

PROJECT ARCHAEOLOGICAL REQUIREMENTS

(see attached Project Archaeological Requirements Instructions)

In 1990, the Arizona legislature amended two state laws (Arizona Antiquities Act & State Historic Preservation Act) that protect human burials and associated artifacts on both private and state land. As specified in these laws and rephrased below:

1) A person shall not knowingly excavate in or upon any historic or prehistoric archaeological site, except when acting as a duly authorized agent of an institution or corporation organized for scientific, research or land use planning purposes. [Arizona Revised Statute §41-841(A) – Archaeological Discoveries] Any person, institution or corporation violating any provision of this article is guilty of a class 2 misdemeanor. [A.R.S. §41-846 - Violation]

2) A person who knowingly excavates in violation of A.R.S. §41-841 is guilty of a class 5 felony pursuant to the Arizona Criminal Code – Title 13. A second or subsequent violation under this subsection is a class 3 felony. [A.R.S. §13-3702.01 – Excavating Certain Sites]

A class 5 felony carries potential penalties of up to two years in prison.

The City of Phoenix (City) project located at _____ may impact an historic or prehistoric archaeological resource. Therefore, no surface disturbance activities related to this project are allowed to occur without having an archaeological consultant on-site prior to and during this project's surface disturbance activities.

(to be completed by On-Site Supervisor and City Environmental Review Officer)

Through signing below, I agree that I am the On-Site Supervisor for the project listed above. As the On-Site Supervisor, I also agree that:

- 1) I have been duly informed of the above-referenced laws.
- 2) I have been duly informed of the consequences that violation of the above-referenced laws carries.
- 3) I have been duly informed that this project may impact an historic or prehistoric archaeological resource.
- 4) The surface disturbance activities I am coordinating related to this project will not occur, regardless of the person or entity undertaking them, without these activities being overseen by the On-Call Field Archaeologist appointed by the City.
- 5) I will have the city's On-Call Field Archaeologist sign this document upon their completion of the required archaeological mitigative actions for all the ground-disturbance activities for this project.
- 6) I will submit, to the Neighborhood Services or Housing department project manager/representative assigned to this project, this fully-signed document original after co-signing by the On-Call Field Archaeologist.

Failure to comply with any or all of these requirements will cause the City to pursue necessary legal action for violation of this contract and the city will notify the appropriate state department(s) of violation of state archaeological regulation(s) and the Arizona Criminal Code.

Signed: _____ Title: _____
On-Site Supervisor

Name (print): _____ Date: _____
On-Site Supervisor

Witness: _____ Title: _____
City Environmental Review Officer

Name (print): _____ Date: _____
City Environmental Review Officer

****Questions? Call André D. Best (ph. 602-262-7319) for Neighborhood Services Department sponsored projects and call Michael Ashford (ph. 602-262-4494) for Housing Department projects.****

(to be completed by On-Call Field Archaeologist)

Signed: _____ Title: _____
On-Call Field Archaeologist

Name (print): _____ Date(s): _____
On-Call Field Archaeologist

(Copy One)

(Copy Two)

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Project Archaeological Requirements Form Instructions

(see attached Project Archaeological Requirements form)

The Project Archaeological Requirements form is to be completed for all Neighborhood Services Department (NSD) and Housing Department (Housing) HUD-funded projects involving surface disturbance activities in areas that may include archaeological resources, as priorly determined by Phoenix's City Archaeology Office.

City Environmental Review Officer Responsibilities

This section is intended to be fulfilled by the City Environmental Review Officer. To ensure the proper processing of the Project Archaeological Requirements form, and the protection of potential archaeological resources during the undertaking of City of Phoenix HUD-funded projects, the established instructions for this individual are as follows:

- 1) Create two original copies of the one-page form on bright orange or goldenrod paper to ensure easy visibility.
- 2) Complete the project address line on both forms.
- 3) At least 10 days in advance of anticipated project surface disturbance activities, arrange and conduct a meeting between yourself and the On-Site Supervisor responsible for oversight of the project and/or the project surface disturbance activities. Ensure that the person signing as the On-Site Supervisor is able to sign as a responsible party for the project or be held responsible on behalf of the project's party overseeing the field activities.
- 4) During the meeting:
 - a. Discuss the relevance of the Project Archaeological Requirements form to ensure that its application and usage is understood by the On-Site Supervisor.
 - b. Sign and date both copies of the Project Archaeological Requirements form.
 - c. Ensure the On-Site Supervisor signs and dates both copies of the Project Archaeological Requirements form.
 - d. After signatures are obtained, circle 'Copy One' OR 'Copy Two' found near the bottom on each respective original form.
 - e. Keep Copy One (put in project's ERR) and provide Copy Two of the signed form to the On-Site Supervisor.
 - f. Tell the On-Site Supervisor that they are to have the original Copy Two of the Project Archaeological Requirements form now in their possession co-signed, upon completion of the project ground disturbing field activities, by the On-Call Field Archaeologist. Also tell them that the original Copy Two of the Project Archaeological Requirements form is to be returned to the NSD or Housing department project manager/representative assigned to the project.

On-Site Supervisor Responsibilities

This section is intended to be fulfilled by the On-Site Supervisor. To ensure the proper processing of the Project Archaeological Requirements form, and the protection of potential archaeological resources during the undertaking of City of Phoenix HUD-funded projects, the established instructions for this individual are as follows:

- 1) At least 10 days in advance of anticipated project surface disturbance activities, attend a meeting with the City Environmental Review Officer to discuss and sign the Project Archaeological Requirements form as it applies to the project location identified on the form.
- 2) Do **NOT** initiate any project field surface disturbance activities prior to being contacted by the On-Call Field Archaeologist.
- 3) Ensure that the original orange or goldenrod color Copy Two of the Project Archaeological Requirements form for the project that you were given during the meeting with the City's Environmental Review Officer is co-signed upon completion of the field activities, in the field, by the On-Call Field Archaeologist.
- 4) Return the original and co-signed Copy Two of the Project Archaeological Requirements form to the designated NSD or Housing department project manager/representative assigned to the project.

On-Call Field Archaeologist Responsibilities

This section is intended to be fulfilled by the On-Call Field Archaeologist. To ensure the proper processing of the Project Archaeological Requirements form, and the protection of potential archaeological resources during the undertaking of City of Phoenix HUD-funded projects, the established instructions for this individual are as follows:

- 1) After notification from the City Archaeology Office, contact the project's On-Site Supervisor to establish agreed-upon scheduling for proposed field activities.
- 2) Upon completion of the project field activities sign the original orange or goldenrod color Copy Two of the Project Archaeological Requirements form, which lists the correct project address/name and has original dated signatures for the On-Site Supervisor and the City Environmental Review Officer. This form **MUST** be presented to you in the field, by the On-Site Supervisor, upon completion of archaeological field activities and must be signed by the field archaeologist who oversaw all the archaeological aspects for all project ground disturbing field activities.

NSD or Housing Department Project Manager/Representative Responsibilities

This section is intended to be fulfilled by the NSD/Housing dept. Project Manager/Representative. To ensure the proper processing of the Project Archaeological Requirements form, and the protection of potential archaeological resources during the undertaking of City of Phoenix HUD-funded projects, the established instructions for this individual are as follows:

- 1) After receipt of the original and fully co-signed Copy Two of the Project Archaeological Requirements form for this project, forward the form to the City Environmental Review Officer assigned to this project.