**Permit to Disinter Burials from an Unmarked Cemetery**

Application Form for a Permit to Disinter and Rebury Human Remains

Date Submitted:

Applicant (Landowner) Name and Address:

Point of Contact Name, Email, and Phone:

**Project Information**

Parish:

Project Legal Location and UTM or lat-long coordinates:

Include an aerial image showing the project location:

Property Owner (if different than applicant):

**Proposal**

Archaeological Firm retained to undertake the investigation:

Principal Investigator name and contact information:

Name of Qualified Professional Archaeologist supervising fieldwork and statement of their relevant prior experience in cemetery investigation.

Name of Qualified Professional Physical Anthropologist and statement of their relevant prior experience in cemetery investigation and identification of fragmentary human remains.

**Consultation**

Provide a statement or documentation of the efforts to identify descendants and other interested parties and which, if any, participated in the development of the Scope of Work.

**Reburial**

Existing cemetery identified as the reburial location:

Attach documentation that the cemetery owner agrees to the interment:

If reburial will not occur in a previously defined cemetery, state the location of the proposed reinterment. Provide the legal location and UTM or lat/long of the location, and an aerial image of the location.

Attach documentation that the landowner where the new cemetery will be created agrees to the proposed interment.

**Scope of Work (attached)**

The Scope of Work shall contain the following project components and address the following issues:

1. Public outreach–The Scope of Work shall provide a detailed description of the applicant’s reasonable and good faith efforts to identify individuals and organization that may have knowledge of the cemetery or the discovered human remains. These efforts may include but are not limited to notices in newspapers, parish/city/local websites, or other public venues, contacting tribes with a stated historical interest in the parish where the cemetery is located, religious, fraternal, or social organizations, and contacting landowners and other parties in the immediate vicinity.
2. Consultation–Interested parties with a connection to or demonstrated interest in the cemetery will be invited to participate in development of the Scope of Work. Interested parties may include but are not limited to:
3. Direct descendants as documented through genealogical records, historic documents, or other means;
4. Federally recognized tribes and Louisiana state-recognized tribes with a stated historical interest in the parish where the cemetery is located;
5. Community descendants that cannot show direct affiliation with those interred in the cemetery but have oral traditions, family histories, or other formal or informal records of affiliation;
6. The general public with no demonstrated affiliation to the cemetery but who express interest in the treatment of the cemetery and human remains.

e. The provisions of LA R.S. 8:659(A) shall dictate priority of descendant consideration in any development of the Scope of Work. In the absence of any person meeting the explicit qualifications of LA R.S. 8:659(A), the wishes of more distant direct descendants shall be given the greatest consideration in developing the Scope of Work, followed by community descendants. The division retains final responsibility for the Scope of Work.

3. Documentary research–This section of the Scope of Work shall include but not limited to a review of current and historical US Geological Survey topographic maps, US Coastal Survey maps, Mississippi River Commission maps, historic aerial photographs, Sanborn maps, city/parish deeds, tax records and cemetery records, public websites, genealogical publications, and other sources as appropriate and available.

4. Supervision–Excavations shall be supervised by an on-site qualified professional archaeologist. A qualified professional physical anthropologist shall be present during the identification and removal of all possible human skeletal remains.

5. Remote sensing–When appropriate, ground-penetrating radar, magnetometry, resistivity, metal-detecting, and/or human remains detecting dogs shall be employed to look for graves and determine the extent of the unmarked burial site.

6. Above-ground interments

* + 1. if the tomb or other outer burial container will and can be removed intact, the tomb shall not be opened and no examination of the enclosed remains or material culture is required, unless agreed to by all parties in the Scope of Work;
    2. if the tomb or outer burial container is broken but the inner burial container remains intact; the inner burial container shall not be opened and no examination of the enclosed remains or material culture is required, unless agreed to by all parties in the Scope of Work. The tomb or outer burial container pieces can be reused at the reburial site at the discretion of the parties;
    3. if the tomb and outer or inner burial container are broken or decayed and cannot be removed intact, the remains and associated materials will be analyzed as in part 8 below, unless the parties agree to a different process in the Scope of Work. The outer and inner burial container remains can be incorporated into the reburial location at the discretion of the parties.

7. In-ground interments

1. Stripping–Ground stripping shall be employed to expose all of the graves at the cemetery. Stripping shall continue to a minimum depth of one meter below surface within the cemetery boundaries or until human remains or material culture are encountered. Stripping shall occur in 10 cm thick levels using a straight-edge bucket. The trench floor at the top of the subsoil and at 50 cm below the top of the subsoil will be scanned with a metal detector and systematically probed at 20 cm intervals. Stripping shall cease when evidence of a burial or grave is identified, or a depth of 1 m below surface is reached. When possible, stripping shall extend horizontally in each cardinal direction at least 10 m beyond the last known grave. The Scope of Work shall contain a section detailing the ground stripping plans for the project.
2. Excavation–Each grave shall be excavated using standard archaeological methods unless conditions dictate otherwise or a different procedure is agreed to by all parties and is defined in the Scope of Work. All human remains, burial and non-burial artifacts, and associated burial artifacts, including inner and outer burial containers, shall be retained. If intact inner or outer burial containers are encountered and they can be removed intact, the container will not be opened and no examination of the enclosed individual or material culture shall occur, unless agreed to by all parties in the Scope of Work;

8. Analysis–All recovered human skeletal remains shall be documented using nondestructive standard osteological methods unless a different procedure is agreed to by all parties in the Scope of Work. The osteological analysis shall be conducted by a qualified professional physical anthropologist. All burial and non-burial artifacts shall be analyzed using standard archaeological procedures, including identification to type, age, and function. The Scope of Work shall contain a section detailing these methods.

9. Reinterment–The Scope of Work shall contain a proposal for final disposition of all human remains and burial artifacts removed from the unmarked burial site. The Scope will also identify how all non-burial artifacts recovered during the investigation will be handled. The landowner, in consultation with all parties to the Scope of Work, shall be responsible for determining a location to reinter the recovered human skeletal material and associated burial artifacts. Should the reinterment location be outside of an established cemetery regulated by the Louisiana Cemetery Board, the landowner must comply with the licensure requirements in Title 8 for the establishment of a new cemetery with the Louisiana Cemetery Board. Whether reinterred in a new or existing cemetery, the Scope of Work shall set forth plans for providing appropriate marker(s) or reinstallation of original grave markers (if any). Any new marker or markers shall be designed in consultation with the identified descendant community, landowner, and the division. All reburial expenses, including markers, are the responsibility of the landowner.

10. Reporting–A report meeting the standards of the division that addresses all the issues identified in the Scope of Work and the results of the investigation shall be prepared and submitted to the landowner and division within 90 calendar days after completion of the fieldwork. An archaeological site form updating the site’s status shall be completed and submitted to the division.

11. Recordation: If a portion of the unmarked burial site will not be excavated and will remain in place, the landowner shall record the cemetery in the conveyance and mortgage records for the parish in which the cemetery is located. Such recordation shall, at a minimum, contain a description of the existence of the cemetery as well as its rough boundaries and an illustrative map of the location that need not be to survey standards.