

**433.879 Excavation permits -- Requirements -- Supervision by state archaeologist and Kentucky Heritage Council.**

- (1) In addition to the written permission of the owner required by KRS 433.873(1), a person shall also obtain a permit from the state archaeologist prior to excavating or removing any archaeological, paleontological, prehistoric or historic feature of any cave. The state archaeologist shall issue a permit to excavate or remove such a feature if he finds that it is in the best interest of the Commonwealth and that the applicant meets the criteria of this section and is an historic, scientific or educational institution, professional archaeologist or amateur who is qualified and recognized in the areas of field investigations or archaeology. The permit shall be issued for a period of two (2) years and may be renewed upon expiration. The permit shall not be transferable; however, the provisions of this section shall not preclude any person from working under the direct supervision of the permittee.
- (2) All field investigations, explorations or recovery operations undertaken under this section shall be carried out under the general supervision of the state archaeologist and the Kentucky Heritage Council and in a manner to ensure that the maximum amount of historic, scientific, archaeologic, and educational information may be recovered and preserved in addition to the physical recovery of objects.
- (3) A person applying for a permit pursuant to this section shall:
  - (a) Have knowledge of archaeology, paleontology or history as qualified in subsection (1) of this section;
  - (b) Provide a detailed statement to the state archaeologist giving the reasons and objectives for excavation or removal and the benefits expected to be obtained from the contemplated work;
  - (c) Provide data and results of any completed excavation, study, or collection at the first of each calendar year;
  - (d) Obtain the prior written permission of the owner if the site of the proposed excavation is on privately owned land; and
  - (e) Carry the permit while exercising the privileges granted.

**Effective:** July 15, 1988

**History:** Created 1988 Ky. Acts ch. 168, sec. 5, effective July 15, 1988.