

Curation & Collections Care Portfolio

The following administrative curation documents, training and evidence of volunteer supervision/oversight demonstrate past experience by Todd Christopher McMahon. The items are not meant to be a complete portfolio of all past performance, rather they represent just a few examples related to curation, collections care and volunteer training/oversight experience.

Included are the following:

- 1.) Authored and implemented State Rules and Procedures for the Curation of Archaeological and Paleontological materials. 8 CCR 1504-7 Section 9 (2017).
- 2.) First Section of the *Reference Guidebook for State-Owned Collections Care* (includes authored Submission Guidelines, Loan Agreement Guidelines, Guidelines for the Disposition of Non-Curated State Collections, Requirements for Curation Agreements and a list of other authored official forms, Receipts for Deposit, guides, guidelines etc.) developed by Todd Christopher McMahon
- 3.) First seven pages of the State Curation Coordinator Position Desk Manual with Argus database tracking detailed.
- 4.) Instructions of the History Colorado, Office of the State Archaeologist artifact database entry screens for legacy and Federal Collections (developed by Todd Christopher McMahon)
- 5.) Memorandum of Understanding among Colorado State University, History Colorado, Museum of Western Colorado, and the University of Colorado at Colorado Springs ("Pillar" repository agreement authored and implemented by Todd Christopher McMahon)
- 6.) Partner Repository Agreement Template (for on-site collections care of State collections) authored and developed by Todd Christopher McMahon while at History Colorado.
- 7.) Names of Volunteers/Interns and Hired Staff that Todd Christopher McMahon has supervised at History Colorado.
- 8.) Reporting spreadsheets for tracking volunteer time on a collections re-housing and analysis project as part of a co-operative agreement for service for the US. Forest Service that Todd McMahon negotiated and oversaw.

DEPARTMENT OF HIGHER EDUCATION

Historical Society

HISTORICAL, PREHISTORICAL, AND ARCHAEOLOGICAL RESOURCES

8 CCR 1504-7

SECTION 9. Curation of collections in approved museums

- A. The state of Colorado holds title to all historical, prehistorical and archaeological materials collected from areas owned by the state or any of its political subdivisions.
- B. While the society is the official trustee of the State of Colorado (CRS 24-80-202), the society wishes to advance a collaborative partnership with county and local museums or curatorial repositories, (a curatorial repository is a permanent, nonprofit educational or research oriented agency or institution, having professionally trained on-site staff, that provides housing and collections care in-perpetuity), to ensure long-term preservation and interpretation of these items. These institutions help to preserve, interpret and promote the natural and cultural inheritance of humanity in Colorado and work in close collaboration with the communities from which their collections originate as well as those they serve. Such an arrangement with the State is advantageous to everyone in Colorado.
- C. All materials, except human remains and associated funerary objects, collected from state lands or political subdivisions must be curated in a museum, unless a reputable museum, university, college or other recognized scientific or educational institution can assure permanent preservation on the site.
 - 1. Historical, archaeological, prehistorical, and paleontological collections made under permit may include ceramic, lithic, glass, metal, faunal, floral, and synthetic materials, as well as documents, photographs, organic samples (such as coprolites or soil samples), fossils (vertebrates, invertebrates, paleobotanical, ichnofossils, and associated rock or sediment samples), and human remains and associated funerary objects.
 - 2. Permittees proposing to transport collections out of Colorado must secure a loan agreement between an out-of-state facility and a permanent approved on-site institution, reputable in-state museum, or curatorial repository, subject to the approval of the society, except that ancillary samples may be transported and analyzed without such a loan agreement. Out-of-state analysis of human remains and associated funerary objects is subject to the approval of the society.
 - 3. Proposed analysis of artifacts or fossils which would cause their destruction or damage, such as trace-element analysis of materials, may be performed only with the written consent of the society through the state archaeologist, who shall consider whether such artifacts are unique or duplicated in state-owned collections. The society will supply notification of consent to the affected museum within thirty days.
 - 4. State, County and local agencies or research/educational institutions wishing to ensure collections care of artifacts or specimens permanently on-site (or within close proximity to the origin of the excavated materials) must either be approved through a request to serve as an approved museum or curatorial repository as specified in Section 9 (l) of this chapter or through execution of a special held-in-trust collections agreement with the society.

- D. Reburial or repatriation of human remains may supersede their placement in an approved museum.
- E. Collections from state or political subdivision lands obtained from an issued permit in accordance with CRS 24-4-104 must be curated in an approved reputable Colorado museum or curatorial repository. The relationship between the society and another reputable Colorado museum or a curatorial repository is an express trust. Title and ownership of these collections is not transferred and the society has the authority to transfer and approve stewardship of the collections through an on-site held-in-trust collections agreement or through the approval of a reputable museum or curatorial repository as outlined in Section 9 (I) of this chapter.
- F. Collections recovered from lands owned or controlled by the state or any of its political subdivisions shall be deposited at an approved museum, curatorial repository, an approved on-site agency, or institution within six months after submission of the permittee's final report. Collections made from permitted archaeological or paleontological projects occurring over multiple years should not be deposited with different museums or curatorial repositories unless an approved museum, curatorial repository, on-site agency or institution, lacks expertise or environmental conditions necessary to ensure the collection's long-term preservation.
- G. Responsibilities and requirements of approved museums or curatorial repositories

Museums and curatorial repositories must be open to the public. They must agree to provide curation of archaeological or paleontological resources in a systematic and accessible manner, and to make them available free of charge for study by qualified students and researchers.

1. Provide a copy and maintain a current and active fine art or other commercial insurance policy or if the museum or curatorial repository whose collections are primarily owned or overseen by a governmental entity, acknowledge that the state collection and any associated state property are covered for liability from any loss or damage.
2. If accepting collections from outside researchers, institutions issuing curation or similarly worded "intent-to-curate" agreements to third-party permitted researchers must first have their template agreement language approved by the state archaeologist or his/her staff designee to avoid confusion that the collections have state of Colorado title.
3. Within ten working days refer to the state archaeologist of Colorado all requests (written and oral) for transfer or repatriation of the state collection (or any part thereof).
4. Maintain separately all written and digital descriptive information associated with the curated state collection, including field notes, site forms and reports in a safe and secure manner.
5. Do not release to any third-party any precise information relating to the exact physical location of a prehistoric site (locale) from which the state collection (or any part thereof) derives, except to qualified researchers or after obtaining from the state archaeologist of Colorado prior written permission. If there are questions as to releasing this information, approved museums or curatorial repositories will consult with the state archaeologist of Colorado.
6. In accordance with these regulations, be open and subject to inspection by the state archaeologist or his/her designee at least once every three years.
7. Accept state collections from permitted work for their specific regional or local area guided by these current rules and procedures and the approved museum's or curatorial repository's collection management policy.
8. Annually report back to the state archaeologist or his/her designee any changes to the state's collection condition or insurance policy changes, loan agreement status and any other

tracking requirement methods adopted by the society and the office of the state archaeologist.

9. Properly maintain any State of Colorado property (shelving, cabinetry etc.) in its possession associated with the care of the state collection.
10. Maintain the collection within inert and acid-free storage or packaging.
11. With the exception of approved repatriation, not sell, transfer, assign, pledge, encumber, discard, or otherwise dispose of the state collection (or any part thereof) or any associated State of Colorado property in its possession without written and signed permission from the state archaeologist.
12. Have an established collections management policy and emergency management plan.
13. Within five calendar days of the discovery of any loss or theft of, deterioration or damage to, destruction of the state collection (or any part thereof), or any State of Colorado items of property used to support and care for a state collection in the museum's or curatorial repository's possession, the museum or repository will provide to the society written notification of the circumstances surrounding the loss, theft, deterioration, damage, or destruction, and will report to the state archaeologist or his/her designee those actions taken to stabilize the collection, or State of Colorado items or property, and to correct any deficiencies in the physical plant or operating procedures that may have contributed to the loss, theft, deterioration, damage, or destruction.
14. Other than routine, small and simple paleontological specimen or artifact mending repairs, any planned actions that involve major repair or restoration beyond basic re-attachment of the state collection (or any part thereof) or any other State of Colorado property associated with the state collection must be approved of in advance after consultation with the state archaeologist.
15. The society (in co-ordination with other reputable museums, nonprofit or governmental educational institutions) reserves the right to take custody of state collections in the care of an approved museum, curatorial repository, on-site agency or institution through a loan agreement for temporary exhibit purposes.

H. Approved Uses

1. Approved museums or curatorial repositories and the society may fully exhibit and charge reasonable nondiscriminatory admission fees, comparable to fees charged at similar facilities to view these items prepared for interpretive display (either for permanent, temporary or travelling exhibition purposes). Additionally, approved museums or curatorial repositories and the society may photograph and nondestructively study the state collection (or any part thereof) on the museum or curatorial repository's premises, subject to the museum or repository's own collections management policies and in accordance with these regulations. Physical reproduction of any state collection item(s) must be approved of in advance by the state archaeologist.
2. State paleontological resources curated at an approved museum or curatorial repository may be cleaned, treated, stabilized and prepared for research, exhibition or loan transportation purposes under standard professional best practices for natural history collections.
3. A held-in-trust state collection may be loaned out by an approved museum or curatorial repository to other institutions and organizations (including for temporary exhibition or

study by the society) by securing a loan agreement between the other facilities provided notice of the arrangement is sent to the state archaeologist for tracking purposes. The director of the approved museum or curatorial repository is responsible for all loan transactions of state collections and for ensuring that appropriate and timely administration of the loans is conducted. Relocation inventories must be conducted and included as part of the written loan agreement. Other loan conditions must be addressed in the Collections Management Policy of the curatorial facility that is loaning the material. The loan and transportation of the state collection must be insured for liability purposes through securing a commercial fine art or other insurance policy or be adequately covered by governmental self insurance to fulfill any damage or loss incident. Collections that are not inventoried or cataloged shall not be loaned. Commercial use of loaned collections is prohibited without written consent from the society. Ancillary samples may be transported and analyzed without a formal loan agreement; however, the museum or curatorial repository will provide to the society two copies of any publications, reports, and other documents prepared by researchers studying ancillary samples.

4. All exhibits, reproductions, and studies will credit the state archaeologist of Colorado as follows: "Courtesy of History Colorado, Office of the State Archaeologist." The museum or curatorial repository will provide to the society two copies of any publications, reports, and other documents prepared by museum or curatorial repository staff studying or exhibiting the state collection (or any part thereof).
5. Approved museums or curatorial repositories and the society may charge a competitive deposit fee for the collections and reasonable administrative processing fees for "curation" or similarly worded "intent-to-curate" agreements with permittees. Permitted researchers that deliver collections not according to the state archaeologist's current Submission Guidelines for State-Owned Archaeological Collections and these regulations may be subject to corrective hourly labor rate fees plus the cost of supplies by the state approved museum or curatorial repository.

I. Procedures for approving museums

1. Any institution wishing to serve as a museum for collections from state lands (or any subdivision of state lands) or collected as a result of work carried out under a permit issued under authority of this Act shall apply to the society through the state archaeologist for approval.
2. The museum or curatorial repository shall fill out a *Request to Serve as an Approved Museum or Curatorial Repository for Held-in-Trust Collections* form, signed by the director of the institution and must evidence reputable status with any of the following credentials (or their equivalent successor museum program/designations):
 - a. Received from the American Association for State and Local History (AASLH) silver or gold certificates by participating in the Standards and Excellence Program for History Organizations (*StEPs*) in the stewardship of collections section within the last five years.
 - b. Show evidence of participation in the Museum Assessment Program in the area of collections stewardship from the American Alliance of Museums within the last five years.
 - c. Received Core Documents Verification from the American Alliance of Museums within the last five years.

- d. Received and maintain formal Accreditation status from the American Alliance of Museums.
 - e. Considered a designated Federal Repository for curating federally-owned and administered archaeological or paleontological collections under the requirements of Federal Regulations 36 CFR 79.
- 3. Provide proof to the state archaeologist of a fine art or other appropriate umbrella insurance policy that will adequately cover the care for the state collection from any one claim or aggregate claim arising from a damage or a loss incident. With the insurance policy documents, the society and the approved museum or curatorial repository should be shown as co-beneficiaries (or additionally insured).
 - a. If the museum or curatorial repository's collections are primarily owned or overseen by a Colorado governmental entity (considered a "public entity" within the meaning of the Colorado Governmental Immunity Act, CRS 24-10-101, et seq.), the museum or curatorial repository must indicate to the state archaeologist that they are self insured in lieu of the fine art or other umbrella insurance policy requirement stated above. If self insured, it is understood that the public entity of the approved museum or curatorial repository will ensure liability to the state collections under its care arising from a damage or a loss incident.
 - b. In the event of a loss incident, a liability assessment of the value of the collection shall be determined by mutual agreement with the society as the sum of the estimated current fair market value and the estimated costs of replacing the scientific and educational information from the lost artifacts or specimen. A determination of these replacement costs may include, but are not limited to: (a) research design development; (b) fieldwork; (c) laboratory analysis; (d) curation; (e) reports or educational materials; and (f) lost visitor services or experience. In some cases, it may be appropriate for the estimated cost of replacement value to be peer reviewed by archaeologists or paleontologists with appropriate expertise and with no conflicts of interest.
- 4. If the museum or the curatorial repository curates collections from permitted researchers outside of their approved institution, provide a template copy of a "curation" or similarly worded "intent-to-curate" agreement for approval by the state archaeologist or his/her designee. The agreement form must clearly acknowledge that title to the artifacts or specimens as well as all associated reports, original field notes, maps, drawings, photographs etc., resulting from the investigations to be curated remains solely with the State of Colorado.
- 5. Approval of a museum or a curatorial repository shall be effective for a period of five years, after which time, the curatorial facility may apply for renewal through the procedures in this chapter.
- 6. The completed documentation shall be reviewed by the state archaeologist or his/her designee within 30 days of receipt. If clarification or additional information is requested by the society, the facility shall have 30 days to furnish the information required.
- 7. The museum or curatorial repository may discontinue accepting new collections from outside researchers by amending their agreement upon renewal to serve as an approved facility. Once approval of a museum or a curatorial repository has been granted however, the express trust arrangement with the State of Colorado continues and is perpetual for any of the existing collections under the institution's stewardship.

8. The society has sole discretion to approve or not approve a museum's or curatorial repository's application.
9. Approval may be withdrawn by the society through the state archaeologist if deficiencies in collections care and non-compliance to these regulations appear. Approval will be suspended or revoked in accordance with CRS 24-4-104.
10. Under the authority of CRS 24-80-407, the society may exercise the right to enter into agreement with museums, curatorial repositories, or other public or private entities to fulfill the State's needs for held-in-trust state collections concordant to these rules and regulations.
11. For each deposited historical, prehistorical, archaeological or paleontological state collection, the approved museum or curatorial repository will sign and acknowledge an official deposit receipt form with a simple inventory list of items accepted for permanent curation by the facility, a copy of which will be forwarded to the state archaeologist or his/her designee.

J. Continuance of pre-approved museums and repositories

1. Previously approved non-expiring museums and curatorial repositories shall honor existing "intent to curate" or similarly worded executed curation agreements with third-party researchers (permittees) up to five years after the effective date of these revised rules unless individual contractual agreements expire within five years. Notice from an approved museum or curatorial repository for continuing the acceptance of collections from previously dated permittee agreements must be given to the state archaeologist of Colorado or his/her designee within 30 days after the expiration date for renewal of approved status. The notice shall be made through the *Request to Serve as an Approved Museum or Curatorial Repository for Held-in-Trust Collections* form and the museum or repository must list the number and names of all outstanding agreements along with their expiration dates. Extended approval of these previously approved museums or curatorial repositories shall then be made for a period of up to five years based on furthest dated agreement and shall not extend beyond five years following the effective date of these adopted and revised rules.
2. Museums or curatorial repositories that hold in custody held-in-trust state collections that were collected as a result of CRS 24-04-104 that decide not to become a newly approved museum or curatorial repository under these revised rules should nonetheless attempt to provide the highest possible level of care to the existing state collections currently maintained in their facilities. At a minimum, a level of care that prevents deterioration of, damage to or loss of items in the state collection should be maintained.
3. Within five years of the effective date of the adoption of these revised rules, previously approved non-renewing museums or curatorial repositories should either submit a plan for the state archaeologist of Colorado's approval regarding the continued care and management of the state collection or plan for the transfer of the state collections to a museum or curatorial repository approved under the revised 8CCR 1504-7 Section 9 (I) of this chapter.

K. Responsibilities of permittee submitting collection

1. In choosing a museum, permittees should attempt to keep the collection in its area of origin and to keep materials from the same site and the same project together. Permittees should confer with staff of the selected museum and have a written agreement whose

template language was approved by the state archaeologist or his/her designee as specified in Section I (4) of this chapter prior to collecting materials in the field.

2. Permittees should follow the guidance of museum staff in regard to collecting procedures. The permittee should adhere to any specific methods of labeling, packaging, and shipment required by the museum and the state archaeologist's current Submission Guidelines for State-Owned Archaeological Collections. All collections must be placed and delivered within inert and acid-free packaging.
3. The permittee is responsible for returning to the office of the state archaeologist a fully signed official state deposit receipt form by the approved museum, curatorial repository, on-site agency, or institution and the office of the state archaeologist of Colorado. The form must be accompanied by a simple inventory list of items accepted by the approved facility for permanent curation.



Reference Guidebook for State-Owned Collections Care



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Office of Archaeology and Historic Preservation

September 15, 2022

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Guidelines and Procedures

1. Rules and Procedures for Archaeological and Paleontological Curation

DEPARTMENT OF HIGHER EDUCATION

Historical Society

HISTORICAL, PREHISTORICAL, AND ARCHAEOLOGICAL RESOURCES

8 CCR 1504-7

SECTION 9. Curation of collections in approved museums

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4. State, County and local agencies or research/educational institutions wishing to ensure collections care of artifacts or specimens permanently on-site (or within close proximity to the origin of the excavated materials) must either be approved through a request to serve as an approved museum or curatorial repository as specified in Section 9 (l) of this chapter or through execution of a special held-in-trust collections agreement with the society.
- D. Reburial or repatriation of human remains may supersede their placement in an approved museum.
- E. Collections from state or political subdivision lands obtained from an issued permit in accordance with CRS 24-4-104 must be curated in an approved reputable Colorado museum or curatorial repository. The relationship between the society and another reputable Colorado museum or a curatorial repository is an express trust. Title and ownership of these collections is not transferred and the society has the authority to transfer and approve stewardship of the collections through an on-site held-in-trust collections agreement or through the approval of a reputable museum or curatorial repository as outlined in Section 9 (l) of this chapter.
- F. Collections recovered from lands owned or controlled by the state or any of its political subdivisions shall be deposited at an approved museum, curatorial repository, an approved on-site agency, or institution within six months after submission of the permittee's final report. Collections made from permitted archaeological or paleontological projects occurring over multiple years should not be deposited with different museums or curatorial repositories unless an approved museum, curatorial repository, on-site agency or institution, lacks expertise or environmental conditions necessary to ensure the collection's long-term preservation.
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1. Provide a copy and maintain a current and active fine art or other commercial insurance policy or if the museum or curatorial repository whose collections are primarily owned or overseen by a governmental entity, acknowledge that the state collection and any associated state property are covered for liability from any loss or damage.
2. If accepting collections from outside researchers, institutions issuing curation or similarly worded "intent-to-curate" agreements to third-party permitted researchers must first have their template agreement language approved by the state archaeologist or his/her staff designee to avoid confusion that the collections have state of Colorado title.
3. Within ten working days refer to the state archaeologist of Colorado all requests (written and oral) for transfer or repatriation of the state collection (or any part thereof).
4. Maintain separately all written and digital descriptive information associated with the curated state collection, including field notes, site forms and reports in a safe and secure manner.
5. Do not release to any third-party any precise information relating to the exact physical location of a prehistoric site (locale) from which the state collection (or any part thereof) derives, except to qualified researchers or after obtaining from the state archaeologist of Colorado prior written permission. If there are questions as to releasing this information, approved museums or curatorial repositories will consult with the state archaeologist of Colorado.
6. In accordance with these regulations, be open and subject to inspection by the state archaeologist or his/her designee at least once every three years.

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7. Accept state collections from permitted work for their specific regional or local area guided by these current rules and procedures and the approved museum's or curatorial repository's collection management policy.
8. Annually report back to the state archaeologist or his/her designee any changes to the state's collection condition or insurance policy changes, loan agreement status and any other tracking requirement methods adopted by the society and the office of the state archaeologist.
9. Properly maintain any State of Colorado property (shelving, cabinetry etc.) in its possession associated with the care of the state collection.
10. Maintain the collection within inert and acid-free storage or packaging.
11. With the exception of approved repatriation, not sell, transfer, assign, pledge, encumber, discard, or otherwise dispose of the state collection (or any part thereof) or any associated State of Colorado property in its possession without written and signed permission from the state archaeologist.
12. Have an established collections management policy and emergency management plan.
13. Within five calendar days of the discovery of any loss or theft of, deterioration or damage to, destruction of the state collection (or any part thereof), or any State of Colorado items of property used to support and care for a state collection in the museum's or curatorial repository's possession, the museum or repository will provide to the society written notification of the circumstances surrounding the loss, theft, deterioration, damage, or destruction, and will report to the state archaeologist or his/her designee those actions taken to stabilize the collection, or State of Colorado items or property, and to correct any deficiencies in the physical plant or operating procedures that may have contributed to the loss, theft, deterioration, damage, or destruction.
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H. Approved Uses

1. Approved museums or curatorial repositories and the society may fully exhibit and charge reasonable nondiscriminatory admission fees, comparable to fees charged at similar facilities to view these items prepared for interpretive display (either for permanent, temporary or travelling exhibition purposes). Additionally, approved museums or curatorial repositories and the society may photograph and nondestructively study the state collection (or any part thereof) on the museum or curatorial repository's premises, subject to the museum or repository's own collections management policies and in accordance with these regulations. Physical reproduction of any state collection item(s) must be approved of in advance by the state archaeologist.

Guidebook for State-Owned Collections

2. State paleontological resources curated at an approved museum or curatorial repository may be cleaned, treated, stabilized and prepared for research, exhibition or loan transportation purposes under standard professional best practices for natural history collections.
3. A held-in-trust state collection may be loaned out by an approved museum or curatorial repository to other institutions and organizations (including for temporary exhibition or study by the society) by securing a loan agreement between the other facilities provided notice of the arrangement is sent to the state archaeologist for tracking purposes. The director of the approved museum or curatorial repository is responsible for all loan transactions of state collections and for ensuring that appropriate and timely administration of the loans is conducted. Relocation inventories must be conducted and included as part of the written loan agreement. Other loan conditions must be addressed in the Collections Management Policy of the curatorial facility that is loaning the material. The loan and transportation of the state collection must be insured for liability purposes through securing a commercial fine art or other insurance policy or be adequately covered by governmental self insurance to fulfill any damage or loss incident. Collections that are not inventoried or cataloged shall not be loaned. Commercial use of loaned collections is prohibited without written consent from the society. Ancillary samples may be transported and analyzed without a formal loan agreement; however, the museum or curatorial repository will provide to the society two copies of any publications, reports, and other documents prepared by researchers studying ancillary samples.
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I. Procedures for approving museums

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2. The museum or curatorial repository shall fill out a *Request to Serve as an Approved Museum or Curatorial Repository for Held-in-Trust Collections* form, signed by the director of the institution and must evidence reputable status with any of the following credentials (or their equivalent successor museum program/designations):
 - a. Received from the American Association for State and Local History (AASLH) silver or gold certificates by participating in the Standards and Excellence Program for History Organizations (*StEPs*) in the stewardship of collections section within the last five years.

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- b. Show evidence of participation in the Museum Assessment Program in the area of collections stewardship from the American Alliance of Museums within the last five years.
 - c. Received Core Documents Verification from the American Alliance of Museums within the last five years.
 - d. Received and maintain formal Accreditation status from the American Alliance of Museums.
 - e. Considered a designated Federal Repository for curating federally-owned and administered archaeological or paleontological collections under the requirements of Federal Regulations 36 CFR 79.
3. Provide proof to the state archaeologist of a fine art or other appropriate umbrella insurance policy that will adequately cover the care for the state collection from any one claim or aggregate claim arising from a damage or a loss incident. With the insurance policy documents, the society and the approved museum or curatorial repository should be shown as co-beneficiaries (or additionally insured).
 - a. If the museum or curatorial repository's collections are primarily owned or overseen by a Colorado governmental entity (considered a "public entity" within the meaning of the Colorado Governmental Immunity Act, CRS 24-10-101, et seq.), the museum or curatorial repository must indicate to the state archaeologist that they are self insured in lieu of the fine art or other umbrella insurance policy requirement stated above. If self insured, it is understood that the public entity of the approved museum or curatorial repository will ensure liability to the state collections under its care arising from a damage or a loss incident.
 - b. In the event of a loss incident, a liability assessment of the value of the collection shall be determined by mutual agreement with the society as the sum of the estimated current fair market value and the estimated costs of replacing the scientific and educational information from the lost artifacts or specimen. A determination of these replacement costs may include, but are not limited to: (a) research design development; (b) fieldwork; (c) laboratory analysis; (d) curation; (e) reports or educational materials; and (f) lost visitor services or experience. In some cases, it may be appropriate for the estimated cost of replacement value to be peer reviewed by archaeologists or paleontologists with appropriate expertise and with no conflicts of interest.
4. If the museum or the curatorial repository curates collections from permitted researchers outside of their approved institution, provide a template copy of a "curation" or similarly worded "intent-to-curate" agreement for approval by the state archaeologist or his/her designee. The agreement form must clearly acknowledge that title to the artifacts or specimens as well as all associated reports, original field notes, maps, drawings, photographs etc., resulting from the investigations to be curated remains solely with the State of Colorado.
5. Approval of a museum or a curatorial repository shall be effective for a period of five years, after which time, the curatorial facility may apply for renewal through the procedures in this chapter.
6. The completed documentation shall be reviewed by the state archaeologist or his/her designee within 30 days of receipt. If clarification or additional information is requested by the society, the facility shall have 30 days to furnish the information required.

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7. The museum or curatorial repository may discontinue accepting new collections from outside researchers by amending their agreement upon renewal to serve as an approved facility. Once approval of a museum or a curatorial repository has been granted however, the express trust arrangement with the State of Colorado continues and is perpetual for any of the existing collections under the institution's stewardship.
8. The society has sole discretion to approve or not approve a museum's or curatorial repository's application.
9. Approval may be withdrawn by the society through the state archaeologist if deficiencies in collections care and non-compliance to these regulations appear. Approval will be suspended or revoked in accordance with CRS 24-4-104.
10. Under the authority of CRS 24-80-407, the society may exercise the right to enter into agreement with museums, curatorial repositories, or other public or private entities to fulfill the State's needs for held-in-trust state collections concordant to these rules and regulations.
11. For each deposited historical, prehistorical, archaeological or paleontological state collection, the approved museum or curatorial repository will sign and acknowledge an official deposit receipt form with a simple inventory list of items accepted for permanent curation by the facility, a copy of which will be forwarded to the state archaeologist or his/her designee.

J. Continuance of pre-approved museums and repositories

1. Previously approved non-expiring museums and curatorial repositories shall honor existing "intent to curate" or similarly worded executed curation agreements with third-party researchers (permittees) up to five years after the effective date of these revised rules unless individual contractual agreements expire within five years. Notice from an approved museum or curatorial repository for continuing the acceptance of collections from previously dated permittee agreements must be given to the state archaeologist of Colorado or his/her designee within 30 days after the expiration date for renewal of approved status. The notice shall be made through the *Request to Serve as an Approved Museum or Curatorial Repository for Held-in-Trust Collections* form and the museum or repository must list the number and names of all outstanding agreements along with their expiration dates. Extended approval of these previously approved museums or curatorial repositories shall then be made for a period of up to five years based on furthest dated agreement and shall not extend beyond five years following the effective date of these adopted and revised rules.
2. Museums or curatorial repositories that hold in custody held-in-trust state collections that were collected as a result of CRS 24-04-104 that decide not to become a newly approved museum or curatorial repository under these revised rules should nonetheless attempt to provide the highest possible level of care to the existing state collections currently maintained in their facilities. At a minimum, a level of care that prevents deterioration of, damage to or loss of items in the state collection should be maintained.
3. Within five years of the effective date of the adoption of these revised rules, previously approved non-renewing museums or curatorial repositories should either submit a plan for the state archaeologist of Colorado's approval regarding the continued care and management of the state collection or plan for the transfer of the state collections to a museum or curatorial repository approved under the revised 8CCR 1504-7 Section 9 (I) of this chapter.

K. Responsibilities of permittee submitting collection

1. In choosing a museum, permittees should attempt to keep the collection in its area of origin and to keep materials from the same site and the same project together. Permittees should confer with staff of the selected museum and have a written agreement whose template language was approved by the state archaeologist or his/her designee as specified in Section I (4) of this chapter prior to collecting materials in the field.
2. Permittees should follow the guidance of museum staff in regard to collecting procedures. The permittee should adhere to any specific methods of labeling, packaging, and shipment required by the museum and the state archaeologist's current Submission Guidelines for State-Owned Archaeological Collections. All collections must be placed and delivered within inert and acid-free packaging.
3. The permittee is responsible for returning to the office of the state archaeologist a fully signed official state deposit receipt form by the approved museum, curatorial repository, on-site agency, or institution and the office of the state archaeologist of Colorado. The form must be accompanied by a simple inventory list of items accepted by the approved facility for permanent curation.

Guidelines and Procedures

2. Submission Guidelines for State-Owned Archaeological Collections

Submission Guidelines for State-Owned Archaeological Collections

(Revised July 13, 2022)

These guidelines are offered by the Office of the State Archaeologist (OSAC) to strengthen the statewide curation network. They list standard best practices for collections submitted to Colorado repositories under the authority of a State permit. While these guidelines apply to archaeological materials, they may also broadly apply to paleontological collections as well. Please be aware that individual State repositories may have more stringent requirements that will supersede those listed below.

Organization and Container Storage Standards

All archaeological and paleontological collections submitted must reference the official State of Colorado Smithsonian Trinomial Site Number. It is also assumed—with rare exceptions—that material collections to be housed have already been analyzed, and therefore artifact cleaning or fossil preparation, conservation, and inventorying have been completed. While specific guidelines are formulated by each repository, at a minimum each depositor should ensure the following common best practices.

1. Material collections must be accompanied by all documenting records (held-in-trust collection inventory form or substitute inventory “catalog”, a copy of the official receipt for deposit form, field notes, site forms, photos, maps, reports, formal deeds of gift, and other contracts or agreements preferably printed on acid-free archival paper). Photographic records (i.e., slides, negatives, prints) should be enclosed in acid-free polyethylene holders or sleeves. An explanation of the indexing method used to organize the boxed materials should also be provided. In addition to the secure hardcopies, documentation in digital format may also be submitted to the repository if they have the means to store these data, as well as an established policy for secure data archiving and migration. If the facility lacks these means then all the miscellaneous digital (non-required reporting) data should be submitted to OSAC.
2. All materials should be cleaned and preserved using appropriate reversible, nondestructive techniques. Documentation should include a record of any applied techniques performed on any artifact or fossil. Justification and repository approval should be provided for retaining any soil matrix adhering to any artifact for future analysis.
3. Specimens needing ongoing conservation should be separated and documented. Exceptional specimens should be noted. If ongoing conservation needs are anticipated, a plan should be drafted to address their long term conservation requirements.
4. All specimens or collections should be labeled or bar-coded individually in accordance with the cataloguing, and labeling systems of the repository. Since the State holds title interest in the items being deposited, our office should be consulted to determine labeling standards if the repository has not adopted formal standards for cataloguing and labeling.
5. Typically specimens should be individually labeled (with a reversible base coat and indelible stamp, India ink, bar-coded, etc.) with a site designation and field provenience. If specimens are too small to be numbered individually and/or for large groups of similar specimens are from the same provenience, then they may be put together in labeled, appropriately sized acid-free containers.

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6. Acid-free fabric or acid-free paper tags should be appropriately affixed to perishable or fragile specimens that are not to be directly marked upon.
7. All artifact bagging must be done with archival quality plastic, rather than paper bags.
8. All boxed containers housing bagged materials must be stable and sturdy, in acid-free boxes and should fit the size/shape requirements of the collection. In our experience storage boxes are typically no larger than one cubic foot, but there will necessarily be exceptions.
9. Larger containers, such as acid-free storage boxes, should be labeled with permanent markers/ India ink or appropriately affixed printed labels on their exterior surfaces. Labels in or on containers should provide the following information: site designation, project name and date, provenience data, analytical group, and number of artifacts or specimen.
10. Following any artifact study, analytical categories (flaked lithic materials, groundstone, etc.) should be maintained but not disassembled from field provenience organization for housing the collection. For instance obsidian samples removed for specialized sourcing must be returned to their field provenience bag after the analysis has been completed.
11. A held-in-trust collection inventory list should accompany each collection. This inventory or “catalog” must accurately reflect the quantity of the material and the analysis and packaging order. Analytical group designations on inventories should correspond to those used in the final report and on packaging labels. This list should also be made available in an electronic format (such as a standard MS Excel spreadsheet) that is provided to both the repository and OSAC as part of an issued State Permit’s annual and final reporting requirements. Artifact/specimen quantities for annual and final reports should corroborate. Please refer to our office’s official receipt for deposit form and its attached inventory sheet example for minimum reporting categories.
12. The quantity of bulk samples (e.g., matrix, soil, burned rock) or redundant non-diagnostic materials to be curated should be discussed and agreed to by the repository prior to any acceptance (please see *The Guidelines for the Disposition of Non-Curated State Collections From a Research Lab or a Museum/Repository* for further guidance). The determination of acceptance should give comprehensive consideration to the potential of artifacts or specimens for future research and to the limited space for housing in most repositories.

Ownership Documentation

Private collections deposited at a State-Approved repository must be accompanied by a signed Deed of Gift or a similar document from the private landowner. The signed and dated document must indicate the owner’s name, legal address, other contact information, and indicate that the collection being donated is unrestricted and irrevocable. Note that private landowners or entities must negotiate directly with each repository for these agreements unless either through contract or assignment a consultant assumes the role of legal agent for the private owner. If the repository is a part of a subdivision of State government (City, County, local, district) and private ownership of that item(s) has been transferred to a non-Federal government entity then the State holds a title interest in that specimen/artifact. Unless requested by the State-Approved repository, permitted researchers collecting from non-Federal public lands do not need to provide ownership documentation. However it is the responsibility of the permitted researcher depositing collections to ensure the repository of the accurate ownership status of all specimens or artifacts deposited for curation.

(These guidelines will be subject to review by OSAC at least every five years)

Guidelines and Procedures

3. Loan Agreement Guidelines

Outgoing Loan Agreement Guidelines for Held-In-Trust Collections

History Colorado encourages exhibition of held-in-trust archaeology and fossil collections through proper execution of museum/repository loan agreements. Pursuant to History Colorado's and the State-Approved Museums and Curatorial Repositories program rules and policies (8 CCR 1504-7, Section 9); this guidance is intended to aid institutions with outgoing loan best practices.

Basic Pre-Requirements

Length of Loans. All loans should typically be made for three (3) years or less. Loans of greater length pose a risk of loss of control of the collection. A best practice actually is to grant only one (1) year loan agreements that may be renewed upon review and re-approval not to exceed a three-year continuous period. This arrangement allows for a yearly check on the status of the loan and greater assessment on the condition of the artifacts/fossils by the lending institution.

Entities that May Borrow. With rare exceptions, State collections should not be loaned to individuals. However, institutions may loan materials from one research institution/museum or repository to another, thereby providing researchers access to the materials at the nearest museum or repository. Many repositories also allow for the loan of microfilm, photocopies, or facsimiles, as opposed to original records.

State Requirements of Outgoing Loan Agreements

Notice Requirement. As stated in the State-Approved Museums and Curatorial Repository rules and procedures (8 CCR 1504-7, Section 9), held-in-trust state collection may be loaned out to other institutions and organizations by securing a loan agreement between the other facilities provided **notice** of the arrangement is **sent** to the State Archaeologist (c/o the State Curation Coordinator) for tracking purposes. Notices must include at a minimum: the artifact(s)/fossil(s) description, catalog number(s), the Colorado Smithsonian site number(s) from which the artifact(s)/fossil(s) are derived, the full borrowing institution's contact information (i.e. name, contact, address, phone, e-mail), the type of loan (e.g. exhibit, conservation, fossil prep, research etc.) and the duration of the loan.

When is Permission from the State Archaeologist Required? Permission is required if a loan is proposed and initiated by a researcher for out-of-state study or for any destructive analysis (beyond fossil preparation or destruction of ancillary samples) (see page 5 for more information on requesting permission). If the loan is initiated by a State-Approved Museum/Repository for exhibition, conservation, in-state study or fossil preparation purposes prior approval from the State Archaeologist is not required however all loans must be reported by giving notice to the State Archaeologist (c/o the State Curation Coordinator) as described above.

Responsible Party. The director of the approved museum or curatorial repository is responsible for all loan transactions of state collections and for ensuring that appropriate and timely administration of the loans is conducted.

Loan Inventories are Required. Relocation inventories must be conducted and included as part of the written loan agreement.

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Insurance is Required. The loan and transportation of the state collection must be insured for liability purposes through securing a commercial fine art or other insurance policy or be adequately covered by governmental self-insurance to fulfill any damage or loss incident. Collections that are not inventoried or cataloged shall not be loaned.

All loaned objects must be covered by insurance in the full amount of the value (fair market plus estimated replacement value) specified by State-Approved repository from the time the objects are removed from the repository until they are returned in satisfactory condition. Coverage afforded must be “all risk,” “wall to wall” (“nail to nail”). As proof that the loaned objects under the borrower’s policy meet this specification a certificate of insurance, indicating that the State-Approved Museum/Repository and History Colorado (State of Colorado) are shown as additional insured under the policy should be forwarded to the lending State-Approved Museum/Repository prior to the shipping date.

The loaning museum/repository as well as the borrower must understand that in the event of a total collection loss, a liability assessment of the value of the collection shall be determined by mutual agreement with History Colorado as the sum of the estimated current fair market value and the estimated costs of replacing the scientific and educational information from the lost artifacts or specimen. A determination of these replacement costs may include, but are not limited to: (a) research design development; (b) fieldwork; (c) laboratory analysis; (d) curation; (e) reports or educational materials; and (f) lost visitor services or experience. In some cases, it may be appropriate for the estimated cost of replacement value to be peer reviewed by archaeologists or paleontologists with appropriate expertise and with no conflicts of interest.

Commercial Use is Prohibited. Commercial use of a State collection is prohibited without written consent from History Colorado.

Ancillary Samples Do Not Require a Loan Agreement. Ancillary samples defined as organic or inorganic specimens, other than human remains or artifacts, gathered by scientists for the purpose of analysis to provide information on past environments, diets, chronology, or material source areas. Ancillary samples may include, but are not limited to, charcoal, wood, soil, coprolites, and floral or faunal specimens. Such objects may be transported and analyzed without a formal loan agreement; however, the museum or curatorial repository will provide to History Colorado two copies of any publications, reports, and other documents prepared by researchers studying ancillary samples.

Credit Line. All exhibits, reproductions, and studies will credit the State Archaeologist of Colorado as follows: “Courtesy of History Colorado, Office of the State Archaeologist.” The museum or curatorial repository will also provide to History Colorado two copies of any publications, reports, and other documents prepared by museum or curatorial repository staff studying or exhibiting the state collection (or any part thereof).

Damages. Damages, whether in transit or on the borrower’s premises, and regardless of responsibility, shall be reported immediately to the outgoing State-Approved repository that is loaning such objects. Within five calendar days of the discovery of any loss or theft of, deterioration or damage to, destruction of the state collection (or any part thereof), or any State property used to support and care for a state collection, the lending State-Approved museum/repository will provide to the Office of the State Archaeologist’s State Curation Coordinator written notification of the circumstances surrounding the loss, theft, deterioration, damage, or destruction, and actions taken to stabilize it. This includes any supporting state property (shelving/cabinets etc.) and efforts to correct any deficiencies in the operating procedures or environment that may have contributed to the loss, theft, deterioration, damage, or destruction.

Condition of the Collection. Borrowers should agree to maintain the loaned objects in the condition in which they are received and not to permit cleaning, repairing, retouching, or alteration of any kind without the outgoing loaned repositories prior written consent. Other than routine, small and simple paleontological specimen or artifact mending repairs, any planned actions that involve major repair or restoration beyond basic re-attachment of the state collection (or any part thereof) or any other State of Colorado property associated with the state collection must be approved of in advance after consultation

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with the State Archaeologist. The agreement should describe the condition of the item when it was loaned, noting any blemishes for which the recipient should not be held accountable and providing the lender with a means to demonstrate the condition of the item when it left their care in case it is returned damaged. Some institutions may ask for a special condition report to be filled out and returned by the borrower.

Title and Rights. Loan agreements do not confer on the borrower any right, title, or interest in a held-in-trust State collection. All State-owned objects remain the sole and exclusive title of the State of Colorado. The borrower should also agree to return such objects immediately upon demand by the State-Approved Museum/Repository or if the lending repository is in breach of a loan contract/agreement as History Colorado may direct.

Other Common Standard Terms and Conditions

Stable Condition. Loans should only be made if the subject object(s) are in stable condition and appropriate for the purpose of a loan (except when loaned for repair).

International Loans. Foreign, out of country loans must address all packing, shipping, insurance, destination, and customs information. Loans out of the country can be complicated due to language barriers, customs and government rules. It is best to seek the advice of legal counsel when dealing with international loan requests.

Exposures. Borrowers should not expose loaned objects to damage from unfiltered ultraviolet radiation, biological agents, or unstable environmental conditions.

Transportation Costs. Borrowers should agree to pay all costs involved in the transportation of loaned objects, including framing, matting, packing, crating, shipping, and for the hiring of special packers when such hiring is deemed necessary.

Lender's Contact Information. Lender's name and full contact information. This will enable the recipient to easily contact the lender if a question arises about the loan or the item.

Borrower's Contact Information. Recipient's name and full contact information. This will enable the lender to easily contact the recipient if a question arises about the loan or the item.

Loan Purpose. The agreement should describe why the item(s) are being loaned and how it will be used. For example, is the item to be used in an exhibit that will be open to the public? Is the item to be displayed at a private fundraising reception? Is the item to be used by the recipient's staff for research purposes? Is the item being provided to a vendor or other institution to be scanned?

Description of the Artifacts/Fossils. The agreement should carefully describe the item so that it can be readily identified. Please use the official site number (e.g. 5AM2), site name and artifact/fossil description (e.g. three pound two-handed red sandstone mano with small hatch indent on the largest flat surface).

Storage and Exhibition Requirements. Some repositories will include information on how the item must be stored and/or exhibited.

Signature, Title, and Date. Representatives of the lender and borrower, who are authorized to enter into a legally binding document (e.g. the historical society president or director of a museum), should sign and date the loan agreement.

Acknowledgement of Return. The loan agreement should include an area to be completed upon the item's return in which a representative of the lender acknowledges that the item was received and notes the condition upon return.

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Security. Regardless of the type of loan, certain security procedures should be in place to protect the artifacts/fossils. Evidence of security procedures must be present before a loan agreement is signed. At a minimum, it is best practice to maintain loaned objects securely within a 24-hour-a-day security alarm system.

Legal Note. Only one document can govern any loan transaction. Multiple loan agreements for the same action cannot be enforced. The last one signed will invalidate earlier signed forms. If the museum has specific concerns or specific requirements not addressed on the borrower's agreement, the lender should amend the loan agreement provided by the borrower as needed rather than issuing another outgoing loan agreement.

Outgoing loan agreements are contracts and should be vetted by your legal counsel.

For Researchers and Permit Holders

Out of State Analysis or Study. Permittees and researchers proposing to transport collections out of the state of Colorado must secure a loan agreement between an out-of-state facility and a permanent approved on-site institution, reputable in-state museum, or curatorial repository, *subject to the approval of History Colorado (via the State Archaeologist)*. Ancillary samples however may be transported and analyzed without such a loan agreement or prior approval from History Colorado. Any proposed out-of-state analysis of human remains and associated funerary objects is subject to the approval of History Colorado.

To request permission to transport State artifacts/fossils out of state please fill out and return Form #1656, *the Request for Non-Destructive Out-of-State Transportation Approval for Held-In-Trust Artifacts or Fossil Specimen* found on-line.

Destructive Analysis Request. Proposed analysis of artifacts or fossils, which would cause their destruction or damage, such as trace-element analysis of materials, may be performed *only with the written consent of History Colorado through the State Archaeologist*, who shall consider whether such artifacts are unique or duplicated in state-owned collections. If part of the artifact/fossil will remain intact after the analysis is completed and will be returned to the repository for continued curation, an outgoing loan agreement must be issued for the artifact(s)/fossil(s). The Office of the State Archaeologist will supply notification of consent to the affected museum within thirty days, after filling out and sending back to the Office with the proper request form.

To request permission to perform destructive analysis on State artifacts/fossils please fill out and return Form #1647, *Request for Destructive Analysis Approval of Held-In-Trust Artifacts or Fossil Specimen* found on-line.

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Sample Loan Agreement Form

OUTGOING LOAN AGREEMENT

LOAN NUMBER _____

This agreement is between (REPOSITORY NAME) and the borrower whose name appears below (herein called the Borrower), and provides for the loaning of the object(s) described below, for the purpose of exhibition or study and subject to all terms and conditions of this agreement.

Loan Period:	DATE to DATE	
Borrower:	NAME OF INSTITUTION	
	CONTACT NAME	
	TITLE	
	ADDRESS	
	CITY, STATE, ZIP	
Office phone:	XXX-XXX-XXXX	
Email:		
Description:		
Object ID	Object Information	Current Value:
		Total loan Value:
		\$0.00
Shipping Instructions:		

Notes:

INSURANCE COVERAGE TO BE ASSUMED BY: ☐ BORROWER

Signature below signifies acceptance of all Terms and Conditions of this agreement.

Borrower _____ Date _____
Printed Name/Title _____
Repository Name _____ Date _____
Printed Name/Title _____

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Borrower Initials:

Terms and Conditions for Outgoing Loans

Loan of study, exhibition, analysis, repair, or appraisal, and are made only to other historical agencies or educational and museums (except for the purpose of repair, analysis, or appraisal). Loan of an object is made only if Repository considers it in the best interest of the object and the object is not of extremely fragile materials, and is not subject to theft.

The shipping date in order to allow time for photography, packing, and other arrangements.

Upon receipt, in writing, all packing, shipping, insurance, destination, and customs information. In the case of foreign loans, who will be in charge of coordinating the foreign loan on the borrower's behalf, and who will handle all

title, or interest in the objects described herein except such rights as are expressly set forth herein and the borrower repository, or with such period as Repository may direct.

The condition in which they are received and not to permit cleaning, repairing, retouching, or alteration of any kind without the prior written consent of Repository and not to expose the objects to damage from environmental conditions.

Loaned objects, including framing, matting, packing, crating, shipping, and for the hiring of special packers when such authorized by Repository, objects shall be returned in the original crate for the return to Repository by the same owner. Damages, whether in transit or on the borrower's premises, and regardless of responsibility, shall be covered

amount of the value specified by Repository, from the time the objects are removed from Repository until they are returned "well to wall" ("tail to tail"). By marking the appropriate blank on the first page of this agreement, the borrower agrees

to Repository's policy which must meet the specifications set forth above in this paragraph, in which case a copy of that Repository and History Colorado (State of Colorado) is an additional insured under the policy, must be shipping date;

Further, the borrower shall review their condition and report to Repository any disagreements with the condition report on all loaned objects in the condition in which they are received

are received until they are shipped back to Repository, the loaned objects will not leave the custody of the borrower and

be reasonably necessary to protect them against loss, breakage, deterioration, or other damage; such care to include all sound volumes) must be in locked cases or in frames using glass or ultraviolet filtering Plexiglas and acid-free matting in or behind glass must have sufficient distance from the public to prevent touching. Exhibit areas must be under the open to the public.

Damage by the use of (1) ultraviolet filters on fluorescent and incandescent lights, or (2) ultraviolet filtering Plexiglas in a room (or at least the hall) is outside the enclosed area.

performed by the borrower without Repository's prior permission in the form of a Repository work order form. Requests by the borrower to the object.

adequate 24-hour-a-day alarm security guard systems, or in any other security system, which shall be provided by

set forth on the first page of this agreement. Loaned objects shall be returned to Repository at the end of the loan period or to the expiration of the loan period. However, Repository reserves the right to require the early return of loaned

noting that they are on loan from the Repository. If requested by Repository, labels will also include the name of the donor

any publication or catalogue regarding an exhibit involving objects loaned by Repository.

In terms or conditions of which the borrower is provided by Repository in writing. Repository may impose such additional collection of the loaned objects covered by this agreement.

agreement of the borrower, the terms of this agreement shall be controlling.

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Borrower Initials:

Guidelines and Procedures

4. Guidelines for the Disposition on Non-Curated State Collections

Guidelines for the Disposition of Non-Curated State Collections From a Research Lab or a Museum/Repository

These guidelines establish procedures and administrative record requirements for the transfer or disposal only of select artifacts/fossils determined to be of insufficient archeological/paleontological interest and therefore “not curatable”. The guidelines are derived from amendments to 36 CFR 79 (2022) as adapted from the Federal collection disposition process. The artifacts/fossils that are the subject of these guidelines are managed at held in trust approved repositories or held temporarily by a research organization for the purposes of analysis and report writing. The procedures do not apply to entire collections, nor do they affect any material remains defined as “cultural items” or human remains by the Native American Graves Protection and Repatriation Act (NAGPRA; 25 U.S.C. 3001 et seq.) and subject to that statute. NAGPRA cultural items include Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony

Avoid Disposition of Non-Curable Items with Proper Planning

Agree to a Collection’s Strategy First

The permitted archaeologist/paleontologist should agree to a collection strategy initially before any testing or field collections are conducted. The permitted researcher or firm should have a contract or written agreement with the approved repository and agree to what will be collected and curated. All parties must make sure the repository can accommodate the anticipated needs. Some institutions may not have the ability to curate certain types of material so make sure this is understood and negotiated first. Other options may need to be explored. Strategies will be guided by the project’s research design, the scope of the project and the scale of the resource.

Collection Key Terms

Ancillary samples are defined as organic or inorganic specimens, other than human remains or artifacts, gathered for the purpose of analysis to provide information on past environments, diets, chronology, or material source areas. Ancillary samples may include, but are not limited to, charcoal, wood, soil, coprolites, and floral or faunal specimens. Such objects may be transported and analyzed without a formal loan agreement with the State-Approved repository, however, the museum or curatorial repository will provide to History Colorado two copies of any publications, reports, and other documents prepared by researchers studying the ancillary samples.

An **artifact** is a portable object made and/or used by humans in the past.

Diagnostic artifacts are artifacts that possess characteristics of a specific time period and/or culture. Artifacts that are **non-diagnostic** lack these characteristics.

Fossil means the remains or traces of an organism or assemblage of organisms preserved by natural processes in or on the earth’s crust, exclusive of organisms that have been buried in recent times.

Paleontological resources means fossils and other remains of prehistoric animals, plants, insects, and other objects of natural history within Colorado that do not show evidence of human association.

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Prehistoric means before the period that written records were used to document events in Colorado.

Principal Investigator is defined as the permitted person qualified to lead a research investigation as defined in State rules 8 CCR 1504-7 (D1 or E1) or by accepted waiver to those qualifications.

As specified under the Act's rules and procedure (8 CCR 1504-7, Sec. 9(C) 2), ancillary samples (e.g. charcoal, wood, soil, coprolites, and small floral or small faunal specimens) once analyzed may be disposed of appropriately however it may be advisable to retain a small sample of non-analyzed ancillary materials for future study following the rationale and procedure described in section 2 iii below.

Who May Propose the Disposal of Artifacts/Fossils?

Current State-Approved repositories professionally trained staff (conservators, curators, directors, collection managers) and the Principal Investigators (P.I) from current permitted organizations or individuals with verifiable knowledge, working under the oversight of a Principal Investigator (P.I.).

Who is Responsible for the Disposal of Artifacts/Fossils?

The State-Approved director or top management official is responsible for ensuring that particular artifacts/fossil are properly disposed of according to these guidelines.

When are Particular Material Remains Considered to be Non-Curateable?

Particular material remains are considered to be of insufficient interest and “non-curateable” when, on a case-by-case basis by at least one qualified permitted archeologist/paleontologist (P.I.) and one museum/repository official with experience in the type of material remains being evaluated and documented demonstrates that:

(1) Disposition of the non-diagnostic material remains or fossils will not negatively impact the overall integrity of the original collection recovered during the survey, excavation, or other study of a paleontological, prehistoric or historic resource; and

(2) At least one of the following three requirements—lack of provenience information; lack of physical integrity; or overly redundant and not useful for research—are met:

(i) Lack of provenience (locational information on where the artifacts/fossils were found). Lack of provenience information may be established by one or more of the following circumstances:

(A) The labels on the artifacts/fossils or the labels on the containers that hold the artifacts/fossils do not provide adequate information to reliably establish meaningful archeological/paleontological context for the artifacts/fossils;

(B) The labels on the artifacts/fossils or the labels on the containers that hold the artifacts/fossils have been lost or destroyed over time and cannot be reconstructed through the associated records; or

(C) The associated records of the artifacts/fossils have been lost or destroyed and cannot be recovered after a concerted effort to find them is performed and documented.

(ii) Lack of physical integrity. Artifacts/fossils lack physical integrity when, subsequent to recovery during the survey, excavation, or other study of a paleontological, prehistoric or historic resource,

Guidebook for State-Owned Collections

the artifacts/fossils were irreparably damaged through decay or decomposition over time, or as a result of a human-caused incident or a natural disaster.

(iii) Overly redundant and not useful for research. Disposition using this criteria must be carefully considered. It is defined as duplicated artifacts or fossils in such high quantities that the number of artifacts or fossils considered for disposition would not harm the intellectual knowledge lost by retaining a smaller representative sample of the whole population or larger set.

Please note: A determination that artifacts/fossils are overly redundant, non-diagnostic and not useful for research must be carefully considered. Archeological/Paleontological context, research questions, and research potential may vary based on geography, geology, cultural period, scientific or cultural significance, prior analysis, and other factors. It is often difficult to predict if future analytical methods will yield useful information about the material remains proposed for disposal or transfer. As such, a representative sample of the artifacts/fossils useful for future research should be retained for curation.

The artifacts or fossils are then either approved or denied for disposal or transfer by the State Historical Society of Colorado's (i.e. History Colorado's) President and Board of Directors acting through the State Archaeologist.

Bulk Samples in the Lab from the Field

Bulk sample non-diagnostic redundant artifacts/fossils may be considered to be of insufficient interest when, on a case-by-case basis the permitted principal investigator can document the above listed criteria are met.

Manner of Transfer or Disposal

Always follow and explore this order of options when considering transfer or disposition of non-diagnostic material:

1. *Transfer to another non-profit educational/cultural organization, Indian tribe or governmental agency.*
2. *Other entity donation (name and organization). There must be a public benefit.*
3. *Destruction (final choice only; describe the method and how all other options have been exhausted).*

Administrative Record of the Disposition Required

After the approved repository and the permitted principal investigator has made a recommendation of disposition, the principal investigator and the repository representative must document this determination. The State-Approved repository must retain an administrative record of all disposition actions for a minimum of one hundred years.

The administrative record must document the rationale for the disposition. Paleontological collections that are too fragmented to determine an identifiable element (i.e. femur, shell etc.) by consensus with a principal investigator and the repository can be disposed of if all other options have been considered.

The disposition action should include specific information (such as):

- a description and evaluation of the non-diagnostic objects;

Guidebook for State-Owned Collections

- the method of disposition and the reason for the method chosen;
- names and titles of persons initiating and approving the disposition;
- date of the disposition;
- relevant field or catalog numbers (if assigned);
- evidence of the receipt for the return, transfer, or conveyance of the material remains by the recipient tribe, agency, repository, or institution, including the title to the received material remains, (if applicable);
- photographic documentation, (as appropriate);
- and the name and location of the recipient institution or entity, (if applicable);

The administrative record must be included with the collection's deposited associated records (e.g. field notes and final report). If a sample is to be retained for future studies, a description of the samples must be listed as part of the full collection inventory.

After disposition, the accession and catalog records must be reviewed and amended through a procedure established by the approved repository. The amendments must identify the artifacts/fossils that were deaccessioned and disposed of, the date of disposition, and the manner in which they were disposed.

Form and State Archaeologist's Approval Required

The repository director or top management official and the qualified permitted principal investigator (archeologist/paleontologist) must fill out and sign a "Disposal of Non-Curated State Collections Form (#1661)" to be forwarded and signed by the State Archaeologist acting on behalf of the State Historical Society's (i.e. History Colorado's) President and Board of Directors to document the approval of the transfer or disposal action. The signed and completed form must be forwarded the State Curation Coordinator for tracking purposes.

Transfer of Non-Curated Collections Receipt Form

If after completing the "Disposal of Non-Curated State Collections Form" and the artifacts or fossils will be transferred to a non-profit educational/cultural organization, Indian tribe or governmental agency or other entity with a demonstrable public benefit, the "Transfer Receipt Form (#1662)" must be completed. The signed and completed form must be forwarded the State Curation Coordinator for tracking purposes.

Items for Repatriation or Re-burial

All items designated for repatriation or reburial under Federal Law 101-601 (Native American Graves Protection and Repatriation Act, 25 USC section 3001 et.seq.[NAGPRA] or in compliance with State statute C.R.S.24-80-1301 (Unmarked Human Graves) and Section 13 of the State Rules and Procedures 8 CCR 1504-7 must first be reported and approved by the State Archaeologist.

Notes on non-repatriated artifacts/fossils for re-burial consideration

As a matter of general policy the Office of the State Archaeologist objects to the practice of artifact re-burial. Under State law C.R.S. 24-80-401-411, archaeological and paleontological resources that are excavated or removed from non-Federal public lands remain the property of the State of Colorado and such resources as well as copies of associated records and data must be preserved at a museum or an on-site repository unless approved by the State Archaeologist. Re-burial without proper documentation may disturb the existing context of a site or create problematic deposits for future researchers.

Furthermore, according to the Colorado Council of Professional Archaeologists and the Register of Professional Archaeologists Standards of Research Performance, *a research archaeologist must ensure that specimens and research records resulting from a project must be deposited with an organization with permanent and adequate curatorial facilities, and which permits access by qualified researchers* (CCPA V, RPA Sec. V). Likewise one ethical principle of the Society for American Archaeology states that *archaeologists should work actively for the preservation of, and long term access to, archaeological collections, records, and reports* (SAA Principle of Archaeological Ethics #7). The Society for Historical Archaeology also states that *archaeologists must see that materials are appropriately curated for future generations* (SHA Principle #4). Reburial of State artifacts or fossils therefore without express approval by the State Archaeologist is unlawful and may violate professional ethical principles.

Guidelines and Procedures

5. Standard Requirements for Curation Agreement Templates

History Colorado's State-Approved Museums and Curatorial Repositories Program allows approved museums or curatorial repositories (collectively "approved repositories") to charge a reasonable administrative fee for processing "curation" or similarly worded "intent-to-curate" agreements with permitted researchers. If the approved repository curates collections from external permitted researchers, a copy of the curation agreement template must be submitted to the State Archaeologist or their designee for approval (8 Colo. Code Regs. § 1504(9)). In an effort to give greater guidance to approved repositories, History Colorado created these standards for developing such agreement templates with permitted researchers.

State of Colorado Curation Agreement Template Requirements:

1. All agreement templates must cite the Historical, Prehistorical, and Archaeological Resources Act and its implementing regulations (Colo. Rev. Stat. §§ 24-80-401 and 8 Colo. Code Regs. § 1504) when referring to any statute or regulation supporting the requirements governing a curation agreement. Do not only cite Federal regulations (i.e. 36 C.F.R. § 79) as the Federal regulations do not govern State collections.
2. All agreement templates must clearly acknowledge that the State of Colorado retains title to artifacts or specimens collected from non-Federal public lands as well as all associated reports, original field notes, maps, drawings, photographs etc. (8 Colo. Code Regs. § 1504).
3. All agreement templates must require permitted researchers to deliver all collections (archaeological or paleontological) made from non-Federal public lands in accordance with the current *Submission Guidelines for State-Owned Archaeological Collections (#1636)* and 8 Colo. Code Regs. § 1504. If the collections are not prepared according to these standards, then the permitted researcher may be subject to the costs incurred by the approved repository to cure any deficiencies.
4. All agreement templates must require permitted researchers to return a fully signed official state deposit receipt from the approved repository, accompanied by a simple inventory list of items accepted by the approved repository for curation, to the State Archeologist.
5. All agreement templates must be signed and dated by the permitted researcher, or designated representative of the archaeological or paleontological firm (with their work title) and the title, date and signature of the approved repository representative.
6. Curation agreements with permitted researchers must never be made perpetual. Such agreements must be renewed within five years or less of issuance and will remain valid only so long as the repository retains its State-Approved status.

It is recommended that any curation one time deposit fees adopted by the approved repository (allowed under 8 Colo. Code Regs. § 1504) be cited and attached to the curation agreement so that the permittee can budget accordingly when developing a research plan and collections strategy.

Approved repositories may follow up the curation agreement for the permitted researcher with a more specific contract for services or memorandum of understanding detailing the repository's specific requirements (in addition to any State requirements), however any subsequent contract or memorandum

Guidebook for State-Owned Collections

must incorporate and be subject to the original curation agreement. All such contracts or agreements must be forwarded to the State Curation Coordinator for approval.

Please submit any new or changed “curation” or “intent-to curate” template to the State Curation Coordinator at HC_StateCuration@state.co.us

Guidelines and Procedures

6. List of Official Forms and Guidelines

Form #1308 - Rules and Procedures

Form #1426 - Request to Serve as a State-Approved Museum or Curatorial Repository for Held-in-trust Collections from Lands Belonging to the State of Colorado or its Political Subdivisions

Form #1629 - State-Approved Museum and Curatorial Repositories List

Form #1636 - Submission Guidelines for State-Owned Archaeological Collections

Form #1645 - Official Receipt for Deposit for State of Colorado Held-In-Trust Collections from an Approved Museum or Curatorial Repository for Specimen and/or Artifact Curation

Form #1645a - Inventory Template (Excel)

Form #1646 - History Colorado Curation Agreement and Deposit Fee

Form #1647 - Request for Destructive Analysis Approval of Held-In-Trust Artifacts or Fossil Specimen

Form #1648 - Reference Guidebook for State-Owned Collections Care

Form #1649 - SAA Guidelines for Preparing Legacy Collections for Curation

Form #1650 - Repository Collection Policy Template

Form #1651 - PREP Emergency Plan Template

Form #1652 - DMNS Anthropology Department 2019 NEH Archaeology Rehousing Workflow

Form #1653 - DMNS Department of Anthropology Regular Box Re-Housing Instructions

Form #1654 - DMNS Mount Making Cutting Tool Calculator (Excel)

Form #1655 - List of Potential Thesis/Dissertation/Capstone Subjects with State of Colorado Archaeology or Paleontology Collections Needing Re-housing Care, Re-analysis or New Interpretational Opportunities

Form #1656 - Request for Non-Destructive Out-of-State Transportation Approval for Held-In-Trust Artifacts or Fossil Specimen

Form #1657- List of Sites with Repository Names (Excel)

Form #1658 - Outgoing Loan Agreement Guidelines for Held-In-Trust Collections

Form #1659 - Permitted Archaeologists' Guide to the State-Approved Repositories Program

Form #1660 - Guidelines for the Disposition of Non-Curated State Collections From a Research Lab or a Museum/Repository

Form #1661 - Disposal of Non-Curated State Collections Form



State Curation Coordinator Position

Desk Manual

Updated 12/28/2022



Compiled by Todd C. McMahon



State Curation Coordinator

Desk Manual

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Purpose and Aim:

Overseeing the management of the State's archaeological and paleontological collections

Key Points

- 1) This position is guided by the rules and procedures of the Historical, Prehistorical and Archaeological Resource Act of 1973, specifically section nine of 8 CCR 1504-7.
- 2) It is the duty of this position to facilitate the approval, renewal and encourage new State-Approved museums and repositories that hold or wish to hold archaeological or paleontological collections that are removed by a permitted archaeologist on non-Federal public lands.
- 3) While the position focuses on collections made from a State-issued permit, State law actually has a broad-based jurisdiction over all archaeological or paleontological collections donated or acquired and managed by local County or City museums/governmental entities. This would include collections made on private lands but donated or deeded to subdivisions of the State (City, County, local municipality (e.g. water district etc.)). Legally collections become property of the government owned museum after seven years of no contact with the donor and efforts to contact the owner have failed (State-Abandoned Property Law). History Colorado as Trustee for the State also has the power to ensure that collections of a scientific or historical nature shall be properly classed and catalogued and shall be at all reasonable hours open for public inspection and examination but under such rules and regulations as shall be prescribed or adopted by said society (C.R.S. 24-80-210. Collections classed and catalogued.
- 4) The State Historical Society of Colorado has authority to sell, exchange, or otherwise dispose of materials that are determined by the President and Board of Directors to be duplicative, redundant, beyond the scope of the Society's mission statement or collections policy, or that are lacking in usefulness or historical value. § 24-80-202(2), C.R.S. In addition, the Society is authorized to dispose of specimens that are duplicative or that the Board determines are more useful for exchange. § 24-80-205(1), C.R.S. Thus, the Board may approve transfer of archaeological resources and protective covenants if these statutory requirements are met. The State Archeologist is required to act as the liaison agency in transactions that deal with archaeological resources between History Colorado and the federal government. §24-80-405(1)(f), C.R.S. Thus, if the Board approves a transfer of property, the State Archeologist would be responsible for carrying out that transfer.
- 5) The Office of the State Archaeologist was given guidance on many aspects on History Colorado's trusteeship responsibilities and legal obligations through various Attorney General (AG) Opinions.



Figure 1. The State-Approved Museums and Curatorial Repositories Game Plan

Relevant Files

- 1) All the State Curation Coordinator support files and procedures as well as each of the repository document archive files are located on the S: drive S:\OAHP\OSAC\Curation Program
- 2) Important files include:
 - a. The AG Legal Question files (scanned and electronic copies of relevant written AG opinions)
 - b. the Artifact Specimen Collection Inventories (Master Files) (also attached in the Argus SiteFiles database (linked to the repository project file, site information and relevant permit file)
 - c. Casting and Reproduction Requests Approvals – scanned copies of any special casting agreements for specimen or artifacts.
 - d. Curation Issue Plans and Program Assessments – Program history and outreach efforts (brochures etc.)
 - e. Curation Notes Newsletter – PDF and electronic PDF copies of each of the program electronic newsletters
 - f. Destructive Analysis Tracking – place for archive copy of approval and requests for destructive analysis by Argus SiteFiles “project” tracking number (also attached to the Argus SiteFiles database)

- g. Disposition of a State Collection Requests – place to store all archive requests and approval for disposition of collections by Argus SiteFiles “project” tracking number (also attached to the Argus SiteFiles database).
- h. Emergency Management – relevant tie-in to CHR Task Force, collections and historic places tie-in files.
- i. HC – OSAC Curation Agreements – place to keep the archive file of all History Colorado curation agreement by year and consultant/organization (also attached to the Argus SiteFiles database).

An Overview of the Argus System to Track Repositories and Collections

The State Historic Preservation Office’s Argus SiteFiles database is used to track and query all aspects of the State-Approved and Curatorial Repository Program. The “project” file, “Site Document” and “Site” files areas of the database are used. The important thing is to cross-reference the site number to any relevant collection.

Please note: as of November of 2022 the Information Management Team has made the decision to comply with accessibility protocols and utilize Title case for all database encoding going forward. Some of the procedures below show all upper case titles. These should be changed going forward and old entries corrected.

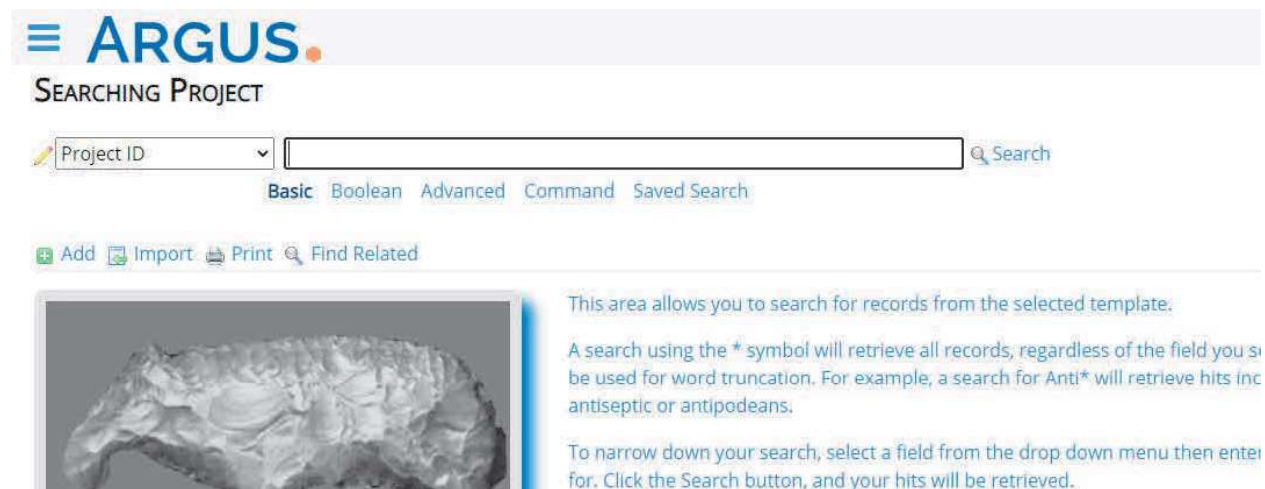


Figure 2. Overview of the Argus SiteFiles database showing the Project screen

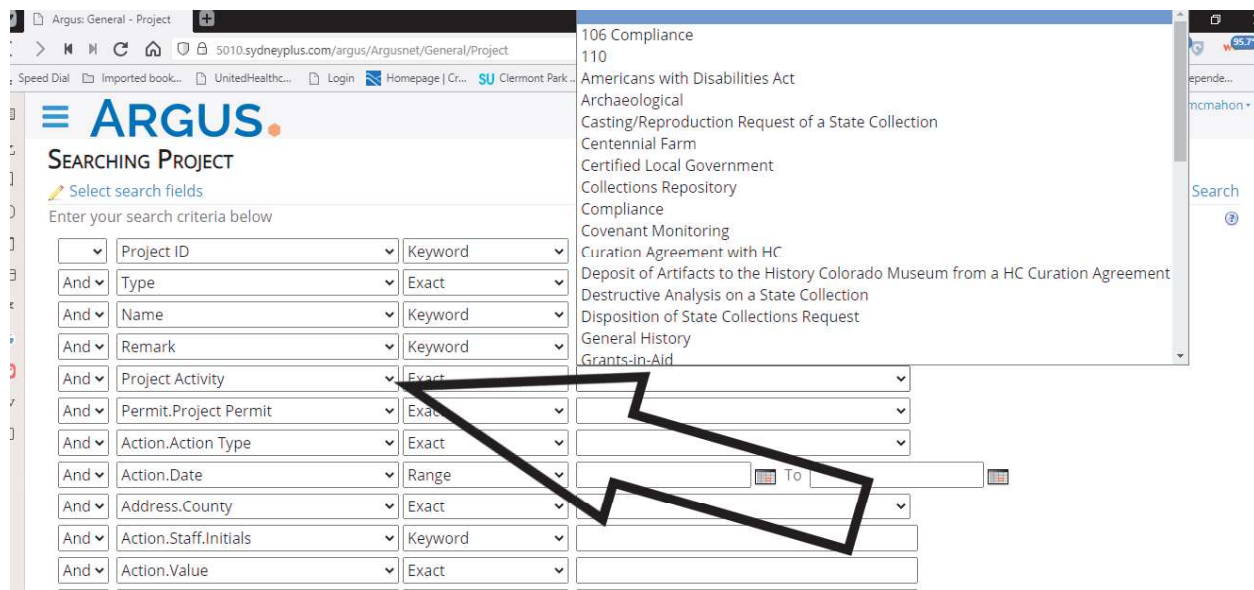


Figure 3. In the Project Screen, Look under Project Activity to see program tracking tasks. If this option is not in your advanced search option, select the Project Activity field within the “Select search fields” option.

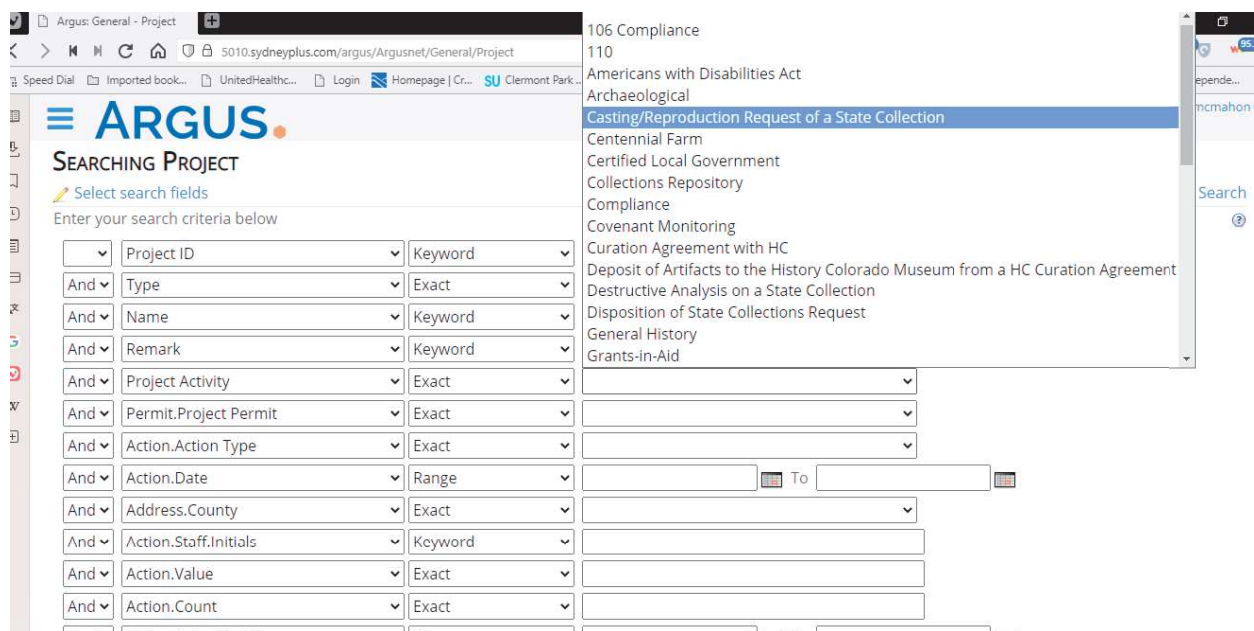


Figure 4 Use this activity to track all Casting/Reproduction Requests

Instructions: Please enter To ENCODE data on the Shared Google Drive Microsoft Access Database. This is a linked file that you should be able to access from your home. I suggest installing Google Drive for desktop (see <https://support.google.com/a/answer/7491144?hl=en>).

I have set up a Google classroom resource with OSAC all the analysis code sheets and analysis instructions and an accompanying Google Drive folder with the scanned completed and to be entered analysis sheets. You will also find photos of the diagnostic artifacts and any checked out collections on Excel spreadsheets if you are working at home with the artifacts and have a caliper (please talk to me first).

Please match the forms with the appropriate data analysis sheet:

PAAC Lab Data Entry

Office of the State Archaeologist of Colorado

Choose your form:

- ☒ Ancillary Samples
- ☐ Ceramics Data Entry
- ☐ Debitage Data Entry
- ☐ Faunal Bone Shell Data Entry
- ☐ Flake Stone Tools Data Entry
- ☐ Historical Materials
- ☐ Other Lithics Data Entry
- ☐ Peked/GroundstoneTools Data Entry
- ☐ Projectile Point New Data Entry

HISTORY Colorado

Ancillary Encoding Form:

Ancillary Samples

Catalog No: 5MR390.3

Field No:

Box Number:

Sample Type: OT

Bulk Mass: 109.0

Material: SR

Feature:

Provenience:

N: ☐ S: ☐ Horiz N/S Value: 0.00 m

E: ☐ W: ☐ Horiz E/W Value: m

Township: Range: Section:

Ownership at Recovery: Private

Ownership Check Argus: ☒ Ownership Check Site Form: ☐

Ownership Check Report: ☐ Ownership GIS Check: ☐

Ownership Other:

Record: 1 of 51

Form View

Ceramics Entry Form:

PAAC Lab Database

File Home Tell me what you want to do...

Clipboard Switchboard frmCeramics

Ceramics

Box Number:
Catalog No:
Field No (for non-specific location):
Provenience: N: ☐ S: ☐ Horiz N/S Value: m
E: ☐ W: ☐ Horiz E/W Value: m
Township:
Range:
Section:
Quad (if known):
Vertical Level:
Vertical Value:
Vertical Point Plot: cm

Vessel Part R:
Ware:
Temper Size Min:
Temper Size Max:
Count Jar:
Count Bowl:
Temper ID:
Count OT:
Thickness (Ranges):
Decoration Ext 1:
Decoration Ext 2:
Decoration Int 1:
Decoration Int 2:

Vessel Part Bo:
Vessel Part Ba:
Rim Shape:
Comments:
Landownership at Recovery:
Ownership Check Argus: ☐
Ownership Check Site Form: ☒

Debitage Entry Form:

PAAC Lab Database

File Home Tell me what you want to do...

Clipboard Switchboard frmDebitage

Debitage

Catalog No:
Field No (for non-specific location):
Provenience: N: ☐ S: ☐ Horiz N/S Value: m
E: ☐ W: ☐ Horiz E/W Value: m
Township:
Range:
Section:
Quad (if known):
Vertical Level:
Vertical Value:
Vertical Point Plot: cm
Reference (below datum) or (below surface):
Size Grade 0:
Size Grade 1:
Size Grade 2:
Size Grade 3:
Size Grade 4+:
Material MQ:
Material PW:
Material OT:
Material Ct:
Material Js:
Material Cy:
Material MA:
Material Qe:
Flake Stage CR:
Flake Stage Th:
Flake Stage FM:
Flake Stage Sh:
Flake Stage Fr:
Box Number:
Comments:
Landownership at Recovery:
Ownership Check Argus: ☐
Ownership Check Site Form: ☐
Ownership Check GIS: ☐
Ownership Other:

Faunal Bone/Shell Entry Form:

The screenshot shows the 'frmFaunal_Bone_Shell' form in the PAAC Lab Database. The form is divided into several sections for data entry. The 'Catalog No' is 'FLA1115.N-3' and 'Box Number' is '1'. The 'Field No (for non-specific location)' is empty. The 'Provenience' section includes 'N: S:' and 'E: W:' with checkboxes for 'Horiz N/S Value' and 'Horiz E/W Value', each followed by a text box and a unit 'm'. The 'Township', 'Range', and 'Section' are empty. The 'Quad (if known)' is a dropdown menu. The 'Vertical Level' is a dropdown menu. The 'Vertical Value' is a text box. The 'Vertical Point Plot' is a text box followed by 'cm'. The 'Reference (below datum) or (below surface)' is a dropdown menu. The 'Count' is '39'. The 'Condition Complete' is a dropdown menu. The 'Condition Fragments' is a dropdown menu. The 'Broken (estimate)' is a checkbox. The 'Aggregate Mass' is '49.2'. The 'Identifiable' is a dropdown menu. The 'Material' is 'BONE'. The 'Modification' is a dropdown menu. The 'Illustration (figure no)' is a text box. The 'Digital photo catalog' is a text box. The 'Comments' is 'SOME BURNED'. The status bar at the bottom shows 'Records: 1 of 117' and a search bar.

Field	Value
Catalog No	FLA1115.N-3
Box Number	1
Field No (for non-specific location)	
Provenience N: S:	
Provenience E: W:	
Horiz N/S Value	
Horiz E/W Value	
Township	
Range	
Section	
Quad (if known)	
Vertical Level	
Vertical Value	
Vertical Point Plot	
Reference (below datum) or (below surface)	
Count	39
Condition Complete	
Condition Fragments	Sp
Broken (estimate)	<input checked="" type="checkbox"/>
Aggregate Mass	49.2
Identifiable	No
Material	BONE
Modification	
Illustration (figure no)	
Digital photo catalog	
Comments	SOME BURNED

Flake Stone Tool Data Entry Form:

The screenshot shows the 'frmFlake Stone Tools' form in the PAAC Lab Database. The form is divided into several sections for data entry. The 'Catalog No' is '5DL199.2' and 'Box Number' is empty. The 'Field No (For non-specific location)' is empty. The 'Provenience' section includes 'N: S:' and 'E: W:' with checkboxes for 'Horiz N/S Value' and 'Horiz E/W Value', each followed by a text box and a unit 'm'. The 'Township', 'Range', and 'Section' are empty. The 'Quad (if known)' is a dropdown menu. The 'Vertical Level' is a dropdown menu. The 'Vertical Value' is a text box. The 'Vertical Point Plot' is a text box followed by 'cm'. The 'Reference (below datum) or (below surface)' is a dropdown menu. The 'Class' is 'Co'. The 'Length' is '62.50'. The 'Width' is '38.70'. The 'Thickness' is '26.20'. The 'Mass' is '58.05'. The 'Break' is a dropdown menu. The 'Manufacture' is 'CO'. The 'Material' is 'Ct'. The 'Edge Angle(s)' is a text box. The 'Drawing (figure no.)' is a text box. The 'Digital Image Catalog' is a text box. The 'Comments' is 'quartz inclusion'. The 'Landownership at Recovery' is 'Forest Service'. The 'Ownership Check Argus' is a checkbox. The 'Ownership Check Site Files' is a checkbox. The 'Ownership GIS Check' is a checkbox. The status bar at the bottom shows 'Records: 1 of 1085' and a search bar.

Field	Value
Catalog No	5DL199.2
Box Number	
Field No (For non-specific location)	
Provenience N: S:	
Provenience E: W:	
Horiz N/S Value	
Horiz E/W Value	
Township	
Range	
Section	
Quad (if known)	
Vertical Level	
Vertical Value	
Vertical Point Plot	
Reference (below datum) or (below surface)	
Class	Co
Length	62.50
Width	38.70
Thickness	26.20
Mass	58.05
Break	
Manufacture	CO
Material	Ct
Edge Angle(s)	
Drawing (figure no.)	
Digital Image Catalog	
Comments	quartz inclusion
Landownership at Recovery	Forest Service
Ownership Check Argus	<input checked="" type="checkbox"/>
Ownership Check Site Files	<input checked="" type="checkbox"/>
Ownership GIS Check	<input type="checkbox"/>

Historical Materials Form:

The screenshot shows the 'Historical Materials' form in the PAAC Lab Database. The form is divided into several sections for data entry. The 'Catalog No' is 'SMR390.12'. The 'Field No' is empty. The 'Class' is 'OT'. The 'Count' is '10'. The 'Color(s)' is 'OT'. The 'Parts present' is 'OT'. The 'Label(s)' is empty. The 'Label(s): MM PL EB AC ST OT' is 'MM PL EB AC ST OT'. The 'Modification' is 'N'. The 'Illustration' is empty. The 'Comments' is 'Color(s): OT; 35 mm color slides'. The 'Provenience' section includes 'N: S: Horiz N/S Value: m', 'E: W: Horiz E/W Value: m', 'Township:', 'Range:', 'Section:', and 'Quad (if known):'. The 'Box Number:' is empty. The 'Landownership at Recovery:' is 'Private'. The 'Ownership Check Argus' is checked. The 'Ownership Check Site Form' is unchecked. The 'Ownership GIS Check' is unchecked. The status bar at the bottom shows 'Record: 1 of 13'.

PAAC Lab Database

File Home Tell me what you want to do... McMahon, Todd

Clipboard Switchboard #mHistoricalMaterials

Historical Materials

Catalog No: SMR390.12

Field No:

Class: OT

Count: 10

Color(s): OT

Color(s): Am Ci Br Bi Gr Pu N/A Ps Rd Tu Wm Ye OT

Parts present: OT

Label(s):

Label(s): MM PL EB AC ST OT

Modification: N

Illustration:

Comments: Color(s): OT; 35 mm color slides

Provenience:

N: S: Horiz N/S Value: m

E: W: Horiz E/W Value: m

Township:

Range:

Section:

Quad (if known):

Box Number:

Landownership at Recovery: Private

Ownership Check Argus: ☒

Ownership Check Site Form: ☐

Ownership GIS Check: ☐

Record: 1 of 13

Other Lithics Data Entry:

The screenshot shows the 'Other Lithics' form in the PAAC Lab Database. The form is divided into several sections for data entry. The 'Catalog Number' is 'SLR453.11.1'. The 'Field No (for non specific location)' is empty. The 'Box Number' is '1'. The 'Provenience' section includes 'N: S: Horiz N/S Value: m', 'E: W: Horiz E/W Value: m', 'Township:', 'Range:', 'Section:', and 'Quad (if known):'. The 'Count' is '1'. The 'Aggregate Mass:' is '5'. The 'Material:' is 'OT'. The 'Illustration:' is empty. The 'Comments' is 'CONCRECTION'. The 'Landownership at Recovery:' is 'Forest Service'. The 'Ownership Argus Check' is unchecked. The 'Ownership Site Files Check' is checked. The status bar at the bottom shows 'Record: 1 of 41'.

PAAC Lab Database

File Home Tell me what you want to do... McMahon, Todd

Clipboard Switchboard Other Lithics

Other Lithics

Catalog Number: SLR453.11.1

Field No (for non specific location):

Box Number: 1

Provenience:

N: S: Horiz N/S Value: m

E: W: Horiz E/W Value: m

Township:

Range:

Section:

Quad (if known):

Count: 1

Aggregate Mass: 5

Material: OT

Illustration:

Comments: CONCRECTION

Landownership at Recovery: Forest Service

Ownership Argus Check: ☐

Ownership Site Files Check: ☒

Record: 1 of 41

Pecked Groundstone Tools Data Form:

Pecked/GroundStoneTools

Catalog No: <input type="text"/> Field No (for non-specific location): <input type="text"/> Box Number: <input type="text"/> Provenience: N: S: <input type="text"/> m <input type="checkbox"/> Horiz N/S Value: <input type="text"/> m E: W: <input type="text"/> m <input type="checkbox"/> Horiz E/W Value: <input type="text"/> m Township: <input type="text"/> Range: <input type="text"/> Section: <input type="text"/> Quad (if known): <input type="text"/> Vertical Level: <input type="text"/> Vertical Value: <input type="text"/> Vertical Point Plot: <input type="text"/> cm Reference (below datum) or (below surface): <input type="text"/>	Drawing: (figure no.) <input type="text"/> Digital Image Catalog: <input type="text"/> Cross Section: Ar <input type="checkbox"/> Bc <input type="checkbox"/> Bp <input type="checkbox"/> Bv <input type="checkbox"/> Bx <input type="checkbox"/> Cp <input type="checkbox"/> Px <input type="checkbox"/> Unknown <input type="checkbox"/> Comments: <input type="text"/>
---	--

Record: 14 of 19 | No Filter | Search

Projectile Point Data Entry Form:

PAAC Lab Database

File Home Tell me what you want to do... McMahon, Todd

Clipboard Sort & Filter Switchboard frmProjectilePointsNewForm

Projectile Points New Form

Project:	Analyzed date	Notching: Sides	Use Wear: Other	Measurement s: Max stem width	0
Site No	Fracture	Notching: Corners	Function (s)	Max stem width At	
Provenience notes:	Material/color	Notching: Base	Measurements : Max blade length	Stem width broken?	<input type="checkbox"/>
Box Number:	Cortex	Notching: Other	Max blade length At	Measurement s: Max stem thickness	0
Provenience:	Tip	Haft Element Shape: Stem Edges	Blade length broken?	Max stem thickness At	
N: <input type="checkbox"/> Horiz N/S Value: <input type="text"/> m	Blade form m	Haft Element Shape: Base	Measurements : Max blade width	Stem thickness broken?	<input type="checkbox"/>
E: W: <input type="checkbox"/> Horiz E/W Value: <input type="text"/> m	Blade edges	Haft Element Shape: Notches	Max blade width At	Total length	0
Quad (if known): <input type="text"/>	Flaking				
Township: <input type="text"/>					
Range: <input type="text"/>					

Record: 1 of 1 No Filter Search

Form View Num Lock

Google Drive Folder:

The screenshot shows the Google Drive web interface. The address bar displays the URL: `drive.google.com/drive/u/0/folders/0AMDFUBOZ4i-Puk9PVA`. The left sidebar contains navigation options: New, Priority, My Drive, Shared drives, Shared with me, Recent, Starred, Trash, and Storage (76.3 GB used). The main content area shows the 'Federal (Forest Service) Collection Project' folder, shared with 3 people. Below the folder name is a table listing its contents.

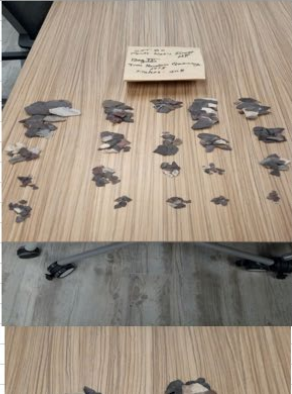
Name	Last modified	File size
Analysis Keys	Mar 2, 2021 me	—
Artifact Photos	Feb 21, 2021 me	—
Bones	Feb 21, 2021 me	—
Checked Out Artifacts	Feb 21, 2021 me	—
Collection by Owner - Initial Check	Feb 21, 2021 me	—
COMPLETED Analysis Forms	Feb 21, 2021 me	—
ENCODE (TO-DO) (Analysis Forms)	Feb 21, 2021 me	—
Federal At Home Photos	Feb 21, 2021 me	—
History Colorado Accession Information	Feb 21, 2021 me	—

Artifact Photos:


The screenshot shows the Google Drive web interface with the 'Artifact Photos' folder selected. The address bar displays the URL: `drive.google.com/drive/u/0/folders/1Sti0e6_agZXB40YNRGS4vZIRhF1rJyp`. The left sidebar is identical to the previous screenshot. The main content area shows the 'Artifact Photos' folder, which contains a sub-folder named '5CF84'. Below the folder name is a table listing the files within the '5CF84' sub-folder.

Name	Last modified	File size
5CF84.5.67.jpg	Feb 3, 2021 me	726 KB
5CF84.5.67A.jpg	Feb 3, 2021 me	628 KB
5CF84.8.jpg	Feb 3, 2021 me	2 MB
5CF84.8A.jpg	Feb 3, 2021 me	2 MB
5CF84.12.jpg	Feb 3, 2021 me	663 KB
5CF84.12A.jpg	Feb 3, 2021 me	653 KB
5CF84.25.jpg	Feb 3, 2021 me	774 KB
5CF84.25A.jpg	Feb 3, 2021 me	652 KB
5CF84.26.jpg	Mar 3, 2021 Lynn Hoy - HC	498 KB
5CF84.26A.jpg	Mar 3, 2021 Lynn Hoy - HC	536 KB

Checked-Out Artifacts (see Todd):

Federal (5) - Excel															
McMahon, Todd															
Site 5RT82 Routt National Forest - Iron Mountain Quarry															
Bag #	Stated Quantity	Actual Count	Date Removed	Photo											
9	208	195	11/2/2020												
6	63	48	11/2/2020												

Checked-out Artifacts (see Todd):

Federal (6) - Excel											
McMahon, Todd											
Site 5JA50 Routt National Forest											
Bag #	Stated	Actual Count	Date	Photo							
0 none		8	12/29/2020								

Analysis Sheet Example:

SCF_84 Pgs1-9.pdf - Adobe Acrobat Pro DC (32-bit)

File Edit View Sign Window Help

Home Tools SCF_84 Pgs1-9.pdf x

1 / 16 64.3%

Search tools

Create PDF
Combine Files
Edit PDF
Adobe Sign
Fill & Sign
Export PDF
Organize Pages
Send for Comm...
Comment
Scan & OCR

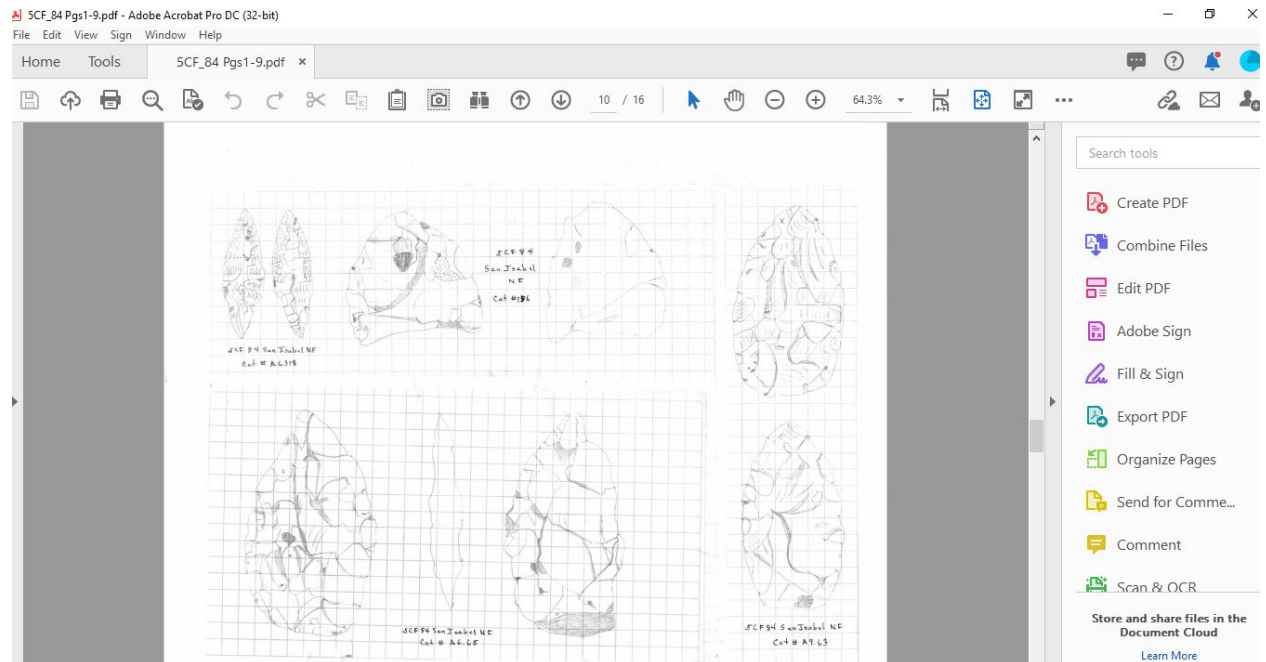
Store and share files in the Document Cloud
Learn More

FLAKED STONE TOOLS & PRODUCTION STAGES





Site Name/No. SCF84 San Isabel NF

Page 1 of 9

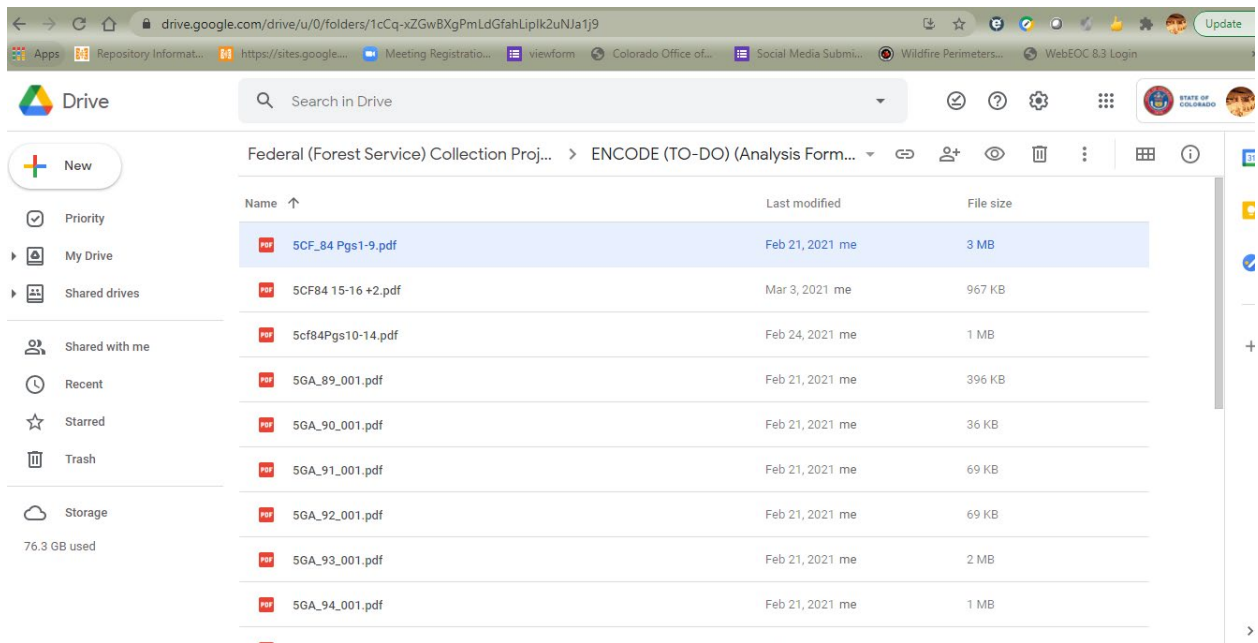
Catalog Number	Field Number	Class	Metrics				Break	Manufacture	Material	Edge Angles	Drawing	Comments
			L	W	Th	M						
A640		SP	(44.0)	29.0	2.0	(15.2)	N.C.	B.F.	C+	---	---	
A641		SP	(26.0)	(21.1)	(3.2)	(3.0)	T.C.	B.F.	C+	---	---	
70	A642	SP	(29.0)	22.5	(3.1)	(10.2)	T.C.	B.F.	C+	---	---	
A643		SP	(62.0)	(23.4)	(2.4)	(1.4)	N.C.	B.F.	C+	---	---	
103	A644	SP	26.2	15.5	2.2	(2.0)	N.C.	B.F.	C+	---	---	
A645		SP	(19.0)	(20.0)	(2.1)	(2.4)	T.C.	B.F.	C+	---	---	
A646		SP	(20.0)	19.0	2.3	(2.0)	N.C.	B.F.	C+	---	---	
A647		SP	(20.0)	(19.0)	(2.4)	(1.5)	T.C.	B.F.	C+	---	---	
99		SP	(20.0)	(19.0)	2.5	(1.4)	T.C.	B.F.	C+	---	---	
A648		SP	(20.0)	19.0	2.5	(1.4)	T.C.	B.F.	C+	---	---	
A649		SP	(19.0)	18.0	(1.1)	(1.1)	T.C.	B.F.	C+	---	---	
A650		SP	(19.0)	18.0	2.6	(0.8)	N.C.	B.F.	C+	---	---	
165	A651	SP	(16.0)	(16.0)	(2.5)	(1.4)	T.C.	B.F.	C+	---	---	Deeply serrated
176	A652	SP	(20.0)	(18.0)	(3.1)	(1.0)	T.C.	B.F.	C+	---	---	
134	A653	SP	(19.0)	13.0	2.0	(0.9)	N.C.	B.F.	C+	---	---	Only top missing Proximal Point
A654		SP	(13.0)	(10.0)	(2.0)	(0.9)	T.C.	B.F.	C+	---	---	
A655		SP	(10.0)	(10.0)	(2.0)	(0.9)	T.C.	B.F.	C+	---	---	
A656		SP	(10.0)	(10.0)	(2.0)	(0.9)	T.C.	B.F.	C+	---	---	
73		SP	(10.0)	10.0	(2.0)	(2.0)	N.C.	B.F.	C+	---	---	Remnant of SP
A657		SP	(10.0)	(10.0)	(2.0)	(0.9)	T.C.	B.F.	C+	---	---	Only top missing
A658		SP	(10.0)	(10.0)	(2.0)	(0.9)	T.C.	B.F.	C+	---	---	
A659		SP	(10.0)	(10.0)	(2.0)	(0.9)	T.C.	B.F.	C+	---	---	
A660		SP	(10.0)	(10.0)	(2.0)	(0.9)	T.C.	B.F.	C+	---	---	



Folders (Completed and to Encode):

	Completed by Owner - Initial check	Feb 21, 2021 me	—
	COMPLETED Analysis Forms ★	Feb 21, 2021 me	—
	ENCODE (TO-DO) (Analysis Forms) ★	Feb 21, 2021 me	—
	Federal At Home Photos	Feb 21, 2021 me	—










To Encode Folder:



drive.google.com/drive/u/0/folders/1cCq-xZGw8XgPmLdGfahLipk2uNJa1j9

Search in Drive

Federal (Forest Service) Collection Proj... > ENCODE (TO-DO) (Analysis Form...

Name	Last modified	File size
 5CF_84 Pgs1-9.pdf	Feb 21, 2021 me	3 MB
 5CF84 15-16 +2.pdf	Mar 3, 2021 me	967 KB
 5cf84Pgs10-14.pdf	Feb 24, 2021 me	1 MB
 5GA_89_001.pdf	Feb 21, 2021 me	396 KB
 5GA_90_001.pdf	Feb 21, 2021 me	36 KB
 5GA_91_001.pdf	Feb 21, 2021 me	69 KB
 5GA_92_001.pdf	Feb 21, 2021 me	69 KB
 5GA_93_001.pdf	Feb 21, 2021 me	2 MB
 5GA_94_001.pdf	Feb 21, 2021 me	1 MB

Completed Folder:

The screenshot shows a Google Drive web interface. The address bar indicates the URL is `drive.google.com/drive/u/0/folders/1mBpmxe1I52d8Q2006WtWtGivMprsuAX`. The left sidebar shows navigation options: New, Priority, My Drive, Shared drives, Shared with me, Recent, Starred, Trash, and Storage (76.3 GB used). The main content area displays a folder named 'Federal (Forest Service) Collection Project' with a subfolder 'COMPLETED Analysis Forms'. Inside this subfolder, a table lists several PDF files.

Name	Last modified	File size
5AH_123_001.pdf	Feb 21, 2021 me	479 KB
5DL_195_001.pdf	Feb 21, 2021 me	250 KB
5DL_195_002.pdf	Feb 21, 2021 me	42 KB
5JA_9_001.pdf	Feb 21, 2021 me	1 MB
5LA_1115_001.pdf	Feb 21, 2021 me	673 KB
5ME_377_001.pdf	Feb 21, 2021 me	188 KB
5RB_268_001.pdf	Feb 21, 2021 me	1 MB
5RT_88_001.pdf	Feb 21, 2021 me	544 KB
AR-NW-1_001.pdf	Feb 21, 2021 me	30 KB

MEMORANDUM OF UNDERSTANDING

**Regarding Regional Assistance for the Arrangement, Care, Use, and Storage of Archaeological
Resources Collected From State Of Colorado Lands**

**Among
COLORADO STATE UNIVERSITY
HISTORY COLORADO
MUSEUM OF WESTERN COLORADO
REGENTS OF THE UNIVERSITY OF COLORADO, A BODY CORPORATE, FOR AND ON
BEHALF OF THE UNIVERSITY OF COLORADO, COLORADO SPRINGS**

I. BACKGROUND

The State of Colorado contains a wealth of prehistoric and historic (cultural) remains left by numerous past inhabitants. These resources provide invaluable information that can educate the public of our State's rich human history which dates in age from greater than 12,000 years ago to recent times.

The State of Colorado claims title (C.R.S. §24-80-401) to all collections gathered and deposited resulting from the issuance of a State permit on both formal State of Colorado lands and State political subdivision lands (State Lands) for archaeological activities (C.R.S. §24-80-406). It is also understood that the State Historical Society of Colorado (d.b.a. History Colorado) under C.R.S. §24-80-402 has legislative authority to administer provisions for the care and use of these collections.

Over the past thirty-five years History Colorado developed a procedure that has allowed non-State institutions wishing to serve as repositories for antiquities collected from State lands or produced as a result of work carried out under a State archaeology permit to seek approval and serve as a State repository (8CCR 1504-7). The requirements and obligations for these non-State institutions has in the past only been to assure that these institutions are open to the public, that storage of collections are conducted in a systematic and accessible manner, and that there is an assurance of a process that makes the collection available for study by qualified students (8CCR 1504-7 Sec. 9 Parts D and E. A).

II. PARTNERSHIP

Since these past procedures have reduced oversight from History Colorado and allowed broad latitudes for these repositories with regard to the care and accountability of these collections, History Colorado desires henceforth to strengthen the collections management practices and accountability of these collections in partnership with three regional "Pillar Repositories" in the state: Colorado State University's Anthropology Department (Northeast regional area), Museum of Western Colorado

(Northwest regional area) and the University of Colorado at Colorado Springs, Anthropology Department (Southeast regional area) (History Colorado and the Pillar Repositories may be collectively referred to as the PARTIES).

Nothing herein obligates any Pillar Repository or other non-State repository to accept and hold artifacts and archeological specimens. Further, nothing herein shall be read as requiring a Pillar Repository to undertake any action or activity.

The PARTIES recognize their abilities to aid and assist the various non-State repositories that hold State collections in their respective regional areas and agree to jointly recommend best practices and services to these institutions through the establishment of a Colorado Repository Workgroup (Workgroup) dedicated to these issues and meeting at least annually to address these concerns.

The goal of this Workgroup will be to help aid in the strengthening and enhancement of the collection's care of State artifacts and archaeological specimen currently in the custody of non-State institutions.

In furtherance of this goal, the Parties will undertake efforts on behalf of the Pillar Repositories to identify new and traditional funding opportunities for the Pillar Repositories to allow them to strengthen and enhance the care of their collections. This additional funding will also allow the Workgroup to enhance and expand the efforts of the Workgroup in furtherance of its goals.

In furtherance of this goal, the signatories additionally agree to cooperate with neighboring non-State repositories through educational outreach of collection's care best practices, offering technical assistance and the exploration of unique local partnerships in furtherance of the Workgroup's goal such as:

1. exploring possible joint grant opportunities with the understanding that the Pillar Repositories may be given scoring preference for State Historical Fund grant opportunities by having those projects mention that they are meeting the aims of goal F6 of the 2020 Statewide Preservation Plan and its 2015 Progress Assessment and Update.
2. investigating the possibility of assisting non-State repositories with collections inventory and reporting to History Colorado,
3. possibly collaborating on new scientific research of past collections currently held in trust by a non-State repository,
4. exploring the possibility of providing assistance with a proposed exhibit or other interpretive works associated with neighboring non-State repositories' State collections, and
5. investigating participation in inter-organizational local work groups, workshops and training sessions.

III. AMENDMENTS AND NONCOMPLIANCE

If any Party to this Agreement determines that its terms will not or cannot be carried out or that an amendment to its terms must be made, that Party shall immediately consult with the other PARTIES to develop an amendment to this Agreement. The amendment will be effective on the last date a copy is signed by current representatives of the PARTIES.

IV. SUSPENSION OF PARTICIPATION

Any Party to this Agreement may suspend their participation to it by giving at least sixty (60) day written notice to the other PARTIES. If this occurs, the PARTIES will consult further to determine whether issues can be resolved or the Agreement be re-implemented in an amended form.

V. WITHDRAWAL

If this Agreement is not amended or re-implemented and no resolution has been adopted, any Party may withdraw from the Agreement following the sixty (60) day time frame.

VI. TERM OF AGREEMENT

This Agreement will be effective for a period of five years from the date of final signature unless re-implemented in an amended form or terminated by the Parties.

VII. GOVERNMENTAL IMMUNITY

No term or condition of this contract shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, of the Colorado Governmental Immunity Act, CRS §24-10-101 et seq., or the Federal Tort Claims Act, 28 U.S.C. §§1346(b) and 2671 et seq., as applicable now or hereafter amended.

VIII. NOTICES

All notices must be written and will be deemed received (i) when delivered by hand, (ii) on the next business day, if delivered by a recognized overnight courier, (iii) on the third business day if mailed or (iv) upon separately confirmed facsimile transmission or electronic mail to the following addresses, facsimile numbers or e-mail account:

Attention: State Archaeologist
History Colorado
1200 Broadway
Denver, CO 80202

Fax: (303) 866-2711
E-mail: oahp@state.co.us

Attention:
Colorado State University
College of Liberal Arts
Dean's Office
C138 Clark Building
Colorado State University
Fort Collins, Colorado 80523-1701
Telephone: (970) 491-5421.
Fax: (970) 491-0528.

IX. ENTIRE AGREEMENT

Any modification or waiver of this Agreement is effective only if it is in writing signed by an authorized representative of the Party to be charged.

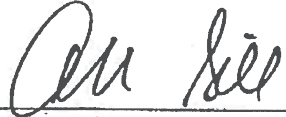
X. WAIVER

No delay or failure by a Party in exercising any right, power, or privilege under this Agreement or any other instruments given in connection with or pursuant to this Agreement will impair any such right, power, or privilege or be construed as a waiver of or acquiescence in any default. No single or partial exercise of any right, power, or privilege will preclude the further exercise of that right, power, or privilege or the exercise of any other right, power, or privilege.

In WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed effective as of the date last written below:

SIGNATORIES:

THE BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM
ACTING BY AND THROUGH
COLORADO STATE UNIVERSITY



Ann M. Gill
Dean of the College of Liberal Arts

Legal Review:

 2-15-16

Linda Schutjer, Senior Legal Counsel

2.15.16


Date

HISTORY COLORADO


Steve Turner, AIA
State Historic Preservation Officer

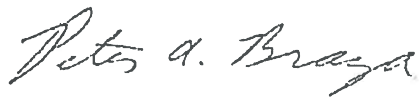

Date

MUSEUMS OF WESTERN COLORADO


Peter M. Booth
Executive Director


Date

THE REGENTS OF THE UNIVERSITY OF COLORADO, Acting by and through the College of Letters, Arts & Sciences of the University of Colorado Colorado Springs


Dean Peter Braza, UCCS

2/5/2016

Date

**HELD IN TRUST COLLECTIONS - PARTNER REPOSITORY AGREEMENT
FOR ON-SITE PERMANENT COLLECTION CARE**

Page 1 of 7

**STATE OF COLORADO
HISTORY COLORADO
AGREEMENT
with
[insert name]**

This Agreement is entered into by and between History Colorado, (hereinafter “HC”), and the **[insert name]** (hereinafter “Repository”), a recognized scientific or educational institution located in Colorado, acting through its **[insert name of official signing Agreement on behalf of scientific or educational institution or public entity if applicable]**.

EFFECTIVE DATE

This Agreement shall not be effective or enforceable until it is approved and signed by the official designee for History Colorado and the last date of the signing of the official for the Repository (hereinafter called the “Effective Date”). The Agreement shall then be effective and enforceable thereafter in accordance with the provisions stated below.

ARTICLE I – BACKGROUND AND OBJECTIVES

The objective of this Agreement is to establish the standards, terms, and conditions under which the Repository will curate a State-owned archeological or paleontological collection and use certain other State-owned property in its possession.

This Repository has in its possession a collection of archeological **[and/or paleontological]** artifacts, specimen, and associated records (hereinafter referred to as “Collection” or “Collections”) from archeological **[and/or paleontological]** investigations that were gathered under state-issued archaeological **[or paleontological]** permits (C.R.S. §24-80-406) or on State of Colorado, county, city, town, local district or other political subdivision of the State of Colorado lands (hereinafter referred to as “State lands”) and deposited under agreement or understanding of the Repository.

It is acknowledged that the State of Colorado claims Title under C.R.S. §24-80-401 to all archaeological and paleontological Collections gathered from State lands and its political subdivisions. It is also understood that the State Historical Society of Colorado (d.b.a. History Colorado) and the Office of the State Archaeologist (HC) through C.R.S. §24-80-402 and 8 CCR 1504-7 has authority to administer provisions for the care and use of these Collections.

HC wishes for the Repository to provide long-term on site curatorial services for the Collection, which are held as part of an express trust arrangement.

The Repository, in keeping with its mission, wishes to continue to house and maintain the Collection and recognizes the benefits that will accrue to it, to the public, and to scientific and historical interests by housing and maintaining the Collection for study and other educational purposes.

**HELD IN TRUST COLLECTIONS - PARTNER REPOSITORY AGREEMENT
FOR ON-SITE PERMANENT COLLECTION CARE**

Page 2 of 7

ARTICLE II - AUTHORITY

The authority for this Agreement is C.R.S. §24-80-407 with respect to C.R.S. §24-80-210 and C.R.S. §24-80-405(h) and reflected through the rules and procedures of 8CCR 1504-7 Sec. 9 C (4) and Sec 9 I (10).

ARTICLE III – STATEMENT OF WORK

A. General Terms and Conditions:

1. The Repository agrees to consider acceptance of Collections gathered and removed under authority of a State issued Permit authorized by C.R.S. §24-80-406 and 8CCR 1504-7 Sec. 4-7, as well as inadvertent discoveries found on public land **[insert geographic description of the boundary]**.
2. The Repository will provide best practice curatorial services for the Collection to the greatest extent feasible.
3. Proposed analysis of the Collections which would cause their destruction or damage, such as trace-element analysis of materials, may be performed only with the written consent of HC through the State Archaeologist, who shall consider whether such Collections are unique or duplicated in other State-owned Collections. HC will supply notification of consent or denial to the affected museum within thirty days.
4. The Repository will maintain curation of the Collection in a systematic and accessible manner that is free and open to the public and available to qualified students and researchers.
5. Provide proof to the State Archaeologist of a fine art or other appropriate umbrella insurance policy that will adequately cover the care for the State Collection from any one claim or aggregate claim arising from damage or a loss incident. For any insurance policy, HC and the Repository should be shown as co-beneficiaries (or additionally insured).
 - a. If the Repository's Collections are primarily owned by a Colorado governmental entity (considered a "public entity" within the meaning of the Colorado Governmental Immunity Act, CRS 24-10-101, et seq.), and self-insured, it is understood that the public entity of the Repository will ensure liability to the state Collection under its care arising from damage or a loss incident.
 - b. In the event of a loss incident, a liability assessment of the value of the Collection shall be determined by mutual agreement with HC as the sum of the estimated current fair market value and the estimated costs of replacing the scientific and educational information from the lost artifacts or specimen. A determination of these replacement costs may include, but are not limited to: (a) research design development; (b) fieldwork; (c) laboratory analysis; (d) curation; (e) reports or

**HELD IN TRUST COLLECTIONS - PARTNER REPOSITORY AGREEMENT
FOR ON-SITE PERMANENT COLLECTION CARE**

Page 3 of 7

educational materials; and (f) lost visitor services or experience. In some cases, it may be appropriate for the estimated cost of replacement value to be peer reviewed by archaeologists or paleontologists with appropriate expertise and with no conflicts of interest.

6. Within five working days, refer to the State Archaeologist of Colorado all requests (written and oral) for transfer or repatriation of the State Collection (or any part thereof).
7. Maintain separately all descriptive information from the curated State Collection, including field notes, site forms and reports in a safe and secure manner.
8. Not release to any third-party any precise information relating to the exact physical location of a prehistoric site (locale) from which the State Collection (or any part thereof) derives except to qualified researchers or obtaining from the State Archaeologist of Colorado prior written permission. If there are questions as to releasing this information, the Repository will consult with the State Archaeologist of Colorado.
9. In accordance with State regulations, be open and subject to inspection by the State Archaeologist or his/her designee at least once every three years.
10. Annually report back to the State Archaeologist or his/her designee any changes to the State's Collection condition or insurance policy changes, loan agreement status and any other tracking requirement methods adopted by HC and the Office of the State Archaeologist.
11. Maintain the Collection within inert and acid-free storage or packaging.
12. With the exception of approved repatriation, not sell, transfer, assign, pledge, encumber, discard, or otherwise dispose of the State Collection (or any part thereof) or any associated State of Colorado personal property in its possession without written and signed permission from the State Archaeologist.
13. Have an established collections management policy and emergency management plan.
14. Within five calendar days of the discovery of any loss or theft of, deterioration or damage to, or destruction of the State Collection (or any part thereof) or any State of Colorado items of property used to support and care for a State Collection in the Repository's possession, the Repository will provide to HC written notification of the circumstances surrounding the loss, theft, deterioration, damage, or destruction, and will report to the State Archaeologist or his/her designee those actions taken to stabilize the Collection and to correct any deficiencies in the physical plant or operating procedures that may have contributed to the loss, theft, deterioration, damage, or destruction.
15. Other than small and simple paleontological specimen or artifact mending repairs, any planned actions that involve major repair or restoration (involving more than 1/3 the mass of an item) of the State Collection (or any part thereof) or any other State of Colorado property associated

**HELD IN TRUST COLLECTIONS - PARTNER REPOSITORY AGREEMENT
FOR ON-SITE PERMANENT COLLECTION CARE**

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with the State Collection must be approved of in advance after consultation with the State Archaeologist.

16. HC (also in co-ordination with other reputable museums, nonprofit or governmental educational institutions) reserves the right to take custody of State Collections in the care of the recognized scientific or educational institution through a loan agreement for temporary exhibit purposes.
17. For each deposited historical, prehistorical, archaeological or paleontological State Collection, the approved Repository will sign and acknowledge an official deposit receipt form with a simple inventory list of items accepted for permanent curation by the facility, a copy of which will be forwarded to the State Archaeologist or his/her designee.

B. Approved Uses:

1. The Repository may fully exhibit and charge reasonable nondiscriminatory admission fees, comparable to fees charged at similar facilities to view these items prepared for interpretive display (either for permanent, temporary or travelling exhibition purposes). Additionally, the Repository may photograph and nondestructively study the State Collection (or any part thereof) on the Repository's premises, subject to the Repository's own management policies and in accordance with 8CCR 1504-7 Sec. 9. Physical reproduction of any State Collection item(s) must be approved of in advance by the State Archaeologist.
2. A held-in-trust State Collection may be loaned out by a Repository to other institutions and organizations including for temporary exhibition or study by HC, (typically for less than three (3) consecutive years) by securing a loan agreement between the other facilities provided notice of the arrangement is sent to the State Archaeologist for tracking purposes. The director of the Repository is responsible for all loan transactions of State Collections and for ensuring that appropriate and timely administration of the loan is conducted. Relocation inventories must be conducted and included as part of the written loan agreement. The loan and transportation of the State Collection must be ensured for liability purposes through securing a commercial fine arts or other insurance policy or be adequately covered by governmental self-insurance to fulfill any damage or loss incident. Collections that are not inventoried or cataloged shall not be loaned. Commercial use of loaned Collections is prohibited without written consent from HC. Ancillary samples may be transported and analyzed without a formal loan agreement; however, the Repository will provide to HC two copies of any publications, reports, and other documents prepared by researchers studying ancillary samples.
3. All exhibits, reproductions, and studies will credit the State Archaeologist of Colorado as follows: "Courtesy of History Colorado, Office of the State Archaeologist." The Repository will provide to HC two copies of any publications, reports, and other documents prepared by the Repository staff studying or exhibiting the State Collection (or any part thereof).

**HELD IN TRUST COLLECTIONS - PARTNER REPOSITORY AGREEMENT
FOR ON-SITE PERMANENT COLLECTION CARE**

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ARTICLE IV – TERM OF AGREEMENT

All terms to this Agreement shall remain in full force for a period of five years from the last date of initial signature and shall be continued automatically and without further notice for a period of five years, and thereafter for successive periods of ten years each without limitation unless any party proposes modifications or termination at an earlier time pursuant to Article V that follows.

ARTICLE V – MODIFICATION AND TERMINATION

- A. This Agreement may be modified only by a written instrument executed by the parties.
- B. Either party may terminate this Agreement by providing the other party within one hundred and eighty (180) days advance written notice. In the event that one party provides the other party with notice of its intention to terminate, the parties will meet promptly to discuss the reasons for the notice and to try to resolve their differences.
- C. Upon termination of this Agreement the Repository will return the Collection and all HC property in its possession to the destination directed by HC in such a manner as to preclude breakage, loss, deterioration, and contamination during handling, packaging, and shipping, and in accordance with other conditions specified in writing by HC. If the Repository terminates, or HC finds that the Repository does not meet its obligations under this Agreement, then the Repository will fund all the handling, packaging, as well as any possible negotiated repository fees, and any shipping costs of the Collection deposited to another approved museum or curatorial repository at the direction of HC.

ARTICLE VI – STANDARD CLAUSES

A. Promotions

The Repository will not publicize or otherwise circulate promotional material (such as advertisements, sales brochures, press releases, speeches, pictures, still and motion pictures, articles, manuscripts or other publications) which states or implies the State of Colorado or History Colorado or any employee of such endorses a product, service, or position which the Repository represents. No release of information relating to this Agreement may state or imply that the State of Colorado or History Colorado approves of the work product of the Repository or considers the Repository work product to be superior to other products or services.

B. Public Information Release

Public Information

The Repository will obtain prior HC approval from the marketing and public relations office for any public information release that refers to History Colorado, the Office of the State Archaeologist or employee thereof (by name or title), or to this Agreement.

**HELD IN TRUST COLLECTIONS - PARTNER REPOSITORY AGREEMENT
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Publications of Results of Studies

No party will unilaterally publish a joint publication related to the Collection without consulting the other party. This restriction does not apply to popular publications of previously published technical matter. Publications pursuant to this Agreement may be produced independently or in collaboration with others; however, in all cases proper credit will be given to the efforts of those parties contributing to the publication. In the event no agreement is reached concerning the manner of publication or interpretation of results, either party may publish data after due notice and submission of the proposed manuscripts to the other. In such instances, the party publishing the data will give due credit to the cooperation but assume full responsibility for any statements on which there is a difference of opinion.

C. Assignment

The rights and obligations of each Party hereunder are personal to such Party and may not be transferred, assigned or subcontracted without the prior, written consent of the other Party.

G. Third Party Beneficiaries-Negation

Enforcement of all rights and obligations hereunder are reserved solely to the Parties. Any services or benefits which third parties receive as a result of this Agreement are incidental and do not create any rights for such third parties.

H. Governmental Immunity

No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, of the Colorado Governmental Immunity Act, CRS §24-10-101 et seq., or the Federal Tort Claims Act, 28 U.S.C. §§1346(b) and 2671 et seq., as applicable now or hereafter amended.

I. Choice of Law

Colorado law, and rules and regulations issued pursuant thereto, shall be applied in the interpretation, execution, and enforcement of this Agreement. Any provision included or incorporated herein by reference, which conflicts with said laws, rules, and regulations shall be null and void. Any provision incorporated herein by reference which purports to negate this or any other Special Provision in whole or in part shall not be valid or enforceable or available in any action at law, whether by way of complaint, defense, or otherwise. Any provision rendered null and void by the operation of this provision shall not invalidate the remainder of this Agreement, to the extent capable of execution.

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J. Binding Arbitration Prohibited

The State of Colorado does not agree to binding arbitration by any extra-judicial body or person. Any provision to the contrary in this Agreement or incorporated herein by reference shall be null and void.

ARTICLE VII – ATTACHMENTS

The following documents are attached to and made a part of this Agreement:

A copy of proof of insurance with regard to the Collection

A catalog inventory of the Collection

Collection policy and emergency plan with contact information on the care, maintenance and research access procedures to the Collection

ARTICLE VIII – SIGNATURES

THE PARTIES HERETO HAVE EXECUTED THIS INTERAGENCY AGREEMENT

* Persons signing for Parties hereby swear and affirm that they are authorized to act on behalf of their respective Party and acknowledge that the other Party is relying on their representations to that effect.
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STATE OF COLORADO Jared S. Polis, Governor	
<div style="text-align: center;">HISTORY COLORADO, OFFICE OF THE STATE ARCHAEOLOGIST</div> <div style="text-align: center; margin-top: 20px;">_____ Signature By: Holly Kathryn Norton, Ph.D. State Archaeologist, Deputy State Historic Preservation Officer–Archaeology</div> <div style="text-align: center; margin-top: 20px;">Date: _____</div>	<div style="text-align: center; margin-top: 20px;">_____ Signature By: INSERT-Name & Title of Person Signing for Agency or the Repository</div> <div style="text-align: center; margin-top: 20px;">Date: _____</div>

Named Volunteers and Hired Staff that I have supervised at Colorado Historical Society (History Colorado) after 30 years of service:

Jennifer Taylor - Volunteer

Jennifer Klahn – Volunteer

Carol Beam – Volunteer

Barbara Aucoin* - Volunteer and Grant Employee for CAS (Supervisor)

John Van Regenmorter – Volunteer

Robyn Jacobs – Volunteer/Intern

Stephanie Storemer* - Grant Employee for CAS – Supervisor

Eric Brown* - Mailing List Editor Grant – Supervisor

Stephanie Long – Volunteer

Sandra Elliot – PR for Archaeology and Historic Preservation Week

Anne Steffons* - Mailing List Editor Grant – Supervisor

Lynn Wazny* - PR for Archaeology and Historic Preservation Week – Supervisor

Amy Klingberg* - Mailing List Editor Grant and Formal Intern- Supervisor

Darby Junkin* - Editor for Profile document Supervisor

Jacqui- Ainley-Conley* - Koch Fellow – Supervisor

Kari Hansen – Dale Heckendorn Library Book Plates

Margaret Conable – Dale Heckendorn Library Catalog

Judy Holland* – Creating Communities Project with DPL – Supervisor

Lucas Hoedl – Heckendorn Library – Supervisor

Don Vogel – Digital collections and artifacts – Supervisor

Felicia Sanchez – Curation Intern – Supervisor

Melanie Bochantin – Curation Intern – Supervisor

Heather Christenbury – Curation Intern – Supervisor

Nick Dungey – Curation Intern – Supervisor

Kristen Eilertson – Curation Intern – Supervisor

Alaura Hopper – Curation Intern – Supervisor

Sarah Manassee – Curation Intern – Supervisor

Lynda Heckendorn – Volunteer – Supervisor

Vanessa Wolberg – Curation Intern – Supervisor

Chance Ward – Intern

Directly Supervised Officially = 18

Unofficially = 11

Total = 29

Federal Collection Fo

Volunteer: (in-kind contributions)

Total Hours:

Colin Early	0.52
Susan Fraley	10.42
Reagan Herdt	6.07
Linda Stevenson	25.12
Alyssa Tucker	1.13
Doug Whitehead	29.15
Unlogged time Est.	6.00

Intern: (in-kind Contributions)

Total Hours:

Alaura Hopper	7.18
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HC Staff: (non-cash contributions)

Total Hours:

Lynn Hoy, Lab Assistant	149.00
Todd McMahon, State Curation Coordinator	37.50

Grand Total: 272.09

in-kind contributions (hours) 85.59

non-cash contributions (hours) 186.50

approx. in-kind days 11.00

approx. non-cash days 23.20

HC Cash Cost Share Calculation:

in-kind (volunteer and intern) 85.59 hours at \$24.14 p/h = \$2066.14

non-cash (staff) State Curation Coordinator 37.50 hours at \$32 p/h = \$1200.00

non-cash (staff) Lab Assistant 149 hours at \$18 p/h = \$2682.00

Total: \$5948.14

Equipment n/a

Box Fees n/a

Federal Collection Fo

Volunteer: (in-kind contributions)

Total Hours:

Bonnie Bloxham	46.40
Ariana Del Olmo	53.51
Noah Eckert	28.50
Amanda Kelley	7.43
Jonathan Kent	43.00
Vanessa Wolberg	28.23
Unlogged time Est.	6.00

Intern: (in-kind Contributions)

Total Hours:

Sarah Manassee	27.24
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HC Staff: (non-cash contributions)

Total Hours:

Lynn Hoy, Lab Assistant	520.00
Todd McMahon, State Curation Coordinator	21.20

Grand Total: 781.51

in-kind contributions (hours) 240.31

non-cash contributions (hours) 541.20

approx. in-kind days 30.00

approx. non-cash days 68.00

HC Cash Cost Share Calculation:

in-kind (volunteer and intern) 240.31 hours at \$24.14 p/h = \$5801.00

non-cash (staff) State Curation Coordinator 21.20 hours at \$32 p/h = \$678.00

non-cash (staff) Lab Assistant 541.2 hours at \$18 p/h = \$9742.00

Total: \$16,221.00

Equipment n/a

Box Fees n/a

Federal Collection Fo

Volunteer: (in-kind contributions)

Total Hours:

Bonnie Bloxham	6.13
Ariana Del Olmo	14.05
Lynda Heckendorn	15.47
Jonathan Kent	103.45
Vanessa Wolberg	29.06
Elin White	2.06
Chance Ward	5.00

Intern: (in-kind Contributions)

Total Hours:

Vanessa Wolberg	25.37
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HC Staff: (non-cash contributions)

Total Hours:

Todd McMahon, State Curation Coordinator	160.25
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Grand Total: 360.84

in-kind contributions (hours) 200.59

non-cash contributions (hours) 160.25

approx. in-kind days 30.00

approx. non-cash days 20.00

HC Cash Cost Share Calculation:

in-kind (volunteer and intern) 200.59 hours at \$24.14 p/h = \$4842.00

non-cash (staff) State Curation Coordinator 160.25 hours at \$32 p/h = \$5128.00

Total: \$9,970

Equipment n/a

Box Fees 6 boxes x \$750 each 4500.00