

## **Amnesty FAQ**

### **What is the role of the Division of Historical Resources and the intent of Chapter 267, Florida Statutes, concerning archaeological sites and resources?**

Chapter 267, Florida Statutes, defines the Division of Historical Resources (Division) as the steward of archaeological resources located on state lands. The Division maintains archaeological resources as tangible remains of past peoples and cultures that help tell Florida's unwritten history. Because these archaeological and historical resources are non-renewable resources, their damage and destruction are *permanent*.

Chapter 267, F.S., also designates the Division as directly responsible for archaeological and historical resources on state-owned and state-controlled lands, including sovereignty submerged lands. Additionally, it specifies that any kind of archaeological assessment or research conducted on state land must first be reviewed and permitted by the Division.

### **How does the state obtain artifacts?**

Artifacts are maintained by the Division's Bureau of Archaeological Research for the citizens of the state. Section 267.061(1)(b), Florida Statutes, grants title to the Division for all artifacts and objects of historical and archaeological value on state-owned and controlled lands, including sovereignty submerged lands. Usually, artifacts from state land are recovered during state-sponsored research, or projects operating under a 1A-32 research permit issued by the Division. Following guidelines in Chapter 1A-40, Florida Administrative Code, the Division also accepts private donations.

### **Why preserve archaeological sites?**

Archaeological sites consist of much more than the artifacts displayed in museums. The placement of artifacts in relation to other artifacts and environmental features in a site provides clues as to their function, method of manufacture or loss. This information is known as the context of an archaeological site and it can often provide more information about past human behavior than the artifacts themselves, but it is also more fragile. When artifacts are moved, or the site disrupted, the context is destroyed, and unlike a pot that can be glued back together, when context is destroyed, it can never be recreated. Archaeologists make every effort to record aspects of a site during excavation, using field notes, maps, drawings and photographs to document the site's context.

### **Can I dig for artifacts?**

It is legal to dig for artifacts on private land, with the landowner's permission. On state-owned and controlled lands, including sovereignty-submerged lands, the Division's Bureau of Archaeological Research grants permission to conduct archaeological investigations. Digging for artifacts on state lands without a permit from the Division is a third degree felony (Sections 267.061 and 267.12-13, Florida Statutes, and Chapter 1A-32, Florida Administrative Code). Digging on Federal land also requires a permit and illegal digging is a felony offense. Contact the federal land manager for more information on obtaining permission to dig on federal lands.

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### **What is the difference between fossils and artifacts?**

A fossil is of non-human origin (e.g. animal bone) that has not been altered by humans in any way. An artifact is a product of human activity, including bone and shell tools and ornaments, ceramic vessels, metal objects, etc.

### **Do fossils fall under the same regulations as artifacts?**

In order to protect and preserve fossils and paleontology sites, the State of Florida has declared that all vertebrate fossils found on state-owned and state-controlled lands belong to the state with title vested in the Florida Museum of Natural History. The Museum administers a permitting program intended to regulate the buying, selling, or trading of vertebrate fossils found on state-owned land, or the systematic and continued collection from a paleontological site. A permit is not required for happenstance or casual retrieval of vertebrate fossils, or for the collection of invertebrate fossils (such as shellfish, coral, and sponges) and fossil shark teeth.

### **Is metal detecting prohibited on state property?**

Metal detecting on state land is generally prohibited with a few exceptions. Many public beaches allow metal detecting between the high tide line and the toe of the dune. Beaches that are part of State and Federal Parks, Preserves, Sanctuaries, and military installations will have specific rules governing metal detecting; always consult with the park or property manager.

### **Is it legal to collect arrowheads from my grandpa's farm (family property, etc.)?**

In the United States, collecting artifacts from private property is generally legal *with the permission of the landowner*. It is not legal to take artifacts from public lands.

### **How do I access state artifact collections?**

Contact the Bureau of Archaeological Research's collections staff at **850.245.6444** for assistance or information about loans of artifacts to museums or other public exhibit venues, loans for research purposes, or for other information such as what types of artifacts, archaeological sites, or historic eras are represented in the state archaeological collections.