

A PROPOSAL TO CODIFY AND IMPROVE THE ISOLATED FINDS POLICY

Executive Summary

This proposal outlines improvements to the current Isolated Finds Policy which is a provision of s. 267.115 (9), Florida Statutes (F.S.), and currently in use by the Florida Division of Historical Resources, Bureau of Archaeological Research. It is intended to be a comprehensive restructuring of the existing public policy aimed at simplifying enforcement, improving compliance, promoting public outreach, and streamlining administrative management of the policy. These improvements would require the implementation of a codified program.

Simplifying Enforcement

To simplify enforcement, it is proposed that all persons wishing to participate in recovery of Isolated Finds must register annually with the Bureau of Archaeological Research and be issued an Isolated Finds Program Identification Card. This card would need to be in the possession of the IFP participant and presented on demand to law enforcement officers during routine field inspections. Each card would have a unique identification number assigned to its holder. **Any unregistered person removing historical cultural objects** from state owned submerged lands would be doing so in violation of s. 267.13, (F.S.) The Isolated Finds Policy Identification Card does not authorize the holder to engage in the collection or removal of nonessential vertebrate fossils from state owned upland or submerged lands. [That currently codified program activity requires a state permit](#) that may be granted to individuals under s. 1004.576, (F.S.), { formally s. 240.516, (F.S.) } by the Florida Museum of Natural History.

The following are suggested guidelines for establishing and administering an IFP Identification Card application procedure:

- Include a copy of a valid state issued or student picture ID with application.
- Include contact information to include a permanent street address field on the application.
- Establish the annual renewal period as being December 1 – January 31.
- Design an audit form that can be filled out by law enforcement officers during field inspections.
- Incorporate a statement into the Isolated Finds Program that reads “Failure to submit Isolated Finds Forms will be cause for revocation or non-renewal of the IFP Identification Card and or subject to a an administrative fine as provided for in s. 267.13 (2)(a), (F.S.)”
- Modify the current Isolated Finds Report Form to include a field for the participant's permit identification number.
- Establish permit fees for both in-state and out-of-state participants
- Clarify the intent of the IFP in writing and make that information easily available to law enforcement officers and the public.
- Clearly identify and mark restricted areas that are off-limits to the IFP.

Improving Compliance and Data Management

The implementation of an IFP Identification Card requirement will most certainly improve reporting. The addition of an on-line IFF reporting method would be another positive step. An on-line process would simplify the submittal and facilitate the electronic integration of the received data into the Bureau's Microsoft Access® database. Establishing an expanded amnesty policy and procedure for reporting previously collected items on submerged lands is also recommended.

Promoting Public Outreach

The avocational archaeologists who have been active IFP participants are committed to improving the promotion of the program. To that end the following is a commitment to:

- Establish the Avocational Archaeology and Paleontology Council to assist the Bureau with their public outreach, planning and participation efforts.
- Establish a statewide "River Watch" network to assist law enforcement in protecting both upland and submerged cultural resources.
- Design and host an interactive web site maintained by the Avocational Archaeology & Paleontology Council, that will explain the new Isolated Finds Program in detail, address frequently asked questions and serve as an information exchange forum between all participants both professional and amateur.
- Assist the Bureau in contacting private collectors throughout the state and where possible, coordinate the data inventorying of those collections.

Streamlining Implementation of the New IFP

The Florida Avocational Archaeology & Paleontology Council will provide input and assistance to the Bureau in an effort to streamline implementation of a new Isolated Finds Program by:

- Designing drafts of an IFP Identification Card Registration Application, IFP Identity Card, and a Field Officer Audit Form.
- Provide outreach education at amateur archaeological society meetings and functions.
- Assist in the development of an on-line reporting web site.

Conclusion

The outpouring of public support for the continuation of an Isolated Finds Program is a testament to its popularity. This proposal is submitted with the intent of presenting a reasonable and comprehensive solution to the issues raised by the IFP's critics. A properly designed and administered IFP can institute a public policy precedent by providing a shining example of the harmonious coexistence of the involved public and the state. Preservation of meaningful cultural resources is a matter of education and accountability. The spirit of cooperation and a good working relationship between amateur and professional scholars is a resource also worthy of preservation. I sincerely hope that you choose to consider the above mentioned IFP modifications, which will improve this mutually beneficial public policy. Archaeology is more than the solitary pursuit of scientific research; it's a social institution that nurtures community fellowship.

Very respectfully yours,

Tom Pertierra

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