


February 16, 2006

Memo to: All Sport Divers

From: Elizabeth Ann Brown 
Interim Executive Director

Subject: Alabama Underwater Cultural Resources Act (41-9-290)

First, let me thank all divers who have participated in our recent work to revise regulations concerning Underwater Cultural Resources. We had good attendance at the public meetings, and received more than 150 written comments. From my discussions with many of you, I believe we have made improvements in the regulations for everyone.

No permit is now required for recreational diving. No permit is required under this law to pick up artifacts that are not "cultural resources," which must meet all the qualifications below:

- Made by the hand of man—not fossils, gold, or wildlife
- Contained on or in submerged land within the jurisdiction of the state
- Unclaimed for more than 50 years
- Listed or eligible for the National Register of Historic Places or Alabama Register of History and Landmarks.

It is safe to say that dropped, discarded items you would likely find—bottles, tools, old pocket knives, fishing lures, etc. — aren't and never have been cultural resources under this law. Care should be taken with shipwrecks or "treasure troves," as their removal could violate other state laws.

We all share a passion for history. The Commission hopes to build more good relationships with divers, and work together to tell the story of Alabama. If we can be of any help, please do not hesitate to call.

468 South Perry Street
Montgomery, Alabama
36130-0900

tel 334 242-3184
fax 334 240-3477