

**Superseded 5/10/2016**

**9-8-302 Definitions.**

As used in this part and Part 4, Historic Sites:

- (1) "Agency" means a department, division, office, bureau, board, commission, or other administrative unit of the state.
- (2) "Ancient human remains" means all or part of the following that are historic or prehistoric:
  - (a) a physical individual; and
  - (b) any object on or attached to the physical individual that is placed on or attached to the physical individual as part of the death rite or ceremony of a culture.
- (3) "Antiquities Section" means the Antiquities Section of the Division of State History created in Section 9-8-304.
- (4) "Archaeological resources" means all material remains and their associations, recoverable or discoverable through excavation or survey, that provide information pertaining to the historic or prehistoric peoples of the state.
- (5) "Collection" means a specimen and the associated records documenting the specimen and its recovery.
- (6) "Curation" means management and care of collections according to standard professional museum practice, which may include inventorying, accessioning, labeling, cataloging, identifying, evaluating, documenting, storing, maintaining, periodically inspecting, cleaning, stabilizing, conserving, exhibiting, exchanging, or otherwise disposing of original collections or reproductions, and providing access to and facilities for studying collections.
- (7) "Curation facility" is defined as provided in Section 53B-17-603.
- (8) "Division" means the Division of State History created in Section 9-8-201.
- (9) "Excavate" means the recovery of archaeological resources.
- (10) "Historic property" means any prehistoric or historic district, site, building, structure, or specimen included in, or eligible for inclusion in, the National Register of Historic Places or the State Register.
- (11) "Indian tribe" means a tribe, band, nation, or other organized group or community of Indians that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.
- (12) "Museum" means the Utah Museum of Natural History.
- (13)
  - (a) "Nonfederal land" means land in the state that is not owned, controlled, or held in trust by the federal government.
  - (b) "Nonfederal land" includes:
    - (i) land owned or controlled by:
      - (A) the state;
      - (B) a county, city, or town;
      - (C) an Indian tribe, if the land is not held in trust by the United States for the Indian tribe or the Indian tribe's members; or
      - (D) a person other than the federal government; or
    - (ii) school and institutional trust lands.
- (14) "Principal investigator" means the individual with overall administrative responsibility for the survey or excavation project authorized by the permit.
- (15) "Repository" is defined as provided in Section 53B-17-603.
- (16) "School and institutional trust lands" are those properties defined in Section 53C-1-103.
- (17) "Site" means any petroglyphs, pictographs, structural remains, or geographic location that is the source of archaeological resources or specimens.

- (18) "Specimen" means all man-made artifacts and remains of an archaeological or anthropological nature found on or below the surface of the earth, excluding structural remains.
- (19) "State historic preservation officer" means that position mentioned in 16 U.S.C. Sec. 470a, as amended.
- (20)
  - (a) "State land" means land owned by the state including the state's:
    - (i) legislative and judicial branches;
    - (ii) departments, divisions, agencies, boards, commissions, councils, and committees; and
    - (iii) institutions of higher education as defined under Section 53B-3-102.
  - (b) "State land" does not include:
    - (i) land owned by a political subdivision of the state;
    - (ii) land owned by a school district;
    - (iii) private land; or
    - (iv) school and institutional trust lands.
- (21) "Survey" means a surface investigation for archaeological resources that may include:
  - (a) insubstantial surface collection of archaeological resources; and
  - (b) limited subsurface testing that disturbs no more of a site than is necessary to determine the nature and extent of the archaeological resources or whether the site is a historic property.