

07 NCAC 04R .1604 REQUIREMENTS FOR AND ISSUANCE OF PERMITS

- (a) Applicants for permits to conduct archaeological investigations shall certify on the application that they:
- (1) have a postgraduate degree, or equivalent training and experience, in archaeology, anthropology, history, or another related field with a specialization in archaeology;
 - (2) have a minimum of one year's experience in conducting archaeological field research;
 - (3) have obtained and submitted for review by the State Archaeologist a criminal record check by the State Bureau of Investigation as set forth in G.S. 70-13.1 and G.S. 121-25.1;
 - (4) have funds, equipment, and facilities to undertake and complete the operation, provide supervision of all phases of the operation, and demonstrate the ability to carry out acceptable investigations that meet current professional standards, like those established by the Society for Historical Archaeology, the Conference on Underwater Archaeology, or the American Museum Association;
 - (5) will undertake the proposed activity for the purpose of furthering archaeological knowledge;
 - (6) will employ accepted techniques of survey, excavation, recovery, recording, preservation, and analysis used in investigations as follows:
 - (A) for investigations on State lands, the Secretary of Interior's Standards for Archaeology and Historic Preservation which is incorporated by reference, including subsequent amendments and editions, available for free at https://www.nps.gov/history/local-law/arch_stnds_0.htm, and available for inspection at no cost in the Office of State Archaeology; and
 - (B) for Abandoned shipwrecks, applicants shall use the Abandoned Shipwreck Act Guidelines which is incorporated by reference, including subsequent amendments and editions, available for free at https://www.nps.gov/history/local-law/arch_stnds_0.htm, and available for inspection at no cost in the Office of State Archaeology; and
 - (7) will conserve the archaeological artifacts recovered during the proposed project and ensure that those artifacts and all original archaeological records and data associated with the undertaking shall be conserved and curated in accordance with the National Park Service Standards as set forth in 36 CFR.
- (b) General Permits shall be issued or denied to a land-controlling agency within 90 days following submission of the completed application provided the terms and requirements of the rules in this Section pertaining to General Permits are fulfilled.
- (c) The Specific Permit shall be issued or denied within 90 days following submission of the completed application provided the terms and requirements of the rules in this Section pertaining to Specific Permits are fulfilled.
- (d) A Specific Permit shall not be issued to any person or entity conducting an Emergency archaeological investigation until the State Archaeologist receives and accepts a final report in accordance with Rules .1611 and .1612 of this Section.
- (e) No General or Specific Permit shall be considered valid until a signed and dated original copy is returned to the State Archaeologist by the permittee.

History Note: *Authority G.S. 70-11; 70-13; 70-13.1; 121-4(13); 121-23; 121-25; 121-25.1; 143B-10; 143B-62(1)(h); Eff. June 1, 2017.*