

223—41.7(303) Confidentiality of archaeological site information.

41.7(1) In accordance with Iowa Code subsection 22.7(21) and 685—Chapter 14, Iowa Administrative Code, specific locational information on archaeological resources is confidential unless approved for disclosure. The state historic preservation officer, or designee, shall make archeological site records available to the following entities for inspection and copying:

1. Federal and state agencies, local governments, and applicants for federal assistance, permits, and licenses in compliance with Section 106;
2. Federal and state agencies, local governments, and other planning bodies for management and oversight of archaeological sites under their jurisdiction;
3. Members of the Association of Iowa Archaeologists;
4. Members of the Society of Professional Archaeologists;
5. Qualified archaeologists as defined in 685—14.2(305A), Iowa Administrative Code; and
6. Other persons deemed to present no unreasonable risk of damage or loss of the resource.

41.7(2) Notwithstanding any of the preceding subrule, the state historic preservation officer, or designee, shall retain the authority to deny access to the Iowa site records, site location maps, and all supporting documents if the release is believed to result in an unreasonable risk of damage or loss of the resource. An appeal committee consisting of three qualified archaeologists as defined in 685—14.2(305A), Iowa Administrative Code, shall review contested cases and make recommendations to the director of the department of cultural affairs for final decision.

41.7(3) The society may enter into agreements with the state archaeologist or other agencies to obtain or make available Iowa site records for planning purposes.

41.7(4) Unless subject to restriction, copies of survey material may be obtained from the state historical society of Iowa. Fees shall be posted in accordance with 223—subrule 1.5(3), Iowa Administrative Code. Requests may be directed to Consulting Archaeologist, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, (515)281-8744.