



West Virginia Department of
**ARTS, CULTURE
AND HISTORY**

The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300

Randall Reid-Smith, Curator
Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562
EEO/AA Employer

West Virginia State Historic Preservation Office Online GIS Map – Restricted Layers

Registration Form and User Agreement

The West Virginia State Historic Preservation Office (WVSHPO) online GIS map includes layers that contain sensitive and significant information. To protect that information, as required by federal and state law, access to the archaeology sites, archaeology surveys, and Civil War layers are password protected. Access to the restricted layers will be granted to those who meet the Secretary of the Interior’s Professional Qualification Standards for Archaeology, as outlined in 36 CFR 61. Access will also be granted to Federally recognized Indian Nations and Tribes. Other applicants (such as non-36 CFR 61-qualified archaeology staff working under someone who is qualified and students at colleges and universities studying under an Anthropology or Archaeology professor) will be considered on a case-by-case basis.

To request access to WVSHPO GIS restricted layers, complete and sign this form and submit it along with a copy of your current CV to the Senior Archaeologist. You must also set up a username and password before your account can be approved. To do this, click the blue “Apply for Access” button on the GIS home page: <https://mapwv.gov/shpo/>.

Terms and Conditions

1. The User acknowledges that the precise locations of archaeological sites are sensitive, and release of that information may threaten significant resources. Locations of archaeological sites may be protected under the National Historic Preservation Act of 1966, the Archaeological Resources Protection Act, and WV Code § 29-B-1-4 (6). The User understands sensitive information should never be shared with the public and shall take reasonable steps to ensure the security of site locations.
2. The User understands that permission to access restricted information is non-transferrable and agrees to not share account information, including but not limited to, usernames and passwords.
3. The archaeological site and survey information contained in the GIS represents only the information that has been formally recorded and uploaded to various layers. Site and property boundaries may not reflect the actual boundaries of the resources. The absence of sites in a given area does not indicate that unrecorded resources are not present.

4. The data are provided for planning and assessment purposes only. The User understands that obtaining data from the GIS does not constitute review under Section 106 of the National Historic Preservation Act or its implementing regulations as outlined in 35 CFR 800, or under WV State Code § 29-1-8, et seq., including the WVDEP / WVSHPO programmatic agreement.
5. The information available on the WVSHPO GIS is complex and may contain errors and defects. The data is also dynamic. Periodic updates will occur that may affect previously accessed data. It is the responsibility of the User to confirm all information contained on the GIS. This may necessitate contacting the WVSHPO for assistance.
6. The User understands that some of the site and survey data may be under the jurisdiction of federal agencies or other organizations and subject to additional levels of protection, including greater restrictions on file access and use.
7. The User will identify the WVSHPO GIS as a source / reference in all reports and indicate the day(s) on which the data was obtained for each project submitted for review under the federal or state review processes or in partial fulfillment of grants received from this office.
8. The WVSHPO shall not be liable for any loss, consequential harm to resources, claims or expenses that may arise in connection with any authorized or unauthorized use of the data obtained from the GIS.
9. These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General or the Office of Special Counsel of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.

Controlling Executive Orders and statutory provisions are as follows: Executive Order No. 13526; Section 7211 of Title 5, United States Code (governing disclosures to Congress); Section 1034 of Title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); Section 2302(b)(13) of Title 5, United States Code, as amended by the Whistleblower Protection Act of 1989 (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats), the WPEA of 2012, and section 1138 of the National Defense Authorization Act of 2021; Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); The statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code; and Section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)).

10. WVSHPO has the right to modify or terminate a User's access to the restricted layers without notice.



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WVSHPO GIS Registration Form – Restricted Layers

Name: _____

Username: _____

Company/Organization: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Email: _____

Telephone: _____ **Cell:** _____

Reason(s) access is being requested: _____

By signing below, you indicate that you have read and agree to the terms and conditions as stated above:

Signature: _____

Date: _____