

MUSEUM OF NEW MEXICO

OFFICE OF ARCHAEOLOGICAL STUDIES

Data Recovery Plan for LA 130874 (AR-NM-03-02-01-601),
along U.S. 84, near Cebolla, Rio Arriba County, New Mexico

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ARCHAEOLOGY NOTES 289

On February 7, 2001, the New Mexico State Highway and Transportation (NMSHTD) requested that the Office of Archaeological Studies (OAS), Museum of New Mexico, prepare a data recovery plan for the portion of LA130874 (AR-03-02-01-601) within the proposed construction zone of improvements to U.S. 84 near Cebolla, Rio Arriba County, New Mexico. The site was considered likely to yield important archaeological information and was recommended eligible to the *National Register of Historic Places* under criterion d. A data recovery program was requested to recover potentially important information from the portion of the site extending into the project area. The site is located on highway right-of-way land obtained from private sources and Carson National Forest land. The portion of the site on Carson National Forest land is preserved east of the forest boundary and will not be affected by the proposed construction. The data recovery plan concerns only the portion of the site overlapping highway right-of-way land obtained from private sources. The site location and legal description is in Appendix 1. Funding for this project is provided by state and federal sources.

The *National Register of Historic Places* and the *State Register of Cultural Properties* were consulted. No properties listed on, nominated to, or approved for submission to either inventory are located within the proposed project boundary.

NMSHTD Project No. TP-084-7(31)240

CN 3244

MNM Project 41.688 Cebolla Excavation

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INTRODUCTION

On February 7, 2001, the New Mexico State Highway and Transportation (NMSHTD) requested that the Office of Archaeological Studies (OAS), Museum of New Mexico, prepare a data recovery plan for the portion of LA 130874 (AR-03-02-01-601) within the proposed construction zone of improvements to U.S. 84 near Cebolla, Rio Arriba County, New Mexico (Fig. 1). The site was considered likely to yield important archaeological information and was recommended eligible to the *National Register of Historic Places* under criterion d (Loebig and Goar 2000:29). A data recovery program was requested to recover potentially important information from the portion of the site extending into the project area. The site is located on highway right-of-way land obtained from private sources and Carson National Forest land. The portion of the site on Carson National Forest land is preserved east of the forest boundary and will not be affected by the proposed construction. The data recovery plan concerns only the portion of the site overlapping highway right-of-way land obtained from private sources. The site location and legal description is in Appendix 1. Funding for this project is provided by state and federal sources.

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ENVIRONMENTAL SETTING

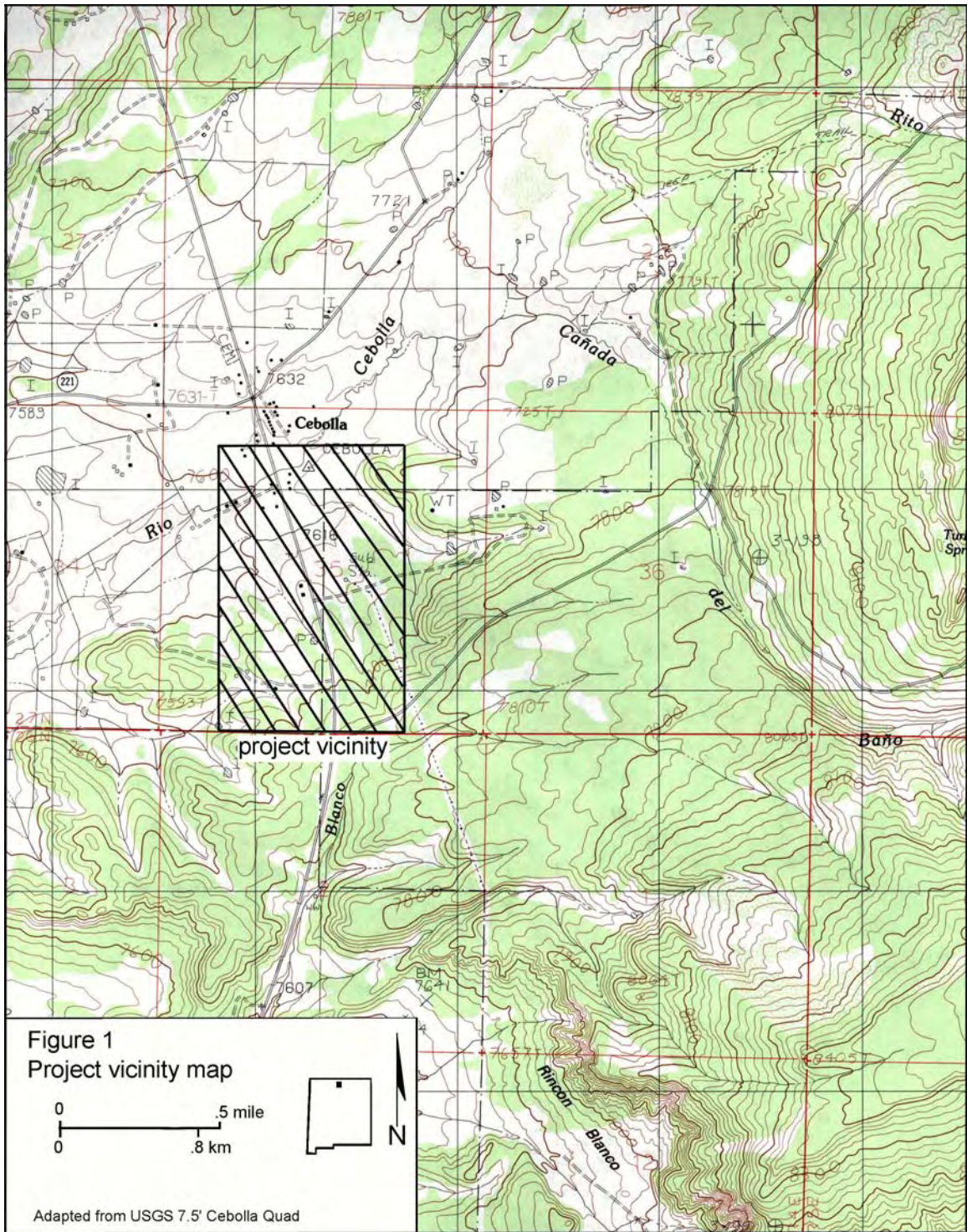
Pertinent environmental information is presented in the survey report (Loebig and Goar 2000:7, 29). Briefly, the site is situated at an elevation of 2,335 m (7,660 ft) on a gentle north-facing slope. Local soil is a tan silt loam colluvium with moderate amounts of rounded gravels. Heavy woodland vegetation, including piñon, juniper, gambel oak, and various plant species, covers the eastern portion of the site reducing surface visibility to about 25 to 50 percent.

ARCHAEOLOGICAL SETTING

The survey report presents a cultural resource overview of the project area (Loebig and Goar 2000:8-12). Regional sites range from aceramic chipped stone scatters to the settlement of the local community of Cebolla during the Historic period. The authors of the survey report found 18 previously recorded sites within about 1 mile of the project area. These were mainly similar small Archaic or unknown period chipped stone artifact scatters recorded during forest management undertakings for the Carson National Forest. A review of Carson National Forest files by Loebig and Goar was consistent with information obtained from the Archeological Records Management Section (Loebig and Goar 2000:11). Additional archaeological context is presented below in the Data Recovery Plan.

SITE DESCRIPTION

LA 130874 (AR-03-02-01-601) was recorded as a small chipped stone artifact scatter of unknown cultural and temporal affiliation (Loebig and Goar 2000: 29-30). Eighteen pieces of chipped stone debitage were piece-plotted over a 67-by-33-m area (Fig. 2). No formal tools or diagnostic artifacts were



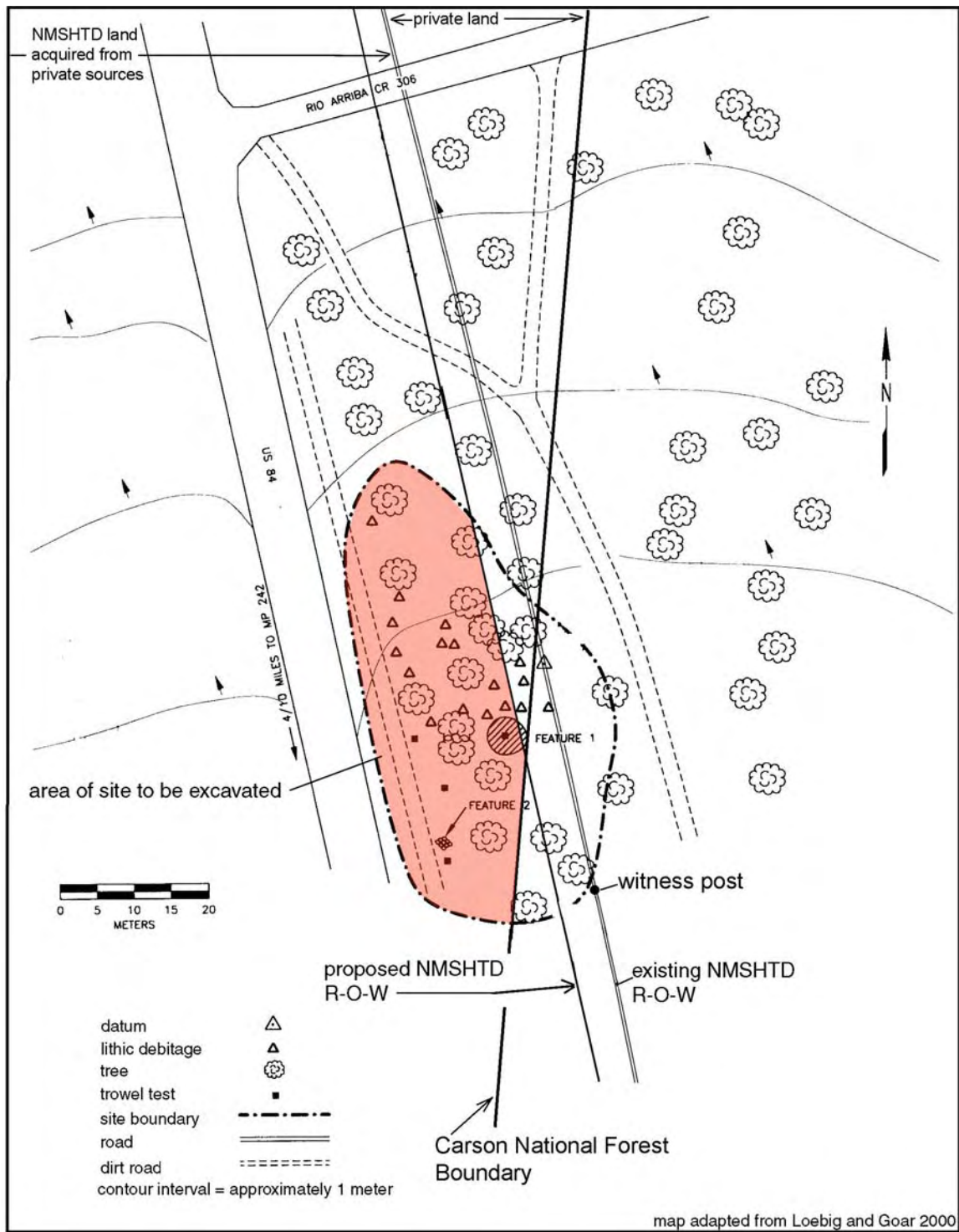


Figure 2. LA 130874.

recorded. The chipped stone artifacts consisted of cortical and noncortical core flakes, noncortical thinning flakes, and pressure flakes. Material types included obsidian and chert.

Two features were recorded on the site. Feature 1 is a 4.5-m-diameter heavy charcoal and ash stain near a small concentration of chipped stone artifacts. Trowel tests revealed an ash and charcoal lens 5 to 10 cm thick. The site recorders thought the stain might represent a hearth pit, but an actual feature was not delineated by the limited trowel tests. The exact nature and temporal affiliation of the feature was not determined.

Feature 2 is a 1-m-diameter concentration of cobbles located along the edge of a two-track road. Amorphous and diffuse ash staining was found just north of the possible feature. A trowel test encountered only light charcoal staining. The nature and temporal affiliation of the feature is unknown.

The small chipped stone scatter is of unknown cultural and temporal affiliation. However, both features have ash stains that could potentially produce radiocarbon dates. The features are likely to yield important archaeological information in the form of dating material. For this reason the site is considered eligible for inclusion to the *National Register of Historic Places* on the basis of criterion d.

The proposed project right-of-way extends 25 m east of the centerline of the existing highway, bisecting about half of the site (Fig. 2). The larger portion of Feature 1, all of Feature 2, and 13 of the 18 recorded surface artifacts are included in the project area. Both potential features will be investigated by the data recovery plan and about half of the site will be further examined for surface and subsurface cultural material.

About 10 m of site area adjacent to U.S. 84 has experienced long-term shoulder maintenance and is additionally bisected by a two-track road. Immediate access has subjected the site to socializing, woodcutting, and trash dumping. The integrity of this portion of the site may have been affected by these activities. This may include Feature 2, which is located in proximity to the two-track road. The heavily vegetated portion of the site east of the two-track road is the most likely area for recovering intact cultural material in the construction zone.

DATA RECOVERY PLAN FOR LA 130874 (AR-NM-03-02-01-601)

The portion of LA 130874 within the proposed project area of planned improvements to U.S. 84 has the potential to yield important archaeological information and is eligible for inclusion on the *National Register of Historic Places* on the basis of criterion d. A data recovery plan is provided that addresses the data potential of the site. Determination of the site data potential is based on the site information documented during the initial site recording (Loebig and Goar 2000:29-30), in combination with the known results of other archaeological surveys and excavations conducted in the area. The data recovery plan will focus on research questions that can be dealt with using site-specific data. Intersite comparisons and interpretations on a regional level will be offered given the data that are recovered. The data recovery plan will focus on confirming the potential of the site to yield important information, and to recover, through excavation, the significant information from the site prior to construction.

Archaeological Context

The author used the New Mexico Cultural Resources Information System (NMCRIS) in a records search of the Cebolla and Las Nutrias 7.5' quadrangles surrounding the project area (Table 1). This allowed a means of viewing the regional archaeological context. The Cebolla quadrangle is characterized by survey coverage of about 7,223 acres. The 43 projects recorded 120 sites represented by 137 cultural components. In contrast, the Las Nutrias quadrangle west of the project area has survey coverage of only 141 acres. The five projects recorded only one small unknown chipped stone scatter.

Table 1. Recorded Site Components on the Cebolla and Las Nutrias 7.5' Quadrangles

CULTURE AND PERIOD	CEBOLLA QUAD	LAS NUTRIAS QUAD	TOTAL	
			NUMBER	PERCENT
ARCHAIC				
Unknown 5500 BC-900 AD	20		20	14.5
Unknown 3000 BC-1800 BC	2		2	1.4
Unknown 1800 BC-900 AD	6		6	4.3
TOTAL	28		28	20.3
ANASAZI				
Unknown AD 1-500	5		5	3.6
Unknown AD 1-1600	10		10	7.2
Unknown AD 500-900	1		1	.7
Multiple Residence AD 1050-1275	4		4	2.9
Simple Features AD 1100-1300	1		1	.7
Artifact Scatter AD 900-1300	1		1	.7
TOTAL	22		22	15.9
HISTORIC				
Pueblo Unknown 1539-1993	1		1	.7
Pueblo Unknown 1846-1912	1		1	.7
Hispanic Unknown 1539-1993	7		7	5.1
Hispanic Unknown 1846-1912	1		1	.7
Hispanic Unknown 1912-1945	5		5	3.6
Hispanic Artifact Scatter 1880-1920	1		1	.7
Navajo Isolated Occurrence 1692-1868	1		1	.7
Anglo/Euro-American 1945-1993	2		2	1.4
Unknown 1846-1912	1		1	.7
Unknown Industrial 1550-1988	1		1	.7
TOTAL	21		21	15.2
UNKNOWN				
Unknown Artifact scatter 9500 BC-AD 1993	10	1	11	8.0
Unknown 9500 BC- AD 1993	56		56	40.6
TOTAL	66		67	48.6
GRAND TOTAL	137	1	138	100.0

The majority of the sites are located east of the project area and were recorded during timber sale projects for the Carson National Forest. Surveys ranged in size from .27 acres to 1,800 acres and the three larger surveys together encompassed 3,027 acres. These three larger surveys recorded the majority of the sites and provide relevant site evaluations and recommendations (Lawrence 1985, 1987, 1988). Very few of the sites have been tested or excavated. Chipped stone artifact scatters with unknown cultural and temporal affiliations account for just under 50 percent of the recorded site components (n = 67). Another 28 temporal components were assigned Archaic affiliations, but 20 of these have only general Archaic associations. Even fewer artifact scatters have ceramics, suggesting Anasazi occupations. Again, most of the sites with ceramics have only general Anasazi temporal associations. In a few rare cases, ceramics indicate Historic period Puebloan and Navajo use of the area.

The surrounding archaeological context is characterized by a rather long-term pattern of special activity sites centered around small chipped stone scatters. In most cases, the lithic scatters average only about ten artifacts, although larger sites range upwards into the thousands. Diagnostic artifacts and formal tools are generally rare, as are associated features. Ground stone artifacts are uncommon. Material types include Polvadera obsidian, Jemez obsidian, Pedernal chert, basalt, quartzite, and various types of cherts. Sites are commonly recorded on ridge tops overlooking water sources. The common chipped stone scatters seem to characterize special activity sites and temporary camps centered around moderately high altitude hunting activities. The presence of diagnostic artifacts portrays a long term, but similar trend of regional hunting activities. The sites are deemed important for the information they may contain about prehistoric hunting activities, and the seasonal round of prehistoric activities.

Contrasting with the numerous small chipped stone special activity sites are the multiple residence sites at Turkey Springs, Dulce Springs, and Red Hill (Stuart and Gauthier 1981:93-94; Ellis 1988). These sites are from 2 to 6 miles east of the project area and are on the *State Register of Cultural Properties*. The sites represent major Gallina phase (A.D. 1050-1275) occupations. Site elements include pit house depressions, surface rooms, storage rooms, the use of caves as shelters, roasting pits, game traps, and several garden plots. The sites range in elevation from 8,000 ft to 10,000 ft and are interpreted as Gallina phase hunting camps. These camps signify a hunting aspect of the Gallina settlement system contrasting with the agricultural-based villages in the lower Llaves district. However, the presence of garden plots suggest that the Gallina people were also experimenting with agricultural at these higher elevation sites. Florence Ellis (1988) conducted excavations at the sites and her work is the primary source for comparative excavation material versus survey data. At a distance of about 2 miles, LA 130874 can be considered within the procurement radius of the impressive Turkey Springs complex.

Research Questions and Data Needs

As briefly discussed, regional settlement is characterized by a long term trend of small, special activity sites seemingly centered around hunting activities. LA 130874 follows the trend of a small special activity site, but the exact nature of the occupation has not yet been determined. This investigation is concerned with the contribution that a small, special activity site can contribute to understanding regional settlement and subsistence dynamics. Two basic questions need to be addressed to understand the place of LA 130874 in the regional settlement pattern: cultural affiliation and site function.

Cultural Affiliation

What is the cultural affiliation of the people who utilized the site? Is the site associated with aceramic, or Archaic period groups, or could the site be a special procurement site associated with the Gallina occupation of Turkey Springs? Are the thermal features contemporaneous, or is the site represented by two temporal components?

The restricted artifact assemblage currently offers little temporal information, but the two possible thermal features may yield contexts or samples that are suitable for radiocarbon or archaeomagnetic dating. Obtaining samples for these absolute dating methods will be the primary focus.

Radiocarbon dating is a favored dating method by archaeologists because carbonized material tends to be abundant or at least present on sites in a wide range of environmental and geographic settings. As Smiley (1985) pointed out, the error factors that affect radiocarbon are multitudinous. Many of the factors cause only small error and can be more or less ignored. However, factors such as use of old or inner wood results in errors of up to 500 years. Because these large error factors can heavily skew an absolute date, care is necessary in selecting carbon samples for processing. Charcoal will be collected whenever it is abundant or comes from a well-controlled provenience, such as the bottom of a feature. The charcoal samples will be sorted in the laboratory. Seeds, twigs, or annuals will be given first priority for processing. If only small quantities are available then extended count or accelerated methods will be considered. If only old wood is available, then a small number of samples will be processed, but with the knowledge that error may result.

The success of archaeomagnetic dating depends on the iron content of soil and exposure of soil to sufficiently high temperatures to reorient the iron in the soil. Probable iron content can be gauged in the field by the level that iron oxidation is evident in burned contexts. Also, the soil color, as gauged by the Munsell Soil Color Chart, is in the red color ranges of 5YR and 7.5YR, suggesting a moderately high iron content. These two factors combine to increase the likelihood that sufficient in situ oxidized soil may be present within the burned feature. Archaeomagnetic dating has the obvious advantage over radiocarbon dating in that no “old wood” error needs to be taken into account.

Site Function

How did the site function, and what is the relationship between function and cultural affiliation? Is the site connected to hunting activities, or the procurement of some other resource such as plant foods? Is there evidence of seasonal site use?

Second to cultural affiliation, determining site function is essential for understanding the nature of the occupation. An understanding of site function can be gained from the artifact assemblage, combined with the presence of features.

The small chipped stone assemblage currently reflects a rather restricted set of activities. However, the presence of thinning and pressure flakes suggests the presence of tool maintenance/manufacture activities. Diagnostic formal tools, such as projectile points and bifaces, may be recovered that would aid in understanding both temporal and functional questions. Surface collection and subsurface investigations will focus on recovering the full range of artifacts represented at the site. In turn, these artifacts will provide information on the range of site activities and resource procurement. Currently, the known artifact assemblage is limited to chipped stone artifacts. The chipped stone assemblage will be examined in terms of material selection, reduction strategy, assemblage diversity, and tool use.

The two thermal features provide evidence the use of fire for light, heat, and resource processing. The features also suggest that the site may have served as a camp with occupational duration extending at least overnight. Excavation will focus on defining the morphology of the features and recovering samples from the feature fill. What evidence of plant and animal foods is contained in the features? Do these suggest a use of local resources, and which ones? Are the two thermal features indicative of different uses? In addition to the recovery of charcoal for dating samples, flotation and possibly pollen samples will be collected from the feature fill in order to address these questions. In general, pollen is poorly preserved in thermal contexts; therefore, macrobotanical samples will be given priority.

In addition to feature excavation, a 3-m area will be surface stripped around the features. This will ensure that debris or ancillary features within a hearth-seat area will be recovered or exposed. Artifact type distribution may provide additional functional or temporal information.

FIELD AND LABORATORY METHODS

Field Methods

The following field methods will be used at LA 130874:

1. The site surface will be reexamined and artifact concentrations, features, and site limits will be pinflagged.
2. A 1-by-1-m grid system will be superimposed within the limits of the surface artifact distribution. Each 1-by-1-m unit will have a north and east designation. The grids will be provenienced from the southwest corner.
3. All surface artifacts within the proposed right-of-way will be collected in 1-by-1-m units.
4. Test pits measuring 1-by-1 m will be selectively placed across the site in areas of both high and low artifact density to determine the nature and extent of subsurface cultural material. Test pits will be excavated in arbitrary 10-cm levels. All fill will be screened through ¼-inch mesh. As natural strata are determined, test pits may be excavated using those strata as the vertical excavation units. Auger tests will be excavated across the site in 6-m intervals in a series of staggered transects spaced 3 m apart. This will aid in determining the subsurface extent of cultural lenses or strata that are identified by the test pits.
5. Grids around the features will be surface stripped by shovel to aid in defining the nature and extent of the features and other possible cultural elements in the immediate vicinity. Exposed fill will be screened through ¼-inch mesh.

6. Defined features will be excavated by hand using standard archaeological hand tools. All fill will be screened through ¼-inch mesh. Half of the feature will be excavated in arbitrary 10-cm levels. The exposed cross-section will be profiled and the soil levels described using a Munsell Color Chart and standard geomorphological terms. The remaining half of the feature will be excavated in natural levels. Ethnobotanical samples will be collected from feature fill for water-screening and ethnobotanical analysis. In this way, seeds or small twigs may be recovered that can be used for AMS dating. Any oxidized patches or thermal burns will be protected until archaeomagnetic samples can be collected. All sample locations will be plotted on a feature plan.
7. Once defined features are completely excavated, feature maps and profiles will be drawn and tied into the grid system and site elevations. Drawings will include a scale, north arrow, and key to abbreviations and symbols. Written description will be on standard forms that will include provenience, dimensions, soil matrix, artifact, construction, time frame, excavation technique, and other data. Photographs will record the feature excavation progress and the final excavated form. Photographs will include a metric scale, north arrow, and mug board with the LA, feature number, and date. All photographs will be recorded on a photo data sheet.
8. Excavation documentation will consist of field notes and grid forms compiled by the excavator. The forms will contain locational, dimensional, stratigraphic, and contextual information. General notes outlining excavation strategy and rationale, field interpretations, and decisions will be kept by the project director and site assistants.
9. Artifacts recovered from each provenience will be bagged and labeled by unit, stratigraphic or arbitrary level, date, and excavator's name. A specimen number will be assigned to all bags by provenience and a running field artifact catalogue maintained for each site. Materials necessary for immediate preservation of fragmentary and unstable faunal and ethnobotanical remains will be used. Large lithic artifacts will be bagged separately to minimize bag wear. Very small flakes and angular debris will be placed in vials or bags within the artifact bag, so they are not lost during cleaning.
10. Radiocarbon samples will be collected from features and other possible cultural contexts. If burned seeds or wood are encountered, up to 20 g will be collected for radiocarbon analysis. All samples will be collected with a dry, clean, trowel or tweezers and placed immediately into a bag or tin foil. Archaeomagnetic samples will be collected according to the processing laboratory standards.
11. Sample locations will be plotted on plan and profile drawings of features and proveniences. The sample bags will be labeled with the provenience designation, feature number, location within the feature, and stratigraphic position. The samples will also be recorded on specimen forms with labeling information, environmental data, contextual information, and any other comments that may be useful to the laboratory analyst.
12. It is highly unlikely that human remains will be encountered. If they are, the guidelines of *Policy on Collection, Display and Repatriation of Culturally Sensitive Materials* (Appendix 2) will be followed.
13. Site boundaries, physical and cultural features, test excavation locations, and proposed project and site limits will be recorded with a transit, stadia, and tape. A scaled map will be produced showing these data.

Laboratory Methods

Prior to artifact analysis, all recovered materials will be cleaned, and any materials requiring conservation will be treated. Collected samples of charcoal and ethnobotanical remains will be processed and prepared for shipment to the appropriate laboratory. The specialists involved will be consulted for special preparations required before shipment. Working copies of field maps and feature drawings will be prepared and made available to the specialists.

The lithic artifact analysis will follow the guidelines of the *Office of Archaeological Studies Lithic Artifact Analysis Manual* (OAS 1991a). To aid in addressing the research goals of cultural affiliation and site structure analysis will emphasize morphological and functional attributes including material reduction, manufacture and maintenance, tool use, and attribute percentages.

Macrobotanical remains from collected samples will be analyzed at the Office of Archaeological Studies by the staff ethnobotanist, Mollie S. Toll. The analysis will identify plant resources used prehistorically, and will aid in the study of resource procurement, subsistence, and site function. Any pollen samples will be analyzed by Rick Holloway, and the results integrated with other flora-derived data to study both subsistence strategies and seasonality of use.

In the event faunal remains are recovered from the features, they will be analyzed at the Office of Archaeological Studies laboratory by Nancy J. Akins. Specimens will be analyzed for species, sex, age, portion, condition, evidence of butchering, and evidence of taphonomic processes. Faunal remains are important indicators of resource procurement and site function. The detail of the analysis will be dependent on the abundance and condition of the recovered faunal remains.

In the event that ground stone artifacts are recovered, ground stone analysis will follow the guidelines of the *Office of Archaeological Studies Ground Stone Artifact Analysis Manual* (OAS 1991b). Analysis will emphasize tool manufacture and maintenance, tool use, and the recovery of pollen from artifact surfaces that can be used in the study of resource procurement, subsistence, and site function.

In the event that ceramics are recovered, they will be analyzed in the Office of Archaeological Studies laboratory by C. Dean Wilson. Ceramics will be analyzed for pottery type and vessel form. The primary focus of ceramic analysis will be age, cultural affiliation, function, use-life and discard, and source of manufacture.

Upon completion of the attribute data, the coded data will be computerized. Statistical manipulation will be performed geared toward examining and contrasting patterns in artifact distribution that reflect technological organization. Results will be illustrated with graphs, tables, charts, and maps. Artifacts with attributes important to site interpretation will be illustrated for the report.

Specialized dating techniques will be conducted by contracted specialists. Radiocarbon dating will be performed by Beta Analytic, Inc. Archaeomagnetic analysis will be conducted by Jeff Cox, on staff at the Office of Archaeological Studies Archaeomagnetic Laboratory. The purpose of these analyses will be to obtain the most accurate range of dates possible for cultural strata and features.

Research Results

The final report will be published in the Museum of New Mexico, Office of Archaeological Studies' *Archaeology Notes* series. The report will present all important excavation, analysis, and interpretive results. Included will be photographs, maps, and tables. Raw data such as field notes, maps, photographs, and artifact catalogues will be given to the State Historic Preservation Division, Archeological Records Management Section, currently located in the Laboratory of Anthropology in Santa Fe. The artifact collection will be curated in the Museum of New Mexico's Archaeological Research Collections.

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APPENDIX 2

Office of Cultural Affairs
Museum Division
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Santa Fe, New Mexico 87504

Rule No. 11 POLICY ON COLLECTION, DISPLAY, AND REPATRIATION OF CULTURALLY SENSITIVE MATERIALS Adopted: 01/17/91

I. INTRODUCTION

The policy of the Museum of New Mexico is to collect, care for, and interpret materials in a manner that respects the diversity of human cultures and religions.

Culturally sensitive materials include material culture as well as the broader ethical issues which surround their use, care, and interpretation by the Museum. The Museum's responsibility and obligation are to recognize and respond to ethical concerns.

II. DEFINITIONS

- A. "Culturally sensitive materials" are objects or materials whose treatment or use is a matter of profound concern to living peoples; they may include, but are not limited to:
 - 1. "Human remains and their associated funerary objects" shall mean objects that, as a part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later;
 - 2. "Sacred objects" shall mean specific items which are needed by traditional religious leaders for the practice of an ongoing religion by present-day adherents;
 - 3. Photographs, art works, and other depictions of human remains or religious objects, and sacred or religious events; and
 - 4. Museum records, including notes, books, drawings, and photographic and other images relating to such culturally sensitive materials, objects, and remains.
- B. "Concerned party" is a museum-recognized representative of a tribe, community, or an organization linked to culturally sensitive materials by ties of culture, descent, and/or geography. In the case of a federally recognized Indian tribe, the representative shall be tribally authorized.
- C. "Repatriation" is the return of culturally sensitive materials to concerned parties. Repatriation is a collaborative process that empowers people and removes the stigma of cultural paternalism which hinders museums in their attempts to interpret people and cultures with respect, dignity, and accuracy. Repatriation is a partnership created through dialogue based upon cooperation and mutual trust between the Museum and the concerned party.
- D. The Museum of New Mexico's Committee on Sensitive Materials is the committee, appointed by the Director of the Museum of New Mexico, that shall serve as the Museum of New Mexico's advisory body on issues relating to the care and treatment of sensitive materials.

III. IDENTIFICATION OF CONCERNED PARTIES

- A. The Museum shall initiate action to identify potentially concerned parties who may have an interest in culturally sensitive material in the Museum's collections.
- B. The Museum encourages concerned parties to identify themselves and shall seek out those individuals or groups whom the Museum believes to be concerned parties.
- C. The Museum's sensitive materials committee shall review all disputed individual claims of concerned-party status in consultation with the tribe, community, or organization which the individual(s) claim to represent.

The Museum's sensitive materials committee shall assist, when necessary, in designating concerned parties who have an interest in culturally sensitive materials contained in the collections of the Museum of New Mexico.

- D. The Museum shall provide an inventory of pertinent culturally sensitive materials to recognized concerned parties.
- E. The Museum shall work with concerned parties to determine the appropriate use and care of and procedures for culturally sensitive materials which best balance the needs of all parties involved.

IV. IDENTIFICATION AND TREATMENT OF CULTURALLY SENSITIVE MATERIALS

- A. Within five years of the date of adoption of this policy, each Museum unit shall survey to the extent possible (in consultation with concerned parties, if appropriate) its collections to determine items or material which may be culturally sensitive materials. The Museum unit shall submit to the Director of the Museum of New Mexico an inventory of all potentially culturally sensitive materials. The inventory shall include to the extent possible the object's name, date, and type of accession, catalogue number, and cultural identification. Within six months of submission of its inventory to the Director of the Museum of New Mexico, each Museum unit shall then develop and submit a plan to establish a dialogue with concerned parties to determine appropriate treatment of culturally sensitive items or materials held by the unit.
- B. As part of its treatment plans for culturally sensitive materials, the Museum reserves the right to restrict access to, or use of, those materials to the general public. The Museum staff shall allow identified concerned parties access to culturally sensitive materials.
- C. Conservation treatment shall not be performed on identified culturally sensitive materials without consulting concerned parties.
- D. The Museum shall not place human remains on exhibition. The Museum may continue to retain culturally sensitive materials. If culturally sensitive materials, other than human remains, are exhibited, then a good-faith effort to obtain the advice and counsel of the proper concerned party shall be made.
- E. All human skeletal remains held by the Museum shall be treated as human remains and are *de facto* sensitive materials. The Museum shall discourage the further collection of human remains; however, it will accept human remains as part of its mandated responsibilities as the State Archaeological Repository. At its own initiation or at the request of a concerned party, the Museum may accept human remains to retrieve them from the private sector and furthermore may accept human remains with the explicit purpose of returning them to a concerned party.

IV. REPATRIATION OF CULTURALLY SENSITIVE MATERIALS

- A. On a case-by-case basis, the Museum shall seek guidance from recognized concerned parties regarding the identification, proper care, and possible disposition of culturally sensitive materials.
- B. Negotiations concerning culturally sensitive materials shall be conducted with professional discretion. Collaboration and openness with concerned parties are the goals of these dialogues, not publicity. If concerned parties desire publicity, then it will be carried out in collaboration with them.
- C. The Museum shall have the final responsibility of making a determination of culturally sensitive materials subject to the appeal process as outlined under Section VII A.
- D. The Museum of New Mexico accepts repatriation as one of several appropriate actions for culturally sensitive materials only if such a course of action results from consultation with designated concerned parties as described in Section III of this policy.
- E. The Museum may accept or hold culturally sensitive materials for inclusion in its permanent collection.
- F. The Museum may temporarily accept culturally sensitive materials to assist efforts to repatriate them to the proper concerned party.
- G. To initiate repatriation of culturally sensitive materials, the Museum of New Mexico's current deaccession policy shall be followed. The curator working with the concerned party shall complete all preparations for deaccession through the Museum Collections Committee and Director before negotiations begin.
- H. Repatriation negotiations may also result in, but are not limited to, the retention of objects with no restrictions on use, care, and/or exhibition; the retention of objects with restriction on use, care, and/or exhibition; the lending of objects whether permanently or temporarily for use to a community; and the holding in trust of culturally sensitive materials for the concerned party.
- I. When repatriation of culturally sensitive materials occurs, the Museum reserves the right to retain associated Museum records but shall consider each request for such records on an individual basis.

VI. ONGOING RECOVERY OR ACCEPTANCE OF ARCHAEOLOGICAL MATERIALS

- A. In providing sponsored archaeological research or repository functions, the Museum shall work with agencies that regulate the inventory, scientific study, collection, curation, and/or disposition of archaeological materials to ensure, to the extent possible under the law, that these mandated functions are provided in a manner that respects the religious and cultural beliefs of concerned parties.
- B. When entering into agreements for the acceptance of, or continued care for, archaeological repository collections, the Museum may issue such stipulations as are necessary to ensure that the collection, treatment, and disposition of the collections include adequate consultation with concerned parties and are otherwise consistent with this Policy.
- C. In addition to the mandated treatment of research sites and remains and in those actions where treatment is not mandated, defined, or regulated by laws, regulations, or permit stipulations, the Museum shall use the following independent guidelines in recovering or accepting archaeological materials:
 - 1. Prior to undertaking any archaeological studies at sites with an apparent relationship to concerned parties, the Museum shall ensure that proper consultation with the concerned parties has taken place.

2. When so requested by concerned parties, the Museum shall include an observer, chosen by the concerned party, in the crew of an archaeological study.
3. The Museum shall not remove human remains and their associated funerary objects or materials from their original context nor conduct any destructive studies on such remains, objects, and materials except as part of procedures determined to be appropriate through consultation with concerned parties, if any.
4. The Museum reserves the right to restrict general public viewing of in situ human remains and associated funerary objects or items of a sacred nature and further shall not allow the public to take or prepare images or records of such objects, materials, or items, except as part of procedures determined to be appropriate through consultation with concerned parties. Photographic and other images of human remains shall be created and used for scientific records only.
5. The Museum reserves the absolute right to limit or deny access to archaeological remains being excavated, analyzed, or curated if access to these remains would violate religious practices.