number.
- m. Permittee shall submit a copy of any published journal article and any published or unpublished report, paper, and manuscript resulting from the permitted work (apart from those required in items q. and s., below), to the approving official and the appropriate official of the approved curatorial facility (item 12 above).
- n. Prior to beginning any fieldwork under the authority of this permit, the permittee, following the affected bureau's policies and procedures, shall contact the field office manager responsible for administering the lands involved to obtain further instructions.
- o. Permittee may request a review, in writing to the official concerned, of any disputed decision regarding inclusion of specific terms and conditions or the modification, suspension, or revocation of this permit, setting out reasons for believing that the decision should be reconsidered.
- p. Permittee shall not be released from requirements of this permit until all outstanding obligations have been satisfied, whether or not the term of the permit has expired. Permittee may be subject to civil penalties for violation of any term or condition of this permit.

15. Standard Permit Conditions (continued)

- q. Permittee shall submit a preliminary report to the approving official within a timeframe established by the approving official, which shall be no later than 6 weeks after the completion of any episode of fieldwork, setting out what was done, how it was done, by whom, specifically where, and with what results, including maps, GPS data, an approved site form for each newly recorded archeological site, and the permittee's professional recommendations, as results require. If other than 6 weeks, the timeframe shall be specified in Special Permit Condition p. Depending on the scope, duration, and nature of the work, the approving official may require progress reports, during or after the fieldwork period or both, and as specified in Special Permit Condition r.
- r. Permittee shall submit a clean, edited draft final report to the agency official for review to insure conformance with standards, guidelines, regulations, and all stipulations of the permit. The schedule for submitting the draft shall be determined by the agency official.
- s. Permittee shall submit a final report to the approving official not later than 180 days after completion of fieldwork. Where a fieldwork episode involved only minor work and/or minor findings, a final report may be submitted in place of the preliminary report. If the size or nature of fieldwork merits, the approving official may authorize a longer timeframe for the submission of the final report as specified in Special Permit Condition q.
- t. Two copies of the final report, a completed NTIS Report Documentation Page (SF-298), available at <http://www.ntis.gov/pdf/rdpform.pdf>, and a completed NADB-Reports Citation Form, available at http://www.cr.nps.gov/aad/tools/nadbform_update.doc, will be submitted to the office issuing the permit.
- u. The permittee agrees to keep the specific location of sensitive resources confidential. Sensitive resources include threatened species, endangered species, and rare species, archeological sites, caves, fossil sites, minerals, commercially valuable resources, and sacred ceremonial sites.
- v. Permittee shall deposit all artifacts, samples and collections, as applicable, and original or clear copies of all records, data, photographs, and other documents, resulting from work conducted under this permit, with the curatorial facility named in item 12, above, not later than 90 days after the date the final report is submitted to the approving official. Not later than 180 days after the final report is submitted, permittee shall provide the approving official with a catalog and evaluation of all materials deposited with the curatorial facility, including the facility's accession and/or catalog numbers.
- w. Permittee shall provide the approving official with a confirmation that museum collections described in v. above were deposited with the approved curatorial facility, signed by an authorized curatorial facility official, stating the date materials were deposited, and the type, number and condition of the collected museum objects deposited at the facility.
- x. Permittee shall not publish, without the approving official's prior permission, any locational or other identifying archeological site information that could compromise the Government's protection and management of archeological sites.
- y. For excavations, permittee shall consult the OSHA excavation standards which are contained in 29 CFR §1926.650, §1926.651 and §1926.652. For questions regarding these standards contact the local area OSHA office, OSHA at 1-800-321-OSHA, or the OSHA website at <http://www.osha.gov>.
- z. Special permit conditions attached to this permit are made a part hereof.

16. Special Permit Conditions

- ☒ a. Permittee shall allow the approving official and bureau field officials, or their representatives, full access to the work area specified in this permit at any time the permittee is in the field, for purposes of examining the work area and any recovered materials and related records.
- ☒ b. Permittee shall cease work upon discovering any human remains and shall immediately notify the approving official or bureau field official. Work in the vicinity of the discovery may not resume until the authorized official has given permission.
- ☒ c. Permittee shall backfill all subsurface test exposures and excavation units as soon as possible after recording the results, and shall restore them as closely as reasonable to the original contour.
- ☒ d. Permittee shall not use mechanized equipment in designated, proposed, or potential wilderness areas unless authorized by the agency official or a designee in additional specific conditions associated with this permit.
- ☒ e. Permittee shall take precautions to protect livestock, wildlife, the public, or other users of the public lands from accidental injury in any excavation unit.
- ☒ f. Permittee shall not conduct any flint knapping or lithic replication experiments at any archeological site, aboriginal quarry source, or non-site location that might be mistaken for an archeological site as a result of such experiments.
- ☒ g. Permittee shall perform the fieldwork authorized in this permit in a way that does not impede or interfere with other legitimate uses of the public lands, except when the authorized officer specifically provides otherwise.
- ☒ h. Permittee shall restrict vehicular activity to existing roads and trails unless the authorized officer provides otherwise.
- ☒ i. Permittee shall keep disturbance to the minimum area consistent with the nature and purpose of the fieldwork.
- ☒ j. Permittee shall not cut or otherwise damage living trees unless the authorized officer gives permission.
- ☒ k. Permittee shall take precautions at all times to prevent wildfire. Permittee shall be held responsible for suppression costs for any fires on public lands caused by the permittee's negligence. Permittee may not burn debris without the authorized officer's specific permission.
- ☒ l. Permittee shall conduct all operations in such a manner as to prevent or minimize scarring and erosion of the land, pollution of the water resources, and damage to the watershed.
- ☒ m. Permittee shall not disturb resource management facilities within the permit area, such as fences, reservoirs, and other improvements, without the authorized officer's approval. Where disturbance is necessary, permittee shall return the facility to its prior condition, as determined by the authorized officer.
- ☒ n. Permittee shall remove temporary stakes and/or flagging, which the permittee has installed, upon completion of fieldwork.
- ☒ o. Permittee shall clean all camp and work areas before leaving the permit area. Permittee shall take precautions to prevent littering or pollution on public lands, waterways, and adjoining properties. Refuse shall be carried out and deposited in approved disposal areas.
- ☐ p. Permittee shall submit the preliminary report within _____ days/weeks of completion of any episode of fieldwork..
- ☒ q. Permittee shall submit the final report within 6 months days/weeks/months after completion of fieldwork..
- ☐ r. Permittee shall submit progress reports every _____ months over the duration of the project.
- ☒ s. Additional special permit conditions are attached.

Special Permit Conditions Continuation Sheet

8. (CONTINUED) Special conditions appropriate to this permit:

- a. X All costs shall be borne by the permittee.
- b. X Two copies of the final report, a completed NTIS report documentation form (optional form 272), and required information for listing in the National Archeological Database (NADB-Reports) administered by the National Park Service will be submitted to the office issuing the permit: Regional Archeologist, Intermountain Region, PO Box 728, Santa Fe, NM 87504. Further information on NTIS can be obtained at <http://www.ntis.gov>.
- c. X The permittee is responsible for the entering all archeological site information into the NPS ASMIS servicewide database. The park will provide the necessary software and/or access to the database.
- d. X The permittee will provide the NPS with two archival CD's, each containing a copy of each archeological site form or site revisit form recorded for the project.
- e. X The permittee is responsible for acquiring a collection accession number from the park prior to initiating fieldwork. Collections may not leave the park until they are accessioned. After fieldwork is completed, and prior to completion of artifact analysis, the permittee is responsible for acquiring a block of catalog numbers from the park for permanent assignment to the project collection. All artifacts and records generated by this project are to be catalogued under the same accession number and block of catalog numbers.
- f. X The permittee is responsible for the cataloguing of artifacts in the NPS Automated National Catalog System (ANCS+) database. This cataloguing can be done either through direct entry into ANCS+ or, using an export file (CREXPORT. Txt), data can be entered using either MS Access or Excel. The park will provide the permittee with the necessary ANCS+ software or the export file to accomplish this requirement.
- g. X Three copies of the DRAFT final report are to be submitted to park for review and comment. The park will review one copy and will send the other copies to the Regional Archeologist to review and to THC for SHPO review. Review comments from these three entities will be addressed in the final report. The final report shall not be distributed by any agency or organization prior to acceptance of the report.
- h. X In order to meet immediate distribution requirements within the NPS, the park will receive six copies of the final report and one electronic copy on archival CD. *This is in addition to the two copies required in Condition k above.* -
- i. X The offset for a relocated shot hole due to an archaeological site within a proposed source point location will be expanded from 15 meters (50 feet) to 60 meters (200 feet) from the site's boundaries based on recommendations presented in *Vibration Assessment of SAI Proposed Operations in the Big Sandy Creek Unit* by Ken King, (May 2003).

By signing below, I, the Principal Investigator, acknowledge that I have read and understand the Permit for Archeological Investigations and agree to its terms and conditions as evidenced by my signature below and initiation of work or other activities under the authority of this permit.

Signature and title:

Date:

Paperwork Reduction Act and Estimated Burden Statement: This information is being collected pursuant to 16 U.S.C. 470cc and 470mm, to provide the necessary facts to enable the Federal land manager (1) to evaluate the applicant's professional qualifications and organizational capability to conduct the proposed archeological work; (2) to determine whether the proposed work would be in the public interest; (3) to verify the adequacy of arrangements for permanent curatorial preservation, as United States property, of specimens and records resulting from the proposed work; (4) to ensure that the proposed activities would not be inconsistent with any management plan applicable to the public lands involved; (5) to provide the necessary information needed to complete the Secretary's Report to Congress on Federal Archeology Programs; and (6) to allow the National Park Service to evaluate Federal archeological protection programs and assess compliance with the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470). Submission of the information is required before the applicant may enjoy the benefit of using publicly owned archeological resources. To conduct such activities without a permit is punishable by felony-level criminal penalties, civil penalties, and forfeiture of property. A federal agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. Public reporting for this collection of information is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Departmental Consulting Archeologist; NPS; 1849 C Street, NW (2275); Washington, DC 20240-0001.

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By signing below, I, the Principal Investigator, acknowledge that I have read and understand the Permit for Archeological Investigations and agree to its terms and conditions as evidenced by my signature below and initiation of work or other activities under the authority of this permit.

Signature and title:

William E. Moore Owner

Date:

August 14, 2006