

Protocol for Protection of Cultural Resources

College Forests
College of Forestry
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Archaeological sites are acknowledged to be a finite, irreplaceable and nonrenewable cultural resource, and are an intrinsic part of the cultural heritage of the people of Oregon. As such, archeological sites and their contents located on public land are under the stewardship of the people of Oregon to be protected and managed in perpetuity by the state as a public trust.

The State of Oregon shall preserve and protect the cultural heritage of this state embodied in objects and sites that are of archaeological significance.

ORS 358.910 Policy

Purpose

The Oregon State University College Forests contain valuable archeological sites which are critical to the cultural heritage of Oregon and its citizens. The College Forests recognize the historic and cultural significance of these resources and are committed to their protection and preservation.

The archaeological history in Oregon goes back over 13,000 years, to the Pleistocene Epoch. While the archaeological history in Oregon is extensive, the written history spans only the last two centuries. Prior to that time, the only historic records are archaeological. If this early history is to be understood and appreciated, sites must be identified and protected.

The archaeological record also contains more recent records, those within the written history of Oregon. Historical records by their nature seldom contain the full breadth of information needed to recover specifics of a time or place. Details are often only available from the archaeological record for specifics. The history of Oregon is contained in both the unwritten as well as the written archaeological records.

The importance of these resources is reflected in the protection afforded them in state and federal laws:

- The National Historic Preservation Act of 1966, as amended
- The National Environmental Protection Act of 1969
- The Archeological and Historic Protection Act of 1974
- The Archeological Resources Protection Act of 1979
- The Native American Graves Protection and Repatriation Act
- ORS 97.740 et seq. Indian Graves and Protected Objects
- ORS 358.905 et seq. Archaeological Objects and Sites
- ORS 390.235 et.seq. Archaeological Sites and Historical Materials

These laws provide the foundation for our commitment for management of archeological resources on the College Forests.

Definitions

An ***archaeological object*** is 1) at least 75 years old, 2) is part of the physical record of an indigenous or other culture found in the state or waters of the state, and 3) is material remains of past human life or activity that are of archaeological significance. ORS 358.905 (a).

An ***Archaeological site*** means a geographic locality that contains archaeological objects and the contextual associations of the archaeological objects with each other or biotic or geological remains or deposits. ORS 358.905 (c) (A)

Burial means any natural or prepared physical location whether originally below, on or above the surface of the earth, into which, as a part of a death rite or death ceremony of a culture, human remains were deposited. ORS 358.905 (e)

Funerary objects means any artifacts or objects that, as part of a death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later. ORS 358.905 (f)

Ground Disturbing Activity is a disturbance to the soil such that an archaeological object could be damaged or the contextual integrity of an archaeological site compromised.

Human Remains means the physical remains of a human body, including, but not limited to, bones, teeth, hair, ashes or mummified or otherwise preserved soft tissues of an individual. ORS 358.905 (g)

Object of Cultural Patrimony means an object having ongoing historical, traditional or cultural importance central to the native Indian group or culture itself but does not mean unassociated arrowheads, baskets or stone tools or portions of arrowheads, baskets or stone tools. *Paraphrased from* ORS 358.905 (h)

Qualified Archaeologist means a person who has a post-graduate degree in archaeology, anthropology, history, classics or other germane discipline with a specialization in archaeology, or documented equivalence of such a degree, twelve weeks of supervised experience in basic archaeological field research and has designed and executed an archaeological study. ORS 390.235 (b)

Sacred Object means an archaeological object or other object that is demonstrably revered by any ethnic group, religious group or Indian tribe as holy, is used in connection with the religious or spiritual service or worship of a deity or spirit power or was or is needed by traditional native Indian religious leaders for the practice of traditional native Indian religion. ORS 359.905 (k)

A Site of Archaeological significance is an archaeological site on or eligible for inclusion on the National Register of Historic Places as determined in writing by the State Historic Preservation Officer or determined significant in writing by an Indian tribe.
ORS 358.905 (b)

Background

From 1994 until August 2004 the College Forests employed a qualified archaeologist. This person conducted surveys of identified areas where ground-disturbing activities were to occur. Potential archaeological sites were identified on the ground and on maps and forestry activity in the areas identified was avoided. Sites were not surveyed to determine significance. However, inadvertently, some sites were disturbed. This protocol is established to ensure, within the limits of practical sampling designs, that sites of potential archaeological significance are identified and protected until surveyed to determine archaeological significance.

The Oberteuffer, Ram's Dell, Cameron, and Marchel Forests were surveyed in the late 1990's. No potential sites were discovered on the Ram's Dell, Cameron, or Marchel Forests; however, a potential site in an open field (meaning, not subject to ground-disturbing forest activities at this time) was discovered on the Oberteuffer Forest. This potential site will require further investigation prior to any ground-disturbing activity. The Spaulding Forest has not been surveyed.

Implementation

The College will collaborate with the Oregon tribes and the State Historic Preservation Office (SHPO) to develop protocols for surveys prior to ground-disturbing activities, assist in development of training procedures for College Forest staff in cultural protection and interpretation and in sharing data. The tribes will participate in annual meetings to discuss proposed activities and ideas for improving cultural resources stewardship between College Forest staff and the tribes' cultural resources staff. The tribes also have oral testimony from tribal elders that SHPO does not have that can significantly augment SHPO information when making significance determinations.

The SHPO maintains a comprehensive statewide inventory of known cultural resource sites. SHPO is also a source of information and education on cultural resources management and can provide technical advice for conducting surveys and recording site information.

The College Forest Information Manager will coordinate and cooperate with the tribes and SHPO to develop predictive maps of potential cultural site locations, conduct pre-ground disturbing activity surveys in areas identified as having a high probability of having cultural resources and a sample of lower probability areas and also conduct post-disturbance surveys of a representative sample of both high and low probability areas to validate and/or improve the predictive map. The College Forest Director and Forest

Information Manager will provide cultural resource protection leadership and management, respectively, of the cultural resources program on College Forests.

The College Forests will work with the tribes in a spirit consistent with Executive Order - 96-30.

Faculty will be directed to contact the College Academic Support Manager prior to engaging in ground-disturbing activities.

Policy

The intent of cultural resource management on the OSU College Forests is to become a model of cultural resource management that others will emulate.

The College Forests Director, in consultation with the College Forests Forest Information Manager, is responsible for the management of cultural resources on the College Forests.

The College Forests will contract with a qualified archaeologist to conduct field surveys prior to ground disturbing activities but that does not relieve all field crews of their responsibility to be mindful and watchful for archaeological sites. To help field crews appreciate and recognize archaeological objects and potential sites, appropriate field personnel will participate in training prior to authorized field work sufficient to become proficient at the technician level of expertise. Additional training will also be provided for summer crews prior to the summer field season.

In consultation with the tribes and SHPO, a predictive map showing areas of high and low probability of containing an archaeological object or site, including locations of known sites, will be developed for McDonald, Dunn and Blodgett Forests. This map will be used as a guide to prevent inadvertent disturbance of potential archaeological sites but will not substitute for on-site surveys prior to ground disturbing activities.

The predictive map will be consulted prior to any ground disturbing activities. For ground disturbing activities within areas identified as having a high probability of containing archaeological objects or sites, a ground survey conducted by a qualified archaeologist is required. A sample of sites identified as having a low probability will be surveyed by a qualified archaeologist.

The predictive map is recognized as a “work in progress” and will be revised periodically in consultation with the tribes and SHPO based on new information obtained both on the College Forests and elsewhere in Oregon as appropriate. Because archaeological objects are difficult to detect in forested environments, post-disturbance surveys will be conducted on a representative sample, perhaps 20%, of both high probability and low probability areas to validate the predictive map and serve as the basis for revision if needed.

Areas of forests that have been extensively disturbed in the past such that the probability of finding an archaeological object with contextual associations is low may not be

surveyed prior to future ground disturbing activities on a case-by-case basis. However, an area previously surveyed for a past ground disturbing activity may warrant a second survey, especially in high probability areas.

While collection of an archaeological object from the surface of the ground is permitted if not a sacred object, human remains, funerary object or object of cultural patrimony (ORS 358.915), College Forest policy is to leave the object in place until the possibility of a contextual association can be determined. This policy pertains to pre-disturbance activities, objects found during ground disturbing activities or after the conclusion of ground disturbing activities.

Findings of any archaeological object should be reported to the Director or Forest Information Manager. No excavation or alteration of the site is permitted (ORS 358.920) unless by a qualified archaeologist after obtaining a permit (ORS 390.235). Following an assessment of possibility of the object being part of an archaeological site, the object may be removed. Appropriate language will be included in contracts to require contractors engaged in ground disturbing activities to stop ground disturbing activities in the area and report their findings to the contracting officer representative immediately.

It is the responsibility of College Forest staff, temporary employees and contractors to be mindful of discovering archaeological objects or sites, to respect and protect the possible integrity of the site and to immediately report findings.