



ARIZONA ARCHAEOLOGICAL COUNCIL

FOR IMMEDIATE RELEASE

State Bill Threatens Arizona's Heritage

PHOENIX, ARIZONA, April 8, 2018—Arizona's state lands are home to thousands of ancient and historic-era archaeological sites that are protected from disturbance and destruction under a series of Arizona laws. Arizona State Representative David L. Cook (R – District 8/Globe) wants to amend one of these laws: the Arizona State Historic Preservation Act (Arizona Revised Statutes 41-861). Cook and 12 other Republican lawmakers co-sponsored a potential modification known as House Bill (HB) 2498, but it was the Arizona Cattlemen's Association who prepared and lobbied for HB 2498 earlier this year. The bill is expected to pass along party lines and reach Governor Doug Ducey's desk for signature this month.

It is Arizona Archaeological Council's (AAC) position that HB 2498: 1) would lead to unintended damage to important archaeological resources, 2) conflict with the Arizona Antiquities Act, and 3) violate current laws that are more than adequate to address the concerns of the Arizona Cattlemen's Association. The AAC's position is supported by the Tohono O'odham Nation, the Salt River Pima Maricopa Indian Community, the San Carlos Apache Tribe, and the Gila River Indian Community, as well as by members of the American Rock Art Research Association, the Society for American Archaeology, the Register of Professional Archaeologists, the Coalition for American Heritage, the Society for Historic Archaeology, the Arizona Historic Preservation Foundation, and the American Cultural Resources Association.

Of primary concern to the AAC and others is that under this bill, archaeological evaluations conducted on state lands by professional archaeologists would now be performed by non-professional volunteers, likely the ranchers themselves, who would only need to complete a brief cultural resources training class offered on a limited basis by the Natural Resources Conversation Service. This move introduces the possibility of unintentional damage to significant archaeological sites as a result of misidentification by inexperienced volunteers. The potential that the lessee ranchers could provide this service for their own rangeland improvements also brings up a conflict of interest, and the possibility of unsupervised, intentional damage to archaeological sites.

"If passed, this bill may result in the destruction of our states' cultural heritage, a heritage shared and valued by the citizens of Arizona, and especially the state's Native American communities" says Dave Hart, a professional archaeologist and president of the AAC. "Arizona's archaeological sites are finite, non-renewable resources; once destroyed, they can never be replaced, and the management of our state's cultural heritage plays a significant role in the economic development of Arizona through heritage tourism."

Furthermore, HB 2498 conflicts with other state and federal laws, leaving the State of Arizona susceptible to litigation. Senator Lisa Otondo (D – District 4/Yuma) points out that "it creates a misalignment with the Antiquities Act, it creates a misalignment with the National Historic Preservation Act, it's an unfunded mandate."

The bill is in direct violation of a section of the Arizona Antiquities Act (Arizona Revised Statutes 41-842), which prohibits archaeological work on state land except by qualified professionals who are issued a permit by the state.

Senator Andrea Dalessandro (D – District 2/Sahuarita), who argued against HB 2498 at a recent Senate committee hearing, asked "how would you feel if, for the sake of expediency, your



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ancestor's burial grounds or sacred places were desecrated by an untrained person? I understand that some people are a little bit disturbed that they have to wait a little long... I don't think that artifacts of the people who came before us, whether they are Native Americans or not, should be left to people who are not experts in this area. We could be losing a treasure trove of Arizona history."

The bill takes aim at the State Historic Preservation Office (SHPO), the division of Arizona State Parks and Trails that advises and assists state and federal agencies in compliance with the Arizona State Historic Preservation Act, Arizona Antiquities Act, and the National Historic Preservation Act. Proponents of the legislation feel that the SHPO prevents them from upkeep and stewardship of leased state lands. But this bill will not fix the perceived problem, and ultimately it will not help Arizona's ranchers.

The bill was drafted without participation from professionals or Native Americans and it will result in the needless destruction of Arizona's heritage. The unanticipated disturbance of archaeological sites by volunteers would result in delays, increased costs, public controversy, and inevitably, litigation.

Cook and his colleagues aren't finished attacking Arizona's heritage yet. Cook says "this rangeland [bill] is just the first bite at the apple."

The AAC is a non-profit voluntary organization of more than 200 cultural heritage professionals dedicated to protection and preservation of Arizona's heritage. Dedicated to preserving cultural resources through education and advocacy, the Council embraces a diverse membership drawing from academics, private business, local communities and federal, state, and tribal agencies. Our mission is promote and coordinate communication and cooperation within the archaeological community, encourage the development and implementation of professional quality in research and reports, work for the preservation and conservation of the prehistoric and historic heritage of Arizona, uphold state and federal laws, rules, and regulations that protect cultural resources, advocate and publicize these objectives in the state of Arizona, and promote greater understanding between archaeological organizations and Native American communities. For additional information and media inquiries, contact AAC spokesperson Daniel Garcia at AAC.media.inquiry@gmail.com or 480.213.1177, or visit us at www.arizonaarchaeologicalcouncil.org.

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