



Advisory Council on Underwater Archaeology

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Representative Clay Ingram
222 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300

Re: House Bill 8003/Senate Bill 1054

January 21, 2016

Dear Representative Ingram:

The Advisory Council on Underwater Archaeology (ACUA), a non-profit organization dedicated to preserving underwater cultural heritage, is writing to oppose House Bill 803/Senate Bill 1054, also known as the "Citizen Archaeology Permit" Bill which will be before your Transportation and Economic Development Appropriations Subcommittee shortly. The proposed bill undermines Florida's strong preservation ethic, and creates a culture that will lead to the destruction and loss of underwater cultural resources.

The proposed bill will have dire impacts on the protection of Florida's historical and cultural heritage, making archaeological sites within the state's waterways potentially subject to salvage and exploitation. The changes that are proposed will allow collectors to take artifacts from prehistoric and historic archaeological sites that exist in state waters. Taking these objects from their original context destroys the possibility of gaining usable information from them. Many of these objects will likely be kept within private collections, or sold to people outside of Florida for the finder's profit leaving the state with nothing and robbing citizens of important information about their heritage.

Current Florida law requires that archaeological sites only be investigated by qualified archaeologists with appropriate research questions. Archaeologists work in the public trust to locate, identify, research, and disseminate information about the public's past. The opportunity to collect objects from archaeological sites by citizens holding a \$100 permit will result in the loss of vital information. Professional archaeologists and avocational archaeologists/volunteers work together across the state and the country to identify, research, excavate, study, and share the incredible history that resides in archaeological sites. Current Florida statutes do not prohibit Florida citizens from assisting archaeologists, or from helping to locate sites. Current statutes do prevent the indiscriminate looting and excavating of sites by private individuals who are looking to add another curio to their shelf.

Important information about our past can be identified from intertidal zones, rivers, and other areas where land subsidence or rising water levels have resulted in the drowning in place of former habitation areas. Underwater cultural heritage is defined by the **2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage** as " ... all traces of human existence having a cultural, historical or archaeological character which have been partially or totally under water, periodically or continuously...". Under this definition underwater cultural heritage includes but is not limited to sites, structures, battlefields, buildings, artifacts, human remains, vessels, and aircraft.

The ACUA urges you to consider the long term implications of allowing the public to excavate artifacts from submerged bottomlands in Florida with a \$100 permit. The previous Isolated Finds program failed. Collectors did

not share their information and sites were damaged. The potential for a collector inadvertently exhuming human remains brings a tremendous public cost in terms of ill will from the Native Americans whose ancestors were exposed, and in terms of the federal statutes, including the Native American Graves Protection and Repatriation Act (NAGRPA), which would be violated.

Florida's underwater cultural heritage should not be up for sale to any collector who can afford a \$100 permit. This bill has the potential to impact submerged sites that range from Native American sites to colonial sites to American Civil War sites, to World War II sites within the state waterways. Any location with an "exposed" artifact not already associated with a "known" archaeological site will be fair game under this new program. This means burials, shipwreck sites, exposed plantation landings, and other important pieces of Florida's and our nation's history will disappear into the hands of private collectors, hidden from the view of Florida's citizens.

Cultural resources belong to *every* citizen, not just collectors. When artifacts are removed and sites are looted, these irreplaceable pieces of our common history are stolen not just from the people of Florida but from the nation's heritage.

The ACUA strongly urges your committee to oppose this bill. Thank you for helping to preserve our shared and irreplaceable cultural heritage. If we can provide any additional information concerning underwater cultural heritage please feel free to contact us.

Sincerely,



Kimberly L. Faulk
Chair
Advisory Council on Underwater Archaeology
www.acuaonline.org

By Email

CC: Rep. George R. Moraitis, Jr.
Rep. Hazelle P. Rogers
Rep Bruce Antone
Rep. Frank Artiles
Rep. Colleen Burton
Rep. Brad Drake
Rep. Keith W. Perry
Rep. Kathleen M. Peters
Rep. Ray Lake
Rep. Richard Stark
Rep. Victor Manuel Torres, Jr.