

10/27/00

ALABAMA UNDERWATER CULTURAL RESOURCES ACT

REGULATIONS

1. PURPOSE

The purpose of these regulations is to provide for the lawful protection, exploration, identification, excavation, preservation, and enjoyment of non-renewable underwater cultural resources as described in Alabama Act 00-595 which are subject to the exclusive dominion and control of the State of Alabama. The Alabama Historical Commission (Commission) as charged in Act 00-595 shall oversee the provisions of this Act relating to all submerged cultural resources. The Alabama Department of Conservation and Natural Resources (Conservation) shall assist the Commission with input and approval of actions within their jurisdiction of conservation.

2. DEFINITIONS

- A. Archaeologist. The principal investigator for submerged resource investigations meeting the minimal professional qualifications as stated in 36 CFR Part 800, which include a graduate degree from an accredited institution of higher education in anthropology with a specialization in archaeology or a graduate degree in history with a specialization in archaeology, plus: at least one year full-time professional experience or equivalent specialized training in archaeological research, administration, or management; at least nine months of supervised field and analytical experience in general maritime archaeology; and demonstrated ability to carry research to completion. Copies of documentation indicating the attainment of these qualifications shall be submitted to the Commission
- B. CFR. Code of Federal Regulations.
- C. Commission. The Alabama Historical Commission acting as the custodian of cultural resources for the State of Alabama
- D. Conservation. The Alabama Department of Conservation and Natural Resources acting as the custodian for the bottoms of the rivers, lakes, bays, and the Gulf of Mexico belonging to the State of Alabama.
- E. Contract/Permit. Issued by the Commission pursuant to Act 00-595 and these regulations by which the applicant may conduct explorations, identifications, and/or excavations.
- F. Contractor/Permittee. Any individual, company, corporation, private or public institution determined by the Commission to be appropriately qualified, that has applied for and received a permit or contract from the Commission to begin exploration or excavation activities in state-owned waters.
- G. Cultural Resources. All abandoned shipwrecks or remains of those ships including debris fields, all underwater archaeological sites, treasures, artifacts, treasure troves, or other cultural artifacts and materials, whether or not associated with any shipwreck or site, that are contained in or on submerged lands belonging to the State of Alabama and the sea within the jurisdiction of the State,