Arizona State Museum Mandated Programs Feedback Fora 2019 - 2020

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Tucson 15 November 2019 • Phoenix 24 January 2020 • Flagstaff 29 May 2020

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Feedback Forum Overview

Part 1: Panel discussion on topics related to questions submitted in advance

- Quote website/invoice process
- Arizona Antiquities Act Blanket and Project-specific Permits
- ASM's review process
- Efficiency
- Mandated Programs Forms
- Communication between ASM and the CRM community
- Legacy Projects

Part 2: Open Q&A

- Please ask any questions you have
- Feel free to offer constructive criticism about a specific system or process. We want to serve you better while meeting our responsibilities under the law and best practices.

Feedback Forum Goals

We hope to:

- Clarify points of confusion
- Offer clarification on internal ASM procedures
- Look for ways to improve how ASM can better serve Arizona's archaeological community
- Increase understanding of the role of the AAA in the review and submission processes in each office
- Answer your questions and concerns

Part 1: Discussion Related to Advanced Questions

Quote review and issuing process

Question

- *Would it be possible for ASM to provide online administrative data to institutions (such as a CRM company) to access ongoing projects, open accession numbers, etc.? For example, my thought was some sort of secure portal where I could access [Company name]-specific projects and invoices to better maintain timely payments, project registrations, and reporting requirements?*

Answer

- **This is a great idea and we will certainly strive for this once we have the financial and technical capabilities. Unfortunately, at this time, ASM does not have the financial, technical capabilities or staff resources.**

Quote review and issuing process

Question

- *Can you update the quote form to allow for typing in the project start and end dates? Some projects are old, and it takes a long time to click through to the appropriate year.*

Answer

- **We are looking into solutions to this issue - thank you for alerting us to it.**

Quote review and issuing process

Question

- *If quotes are supposed to be turned around within 2 business days, unless there are questions about the quote, shouldn't the questions that ASM staff have about said quote be required to come within that 2-business day window?*
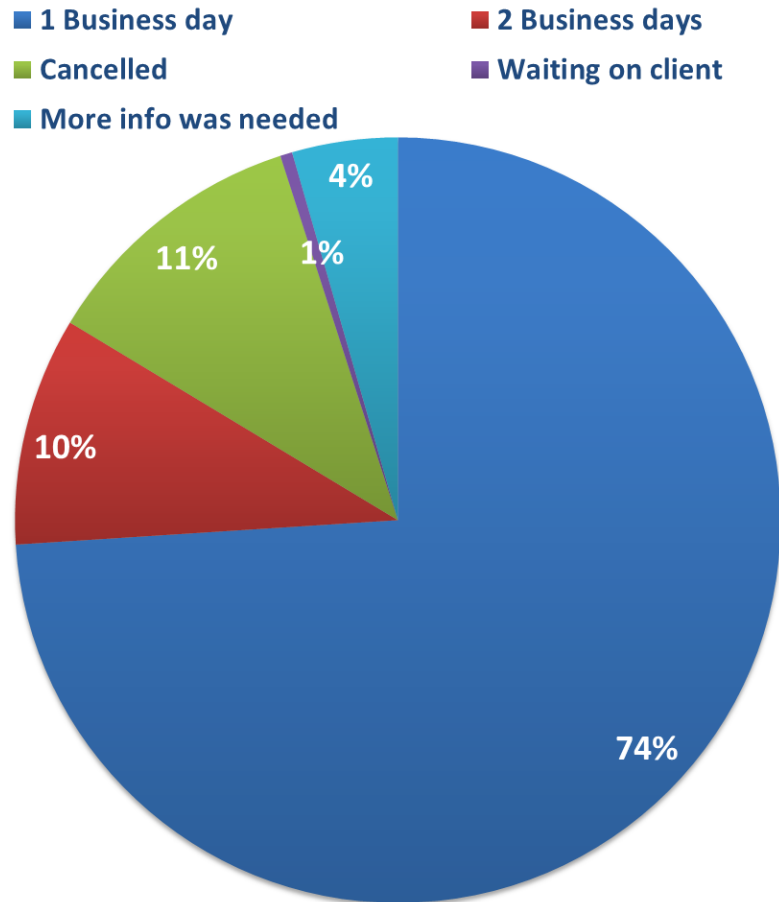
Answer

- **ASM issues quotes within two business days of receipt, barring weekends and holidays. Please note that quotes submitted after 4 pm on a business day are not considered "submitted" until the next business day.**
- **Next slide has data on quote turnaround.**

Quote review and issuing process: Data

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No. Business Days- Quote Ready to Issue
7/2/2018 - 11/12/2019

- 1 Business day
- 2 Business days
- Cancelled
- Waiting on client
- More info was needed

4%
1%
11%
10%
74%

Graph 1

- 74% of all quotes are reviewed and ready to issue within 1 business day.

- 10% of all quotes are reviewed and ready to issue within 2 business days.

- 4% of all quotes required more than 2 business days to prepare. This category includes some grandfathered projects and customized quotes for Value-added services.

- 11% of all quotes were cancelled as a result of feedback offered within 1-2 business days.

- 1% of all quotes still require a response from the client, after 2 business days, before we can generate a quote.

- *We have limited data on the date a quote was sent to a client. However, from 7/2018 – 8/2019 quotes were sent within 1 day or less from date of preparation.*

- *From 9/2019 – 10/2019, due to staff changeover there was a period when some quotes were sent out outside of the 2-business day window. Things are currently back on track.*

Quote review and issuing process: Data

No. Business Days until Feedback Offered
7/2/2018 - 11/12/2019

- No feedback needed
- 1 Business day
- 2 Business days
- Research was required
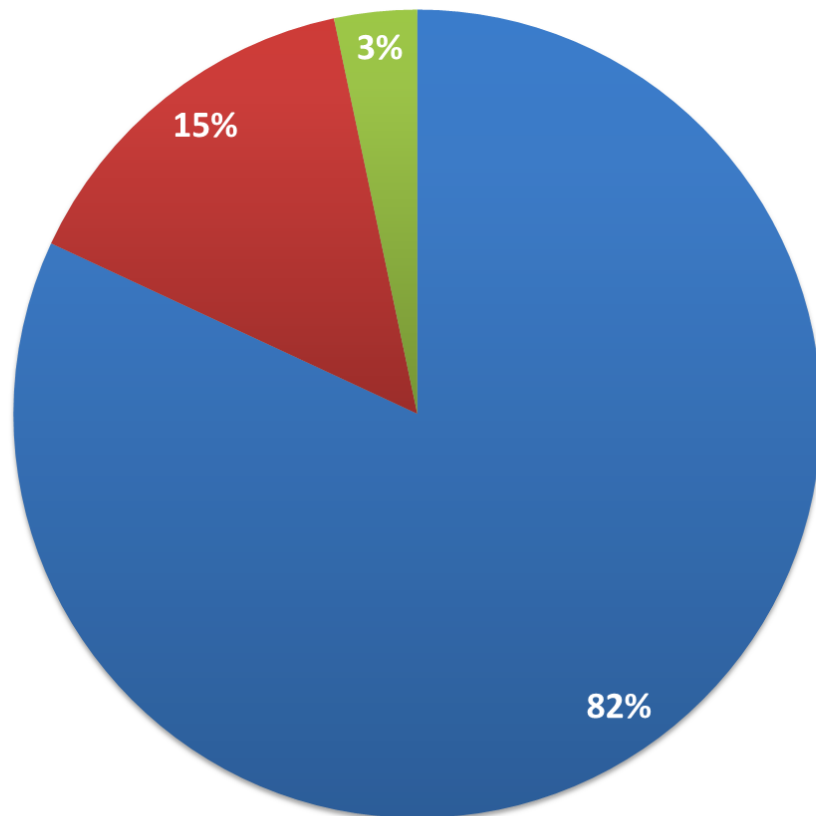
1%
3%
15%
81%
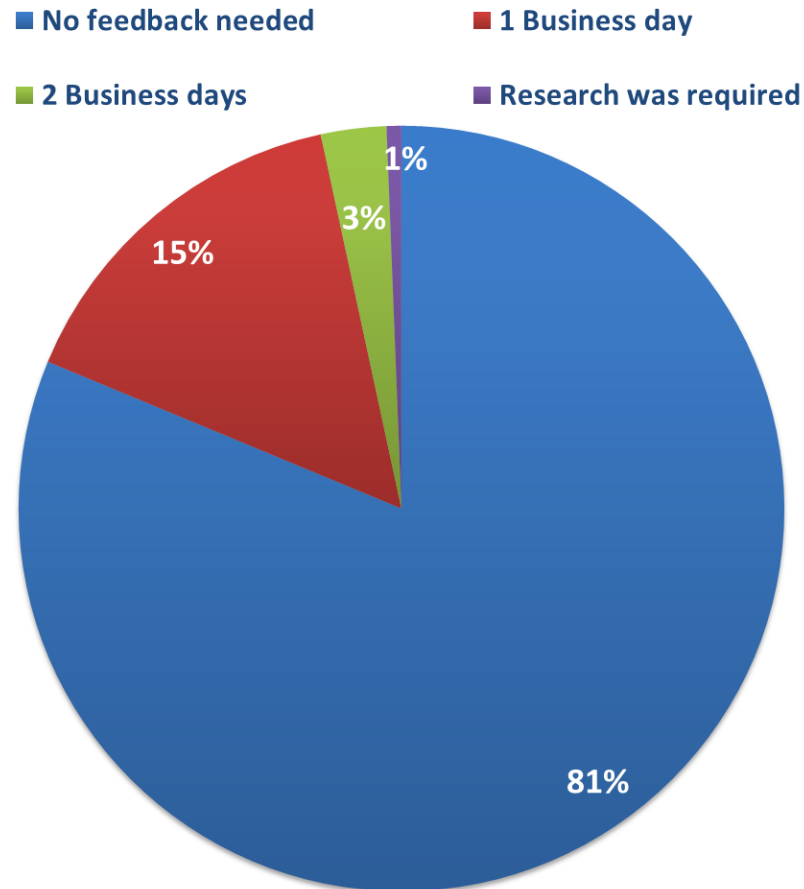
Graph 2

- 81% of the quotes that have been received required no feedback.
- 19% of all quote requests have required feedback.

Quote review and issuing process: Data

No. Business Days until Feedback Offered
7/2/2018 - 11/12/2019

■ 1 Business day   ■ 2 Business days   ■ Research was required

3%

15%

82%

Graph 3

- If feedback was necessary:
  - 82% of emails or phone calls occurred within 1 business day.
  - 15% of emails or phone calls occurred within 2 business days.
  - 3% of emails or phone calls occurred after necessary research was completed. This category principally includes grandfathered projects.

Quote review and issuing process

Question

- *There is a long lag between when payments are submitted to the museum and when they drop off of the outstanding invoices list when projects are paid via check. While we understand that it takes time to process payments, it would be helpful to show, on the invoices list, that those payments have arrived but are pending.*

Answer

- **Payments are processed and marked as paid as soon as they are received by the business center. We have a dedicated person on staff who handles your check payments. The fastest way to make an invoice "drop off" the list of outstanding invoices is to pay by credit card via the online system.**

Arizona Antiquities Act Blanket and Project-specific Permits

Question

- *Would the ASM consider adopting a blanket monitoring plan that could be used for ALL very small (less than 1 person day) projects with the end goal of allowing fieldwork to start sooner?*

Answer

- **A statewide "blanket" monitoring plan would not be allowable per the Rules Implementing the Arizona Antiquities Act (Rules). However, general plans for geographically-limited areas may be used with agency consent.**

Arizona Antiquities Act Blanket and Project-specific Permits

Question

- *Would the ASM consider issuing a permit to a municipality or agency to cover all emergency monitoring projects within a calendar year so that archaeologists can be dispatched quickly? A single report would be created at the end of the permit period summarizing all projects*

Answer

- **We're exploring ways we can assist with this need within the parameters of the Rules. A report will be issued after we meet with stakeholders and have explored the possibilities within the law.**

- **UPDATE February 2020: It has been decided that this type of permit would not be allowable per the Rules Implementing the Arizona Antiquities Act (Rules). However, as discussed in Slide 11, general plans for geographically-limited areas may be used with agency consent to expedite the AAA permitting process. Furthermore, ASM can issue permits for true emergencies in advance of an approved treatment plan on a case-by-case basis. Based on input from the CRM community, we have developed a new draft policy on emergency permits that is designed to better codify this process.**

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ASM's review process

Question

- *Regarding small projects with letter reports or SHPO Survey Report Summary Forms (SRSF), small projects generally have a very tight budget, and any extra effort usually results in a loss. Would it be possible to lighten some of the editing or submittal requirements for these small projects? We recently received comments back on a small telecom project with a three-page letter report 7 months after submitting the letter. The project had long been closed out and the comments had no action required but still requested re-submitting multiple hard copies and a CD.*

Answer

- **ASM's review requirements are based on the Rules. ASM's goal is to review reports within 30 days of receipt. Implementation of this timed process started in 2019, so that likely explains the 7-month delay if the project was submitted prior. If the comments included no action, there should be no request for resubmittal unless AAA-required components were missing. ASM staff correct minor errors when possible, but in order to minimize requests for revision, please consult ASM's review requirement documents, including (1) *Minimum Requirements and Checklist for Reports, Treatment Plans, and Maps Submitted to the ASM for Work Conducted Under an AAA Permit*, (2) the *Request for Revisions* form itself, and (3) soon-to-be-issued *Submission Procedures and Checklists* (see next slide).**

Forthcoming!

Submission Procedures and Checklists guide

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SUBMISSION PROCEDURES AND CHECKLISTS FOR
CULTURAL RESOURCE MANAGEMENT SERVICES REQUESTED
FROM THE

ARIZONA ANTIQUITIES ACT PERMITS OFFICE,
ARCHAEOLOGICAL RECORDS OFFICE,
ARCHAEOLOGICAL REPOSITORY, AND
REPATRIATION OFFICE

AT THE
ARIZONA STATE MUSEUM

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Arthur Vokes, MA, Archaeological Repository

Date: 11 November 2019

Revised:--

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Efficiency

Question

- *Why does it take so much longer to assign accession numbers and site numbers? There used to be a fast turn-around on these items, but now it takes a month. Even if we request accession numbers as soon as the job is awarded to us, it takes a month to get the accession number, and, in the case of small projects, the project is done in a couple of weeks, and we are forced to wait to curate the project when it should be closed on our end. The same goes for site numbers.*

Answer

- **Since July 1, 2018, the turnaround time for these numbers has increased due to workflow capacity issues. The ARO is sensitive to the need for quick turnaround times for CRM projects and we strive to issue accession numbers and site numbers as quickly as we can. Although our timeline is 20 business days (4 weeks) from the date the invoice is paid, we typically issue the numbers within 3 weeks (see data on next slide) and provide an expedited service option. We are understaffed but our goal is to increase ARO staff as soon as financially possible. Workflow tasks are being streamlined wherever possible. Submission of correct forms will help avoid delays. The soon-to-be-issued *Submission Procedures and Checklists* document will provide additional guidance on correct form submission procedures.**

Efficiency: Data

No. Business Days until Accession Number Issued
7/2/2018 - 11/12/2019

- Completed 1-5 Business Days
- Completed 6-10 Business Days
- Completed 11-15 Business Days
- Completed 16-20 Business Days
- Completed 21+ Business Days

43%
18%
27%
5%
7%
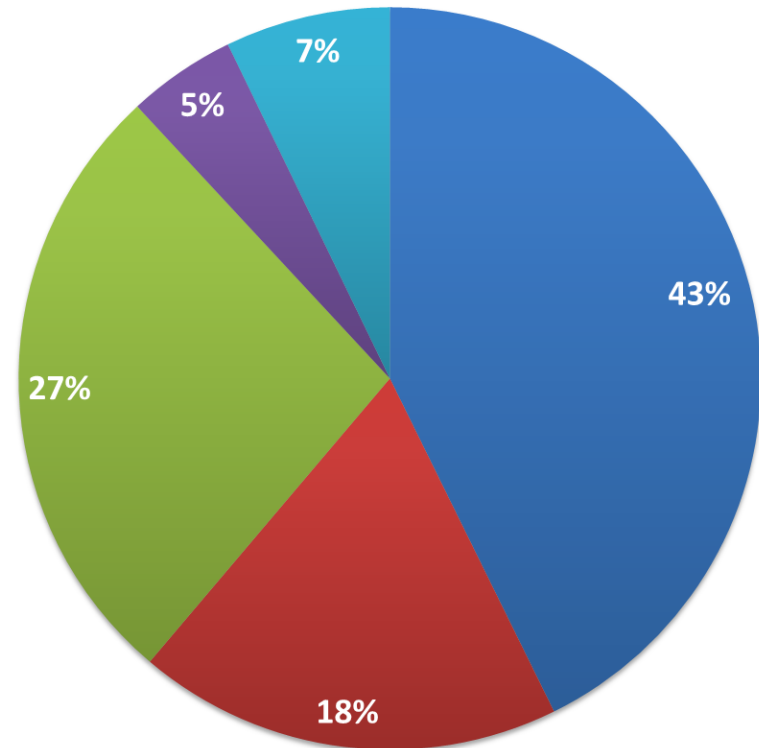
Graph 4

- 88% of Accession numbers are issued within 3 weeks.
- 5% of Accession numbers take 4 weeks to issue (the stated turnaround time).
- 7% of Accession numbers take longer than 4 weeks to issue due to:
  - o incomplete forms
  - o invoice not paid
  - o client puts a hold on the Job

Efficiency: Data

No. Business Days until ASM Site Numbers Issued
7/2/2018 - 11/12/2019

- ■ Completed 1-5 Business Days
- ■ Completed 6-10 Business Days
- ■ Completed 11-15 Business Days
- ■ Completed 16-20 Business Days
- ■ Completed 21+ Business Days

Pie chart showing: 32%, 24%, 25%, 10%, 9%
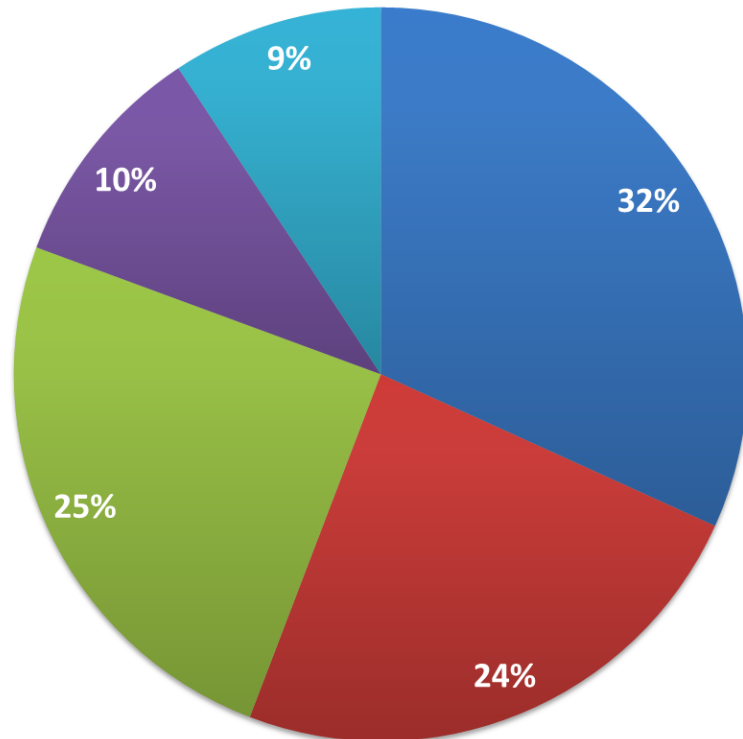
Graph 5

- 81% of site numbers are issued within 3 weeks.
- 10% of site numbers take 4 weeks to issue (the stated turnaround time).
- 9% of site numbers take longer than 4 weeks to issue due to:
  - o incomplete forms
  - o invoice not paid
  - o client puts a hold on the Job

Efficiency: Accession Number Data

No. ASM Accession Numbers Issued per Month
(7/2018 - 10/2019)

Sum of ASM Accession Numbers
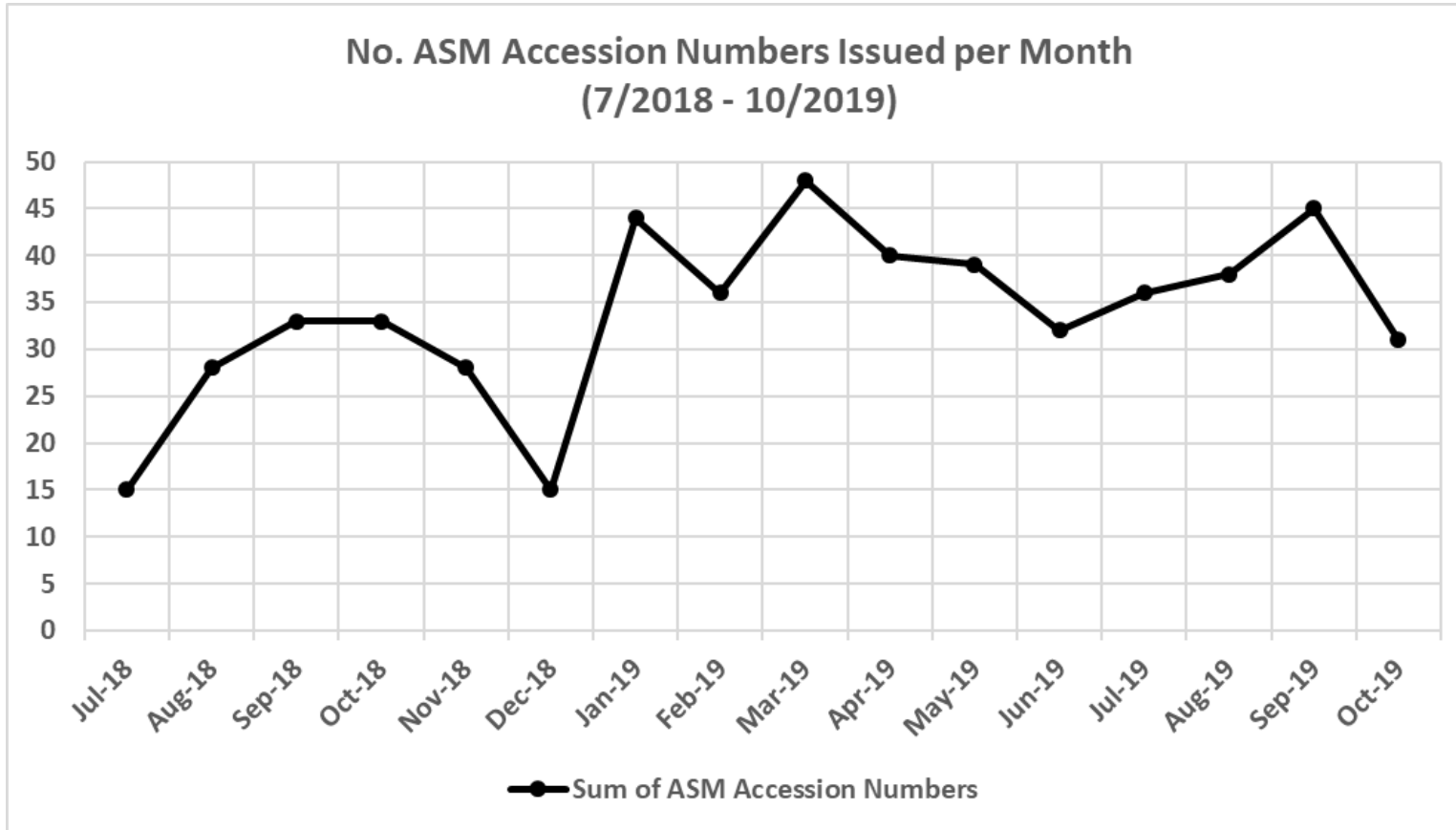
Graph 6

- The next three slides further demonstrate that the ASM is tracking monthly data (since July 1, 2018) in order to provide a streamlined process, when possible. Note that one staff member is responsible for all the tasks illustrated in these slides (and more) so delays and/or high numbers in one service affect other services.

- This slide illustrates the total number of Accession numbers issued (i.e., project registration).

Efficiency: Project Registration Data

AAA Project-specific Permits and Non-collection Surveys Processed per Month (7/2018 - 10/2019)
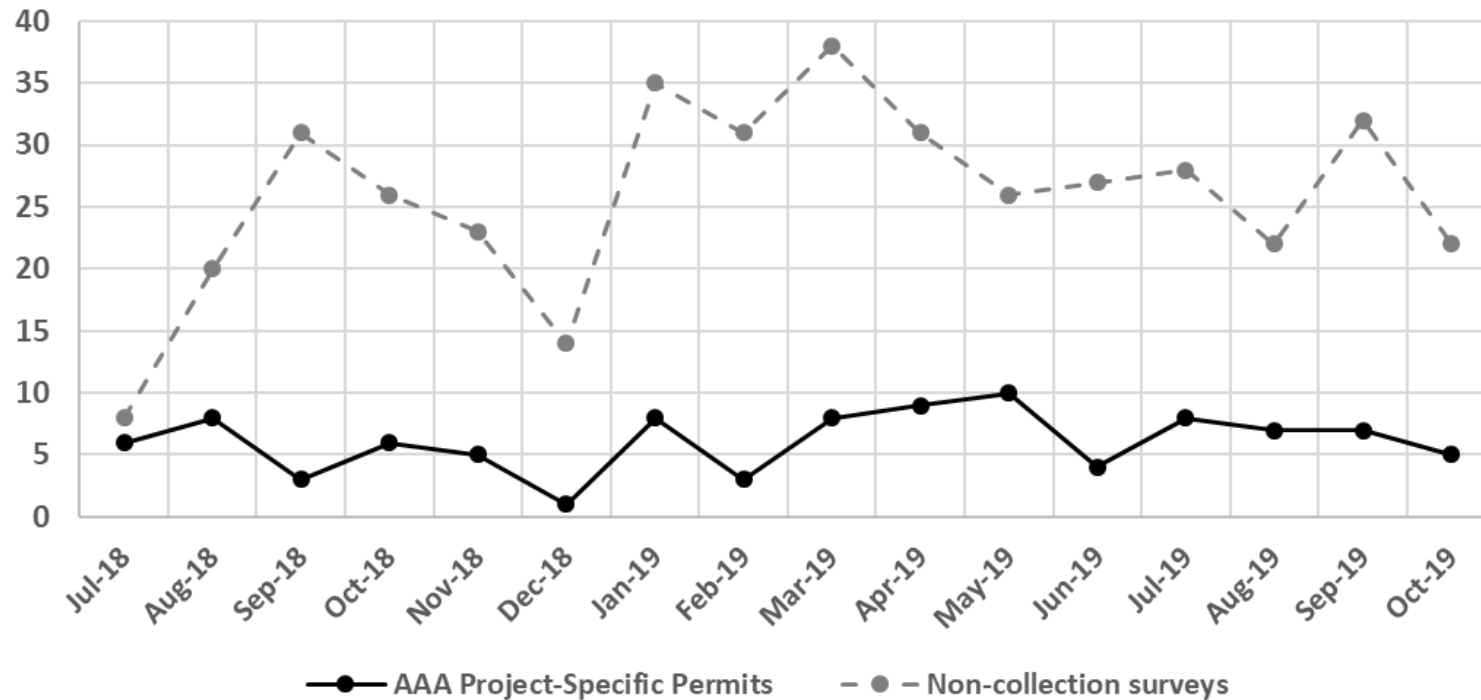
Graph 7

- This slide splits the data from the previous slide to illustrate the number of Accession numbers issued (i.e., project registration) for project-specific permitted projects and for non-collection survey projects.

Efficiency: ASM Site Number Data

No. of ASM Site Numbers Issued per Month
(7/2018 - 10/2019)
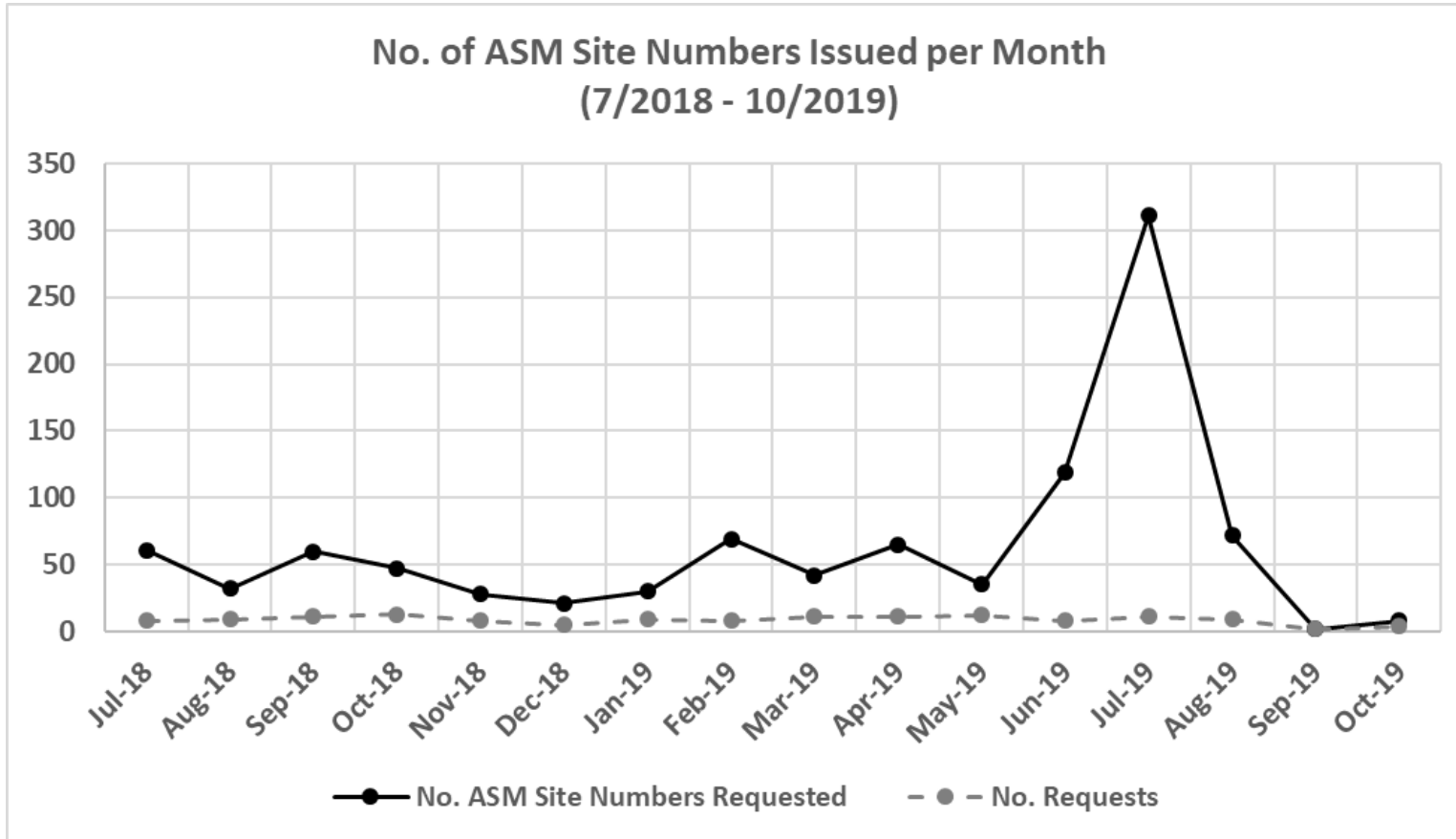
Graph 8

- This slide illustrates the number of site numbers issued. While the number of requests per month is relatively consistent, the quantity of site numbers per request can vary greatly.

Efficiency

Questions

- *It would streamline the process to have accession numbers automatically assigned at the same time as a quote is accepted for a project. Or possibly when the first invoice is paid.*

Answer

- **Unfortunately, accession numbers cannot be auto-generated because there are many tasks associated with assigning accession numbers, such as form review, data entry, and registration paperwork. Once Invoice 1 is paid, the service is scheduled to be issued within the 20-business day timeline.**

- **Note: prior to implementation of the new system, ASM went through a 9-month "process-mapping" effort with an efficiency expert in order to streamline all of its processes.**

Efficiency

Question

- *Deadlines are critical in the CRM business. It is essential that ASM respond to our quote requests within the two-day window. And it isn't acceptable for accession numbers and site numbers to take upwards of 30 days to be assigned. As a vendor of services, ASM should be held to their deadlines.*

Answer

- **We are sensitive to the need for quick turnaround times for CRM projects. Previous data (Graphs 1 and 2, Slides 7 and 8) show that we are meeting the 2-business day deadline for quotes. Although ARO has a 20-business day (4-week) turnaround for accession numbers and site numbers, most are issued within 3 weeks. There can be delays when revisions to incorrectly filled forms are required or invoices are not paid.**

Mandated Programs Forms

Question

- *Why are there two forms needed (PRF and PSF) for submitting a project? Could the two forms be combined?*

Answer

- **The Project Registration Form (PRF) and Project Submission Update (PSU) form each serve a purpose that ensures more efficient workflows.**
- **The PRF is a legal document that is required by the rules implementing the AAA. It streamlines project tracking in the ASM and contains information that ASM is required by the rules to curate.**
- **The PSU is a financial document that streamlines the invoicing process and allows us to make our materiality calculations.**
- **We need to maintain both documents.**

Communication

Question

- *Communication between ASM and CRM firms has been severely lacking. We are not notified when new forms are created; there are different procedures for curation than have been stated in correspondence to us. For example, the Project Specific Update form states that PRF forms should be submitted in digital copy; but the repository wants them in hard copy, which isn't stated anywhere.*

Answer

- **Email notices are sent to the AAA permit holders for distribution to their staff.**
  - **We have been putting time stamps on the website next to forms.**
  - **The forms themselves have a "last revised" date.**
  - **In response to this concern, we are in the process of developing a "blog-style" page on our website to hopefully make it easier for lab managers (etc.) to be aware of changes.**
- **Over the course of 2019, we were trying to resolve a huge number of issues regarding the administration of the AAA, utilizing a new financial and time-tracking system, and developing workflows to bridge gaps as they are identified. We appreciate notification of discrepancies, and have been trying to ensure that changes do not happen too fast, or unpredictably.**

Legacy Projects

Question

- *It has been our experience, when trying to deal with legacy projects, that ASM is requiring those projects be prepped to today's standards. With older projects, this is not always feasible.*

Answer

- **A company may be submitting very old collections. "Legacy" projects are evaluated on a case-by-case basis and we are happy to help address problems.**

- **Collections must be usable, meet the standards stated in the Repository manual and, if the project is on State land, comply with the Rule. By meeting these requirements, together we ensure the long term research potential of collections.**

- **The old Repository Agreement can be terminated. However, the legacy project would then fall under the new fee structure and all new requirements would apply.**

Part 2: Q&A from the Tucson Forum

The following slides contain the Q&A from the forum in Tucson on November 15, 2019.

Questions from Tucson Forum Q&A

Question

Where can we drop off checks to pay for Mandated Programs services?

Answer

- **Checks can be dropped off at the RII Business Center: 888 North Euclid Avenue, University Services Building, Room 204. Ask for Christina Rocha.**
  - **The address for the RIIBC is also on each Invoice.**

- **If you require more detailed drop-off information for the RIIBC, please call Christina Rocha, 520-626-0180.**
  - **This phone number is also listed on the bottom portion of each Invoice.**

Questions from Tucson Forum Q&A

Question

- *Can we re-institute the old emergency monitoring projects blanket permit method?*
- *Is it possible to just amend an already existing AAA Project-specific Permit as utility maintenance emergencies come up?*

Answer

- **Monitoring cannot be conducted under blanket permits and "blanket" monitoring permits are not allowed under the Rules (see Rules implementing A.R.S. § 41-841, Chapter 8, Policies 8-202(A) and 8-203(E)). Emergency situations that involve an immediate threat to the archaeological resource or public safety are handled on a case-by-case basis (see Rules implementing A.R.S. § 41-841, Chapter 8, Policy 8-202(B)). Should such a situation arise, contact Shannon Twilling (twilling@email.arizona.edu, 520-621-4795).**

- **Geographically-specific general monitoring and discovery plans have been developed to streamline the permitting process. We would be happy to discuss the development of additional general plans and explore other possible solutions. Please contact Shannon Twilling to schedule an individual meeting (twilling@email.arizona.edu, 520-621-4795).**

Questions from Tucson Forum Q&A

Question

- *What's the best time for an agency to submit a report for concurrent review in Section 106? We want to avoid situations where an earlier version that was acceptable for Section 106 needs is curated by Federal agencies but does not necessarily meet the needs of the Arizona Antiquities Act. Revisions are then requested by ASM and there are now two reports for a single project. How can we solve this problem?*

Answer

- **We also believe that concurrent review saves time and resources for all parties. ASM encourages concurrent reviews to ensure that all agencies have approved the exact same report; however, ASM must be invited by the lead Agency to participate in the concurrent review process and this is not always the case, unfortunately. The earlier ASM receives Section 106 documents for review, the better.**

Questions from Tucson Forum Q&A

Question

- *How will ASM be disseminating data on the accuracy of the times included in the quotes? Will the rates be stable or will ASM adjust times to complete services based on the data that is being collected and efficiencies are found?*

Answer

- **Since implementation of the new system (July 2018), we have been tracking data to check and adjust the time estimates we use to prepare quotes. The goal is to increase the accuracy of estimates. There will be a review of the data in 2020. This information will be made available in a final report following the review.**

Questions from Tucson Forum Q&A

Question

- *Is the 90-day rule for AAA Blanket Permits being enforced?*

Answer

- **The "90-day rule" for AAA Blanket Permits (see Rules implementing A.R.S. § 41-841, Chapter 8, Policy 8-202(A.2)) states "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." This rule is not currently being enforced. When enforcement is reinstated, requests for extensions will be accepted under certain circumstances.**

Questions from Tucson Forum Q&A

Question

- *While doing fieldwork, we noticed human remains outside of our survey area. We were required to do a report, site card, etc. and it was expensive.*

Answer

- **There are no costs associated with reporting an inadvertent discovery of human remains. A report, site card, and curation fees are not required when human remains are inadvertently encountered. Please report inadvertent discoveries directly to Claire Barker in the ASM Repatriation Office (csbarker@email.arizona.edu, 520-626-0320). Do not go through the quote request system. These reports are dealt with on a case-by-case basis.**

- **We discussed the matter with the client and clarified the procedure for reporting inadvertent encounters with human remains at the time when the situation referenced in the question occurred. Thank you for the opportunity to provide additional clarification.**

Questions from Tucson Forum Q&A

Question

- *What should be done when there are inconsistencies in site boundaries between the ARO site cards, ARO maps (most often when sites are small and drawn on 1:24,000-scale USGS topographic quadrangle maps), and AZSITE? Why is the ARO still using paper maps?*

Answer

- **The goal is accuracy of all site records. Some of these inconsistencies are found in old reports, and we then have to wait for confirmation or additional details from subsequent updates to ensure accuracy of information that allows us to act on making site boundary changes. An email with details of a concern regarding ASM site boundaries can be sent to the ARO. Discrepancies between ASM site boundaries on ARO maps and AZSITE should be directed to the AZSITE manager.**

- **ASM is a curation facility that preserves archaeological data in perpetuity. Submission of site boundary shapefile data is a recent development in ARO's history and is not voluntarily provided by all stakeholders. Recording sites on paper maps and keeping electronic files, as submitted, has been the most consistent form of documentation to date. ASM is required, under state and federal law, to curate the original, paper versions of the documents. Furthermore, there is no national, industry-wide consensus regarding digital curation standards at this time (e.g., archival digital document file formats). ASM is a member of the AZSITE consortium and provides site and survey data to AZSITE. ASM provides free access to records, allowing on-site consultation of its files as well as on-line searches through LARC (Library & Archives) (http://larc.asmua.arizona.edu/vwebv/searchBasic). Records research by ASM staff and document requests are fee-based services.**

Q&A from the Phoenix Forum

The following slides contain the Q&A from the forum in Phoenix on January 24, 2020.

Questions from Phoenix Forum Q&A

Question

Could workplans developed for work on private land be extended to State land?

Answer

- **This question builds on discussion from Slide 11.**
- **Yes, on a case-by-case basis. Please consult with Shannon Twilling (twilling@email.arizona.edu).**

Questions from Phoenix Forum Q&A

Question

Are the cited rules regarding Arizona Antiquities Act Project-specific Permits and emergency monitoring projects based on legislation, or Arizona Board of Regents (ABOR) Rules Implementing the Law? If it is ABOR rules, how can we advocate for changes?

Answer

- **This question builds on discussion from Slide 12.**
- **The cited rules are from the ABOR Rules Implementing A.R.S. § 41-841-844 and A.R.S. § 15-1631.**
- **Please see the ABOR website for more information regarding participating in the formal rule-making process:** https://www.azregents.edu/

Questions from Phoenix Forum Q&A

Question

I submitted projects this year and I didn't get reviews until 3-4 months later. With a review that late, the report was already sent on to the client. Some feedback is too nit-picky, for example Santa Cruz vs. Santa Cruz County. What is the best way to handle it when the reports have already been submitted to and accepted by the client?

Answer (continued on next slide)

- **The ARO is short-staffed and cannot always get project reviews done within 30 days, as is the goal; however, we have gotten approval for a new hire and expect this to alleviate the time delay.**

- **Regarding the request to add Santa Cruz "County" to the name of the landowner on the Project Registration Form, there are three possible review outcomes for all projects submitted to the ARO: (1) accept with no revisions, (2) accept with minor revisions corrected by ARO, and (3) request for revisions.**

Questions from Phoenix Forum Q&A

Answer (continued from previous slide)

- **In this case, it is likely that there was an additional revision that was required on the PRF. If ARO personnel request one revision, then all simpler revisions will also be included, so that the revised PRF can be submitted with all corrections made.**

- **Please note that ARO personnel will not change wording in a report, for two reasons: (1) we will not assume we know how to correctly revise the document, and (2) we do not want the version of the report curated at ASM to be different from those circulated to CRM contractors and other agencies.**

- **Please keep in mind that ASM personnel review reports to the standard published in the *Arizona Antiquities Act Minimum Requirements and Checklist for Reports, Treatment Plans, and Maps* document, posted on the ASM website (https://statemuseum.arizona.edu/crm/document/aaa_minimum_requirements_checklist_reports_treatment_plans_maps).**

- **Refer to this document for a complete listing of ASM requirements regarding Management and Research reports. ASM will apply its own standards, which will differ from those of other reviewers.**

Questions from Phoenix Forum Q&A

Question

I have a Section 106 project on State Land, should we ask our client to submit to ASM for concurrent review?

Answer

- **Yes, please feel free to tell your clients that they can send the report to ASM for concurrent review. The lead federal agency is not required to consult with us but when they do, it is efficient in terms of time and, therefore, budget-friendly for all parties involved.**

- **The SHPO has been suggesting to contractors that they express to their clients the benefits of concurrent review with ASM. However, even with concurrent review and shared standards, please note that each agency submits comments based on a particular set of legal responsibilities. The process is comprehensive and can be time-consuming.**

Questions from Phoenix Forum Q&A

Question

In the future, can ASM do electronic forms to take out the human element, besides the checking? This way, Accession Numbers can be automatically generated.

Answer

- **Yes – ASM is looking into a way we can create more efficient, electronic forms.**

- **Accession numbers cannot be auto-generated because there are many tasks associated with assigning accession numbers, such as form review, data entry, and registration paperwork. Accession numbers are a part of ASM's legal mandate for recording all collections and project submissions in the museum. A human must review the form for accuracy before an accession number can be issued.**

Questions from Phoenix Forum Q&A

Question

If there are more staff now than there were in the past, why has the turnaround time for all services tripled?

Answer

- **Due to past staffing shortages, paperwork was not properly tracked, project materials were not checked for accuracy, and with an increase in volume, the wait times have increased.**

- **Database project tracking has been implemented, all project materials are being checked for accuracy, and all tasks that come across our desks are being dealt with.**

- **See Slides 15-17 for specific data regarding turnaround time for services offered by the ARO. Please feel free to contact the relevant office if you have concerns about the wait time for a particular project.**

Questions from Phoenix Forum Q&A

Question

An increase in ASM processing efficiency does not translate to efficiency for us, the CRM community. Will ASM offer a refund for late deliveries?

Answer

- **ASM has no hard deadlines that we are required to keep except in the case of expedited services.**

- **For example, the 2-business day turnaround times for quotes, 20-business day turnaround times for Accession numbers and ASM site numbers, and the 30-business day turnaround time for project review are ASM's internal goals. These turnaround times are not required by ABOR rules and, therefore, they are not legally binding.**

- **If we do not meet an expedited deadline, by fault of ASM, then we would consider a refund. There are times when expedited service deadlines are not met because requested revisions are not returned by our client in a timely manner, thus making it impossible to meet the delivery date. There would be no refund in those cases.**

Questions from Phoenix Forum Q&A

Question

Will there be a 2-year review of the ASM fee structure? Will a report be available to the public? What fees are being reconsidered?

Answer

- **This question is answered in Slide 30.**

Questions from Phoenix Forum Q&A

Question

Are ASM site numbers needed for an Arizona Antiquities Act (AAA) Project-specific Permit or for Burial Agreements? Why are AAA Project-specific Permits only issued within the boundary of an already-documented ASM site?

Answer

- **ASM site numbers are not required for Burial Agreements.**

- **Per A.R.S. § 41-841-842, a permit issued by ASM is required for any excavations *within an archaeological site*.**

- **When an ASM site number is assigned, the site boundaries are based on direct survey and excavation data curated at ASM. ASM does not recognize other site numbering systems, as we do not know the standards used in the recording and assignment of other numbers. If a site location is confirmed within a project area that is on state land, an ASM site number should be assigned. If evidence of a site is not apparent on the modern ground surface, but remains are identified once ground has been broken, an ASM site number can then be assigned and an AAA permit issued.**

Questions from Phoenix Forum Q&A

Question

Certain water districts, school districts, other utilities companies are unique in that they are both private companies and a political subdivision of the State. Are permits required if work is done within the boundary of an ASM site on land owned by these companies?

Answer

- **Permits are required for any organization defined as an "agency of the state"; therefore, land owned by school districts and some utility companies fall under this purview.**
- **Please also see Slide 54 for further discussion of landownership.**

Questions from Phoenix Forum Q&A

Question

Can you explain the difference between Board of Regents "Policy" and "Rules" Implementing the Antiquities Act? The term "rules" has a specific meaning in law, and the Board of Regents does not have statutory authority to promulgate rules. "Policy" however can apply to anyone under the authority of the Board, including ASM and its permitees. Given this situation, can you explain how the Board's Policy can apply to entities not under authority of the Board, such as agencies, counties, and districts?

Answer

- **The Arizona Board of Regents is exempt from the provisions of the Arizona Administrative Procedure Act (which governs the promulgation of rules by most parts of the state government) and does, in fact, promulgate rules. The Rules that implement the statutes that ASM administers are published in the ABOR Policy Manual. For example, Policy 8-101 is "Rules Implementing A.R.S. § 41-865, Disturbing Human Remains or Funerary Objects on Lands Other than State Lands – Definitions." Likewise, Policy 8-201 is "Rules Implementing A.R.S. § 15-1631 and § 41- 841, et seq., The Arizona Antiquities Act – General." Because the statutes apply to all persons and entities relative to archaeology on state lands, the rules also apply to all.**

Questions from Phoenix Forum Q&A

Question

Are we allowed to make photocopies of maps in the Archaeological Records Office? Can we take photos?

Answer

- **ARO personnel are currently working on a revised Use Agreement to accommodate strategies and technologies for documenting ASM site boundaries and other archives in the ARO, while still maintaining curation standards required of ASM. The Use Agreement is forthcoming.**

Questions from Phoenix Forum Q&A

Question

We have a report that came in and I think the site boundaries are different. Can I send you that info to change the boundary without having to pay for a site update card?

Answer

- **If you think that the ARO has made an error in plotting a site boundary from data already curated at ASM, please bring it to our attention. Be sure to include maps and information about the error. If the ARO has made an error, we will fix it.**

- **If new data suggest that a site boundary requires revision, include the new supporting data and an explanation in your report, in addition to an ASM Site Card Update.**

Questions from Phoenix Forum Q&A

Question

What do we do about inconsistency in ASM site boundaries? We want to use the most up-to-date boundary. How can we do that for ASM sites on both state and private land?

Answer

- **ASM site boundaries are constantly updated on the ARO maps as reports are reviewed by ARO personnel.**

- **There is no obligation to update ASM sites that are located on private land. However, the ASM Site Card will include all data that have been submitted to the ARO.**

Questions from Phoenix Forum Q&A

Question

The AAA requires an ASM Permit within an established site boundary but ASM doesn't consider new boundaries. So we can make a case to ASM that although the site is there, it has been exhausted and we don't need a permit?

Answer

- **This question builds on discussion from Slide 44.**
- **ASM evaluates all recommendations regarding site boundary changes, on a case-by-case basis.**

Questions from Phoenix Forum Q&A

Question

Is there a way to more closely align the ASM site definition with National Register of Historic Places eligibility?

Answer

- **At this time, changes to the ASM site definition are not being considered.**

Questions from Phoenix Forum Q&A

Question

You have stated that ASM will be hiring staff in order to meet the volume needs and increase the speed in which requested services can be delivered. Is this hiring plan theoretical? What is the timeline?

Answer

- **As of the posting of this question, the hiring process is well underway. The ARO is hiring a Research Specialist, the Archaeological Repository an Assistant Coordinator for Repatriation and the Repository. Both new hires will assist with ASM's State-mandated services. We hope to have someone in each position by July 1, 2020.**

Q&A from Questionnaires

The following slides contain the Q&A collected from the questionnaires collected from forum attendees in Tucson and Phoenix.

Q&A from Questionnaires

Question

Can you clarify what "Lands owned by the State" means to ASM? Also, this definition is not shared by most agencies and lawyers. How can this be reconciled?

Answer

- **This question builds on discussion from Slide 45.**

- **State lands means lands owned or controlled by the State of Arizona or by any agency, instrumentality, or political subdivision of the State of Arizona, including any county or municipal corporation. This definition is taken directly out of A.R.S. § 41-844. Because we are required to comply with this statute, we cannot adjust our definition to correlate with other agencies.**

- **ASM is happy to discuss any varying definitions on a case-by-case basis.**

Q&A from Questionnaires

Question

How does ASM determine land jurisdiction? Do you take into account rights-of-way or roads?

Answer

- **The Rules Implementing A.R.S. § 41-841-844, 865 and A.R.S. § 15-1631 focus on landownership, not land jurisdiction.**
- **An agency may have jurisdiction over a right-of-way, but this does not mean that the agency owns the land.**
- **If a road is owned by the State or an agency (such as an ADOT-owned road crossing private or federal land), it would require compliance with the AAA.**
- **An AAA permit is required if the project area is located on lands owned or controlled by the State of Arizona or by any agency, instrumentality, or political subdivision of the State of Arizona, including any county or municipal corporation.**

Contact us!

Feel free to contact us any time:

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