

RESOLUTION NO. 2016-01

A RESOLUTION OF THE CITY OF ST. AUGUSTINE, FLORIDA, OPPOSING PROVISIONS OF HOUSE BILL 803 AND SENATE BILL 1054 RELATING TO CITIZEN ARCHAEOLOGY PERMITS.

WHEREAS, the state enacted the Florida Historical Resources Act (Florida Statutes, Chapter 267) in 1967, to mirror the National Historic Preservation Act of 1966, with the stated intent to protect state land including artifacts and discourage field investigation on privately owned lands (F.S., Chapter 267.14); and

WHEREAS, F.S., Chapter 267.031 mandates the Florida Division of Historical Resources to cooperate with local governments on the development of historic preservation programs and all law enforcement agencies to assist the Division in carrying out its responsibilities under F.S., Chapter 267; and

WHEREAS, archaeologists at the state's Division of Historical Resources demonstrated the economic, criminal, and detrimental impacts on cultural resources of citizen archaeology permits in other states as well as Florida's own Isolated Finds program that was unanimously voted to be abolished by the Florida Historical Commission in 2005 with a follow up published report in 2013; and

WHEREAS, the State Historic Preservation Officer published a 267 page report on October 15, 2015 on the feasibility of an artifact amnesty program and found "the costs, both tangible and intangible, of an amnesty program would clearly outweigh any value returned to the citizens by archaeological information that would be potentially gained"; and

WHEREAS, the City of St. Augustine's Archaeology Ordinance was written in the spirit of our state's oldest archaeological protection statute, F.S., Chapter 267; and

WHEREAS, the City of St. Augustine passed one of the earliest municipal archaeology ordinances in the country in 1986 and is a national model for cultural resource preservation efforts; and

WHEREAS, the City of St. Augustine is a Certified Local Government, a program wherein local, state, and federal governments work together in the Federal Preservation Program to help communities save the irreplaceable historic character of places; and

WHEREAS, the Florida House of Representatives has under consideration House Bill 803 which significantly rewrites F.S., Chapter 267.115(9), the nearly 50-year old statute to protect state land, and instead authorizes Citizen Archaeology Permits to collect artifacts in rivers and submerged land; and

WHEREAS, Senate Bill 1054 now pending before the Florida Senate also includes the same significant rewriting of F.S., Chapter 267 and mirrors the Citizen Archaeology Permit process proposed in House Bill 803; and

WHEREAS, the proposed changes to F.S., Chapter 267 will condone theft of cultural resources from state submerged land; and

WHEREAS, cultural resources are threatened and nonrenewable unlike other permitted natural resources that regenerate; and

WHEREAS, Citizen Archaeology Permits would also violate F.S., Chapter 258 that explicitly states no person shall remove artifacts or dig in any park area or waters thereof; and

WHEREAS, the City of St. Augustine recognizes granting Citizen Archaeology Permits will result in theft on state submerged lands; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. The City Commission hereby declares its opposition to Citizen Archaeology Permits anywhere within the State of Florida or in the waters adjacent to the state.

Section 2. The City Commission requests that no state agency issue permits for the private collection of artifacts and urges the Legislators of the State of Florida to strengthen their commitment to honoring the intent of F.S., Chapter 267 to protect cultural resources on state lands.

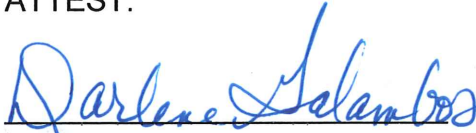
Section 3. The City Commission further requests the Governor of the State of Florida to affirm his commitment to uphold F.S., Chapter 267 and honor its intent to protect cultural resources on state and municipal lands in Florida.

Section 4. The City Commission requests House Bill 803 and its companion Senate Bill 1054 be withdrawn and not passed.

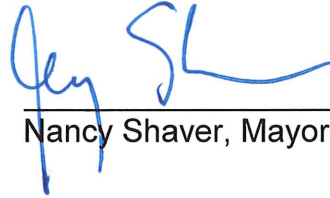
ADOPTED in Regular Session of the City Commission for the City of St.

Augustine, Florida, this 11th day of January, 2016.

ATTEST:



Darlene Galambos, City Clerk



Nancy Shaver, Mayor-Commissioner

