

ARIZONA BOARD OF REGENTS
POLICY MANUAL

8-202 Permit Application and Review

Revision Dates

6/7/1991 (adopted)

A. Types of permits issued.

1. A "Project-specific Permit" is issued for a single survey or excavation project to be conducted at a location specified in the permit application. A project-specific permit is valid for no more than one year from the first day of the effective period of a permit.
2. A "Blanket Permit" is issued to allow more than one survey to be conducted under a single permit without specification in the application of the exact areas to be surveyed. A blanket permit is issued only for survey and is valid for no more than one year from the first day of the effective period of a permit. Only a project for which all reporting requirements, including a final report, will be completed within 90 days of the initiation of the project may be undertaken using a Blanket Permit.

B. Permit Application Requirements.

1. Except as discussed in number 3 below, no permit shall be issued until written application is made to the Director.
2. A permit application shall include the following:
 - a. An indication of whether the application is for a project-specific permit or a blanket permit.
 - b. The official name of the applicant and the address of applicant's headquarters or principal place of business.
 - c. The name, title, address, and telephone number of the principal investigator for the permit. A current curriculum vitae for this individual shall be included with the application unless a current vitae is already on file at the Arizona State Museum.
 - d. The name and title of the project director. A blanket permit application shall list all project directors who may be covered under the permit. A current curriculum vitae for each project director shall be included with the application unless a current vitae is already on file at the Arizona State Museum.

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- e. The type or types of investigations for which permission is requested, selected from the following list:
 - 1. archaeological non-collection survey
 - 2. archaeological collection survey
 - 3. archaeological excavation
 - 4. paleontological non-collection survey
 - 5. paleontological collection survey
 - 6. paleontological excavation
 - f. If a permit application requests authorization for collection or excavation, the application shall name the public repository in which all collected archaeological or paleontological specimens and all project records will be preserved in perpetuity. If the public repository is an institution other than the applicant institution, a copy of a signed curation agreement between the applicant and the repository shall be included with the permit or already be on file at the Arizona State Museum.
 - g. The location of proposed investigation. Blanket permit applications may request survey authority effective for the entire State, or may restrict the request to a portion of the State. Project-specific permit applications shall specify the location of the proposed project. If the project is on surveyed lands, the description shall be by subdivision of the Public Lands Surveys.
 - h. A project-specific permit application that requests authorization for survey shall include a general description of the work for which the permit is requested. For any project, the Director may require a more detailed research design, plan of work, or project budget.
 - i. A project-specific permit application that requests authorization for excavation or testing must include a detailed research design and a statement of total project costs which includes the proportion of those costs allocated for the curation of materials recovered.
 - j. The application shall propose a period during which the investigations would be conducted.

- k. The application shall propose a date by which a project report will be delivered to the Arizona State Museum. If collections are made under a permit, a statement from the repository acknowledging receipt of all project materials in satisfactory condition must also be delivered by this date.
 - l. The application shall include a description of the provisions that will be made by the applicant for publication or other distribution of the results of all work conducted under the permit.
 - m. Unless such a document is already on file at the Arizona State Museum, the application shall be accompanied by a current statement of the nature and legal status of the applicant institution, organization or corporation, its scientific affiliations, and a description of the general scope and character of its activities and objectives.
 - n. The application shall be signed and dated by the person with general responsibility for the activities carried out under the permit, or an official designee of this individual.
3. The Director may issue a permit in the absence of a completed, written application where a delay could cause damage to an archaeological or paleontological site or where the interests of the State would be served by such prompt action. Where a permit is issued under such emergency conditions, a completed, written application in the form prescribed in Subsection B above shall be submitted within 30 days after issuance of the permit, and the failure to provide such application shall be a basis for revoking the permit.

C. Review of Permit Applications.

1. **Criteria.** A permit application is reviewed by the Director based on the following criteria:
 - a. The adequacy of the facilities of the applicant for purposes of satisfying these Regulations.
 - b. The quality of the work performed in the past by the applicant.
 - c. The applicant's record of compliance with the Arizona Antiquities Act and Regulations promulgated under the Act.
 - d. The professional qualifications of the principal investigator, including a demonstrated competence in managing and administering research projects.

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- e. The professional qualifications of the project director, including for archaeological projects:
 - 1. A graduate degree in anthropology or archaeology, or equivalent training or experience.
 - 2. A demonstrated ability to plan and conduct research based on contemporary archaeological method and theory.
 - 3. At least four months of supervised field experience in survey, four months in excavation, and at least four months additional experience in artifact identification and the analysis and synthesis of archaeological data.
 - 4. At least one year of full-time professional experience at a supervisory level in the study of archaeological remains.
 - f. The professional qualifications of the project director, including for paleontological projects:
 - 1. A graduate degree in paleontology or geology, or equivalent training or experience.
 - 2. A demonstrated ability to plan and conduct research based on contemporary paleontological method and theory.
 - 3. At least four months of supervised paleontological field experience and at least four months additional experience in the identification, analysis, and synthesis of paleontological data.
 - 4. At least one year of full-time professional experience at a supervisory level in the study of paleontological remains.
 - g. The adequacy of the named repository if a repository is required.
 - h. The effect the proposed work would have on the archaeological or paleontological sites investigated.
2. Review procedures.
- a. A permit application is reviewed by the professional staff of the Arizona State Museum who shall make a recommendation to the Director.

- b. The final decision to grant or deny a permit rests with the Director.
- c. The Director may request additional information from the applicant in order to evaluate the application.
- d. If a permit is requested for excavation, the Director may request comment on the application from the agency, instrumentality, or political subdivision of the State that has jurisdiction over the land.
- e. The Director may request comment on the application from Indian or other cultural groups that may be affected by or particularly concerned with activities conducted under the permit.
- f. The Director may request a peer review of the application, and may request comments from the State Historic Preservation Officer or affected individuals, institutions or organizations.
- g. Completed permit applications shall be approved or denied by the Director within thirty days of their receipt by the Arizona State Museum, but passage of more than thirty days shall not give the applicant an automatic right to receive a permit.
- h. If a permit is granted, a copy of the permit signed by the Director shall be sent to the applicant along with a copy of these Regulations.
- i. If a permit is denied, written statement of the reasons for denial signed by the Director shall be sent to the applicant.

D. Permits.

- 1. A permit shall be issued in writing by the Director and shall include the following:
 - a. The type of permit.
 - b. The name of the permittee.
 - c. The date of the permit application.
 - d. The name, title and address of the principal investigator for the permit.
 - e. The names of the project director or project directors.

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- f. The type or types of archaeological or paleontological investigations for which the permit is granted.
 - g. If a permit authorizes collection or excavation, the name of the public repository in which all collected specimens and project records will be preserved in perpetuity.
 - h. The location of permitted activity.
 - i. The effective period of the permit, which represents the period during which the field work may be conducted.
 - j. The permit report due date, which represents the date by which a project report and, if necessary, a repository receipt shall be delivered to the Arizona State Museum.
 - k. Any special conditions that may be required by the Director.
 - l. The permit shall be dated and signed by the Director.
2. A permit need not be granted under the exact conditions requested in the application.
 3. Any use of a permit to conduct archaeological or paleontological investigations on lands owned or controlled by the State constitutes acceptance of the conditions of the permit and of these Regulations.
- E. Amendments to permits.
1. Portions of a permit may be amended at the discretion of the Director, as follows:
 - a. The principal investigator and/or project directors may be changed.
 - b. The project location may be changed.
 - c. The permit report due date may be extended.
 - d. Special conditions of the permit may be changed.
 2. Requests for amendments to the permit shall be made in writing to the Director.
 3. An amendment to a permit is made through a letter signed by the Director and is effective immediately once it has been signed. A copy of any amendment shall be sent to the permittee.

F. Permit revocation.

1. A permit may be revoked by the Director at any time for the following reasons:
 - a. Failure to begin work under a project-specific permit within six months after it is granted.
 - b. Failure to diligently pursue such work once it has been started.
 - c. Failure to meet professionally accepted standards for archaeological or paleontological investigations in the permitted work as described in Section 8-203(C) & (D).
 - d. Failure to comply with the conditions governing the permit as detailed in these Regulations, including the conditions prescribed in 8-204(O).
 - e. Failure to comply with the regulations of the State Land Department in working on State Land.
 - f. Failure to comply with applicable State or Federal law in the conduct of the permitted work.
 - g. Failure to provide a completed, written application as required by Section 8-202(B)(3).
2. Except as provided in Paragraphs a and b below, no revocation will be effective until the permittee is first provided notice and an opportunity for a hearing pursuant to Section 8-207 of these Regulations.
 - a. Where the Director finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in his order, summary suspension of a permit may be ordered pending proceedings for revocation or other action.
 - b. Where the ground for revocation of permit is that set forth in paragraph g of Subsection 1 above, no hearing either before or after revocation, is required.
3. An order of revocation properly issued by the Director without prior notice or hearing is effective upon mailing by certified mail, return receipt requested, to the permittee's address as shown by the records of the Director.

Policy History

6/7/1991 Approved by the Board on second reading.

Related Information

When the Policy Manual was adopted in 1983, 8-202 was assigned to the Medical Service Plan Agreement for Individual Members policy regarding the University Hospital. This former Chapter VIII was repealed in 1986. In 1991, the current Chapter VIII was adopted.