


California Archaeological Site Stewardship Program (CASSP) Volunteer Workshop

Society for California Archaeology
 CASSP Workshop

California State Parks,
Northern Buttes District,
Lake Oroville State Recreation Area
April 29-30, 2017

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Northern Buttes District, Lake Oroville State Recreation Area, California

Program Agenda for Saturday, April 29, 2017

- 9:00 Check-in, registration, workshop notebooks.
- 9:15 Welcoming remarks. (Karen Lacy, Brian Walsh).
- 9:30 Round robin introductions of participants; what are your expectations?
- 9:45 Overview of CASSP.
Site stewardship: ethics and duties. (Karen Lacy).
- 10:15 Break.
- 10:30 Overview of Sutter Buttes. (Brian Walsh).
- 10:45 LOSRA site steward experience (Michael Hubbartt)
- 11:15 Archaeology of the Lake Oroville region (Greg White).
- 12:00 Lunch, provided at the workshop.
- 1:00 Law enforcement concerns. (Brian Taylor)
- 1:30 Laws and archaeology (Mike DeGiovine).
- 2:00 The role of a site steward (Video).
How to be a witness and communication tools. (Mike DeGiovine and Karen Lacy)
Site stewardship field form.
Personal safety (Karen Lacy and all participants).
- 2:45 Break.
- 3:00 Discussions and role-playing exercises for dealing with the public (All).
- 4:00 Site stewardship opportunities and logistics.
Discussion, questions and comments.
Complete volunteer forms.
Sign confidentiality agreement.
- 4:30 Thanks to Northern Buttes District, California State Parks, Society for California Archaeology, and to all participants and speakers.

A second day of training, consisting of a field trip for Lake Oroville State Recreation Area, is held on Sunday, April 30, 2017.

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- Relationship with existing volunteer site stewardship programs in California
- What does it take to be a site steward?
- What can site stewards expect from CASSP?
- Photos of site stewardship activities
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1. The Sutter Buttes Project: Classification and Naming (extract)

California State Parks, March 8, 2005

Recent photos of Sutter Buttes State Park

by Brian Walsh

2. Archaeology and the Law

- Summary of Laws Concerning Archaeology
- California Register and National Register: A Comparison
- Archaeological Resources Protection Act of 1979
- Repatriation: A Clash of World Views, by Tamara Bray

3. Forms

- CASSP Candidate Application Form
- SCA Code of Ethical Guidelines
- CASSP Confidentiality Agreement
- CASSP Monitoring Form

4. Safety

- Important Phone Numbers
- Outdoor Safety: Safety Checklist
- Personal Safety of CASSP volunteer site stewards
- Being a Good Witness
- Role-playing exercises for dealing with the public

5. Glossary, References, and Other Sources of Information

- Glossary
- References

Other handouts and extra copies of forms are stored inside notebook covers.



Introduction

The California Archaeological Site Stewardship Program (CASSP) is a network of concerned people committed to protecting California's rich cultural heritage. The program recruits professional archaeologists and trained volunteers as stewards to monitor sites throughout the state. Stewards promote protection through monitoring, education, research, and public awareness. Their on-site presence enhances the preservation of California's cultural resources for all.

The goals of CASSP are:

1. To protect and to preserve in perpetuity prehistoric and historic archaeological resources for the purposes of conservation, scientific study, interpretation, and public enjoyment.
2. To increase public knowledge and awareness of the significance and value of cultural resources.
3. To support the understanding of national, state, and local preservation laws.
4. To support the recordation and to provide the on-going physical record of the site to assist with permanent site management.

Our motto is "Caring, Sharing, and Protecting."

Relationship with existing volunteer site stewardship programs in California

CASSP did not invent the idea of site stewardship. In California, volunteer site stewardship programs have been operating for a number of years. And they have been preserving and protecting cultural resources to the benefit of all. CASSP does not replace these efforts; it will coordinate and support them as appropriate. Previous site stewardship programs include: the Southern Sierra Archaeological Society site stewardship program, the Friends of Sierra Rock Art and Tahoe National Forest site stewardship program, the Bay Area Rock Art Research Association, and Partners in Preservation at the Los Padres National Forest.

Representatives of some of these groups have already participated in CASSP. Their skills and experience have been essential in the progress achieved so far. Mary and Jim Gorden, of the Southern Sierra Archaeological Society and Duane Christian of the Bakersfield Field Office, BLM, participated in an ten-year site monitoring effort at the Carrizo Painted Rock pictograph site and additional rock art sites in Kern County. Steve Horne and Janine McFarland developed a site stewardship program called Partners in Preservation, at the Los Padres National Forest. This program started in 1993 and became the largest of its kind in the state, involving more than three hundred twenty-five active volunteers over a very large area.

Sponsors and Supporters

Several groups and organizations have agreed to cooperate with the Society for California Archaeology, the Bureau of Land Management, and the US Forest Service, to implement the California Archaeological Site Stewardship program. Present partners include California Office of Historic Preservation; California Native American Heritage Commission; Maturango Museum; National Park Service, and California State Parks, Angeles, Northern Butte and Mojave Districts.

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The Society for California Archaeology (SCA) provides overall support, guidance, and supervision to implement CASSP. Discovery Works, Inc. provides the day-to day operational support for the program, organizes the training workshops, and coordinates efforts for the CASSP newsletter, web site, and other volunteer support activities. Members of the CASSP committee meet during the annual SCA meetings to organize, develop, and evaluate the program. Recent members of this committee include: Don Amador, Beth Armstrong, Nancy August, Renee Barlow, James Barnes, Jacqueline Beidl, Ashley Blythe, Jim Bowe, Gregg Castro, Fred and Kathy Clewell, Greg Collins, Robin Connors, Michael DeGiovine, Colleen Delany, Michael Dugas, Curt Fair, Linn Gassaway, Miranda Gavalis, Mary Gerbic, Donna and Garry Gillette, Amy Girado, Scott Green, Gina Griffith, Greg Haverstock, Stephen Horne, Denise Jaffke, Mary and Martin Jespersen, Dawn Johnson, Russ Kaldenberg, William Kerwin, Karin Klemic, Mary Kliejunas, George Kline, Karen Lacy, David Lee, Chris Lloyd, John Maher, Marilla Martin, Dan McCarthy, Carolyn and Gordon McGregor, Jamie Moore, Jane O'Donnell, Beth and Chris Padon, Wanda Raschkow, Judyth Reed, Eric Ritter, Sandy and Fran Rogers, Joan Schneider, Rae Schwaderer, Jim Shearer, Leslie and Bruce Steidl, John Steward, Susan Stratton, Barbara Tejada, Mary Lynn Tenenbaum, Alex Verdugo, Brian Walsh, Barbara White, Tamara Whitley, Cory Wilkins, Charlotte Wolter, and Erik Zaborsky.

What does it take to be a California Archaeological Site Steward?

CASSP volunteers come from all parts of the State and types of backgrounds. They differ in age, archaeological experience, and recreational interests. However, they all share a desire to do what they can to preserve irreplaceable prehistoric and historic resources. Specific requirements for participating in CASSP include:

1. Sincere interest in preserving California's rich cultural heritage.
2. Sign the Confidentiality Agreement and commitment to abide by the SCA Code of Ethics
3. Must be at least eighteen years old.
4. Completing the required training before participating in the Site Steward Program.

Training consists of:

- approximately eight hours of classroom instruction, and
 - an in-field training session with a CASSP archaeologist.
5. Upon completion of training, the site steward duties and responsibilities include:
 - Monitoring sites on a regular basis, according to the agreed schedule,
 - Coordinating activities with other site stewards sharing responsibilities for assigned site,
 - Filling out monitoring forms after each visit,
 - Reporting any changes in conditions of the site to the CASSP archaeologist or representative land manager in a timely manner,



- Understanding the archaeological information about your assigned site and sharing this information when meeting the public at an assigned site,
- Sharing with someone who can alert authorities in the event that you don't return home on time,
- Notifying the coordinating archaeologist immediately if you can not perform your monitoring trip,
- Assisting the coordinating archaeologist to find a replacement,
- Immediately notifying the coordinating archaeologist, land manager or appropriate law enforcement officer, if a situation at the assigned site such as recent vandalism warrants immediate attention,
- Remembering to bring a camera into the field to help document any changes to the assigned site's condition,
- Keeping clear and clean monitoring records,
- Following reasonable and accepted safety procedures for working outside.

What can the site steward expect from the CASSP program?

CASSP participants receive the satisfaction of knowing that by helping to preserve fragile cultural resources, they are helping current and future generations better understand how we have come to be the people that we are. CASSP also provides:

1. Hands-on, practical experience in field archaeology,
2. Cap, forms, and other equipment as it becomes available,
3. A meaningful volunteer experience,
4. Copy of the annual CASSP report,
5. Access to CASSP archaeologists,
6. Group and individual training through workshops and site visits,
7. One year membership in the Society for California Archaeology for volunteers who are not already SCA members,
8. Advanced training opportunities.

The CASSP web site can be found at www.cassp.org. Find CASSP on Facebook at www.facebook.com/California-Archaeological-Site-Stewardship-Program-608935952575076.



Fig. 1. BLM archaeologist Jim Shearer showing vandalism to rock art at Inscription Canyon.



Fig. 2. Maidu members and CASSP volunteers, Patsy Seek and Brandy Doering, helped the State Parks archaeologist to document and backfill looter pits at a prehistoric shell midden. The site will be covered with brush.

**California Archaeological Site Stewardship Program
Site Monitoring Report**

Site: Minietta Mine
Date and Time of Monitoring: 11-12-99
Name: David Branson, Freida Branson, Don Stapleton Address:
Phone:
Accompanied by None (name and address):
Condition of archaeology site. (State if clear, damaged, overgrown, or vandalized. Describe any damaged areas. Attach sketches, maps, or photographs.) As you can see in the attached pictures, there was remnants of paint balls being fired everywhere. The rocks, wooden structures, and ground was splattered with paint and there were whole paint balls still on the ground. The paint was still wet. We also found makeshift targets hung up on the corral and on the metal storage tank west of the cabin. We found that someone had been shooting bullets at the targets set up on the corral and when they missed the targets, they hit the non-mortared walls in several areas. There is a new roof on the cabin--very nice.
Condition of trails. (State if clear, obstructed, overgrown, or damaged.) The roads in were good, able to make it all the way in to the cabin. There has definitely been a lot of traffic going up to the site. We even saw tire tracks going by the corral and down the wash. There was also evidence that someone had tried to drive up to the big adit, but did not make it.
Evidence of human intervention at site, such as footprints, trash, fire. (Do not touch or disturb--just note it. Write "none" if no evidence--do not leave blank.) We noticed someone had placed (it appeared for display) some old bottles on a shelf in the cabin. The bottles looked quite old, and also looked like they had been dug up recently. We suspect someone may have dug them up from the site and placed them in the cabin.

Observation of human activity at site. (Do not make contact or attempt to chase off individuals. Provide description of individuals, their activities, and where they were doing it. Note license plates of vehicles at trailhead or campsites.) While driving to the site, we encountered about 40 4WD vehicles. Apparently, there was a California 4WD Club function called Panamint Valley Days being held in Panamint Valley the same weekend. When we got to the site, there was a vehicle parked at the cabin. It was a black Nissan Pathfinder, License . There were two men there who had camped at the cabin overnight. They did sign the cabin guestbook. We talked to them for a little while as they packed up the car to leave. This is the first time we have encountered anyone at this site. The cooler weather apparently brings more visitors to this area. Another vehicle, a Toyota 4-Runner, CA license plate , arrived at the cabin. We talked with them and discovered they were part of the Friends of the Cabin program for the Briggs cabins.
Describe location from which you observed the activities. We observed the visitors from the cabin.
What steps did you take to notify law enforcement, BLM Field Officer, or others? None
Other significant activity or problems that you encountered while monitoring. None
Comments and suggestions. We think the people who are shooting the place up don't realize the historical significance of the ruins at the mine site. We are definitely disturbed by the amount of traffic we saw had been through there since the last time we were there. I think we need to increase our visits, and possibly think about another way to educate the public about the significance of this site. I really think they don't know the kind of damage they are doing when they shoot at the ruins.
Signed _____ Date: 11/25/99

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Fig. 3. Example of a site monitoring report

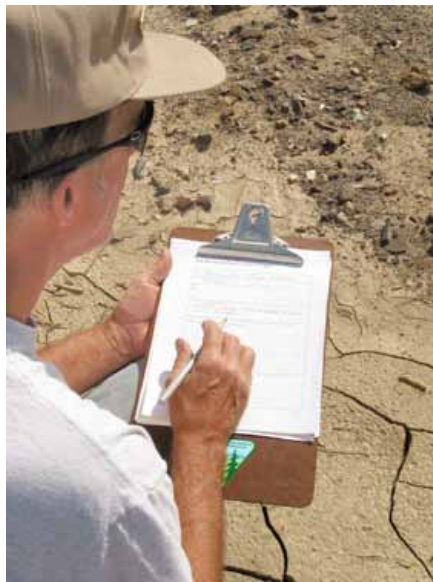


Fig. 4. (from top) CASSP volunteer site stewards at Plumas National Forest, Panamint Valley, and Palm Springs.



State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # 19-003514
HRI #
Trinomial CA-LAN-3514
NRHP Status Code

Other Listings
Review Code

Reviewer

Date

Page 1 of 5

*Resource Name or #: ELR Historic Deposit

P1. Other Identifier:

***P2. Location:** Not for Publication Unrestricted

*a. County: Los Angeles

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad: Ritter Ridge Date: 1958 (photorevised 1974)

T 6N; R 12W; NW ¼ of NE ¼ of Sec 30; San Bernardino B.M.

c. Address:

City:

Zip:

d. UTM: Zone: 11; 391182 mE/ 3827409 mN (NAD27)

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation:

The site is located approximately 17.5 meters north of Elizabeth Lake Road (ELR). It is just over 3 miles west of the intersection of Palmdale Boulevard and Highway 14, and was discovered during the ELR Improvements Project. It is 46.3 meters at 111 degrees true north from the USGS K-11 benchmark, and about 300 meters west of the Leono Siphon.

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

This is an historic refuse deposit containing two concentrations of material of about 30 centimeters in thickness. The deposits were discovered on March 23, 2005, during the Elizabeth Lake Road Widening Project. The site area was approximately 45 by 25 meters in total, encompassing the concentrations and scatters of material throughout. On April 21, 1 x 1 meter surface inventory units (SIU1 and SIU2) were placed in the two different concentrations, and all items within these units were collected and recorded. The first unit (SIU1) consisted of about 177 items and is dated circa mid-to-late 1950s. The majority of items were beverage containers with church key openings, but also included glass bottles, sanitary cans, roof tiles, and other miscellaneous artifacts. The second unit (SIU2) was located approximately 20 meters west of SIU1 and consisted of about 134 items. This concentration appears slightly older, possibly dating to the early 1900s. This concentration differed from the first in that it contained more food preparation items, such as a mixer, mixing bowl, baking powder, dishes, etcetera. It also contained numerous sanitary cans and glass bottles, with some beverage cans. Modern trash was also found throughout the site area, but was primarily concentrated nearer to the road edge. On June 14, 2005, the site was completely graded for the Elizabeth Lake Road realignment. Grading activities were monitored and approximately 200 additional historic artifacts were collected, cataloged, and photographed.

***P3b. Resource Attributes:** (List attributes and codes) AH4 – historic trash scatter/dump

***P4. Resources Present:** Building Structure Object Site District Element of District Other (Isolates, etc.)



P5b. Description of Photo: (View, date, accession #)

View southeast. Pink flagging tape marks the northern boundary of the site. Elizabeth Lake Road cuts across the center of the photograph. Dated 4/21/05. Digital image label: ELR Refuse Site.jpg

***P6. Date Constructed/Age and Sources:** Historic

Prehistoric Both

***P7. Owner and Address:**

City of Palmdale
38306 9th Street East
Palmdale, CA 93550

***P8. Recorded by:** (Name,

affiliation, and address)
Doug McIntosh, Keith Hamm, Ryan Taft
Discovery Works, Inc.
235 East Broadway, Suit 980
Long Beach, CA 90802

***P9. Date Recorded:**

March 23, 2005

***P10. Survey Type:** (Describe)

Systematic survey in 5m transects along the route for the improved Elizabeth Lake Road.

***P11. Report Citation:** (Cite survey report and other sources, or enter "none.")

Detailed site record will be the part of the Elizabeth Lake Road Monitoring Report

***Attachments:** NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record Artifact Record Photograph Record Other (List):

- *A1. **Dimensions:** a. **Length:** 45 m. (E/W) × b. **Width:** 25 m. (N/S)
Method of Measurement: Paced Taped Visual estimate Other:
Method of Determination (Check any that apply.): Artifacts Features Soil Vegetation Topography
 Cut bank Animal burrow Excavation Property boundary Other (Explain):
- Reliability of Determination:** High Medium Low Explain:
- Limitations** (Check any that apply): Restricted access Paved/built over Site limits incompletely defined
 Disturbances Vegetation Other (Explain):

A2. Depth: None Unknown Method of Determination:

- *A3. **Human Remains:** Present Absent Possible Unknown (Explain):

- *A4. **Features** (Number, briefly describe, indicate size, list associated cultural constituents, and show location of each feature on sketch map.):
none

- *A5. **Cultural Constituents** (Describe and quantify artifacts, ecofacts, cultural residues, etc., not associated with features.):
The site consists of two concentrations of historical refuse material surrounded by scatters of historical refuse throughout the area. The first concentration (#1) measured 8 m N/S and 6.5 m E/W. The second concentration (#2) measured 6 m N/S and 8 m E/W. Over 500 household refuse artifacts were recovered from the site area, including 200+ cans (food, beverage, oil, paint, etc.), 150+ glass containers (food, beverage, medicine, grooming, glue, etc.), crockery, ceramics, miscellaneous metal items, clay roof tiles and bricks. Most items date to the mid-to-late 1950s, though some items date to 1910-1930s.

- *A6. **Were Specimens Collected?** No Yes (If yes, attach Artifact Record or catalog and identify where specimens are curated.)
Currently, a sample of artifacts are housed at Discovery Works, Inc. until project completed, estimated for 2007. A catalog will be included in the final report.

- *A7. **Site Condition:** Good Fair Poor (Describe disturbances.):
The deposit had been looted by bottle collectors, marked by several shallow pits in the second concentration. On June 14, 2005 the site was completely graded for ELR widening.

- *A8. **Nearest Water** (Type, distance, and direction.):
Amargosa Creek lies approximately 60 meters north of the deposits.

- *A9. **Elevation:** 2781 feet above sea level.

A10. **Environmental Setting** (Describe culturally relevant variables such as vegetation, fauna, soils, geology, landform, slope, aspect, exposure, etc.):
The deposits are located in a small gully off the north side of Elizabeth Lake Road, and approximately 150 meters from the base of Ritter Ridge. The Leona Siphon lies about 300 meters to the east.

A11. **Historical Information:**
None, not associated with a known residence, foundation, or other discrete activity.

- *A12. **Age:** Prehistoric Protohistoric 1542-1769 1769-1848 1848-1880 1880-1914 1914-1945
 Post 1945 Undetermined **Describe position in regional prehistoric chronology or factual historic dates if known:**
The deposits contain artifacts dating to the 1910-1930s and the mid-to-late 1950s.

A13. **Interpretations** (Discuss data potential, function[s], ethnic affiliation, and other interpretations):
The site is a small, roadside dump likely from local residents. The artifacts indicate that deposition dates circa 1920-1930 to 2005.

A14. **Remarks:**
Discovery Works monitored the grading of this site on June 14, 2005, collected additional artifacts, and determined that there were no significant features or buried deposits at this site.

A15. **References** (Documents, informants, maps, and other references):
Schmidt D., J. Schmidt, D. McIntosh, and S. Dies, Archaeological site record for LAN-3115, 2002 (on file at South Central Coastal Information Center, CSU Fullerton). Burton J. J., editor, Three Farewalls to Manazar: Archaeology of Manazar National Historic Site, 1996.
"www.myinsulators.com/glass factories" 2005 webpage by David Whitten.

A16. **Photographs** (List subjects, direction of view, and accession numbers or attach a Photograph Record.): Photograph record attached.
Original Media/Negatives Kept at: Discovery Works, Inc.

- *A17. **Form Prepared by:** Amy Commendador-Dudgeon
Affiliation and Address: Discovery Works, Inc., 235 E. Broadway, Sutie 980, Long Beach, CA 90802

Date: January 26, 2006

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PHOTOGRAPH RECORD

Primary # 19-003514
HRI#
Trinomial CA-LAN-3514

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Resource Name or #: ELR Historic Deposit

Year 2005

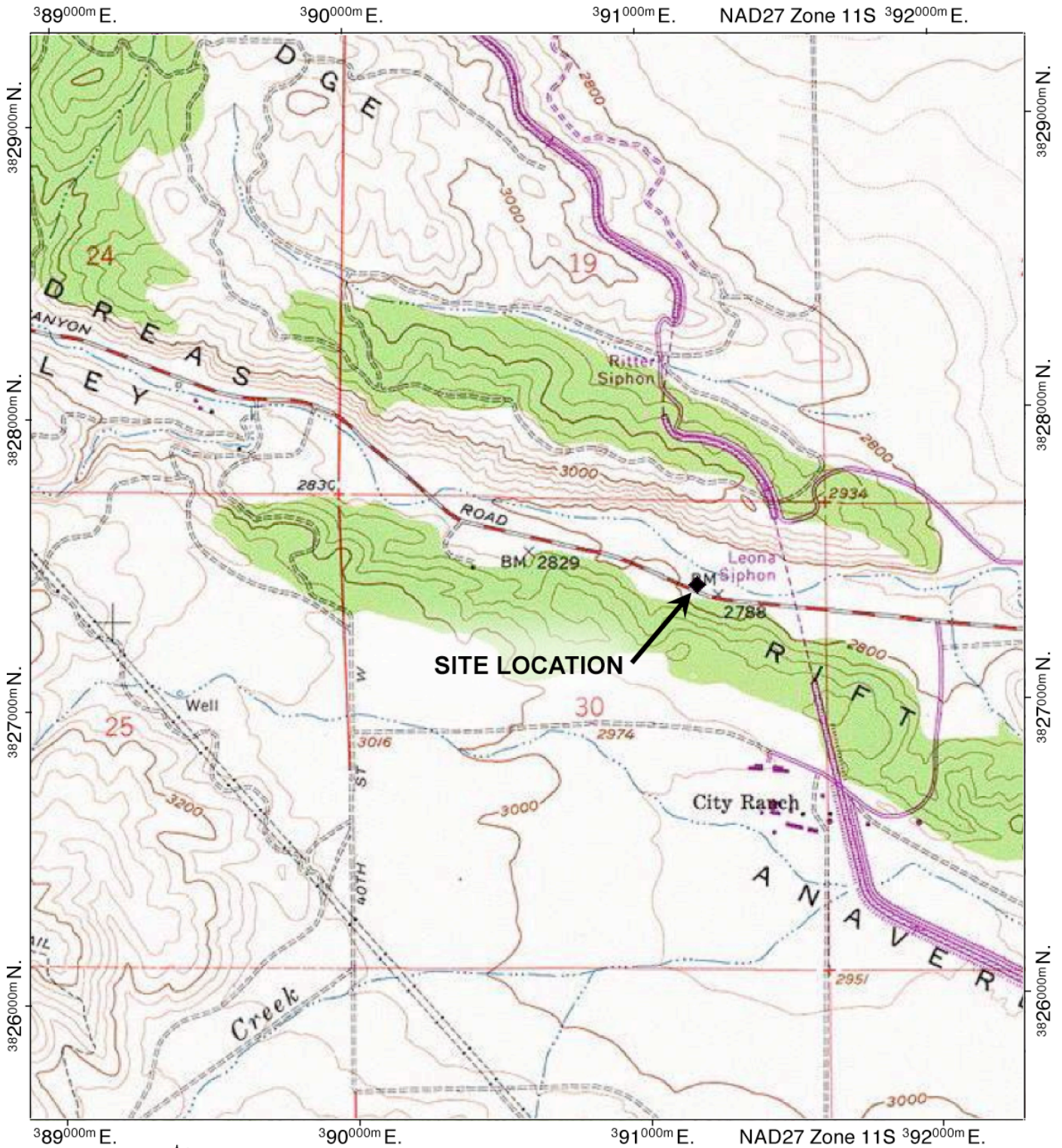
Camera Format: Digital camera

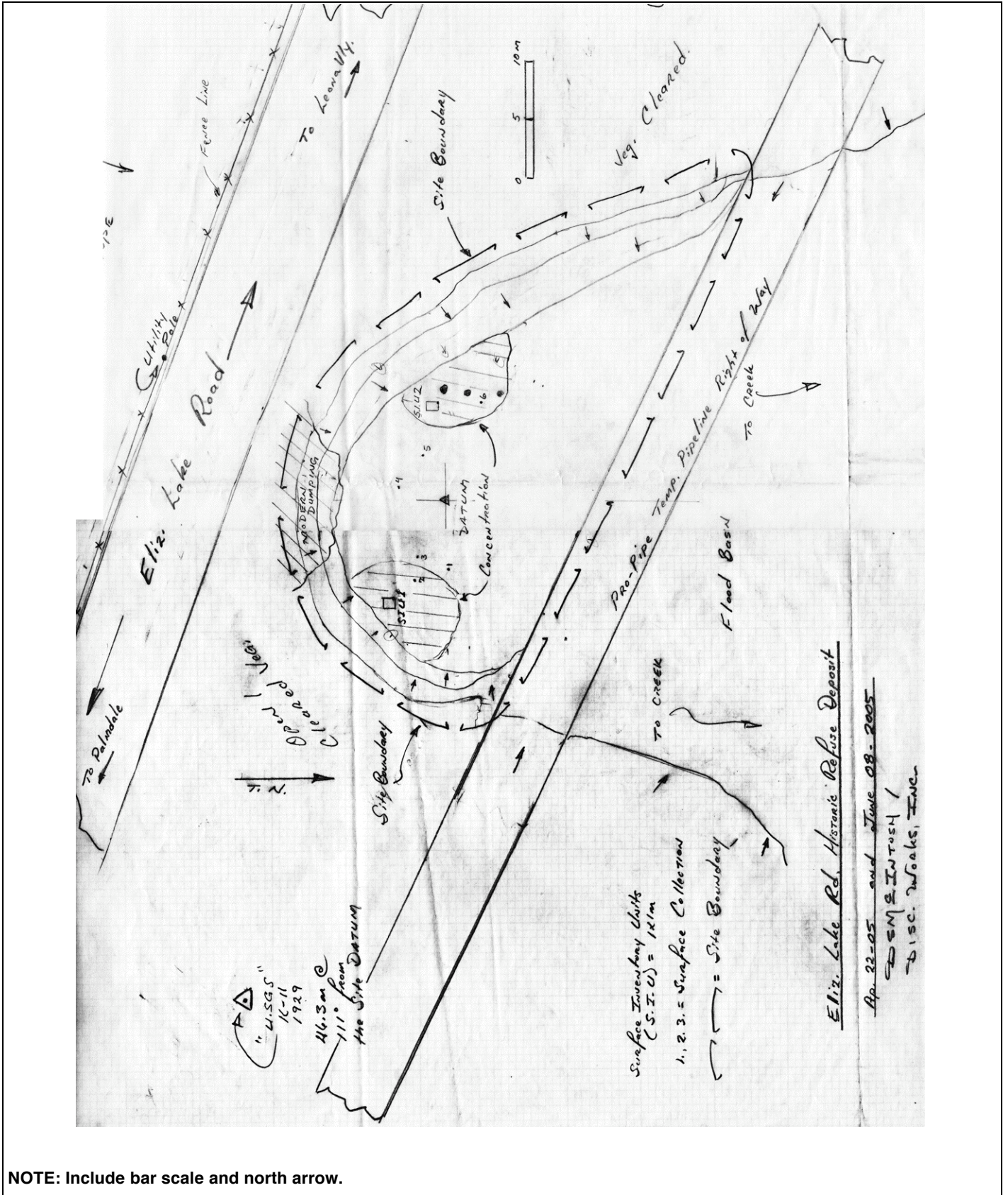
Lens Size: 4x digital zoom

Film Type and Speed: HP PhotoSmart 320

Negatives Kept at: Discovery Works, Inc.

Mo.	Day	Time	Exp./Frame	Subject/Description	View Toward	Accession #
4	21	2005	ELR Refuse Site.jpg	ELR Historic Deposit Overview; photographed by Doug McIntosh	southeast	
4	21	2005	ELR Site Overview se	ELR Historic Deposit Overview; photographed by Doug McIntosh	southeast	
4	21	2005	ELR SIU 1 preinventory.jpg	View of SIU 1 before cataloging inventory of the test unit; photographed by Doug McIntosh	south	
4	21	2005	ELR SIU 1 Items.jpg	View of items recovered from SIU 1 test unit; photographed by Doug McIntosh	N/A	
4	21	2005	ELR SIU 1 postinventory.jpg	View of SIU 1 after removing and cataloging inventory of the test unit; photographed by Doug McIntosh	north	
4	21	2005	ELR SIU 2 overview.jpg	Overview of second concentration and SIU 2 location; photographed by Doug McIntosh	west	
4	21	2005	ELR SIU 2 items.jpg	View of items recovered from SIU 2 test unit; photographed by Doug McIntosh	N/A	
6	14	2005	cam. 2; neg. 24A	Overview of historic deposit loction before grading; photographed by Chris Padon	west	
6	14	2005	cam. 2; neg. 21A	Monitoring while grading historic deposit; photographed by Chris Padon	southwest	
6	14	2005	cam. 2; neg. 20A	Monitoring while grading historic deposit; photographed by Chris Padon	west	
6	14	2005	cam. 2; neg. 17A	After historic deposit graded entirely; photographed by Chris Padon	east	
6	15	2005	cam. 2; neg. 16A	Total collection of artifacts recovered from historic deposit; photographed by Chris Padon	N/A	





NOTE: Include bar scale and north arrow.

THE SUTTER BUTTES PROJECT



Classification & Naming

March 8, 2005



RESOURCES SUMMARY

Aesthetic Resources and Spirit of Place

Aesthetic Resources

The Sutter Buttes are the remnants of an ancient volcanic complex in the middle of California's Central Valley. Its peaks are large enough to be seen from far distances and offer a visual respite from the flat expanse of the Valley floor. As such they have been a beacon in the landscape for travelers and inhabitants for thousands of years, serving as an important lookout point for native Californians as well as early pioneers and military scouts. Views from the Valley to the peaks are affected by the dominance of these volcanic features, and they give a sense of drama to nearby surroundings.

For centuries the Buttes provided a larder for surrounding native villages. Indian tribes built stone hunting blinds and ground acorns on exposed bedrock, and later, American settlers developed homesteads and planted nut trees and other crops. The remnants of these activities can still be seen in the hills and in Peace Valley. There is a small cemetery on a hilltop in Peace Valley that holds the graves of early settlers of the area.



Historic fencing from previous cattle grazing operations, along with non-historic fences, run through the property and are sometimes embedded in historic rock walls.

In spring, lush green grasses and wildflowers set the stage for the fresh sights and scents of the season. In late spring drier conditions turn the grasses a rich golden color that contrasts with evergreen vegetation in areas with springs and oaks on the hillsides. Hikers in summer can enjoy cooler temperatures in the higher elevations of the park as they observe the craggy volcanic peaks surrounding them.



From the tops of the hills within park property, and especially on a clear day, magnificent views can be had of surrounding peaks and valleys as well the Central Valley, the Sierra Nevada and the Coast Range. The ponds of the 8,400-acre Gray Lodge Wildlife Refuge, to the north, reflect the sky and its various moods.



Spirit of Place

The calls of migrating birds, the sigh of a breeze in the oaks growing in protected valleys surrounded by rugged volcanic peaks, the warm feeling of bright sunlight after a long and foggy winter, and the distinctive scent of chaparral in the hills are all part of this place. The park's natural elements present varying characteristics over seasons and time, making the Sutter Buttes a landscape that offers infinite re-creational possibilities.

Due to the elevation of this unique volcanic landscape above the Central Valley, it has served over time as a winter and spring refuge for both animals and people who have had the need to escape the rising flood waters of the Sacramento Valley rivers. Within the park the hills and peaks that surround a visitor create a feeling of elevated enclosure in a unique and spectacular landscape.

The Sutter Buttes supports many acres of undeveloped native habitats that offer important refuge for wildlife. Extensive oak woodlands and annual grasslands provide nesting and foraging opportunities for a large diversity of birds, bats, and other animal species. There is a population of ringtails living within the unit, and raptor species such as turkey vulture, red-tailed hawk, and northern harrier are commonly seen hunting in, or soaring above, the property. On occasion, bald or golden eagles can be seen gracefully skimming the skies. To observe these species gives one a sense of freedom and peace in knowing that there is a place where they can endure. Their presence is an indication of the value



of the Sutter Buttes and the role this place plays as an important ecological island in the Central Valley.

As a result of private ownership, public access and development have been limited in the Buttes. In many areas of the park there are no modern sights or sounds to distract from a feeling of timelessness. Vegetation, fauna and geology create an environment that is alive with a sense of interwoven support for all living things. Archaeological resources have mostly escaped the negative effects of modern technology and are mute testimony to the people who lived and worked there through time. Remnants of later American settlements stand as evidence of the pioneering spirit that preceded the modern development of California.

The Sutter Buttes are so unique to their surroundings that they draw people in and have affected nearby cultures in a spiritual way. The Maidu people felt that all life began in the Buttes and that the spirits of their dead rested on their way to the afterlife in the peaks and valleys of the old volcanoes. The Maidu and other tribes also depended on sustenance collected in this landscape for their survival. The Native Americans felt that this area is a “special place to be revered, a place for spiritual and physical sustenance, not a place to live...” (Middle Mountain Foundation website).

Because of its dramatic character and unique characteristics, we have also honored this land and protected it from the detrimental effects of modern society by making it a part of the State Park System.



Natural Resources

Ecology

With peaks abruptly rising to as high as 2,117 feet from the floor of the Sacramento Valley, the Sutter Buttes resemble an island surrounded by flat lands developed primarily for agricultural purposes. The Buttes, including the DPR-owned lands, are in effect an ecological island for the many species that find shelter there. This is due in part to the soils, geology, and topography of the Buttes as well as their uniqueness and diversity in the middle of a large valley. The Buttes also offer a refuge for plant and animal species because they have been sheltered for many years from development and excessive use. The island effect is enhanced by the fact that there are few remaining bio-corridors for the movement of plant and animal species between the Buttes and the upland areas at the edges of the Sacramento Valley as a result of changes to surrounding lands. It is believed that in the past, many animals and the plants they dispersed traveled along riparian habitat corridors to and from the Buttes.

The volcanic origin of the Buttes has resulted in the creation of numerous caves and pockets in the craggy peaks. These caves and pockets create micro-habitats with the potential to support unique or endemic plant species and offer shelter to wildlife species, such as the western rattlesnake that is common on the property.

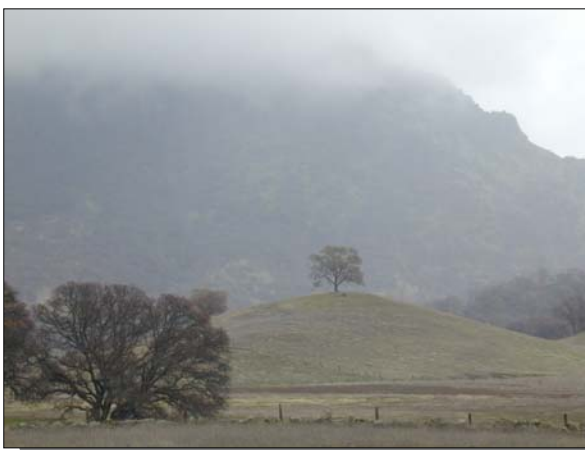
Intermittent streams and springs on the property offer an invaluable source of water for all wildlife in the area and habitat for amphibian and fish species. The several springs on the property, though highly disturbed in the past by humans and livestock, are important, particularly during the dry summer months, as a source of year-round water and the riparian habitat that occurs near these water sources offer critical refuge for wildlife.

Plant Life

The Sutter Buttes Project area supports oak woodland and savannah, grassland, shrubland, and riparian habitats. There are four types of oak woodland that occur within the boundaries of the project area. They are blue oak woodland, valley oak woodland, interior oak woodland, and a mixed oak woodland type where two or more species of oak are important components.

Blue oak (*Quercus douglasii*) is the most common tree in the unit and blue oak woodlands and savannahs dominate the landscape, particularly on south-facing slopes (DPR, 2004). The understory in blue oak woodlands and savannahs consists predominantly of non-native annual grasses and forbs.

The interior live oak (*Quercus wislezinii* var. *wislezinii*) woodlands are dominated by interior live oak mixed with blue oak in the canopy and an understory of poison-oak (*Toxicodendron diversilobum*), common manzanita (*Arctostaphylos manzanita* ssp. *manzanita*), and holly-leaved redberry (*Rhamnus ilicifolia*). There are a few small patches of interior live oak woodland in the project area, typically on the higher north-facing slopes (DPR, 2004).



Valley oak woodlands occur infrequently within the project area. There are a few stands located in Peace Valley along the valley bottom where valley oaks are the sole or dominant tree in the canopy. Sometimes blue oaks or interior live oaks may also occur in the canopy and occasional shrubs in the understory. Vines such as California grape (*Vitis californica*) are common (CSU Chico, 2004).

Mixed oak woodlands are composed of a mix of oak species that occur as co-dominants in the canopy, including blue oak, interior live oak, and valley oak. California bay (*Umbellularia californica*) may also occur in the canopy (CSU Chico, 2004). The

mixed oak woodlands are common and scattered throughout the hilly regions of the project area.

Oracle oaks (*Quercus x morehus*) also occur on the property. Oracle oaks are an uncommon oak believed to be a hybrid between black oak (*Quercus kelloggii*) and interior live oak. While there are numerous interior live oaks, only a single black oak tree is known to occur within the boundaries of the project area.

Grasslands occupy flatter areas such as terraces and the valley bottom, and dominate the area within Peace Valley. Because of heavy grazing pressure over many years, the grasslands are composed primarily of non-native annual grass species and forbs. Typical species observed are brome grass (*Bromus* spp.), wild oats (*Avena* spp.), foxtail (*Hordeum* spp.), storksbill (*Erodium* spp.), quaking grass (*Briza minor*), silver hairgrass (*Aira caryophyllea*), small fescue (*Vulpia myuros*), and Italian thistle (*Carduus pycnocephalus*). Native perennial grass species occur in remnant pockets of the grassland area and as a small component of the non-native annual grassland. The more common native perennial grass species include purple needlegrass (*Nassella pulchra*) and onion grass (*Melica* spp.) (DPR, 2004).



Three distinct shrub-dominated vegetation types occur in just a few pockets within the drier, upland parts of the project area. One type is dominated by the common manzanita (*Arctostaphylos manzanita* ssp. *manzanita*) which is oftentimes the only shrub in the canopy. It can also occur with interior live oak or other shrub species. The manzanita type is uncommon in the project area and only two locations appear on the vegetation map for the area (CSU Chico, 2004).

The mixed shrub vegetation type is composed of several shrub species that are important components and can include hoary coffeeberry (*Rhamnus tomentella* ssp. *tomentella*), blue elderberry (*Sambucus mexicana*), holly-leaved redberry, toyon (*Heteromeles arbutifolia*), and/or poison oak. Vines that can occur in this type include virgin's bower (*Clematis lasiantha*), California wild grape, and/or California pipevine (*Aristolochia californica*) (CSU Chico, 2004).

There is also riparian habitat that occurs in the project area, most of it composed of a mixture of willow species in shrub form that occur along stream edges. The following willows can be found: arroyo willow (*Salix lasiolepis*), Goodding's willow (*Salix gooddingii*), red willow (*Salix laevigata*), and sandbar willow (*Salix sessilifolia*). In addition, scattered cottonwoods (*Populus fremontii* ssp. *fremontii*) can be found in the lower grassland areas, such as in Peace Valley, along drainages where soil conditions are moist (CSU Chico, 2004).

Overall, the dominant vegetation types in the project area are blue oak woodland, mixed oak woodland (i.e., composed of mostly blue oak and interior live oak), non-native annual grassland, and mixed willow riparian. There are no sensitive plant communities or plant species known to occur on the site. However, suitable habitat for several sensitive plant species does occur in the Sutter Buttes Project area. Surveys for these species are necessary to determine their presence or absence in the unit. Although not a sensitive plant species itself, the blue elderberry (which occurs on the property) is host plant to the Federally Threatened valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*). Surveys of the elderberry shrubs on the site are necessary to determine whether or not they support occurrences of the valley elderberry longhorn beetle.

Animal Life

The habitats within the project area support a rich diversity of animal life as evidenced, in part, by the number of avian species using the site. A two-day survey of the site by DPR ecologists in April 2004 identified 62 bird species using the project area. Several of these are considered sensitive species, such as Lawrence's goldfinch (*Carduelis lawrencei*), loggerhead shrike (*Lanius ludovicianus*), lark sparrow (*Chondestes grammacus*), Pacific slope flycatcher (*Empidonax difficilis*), and all species of nesting raptors.

Common birds of the grasslands include species such as western kingbird (*Tyrannus verticalis*), lesser goldfinch (*Carduelis psaltria*), American robin (*Turdus migratorius*), house finch (*Carpodacus mexicanus*), and European starling (*Sturnus vulgaris*). Western meadowlark (*Sturnella neglecta*), mourning dove (*Zenaida macroura*), and lark sparrow (*Chondestes grammacus*) also occur in the grasslands.

Common bird species of the oak woodlands include American robin (*Turdus migratorius*), phainopepla (*Phainopepla nitens*), oat titmouse (*Baeolophus inornatus*), yellow-rumped warbler (*Dendroica coronata*), and California towhee (*Pipilo crissalis*). Nuttall's woodpecker (*Picoides nuttallii*) and western scrub jay (*Aphelocoma californica*) also occur in the oak woodlands, but are not as commonly observed.

Raptors observed within the project area include sharp-shinned hawk (*Accipiter striatus*), Cooper's hawk (*Accipiter cooperii*), red-tailed hawk (*Buteo jamaicensis*), and golden eagle (*Aquila chrysaetos*). Several of these species may be nesting within the project area.



Ringtail

Several mammal species have been observed within the project area. They include deer mice (*Peromyscus maniculatus*), ringtails (*Bassariscus astutus*), coyote (*Canis latrans*), black-tailed deer (*Odocoileus hemionus*), black-tail jackrabbit (*Lepus californicus*), and the feral pig (*Sus scrofa*). There is moderate feral pig activity at the site. This non-native species of wildlife digs for the roots of plants and, in the process, is very destructive to the landscape. Land disturbance

caused by feral pig activity invites non-native plant species to establish and further degrade habitats.

Several species of bats are known to occur in Peace Valley in the vicinity of existing structures. These species include greater western mastiff bat (*Eumops perotis californicus*), Mexican free-tailed bat (*Tadarida brasiliensis*), Yuma myotis (*Myotis yumanensis*), western pipistrelle (*Pipistrellus hesperus*), western red bat (*Lasiurus blossevillii*), and the hoary bat (*Lasiurus cinereus*) (DPR, 2004). Western mastiff bat, Yuma myotis, and western red bat are all considered to be sensitive wildlife species. There is abundant habitat in the unit to support amphibian, reptile, and fish species. The most common reptiles in the project area are western fence lizard (*Sceloporus occidentalis*), sagebrush lizard (*Sceloporus graciosus*), western rattlesnake (*Crotalus viridis helleri*), and gopher snake (*Pituophis melanoleucus*). The intermittent streams and drainages that occur within the Sutter Buttes Project area are known to sustain populations of both amphibian and fish species. Of the amphibian species, only two are known to occur on the site. They are the bullfrog (*Rana catesbeiana*), a non-native species that is known to prey on the larvae of native amphibian species, and the Pacific chorus frog (*Pseudacris regilla*, formerly known as Pacific tree frog, *Hyla regilla*) (DPR 2004).

An in-depth knowledge of fish species occurring in the intermittent streams of the project area has not yet been acquired. However, Sacramento sucker (*Catostomus occidentalis*) has been identified within the unit and other species are expected to occur there as well. Surveys of the intermittent streams within the project area are needed to confirm what species are present and their numbers (DPR 2004).

In addition to the above-mentioned wildlife, the Sutter Buttes project area is expected to support an array of insect life that is yet to be documented.



View from North Butte looking Northeast into the valley.

Topography

The Sutter Buttes are a distinct landmark rising from the flat Sacramento Valley west of the town of Live Oak in Sutter County, California. The inner craggy peaks are

surrounded by lower valleys (moats) and then a ring of lower hills that slope out toward the valley floor. The highest peak, South Butte, reaches an elevation of 2,117 feet above mean sea level (msl). Called the “Smallest Mountain Range in the World”, the Sutter Buttes do not fit the definition of a mountain range (see glossary), as they are not part of a chain of mountains. They are an almost perfectly circular, isolated domal structure, approximately 10 miles in diameter, formed by volcanic intrusions into and through the overlying older sedimentary rock formations.

The current State Parks acquisition includes Peace Valley and the surrounding peaks, including a small portion of the north slope of North Butte (elevation 1,863 feet msl). The gently sloping topography of Peace Valley ranges from 250 to 300 feet msl. The valley is ringed on the south and west by peaks, both craggy and conical, rising to heights of up to 1,145 feet msl. The north and east boundaries of Peace Valley are ringed by the Ramparts, north and east sloping hills consisting mainly of blocky material blown from the volcanoes and interbedded sandy volcanic mudflow units (lahars).

Climatology

The overall climate of the Sutter Buttes is classified as Mediterranean, with cool, wet winters and hot, dry summers (Anderson, 2004). Long term temperature extremes in nearby Marysville range from 18° to 118° Fahrenheit (Lytle, 1988). No official temperatures have been recorded in the Buttes.

Because of the air circulation pattern in the Sacramento Valley, moisture-laden winter storms tend to approach the Buttes from the south. The Buttes cause a mini-rainshadow (orographic) effect, dumping rain into the interior and leaving the northwest areas drier (Anderson, 2004). Average rainfall around the Buttes is 15 inches/year, falling mainly in December through February, although the average rainfall within the Buttes may be closer to 20 inches/year (Lytle, 1988). Winter tule fog forms in the surrounding Sacramento Valley and also within the Buttes, blanketing the outer edges and inner valleys, with only the high peaks above the fog deck. And, on rare occasions, snow has blanketed the high peaks (Anderson, 2004).



Geology & Soils

Geologic History

The Sutter Buttes are a unique geologic feature located within the Sacramento Valley Geomorphic Province. In 1926 Welsh geologist Howell Williams initially mapped and described the geology of the Buttes. Over the next fifty years, he and geologist Garniss Curtis continued to refine the geology, publishing their 1977 monograph titled *The Sutter Buttes of California: A Study of Plio-Pleistocene Volcanism* (Anderson, 2004). Williams is attributed with describing the different landforms of the Buttes with fanciful names: the Castellated Core (inner peaks), the Moat (a circular ring of valleys, including Peace Valley), and the gently inclined Ramparts (outer apron of material). Today, the leading authority on the geology of the Sutter Buttes is Dr. Brian Hausback, professor of Geology at Sacramento State University.

The Sutter Buttes formed during the early Pleistocene, 1.59 million years before present (mybp), as multiple intrusions of predominately rhyolite and andesite (see Geologic Map, Appendix A). It is postulated that the northward migration of the Mendocino Triple Junction was the catalyst that caused the Buttes to form, as they are not considered to be associated with the Cascade or the Coast Range volcanoes. These volcanic intrusions initially upwarped the overlying older Miocene (Cretaceous age) and Tertiary sedimentary rocks, then broke through the surface, forming multiple domes of rhyolite, followed by andesite. The volcanic intrusions continued through the mid-Pleistocene, terminating approximately 1.36 mybp. The eruptions were not fluid lava flows, but occurred mostly as thick, viscous intrusions that pushed up like toothpaste. As the domes grew higher, material cooled, contracted, and sloughed off under the influence of gravity, forming landslides and jumbled piles of boulders, such as those below Cat Rock (Hausback, personal communication, 2005).

Explosive pyroclastic events resulted in the ring of fragmental deposits that comprise the Ramparts. The volcanic eruptions coincided with the Nebraskan glacial period (1 to 1.3 mybp), a very wet climatic period. Volcanic mudflows, or lahars, were prevalent and can be seen as ashy sandstone and mudstone interbedded with pyroclastic deposits in the Ramparts area. The Ramparts material originally covered the areas that are now called the Moat, sloping away from the central peaks. Initially, this material formed a barrier to erosion, but the continued downcutting of streams formed narrow, deep channels through the fragmental debris and eventually reached the underlying, weaker sedimentary rocks that are exposed in the Moat today (Hausback, in Anderson, 2004).

Geologic Formations of Peace Valley Area

The rocks that occur in the Peace Valley acquisition represent most of the rock types present in the Buttes. The oldest rock present is the Late Cretaceous Kione Sand, which underlies Cemetery Hill (location of Pugh family cemetery). A small outcrop (the only exposure in the Peace Valley area) at the top of the hill exhibits nearly vertical beds, attesting to the uplift and warping caused by the andesitic intrusions. The Kione Sand represents channel-filling deposits laid down in deltaic and shallow marine

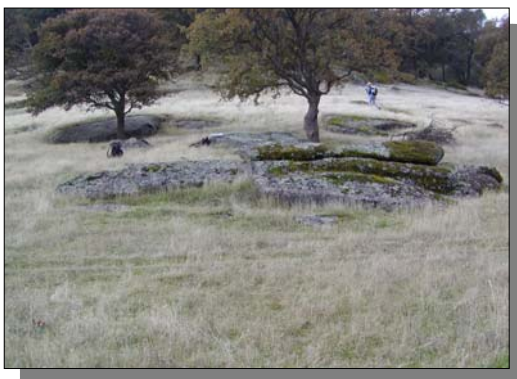
environments (Hausback, 1999). It locally contains abundant mollusk fossils (clams and oysters); a concretion containing fossil clams was found on a recent field visit. The younger Tertiary deposits consist of the Upper Eocene (~40-37 mybp) Butte Gravels and the Oligocene to Pliocene (2-37 mybp) Sutter Formation. The Butte Gravels formed in an environment of shallow seas, deltas and river mouths, and contain cobbles of quartz, chert, quartzite, greenstone, diorite, and volcanic rocks derived from the pre-Sierra Nevada mountains (Hausback, in Anderson, 2004). These rounded cobbles are evident along the roads in Peace Valley and in the stream channels.

The Sutter Formation is a tuffaceous (ashy) fine-grained sandstone and siltstone with minor gravels. It represents a terrestrial deposit of river-transported andesitic debris derived from eruptions in the Sierra Nevada, along with some Sierran bedrock material. Fossil teeth from *Dinohippus* (4-5 mybp-age horse) have been found in the Sutter Formation (Anderson, 2004). It is exposed on the east edge of Peace Valley and good outcrops occur in the channel of East Creek and the spillway of the stock pond near the old barn. A fossil bone fragment (unknown vertebrate) was recently found in Peace Valley by Sierra College geology professor Dr. Richard Hilton.

The volcanic rocks of the Castellated Core consist of a discontinuous outer ring of rhyolite and rhyodacite, with younger andesitic domes that invaded and extruded into the interior of the ring of rhyolite domes and formed the central craggy peaks. A prominent steep-side rhyolite dome is present to the west of Cemetery Hill. The rock is fine-grained, white to yellow white and contains small black crystals of biotite mica. Landslides on the steep sided dome form benches above which are near-vertical exposures of the rhyolite. This rock was quarried by the Pugh family and used to form the foundation of the old homestead.



Pugh Home foundation of rhyolite quarried from conical peak in left background. Lower, rounded hill to right is Cemetery Hill, underlain by Kione



Andesite slabs from Cat Rock landslide

The andesite that forms the inner core is a distinctive fine-grained brick red or gray rock with prominent white crystals of feldspar (phenocrysts). The large blocks that have slid from the core and are found in and around the edges of Peace Valley often contain bedrock mortars.

The outer rocks of the Ramparts, as discussed above, consist of fragmental deposits shed from the growing volcanic domes, hot pyroclastic flows, and cold mudflows (lahars). The large boulders are mainly andesitic, with some rhyolitic materials in the lower rampart deposits. The lahars are fine-grained ashy sands, silts and clays with gravel and cobble layers.

Soils

Soil type is based on parent rock type, climate, topography, biota, and time of formation. In the Sutter Buttes, there is correlation between the geologic units and the types of soils present. Four of the seven soils types present in the project area have their type location in or near the Sutter Buttes. The information here is from Anderson (2004) after Lytle (1988).

On the inner rocky peaks of andesite and rhyolite, the soil type is the Ocraig series, a shallow, gravelly coarse sandy loam that forms on steep slopes (30-75%) from residual (formed in place, not transported) volcanic rocks.

The Palls, Bohna variant, and Stohlman stony sandy loams form on the hills and ridges of the andesitic Ramparts area. The Bohna variant is a very deep, very well-drained soil that forms on colluvium (including landslides) on hills with slopes of 5-75%. The Palls and Stohlman series are often found together, with the Palls a deeper soil (gentler slopes) than the Stohlman (steeper slopes). Both form on andesitic rock and lahars, with their type localities in the Buttes. The effects of climate on soil type are illustrated at the Buttes, with Stohlman-Palls on the northeast (cooler) Ramparts, while Palls-Stohlman occurs on the drier, hotter south aspects of the Ramparts.

The sedimentary rocks of the Moat area give rise to Altamont Clay and Dibble silt loam soils. The Altamont is a deep, well-drained clay derived from fine-grained sandstone and shale that forms on gentle concave side slopes and toe slopes. Dibble silt loam is a moderately deep, well drained soil derived from coarser grained sandstone and interbedded shale on uplands and ridge tops. Both of these soils have high shrink-swell potential.

The Olashes sandy loam is a very deep well-drained soil that forms on alluvium weathered from mixed rock sources. It is found on gentle slopes to flat areas in breaks in the Ramparts (such as along the current access road to Peace Valley). It is well suited to orchards, especially the almonds that line the beginning of the access road on private land.

Hydrology

Streams in the Buttes show the radial pattern indicative of a domal structure. Within Peace Valley, the smaller tributary streams also follow the curve of the valley floor. Streams and creeks are intermittent, ceasing to flow or flowing subsurface during the hot summer months. The two unnamed main creeks that cross through Peace Valley have been informally named East Creek and West Creek (DPR, 2004). Numerous springs also provide a water source throughout the dry summer months. Ranchers have created a few stock ponds by damming creeks and spring sources, or digging pits at spring eyes. The large pond near the entrance area (near the old barn) retains water year round (DPR, 2004) and flows to East Creek.

The sub-watershed area for the Park and the headwaters is approximately 1,571 acres (2.46 square miles). DPR (2004) has assessed three reaches of East Creek and also sampled for selected water quality parameters. The assessment indicates that the stream appears to be in relatively stable condition, with a few localized areas of bank erosion and debris dams. Water quality parameters indicate that the surface water quality is generally good, with normal water chemistry levels and healthy populations of aquatic organisms.

Cultural Resources

Due to private ownership and limited access, very little research on the cultural resources in the Sutter Buttes has been conducted until recently. In 1968 – 69 Peter Jensen (1970) conducted the only known archaeological research on the prehistoric sites in Peace Valley and the surrounding area. Cultural resource specialists from the California Department of Parks and Recreation began a comprehensive study of the cultural resources in this new park acquisition with funding provided through Cultural Stewardship bond money. This study is in the preliminary phases and will not be completed until fall of 2005.

The unique physiographic nature of the Sutter Buttes has attracted diverse groups of people to the region for several thousand years and continues today. Jensen (1970) speculates that the prehistoric archaeological sites are between 1500 to 2500 years old.

The cultural landscape in the Sutter Buttes reflects a long interaction between humans and nature, a melding of natural systems and human features. Because both are dynamic, the cultural landscape changes over time. The effects of change often imprint the land, leaving a human history in the physical landscape. As a result of private ownership, public access and development have been limited in the Buttes. This isolation has provided insularity to the archaeological and historical resources – they remain much as they were one hundred years ago or more.

Natural Context

The cultural resources encountered in the new park acquisition in the Sutter Buttes are the result of human behaviors in, and adaptations to, the natural setting. Because the placement of historic and prehistoric sites on the landscape is frequently related to the immediacy of various resources, a basic understanding of the site's environment and cultural context needs to be established. The diverse physiography and limited hydrology of the Buttes dictated the land use patterns both prehistorically and historically and are reflected in the archaeological and historical record.

The flora and fauna in prehistoric times was probably similar to that in the greater northern Sacramento Valley at the time of Euro-American contact. Many of these plant and animal species were important staples in the diet of Native American groups occupying the valley region surrounding the Buttes.

The availability of surface water within the Buttes is seasonal. However there are numerous perennial springs that would have been sufficient to supply the needs of a few ranching families and small prehistoric hunting parties during the summer months. The archaeological record suggests the springs could have sustained larger prehistoric gathering groups as well.

Prehistory

Humans may have inhabited the Sacramento Valley as early as 10,000 years ago (8000 BC); however, evidence for early human use is deeply buried in the alluvial sediments of the valley which accumulated rapidly during the later Holocene epoch. Moratto (1984) estimates that up to 10 meters of sediments accumulated in the lower reaches of the Sacramento River drainage during the last 5,000 – 6, 000 years. It is generally thought that subsistence patterns of this period are associated with the exploitation of large game.

Fredrickson (1973) has defined several patterns of prehistoric settlement which are relevant to the Central Valley and the Sutter Buttes. Three of these patterns fall between the time period of 2500 B.C. and A.D. 1500. The first pattern, the Windmill (2500 B.C.-1000 B.C) is thought to be a mixed economy of game and wild plant procurement and is indicative of seasonal adaptation. The Windmill Pattern eventually changed to a more specialized economic emphasis called the Berkeley Pattern (1500 B.C. – 500 B.C.) which displays an increase in mortars and pestles and a reduction in the number of manos and metates, indicating a shift in resource use and a greater dependence on acorns. Although gathered resources became more important during this period, the presence of projectile points and atlatls imply hunting was still an important activity (Fredrickson 1973). At approximately A.D. 500, the Berkeley Pattern was superseded by the Augustine Pattern. A change in subsistence and land use is reflected in this pattern which is ethnographically documented by the people of the historic area (Maidu). This pattern is distinguished by intensive fishing, hunting, and gathering as well as a greater elaboration of ceremonial and social organization, including the development of social stratification. During this period exchange became well developed, and the use of acorns intensified.

Ethnography

Although the Sutter Buttes are considered unclaimed they were probably visited and utilized by more than one group. The Patwin and Maidu (Konkow and Nisenan) were the two most probable exploiters of the Buttes, at least during prehistoric and protohistoric times (Jensen 1970). The Sacramento River divided the northern Sacramento Valley into nearly two equal parts that ethnographically formed a natural boundary between the Patwin to the west of the river, and the Maidu to the east. Both groups are linguistically part of the Penutian language family, speakers which lived in the Central Valley. Because the Sacramento River flows several miles west of the Buttes, it is likely the Buttes fall within Maidu territory.

Euro-American contact affected both the Patwin and Maidu way of life after the discovery of gold in Coloma in 1848. With the arrival of whites, the ecological balance was upset. Formerly available food sources became extinct or scarce or otherwise unavailable.

Patwin

The River Patwin occupied the valley and were organized into social and political units described by ethnographers as tribelets (Kroeber 1962). Usually the tribelets were composed of one primary village and several satellite villages. Typically, a Patwin village was composed of four to several dozen bark dwellings, housing 20 – 150 people. The larger villages had central earthen lodges that were used for men's gatherings, sweating, initiation of shamans, and as a sleeping place for single men. Other types of structures included sweat houses and menstrual huts. These were domed brush shelters. Each village had a headman who was responsible for scheduling dances and other events, and settling disputes. This position was hereditary, dependent upon the ability of the son to perform the required duties. Resource procurement consisted of hunting and gathering and included large and small game and a wide variety of vegetal resources. These resources provided food, building, and weaving materials. Acorn was the primary dietary staple but other plant resources were also important.

Maidu (Konkow and Nisenan)

Maidu, which means "the people" lived in the Sacramento Valley and the surrounding foothills. The settlement distribution and linguistic boundaries of the Maidu indicate resource utilization from several areas. The west-east orientation of the Maidu landscape varied from the plain of the Sacramento River near sea level, to the Sierra Crest (Riddell 1978). The political and social organization of the Maidu is understood in terms of the tribelet (Kroeber 1962). The basic subsistence pattern of the Maidu was based on hunting and gathering activities with the acorn the primary focus of the diet. Seeds of all varieties were eaten and when available the nuts of several conifer species were utilized as well as berries. Most plants and animals had multiple uses serving subsistence, religious, and material needs. Villages were built on low, natural rises along streams and rivers or on gentle slopes with a southern exposure. Villages varied in size from three to seven houses to 40 to 50. The village or community group controlled a certain territory and acted as a group in decision making and ceremonies. Houses were domed shaped and covered with earth, tule mats, or grasses. Other village structures included the dance house, the acorn granary, and the sweat house. Caves are rare; however, a few occupied rock shelters have been documented.

The Maidu believed their environment was occupied by mysterious powers and spirits which lived in natural geographic sites such as rocky peaks, cliffs, rapids, waterfalls, mountain lakes, and in the sky. The Sutter Buttes figured prominently in the spiritual world view of the Maidu. It was a place where a deceased person would stop to prepare for the pathway into the afterlife.

In the Sacramento Valley region, when a person dies, the soul or ghost stays in or near the body for three or four days. Then it starts off, and travels everywhere the man or woman has ever been in life, tracing step by step his or her journeys throughout their whole extent, and in particular visiting every spot on which the person had spat. Besides thus traversing once more the scenes of the earthly life, the ghost is apparently supposed to act over again every deed performed in the flesh. This is done (and it would seem that it is accomplished with miraculous rapidity), the ghost sets out towards the Marysville Buttes...and here, entering a mysterious cave which is often spoken of in myths, finds a supply of spirit-food, of which it partakes, and then passes up...(the "above land"), ...from which it never returns (Dixon 1905:260).

The Maidu culture continues today.

History

Numerous prominent figures in the history of California have spent time in the Sutter Buttes. The first documented European intrusion into the Buttes was between 1808 and 1821 by Spanish explorers Gabriel Moraga and Luis Antonio Arguello. In December of 1832, fur trappers from the Hudson's Bay Company were stranded by high water in the Buttes. Their camp was in an area already well known to trappers from previous expeditions in the area (Hardee). The Mexican government granted John Sutter a tract of land "between the present site of Sutterville and a line drawn east and west through the northern edge of the Sutter Buttes, and from the Sacramento River to a line a few miles east of the Feather River" in 1841(McGowan 1961). General John C. Fremont and other individuals involved in the Bear Flag Revolt camped on the south east portion of the Sutter Buttes fearing attack by Mexican forces or their Native American allies. It was from this location that Fremont launched into his role in the Bear Flag Revolt (Thompson and West 1879). It is not known for certain if any of these individuals ventured into the land currently owned by State Parks and to date, there is no evidence in the archaeological record to support their presence.

With the decline of the gold industry, farming and ranching became the predominant economic activities in Sutter County. Not long after California became a state, Peace Valley was settled by two brothers, Cullen Lee and Dr. Lee. By 1849, the Sutter Buttes were being used as rangeland for cattle and other domesticated animals. The high land of the Buttes made it suitable for winter range above the local flooding which was common in the area during periods of rain or high water. In 1850 the 1,900 acre tract of land owned by the Culls was obtained by Aaron Pugh. Pugh owned the land until his death in 1897. It is not certain which stock was predominant during Pugh's time but the archaeological record would suggest that sheep were the primary focus. During the first half of the twentieth century, raising sheep continued to grow as the principal economic activity in the Buttes. Thomas Brady was instrumental in the economic development of Sutter County because of his association with the sheep industry. His land in the Buttes was used for raising sheep. Brady and his wife owned large tracts of land in the Sutter Buttes and elsewhere in Sutter and Butte counties. By the early twentieth-century, the

Brady family owned a significant portion of the Buttes, including the entire Pugh ranch and the H.S. Gravers property.

Archaeological Resources

The cultural significance of the Sutter Buttes can only be inferred from the evidence collected from the field inventory and the written record. The cultural resources within the boundary of this new park acquisition are unique in that they have retained much of their integrity when compared those resources in the surrounding area which have been heavily impacted or destroyed from development.

Prehistoric Resources

Prehistoric resources located in the Sutter Buttes reflect extensive land use for at least 2500 years. The prehistoric resources located in the project area are indicative of intensive food procurement and processing, and limited habitation.

The prehistoric sites located in the park can be classified as:

1. Occupation Sites equated with a “village” or “habitation”. These sites are most often located on the edge of the valley near a stable water source.

2. Temporary Camp Sites which contain no considerable refuse deposit. These may also include isolated rock features consisting of rock enclosures or rings.



3. Bedrock Milling Sites are the most commonly encountered in the Buttes and are identified by the presence of one or more bedrock mortar holes not associated with a midden deposit. These sites are most often found in association with water including developed springs and drainages.

4. Rock Shelters are most commonly formed from overhanging andesitic boulders and have evidence of human modifications consisting of artifact deposits and/or features such as bedrock mortars and small stone walls. These sites are most commonly found in the ramparts where the largest boulders are located.



5. Hunting Blinds or Game Drive Walls which consist of randomly placed stone features used to ambush or direct mammals such as deer, elk, and possibly small mammals. These features are commonly found along drainages or contour breaks in the upper reaches of the park.

Historic Sites

Historic resources in the park are most often reflective of ranching, which was the most common economic activity in the Sutter Buttes beginning in the 1850s and extending into the 1930s.

The historic sites and features located in the park can be classified as:

1. Homestead Sites which include rock features associated with former structures, stone walls, developed springs, orchards, and artifacts indicative of habitation and work related activities.



2. Standing Structures that include wooden and metal structures which have been modified through the years. These structures are indicative of work related activities associated with sheep and cattle ranching.

3. Rock Quarry where raw material was procured for the construction of the Pugh homestead.

4. Stone Walls and Fences used to define property lines and to contain livestock.

5. Roads leading into the valley, the homesteads, and procurement areas.

6. Cemetery located on the top of a knoll where former settlers who occupied the Peace Valley are buried.



Conclusion

The sites within the boundary of the park should be collectively considered a “cultural landscape”. Based on the extensive prehistoric and historic resources, it is likely the landscape would include two periods of significance, one associated with the prehistoric resources and the others with the historic. A cultural landscape is defined by the National Park Service as a:

Geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associate with a historic event, activity, or person or exhibiting other cultural or aesthetic values (Birnbaum 1994:1).

It is rare to see such a unique property where the cultural resources have escaped the effects of major development, and still retain and convey the overall feeling that the past inhabitants must have experienced. It is important that the park's cultural resources be protected in their current state.

The Native American Heritage Commission states that even today the Sutter Buttes are an important part of the belief system of the Maidu people and their view on the creation of the world.

Recreation Resources

Planning Influences and Regional Recreation

The naming and classification of the Sutter Buttes property is the first step in providing access and facilities for public use on this new land acquisition. Following this step, when adequate funding becomes available, a more intensive general planning process will take place that will establish goals and guidelines for development of facilities, resource management, interpretation, and park operations followed by focused management plans and specific projects. Until then, the Department has prepared some *Interim Operational Guidelines* for the park that will guide management decisions, to allow for public use and support facilities that do not require a permanent commitment of resources at the park.

Sutter County consists of 607 square miles of mostly open lands north of Sacramento and Yolo counties, and is bounded by the Sacramento and Feather rivers on its west and east sides. It has a total population of approximately 77,000, primarily in two incorporated cities, Yuba City and Live Oak, and seven unincorporated communities. Sutter County's 1996 *General Plan* recognizes the Buttes, located on the northern edge of the county, as an important biological, cultural, visual, and agricultural resource. It proposes studying the desirability of developing long-term conservation and preservation programs for the resources and "basic property rights of the landowners" in the Buttes. The Plan recommends protection of views to the Buttes along Highway 20, and recognizes an unmet county-wide demand for organized trail systems, including foot, bicycle, and equestrian trails. It supports further development of a regional bikeway system to support both commuter and recreational bicyclists.

Yuba City/ Marysville, located at the confluence of the Feather and Yuba rivers southeast of the Buttes, is the largest metropolitan area in the vicinity. Other than these cities and a few smaller urbanized areas, the Buttes are surrounded by agricultural and protected habitat lands that extend in all directions. Sutter County's economy is primarily based on intensive agricultural production. Other than the Sutter Buttes and various wildlife refuges, and in contrast to Butte and Yuba counties on its eastern side which are substantially supported by outdoor recreation and tourism, existing outdoor recreation and public open space are relatively limited in Sutter County. However, there are an extensive variety of recreational opportunities available in the region.

The wildlife refuges surrounding the Buttes are managed by various state and federal agencies. A number of refuges offer public viewing of migratory bird populations by allowing access to developed trails in flooded areas.

The privately-owned 18-hole Southridge golf course is located on the southern foothills of the Sutter Buttes; another, Plumas Lake, is farther south near the Sutter Bypass. Hunting and fishing opportunities range from the floor of the Central Valley to the Sierras.

Lake Oroville, a large reservoir with many adjacent day- and overnight-use recreational facilities managed by State Parks, is 25 miles to the northeast in Butte County. The economy of the area near Lake Oroville is substantially supported by outdoor recreation in the region. Peak-season and off-season recreation uses support businesses serving the recreation market. Bed and breakfast inns, hotels, campgrounds, hostels, tour guide services, equipment rentals, restaurants, and gas stations all profit from outdoor recreation uses in the region.

The U.S. Forest Service makes camping and day use areas available east of Lake Oroville on thousands of acres of National Forest land and waterways. Southwest of Lake Oroville, the Clay Pit State Vehicular Recreation Area provides a riding area for OHV enthusiasts.

Local recreation providers such as the Yuba City Parks and Recreation Department and the Feather River Recreation & Park District in Butte County operate recreational facilities and activities for residents of nearby cities. Day use facilities along the Feather River and youth and adult classes as well as sports and other programs are regularly offered. People can attend concerts, track and field meets, rodeos, jet boat marathons, harvest fairs, parades, and various ethnic activities, among many others. There are various places of interest to visit, such as Beale Museum at Beale Air Force Base and the Bok Kai Temple in Marysville.

A small portion of outdoor recreation in the region occurs on private and non-profit-owned lands, including private campgrounds such as those that have been developed in the low-flow channel area of the Feather River, northeast of the Buttes. In addition, there are outdoor recreation guides and outfitters, and lands owned by various non-profit organizations such as the Boy Scouts of America.

On the west side of the Sutter Buttes, near Colusa, the Colusa Sacramento River State Recreation Area offers camping and day use facilities along the river. Colusa County is similar to Sutter County in that its economy is primarily based on agriculture; it also provides wildlife habitat in several major National Wildlife Refuges west and northwest of the Sutter Buttes.

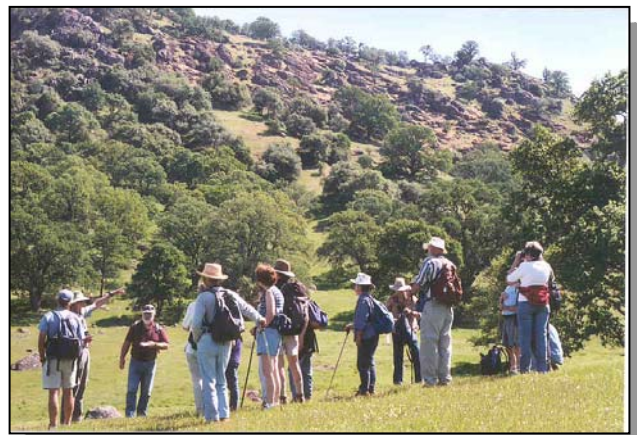
Recreational Uses and Public Access

In 2003 the Department initiated a study to determine the State Park System's future role in the Central Valley. Through public input and a planning effort, general guidelines

for future land acquisition and recreational facility development projects in the Valley have been proposed. These recommendations include the acquisition of park land that would serve growing communities and protect increasingly rare and important natural resources and the Valley's cultural history. The Sutter Buttes property represents these resource values and potential for high-quality recreational experiences.

With major metropolitan areas such as Sacramento within sight of its peaks, the Sutter Buttes offer an inviting respite from city life and a recreational setting unique in California. The ancient volcano presents exceptional opportunities for passive recreational activities such as hiking, nature study, picnicking, environmental camping, horseback riding, bicycling, photography, sketching and painting, star gazing, and relaxation.

Past and current recreational uses of this land include guided hikes by the Middle Mountain Foundation (MMF), a local nonprofit organization working with the Department and others to provide opportunities to access and enjoy the Sutter Buttes. Through contractual agreements with private and public landowners, MMF has created learning opportunities through guided public hikes and school class outings. Guided six-hour hikes can traverse the gentle terrain of lower meadows or attain the summits of surrounding peaks.



Guided interpretive hikes on designated trails to sensitive cultural or natural resources within the park can lessen the potential for damage to these resources. Interpretive signs explaining the landscape's long and varied geologic, natural, prehistoric and historic resources would provide the public with a greater understanding and enjoyment of their experiences in the park.

There is an unpaved road through Peace Valley that could bring hikers into the heart of the park, with views of the surrounding hills and peaks and access to various nearby cultural and natural resources. Horses and bicycles could use the road, and with advance notice, visitors with limited mobility may be able to drive portions of the road. New trails, including disabled access trails, could provide visitors expanded access to the park, especially to higher points that can offer sweeping views. These trails should be directed away from sensitive natural and cultural resources to minimize potential damage to these resources. In summer, the area's high wildfire potential may restrict recreational uses.

Visitors' vehicles are currently not allowed into the interior of the park without prior authorization. Public access to the park would be from the north side through private property on a road easement. This current situation is not ideal, since: a) adjacent

property owners have concerns with the potential traffic increases; and b) increased traffic may overburdened the roads that were originally built for local farm traffic. Alternative public access routes into the park will need further investigation.

Bird watching is a historically important activity in the area. The Buttes are part of the great Pacific Flyway bird migration route and offer bird sightings to those interested in their seasonal migrations. The California Department of Fish and Game provides habitat for millions of migrating birds at the Gray Lodge Wildlife Refuge north of the park property, offering park visitors further opportunity for bird study. The proximity of the refuge also creates potential for the formation of linked biological systems that could provide increased bird and other animal populations and potential sightings in the park.



Day hikes bring many pleasures – stopping for lunch and enjoying the view

Ecological, cultural, and aesthetic resource concerns will pose certain limitations on the future development of park facilities. The potential and feasibility of appropriate park facilities will be determined as part of a future general planning process.



The old barn in Peace Valley tells a story of early ranching in the Buttes

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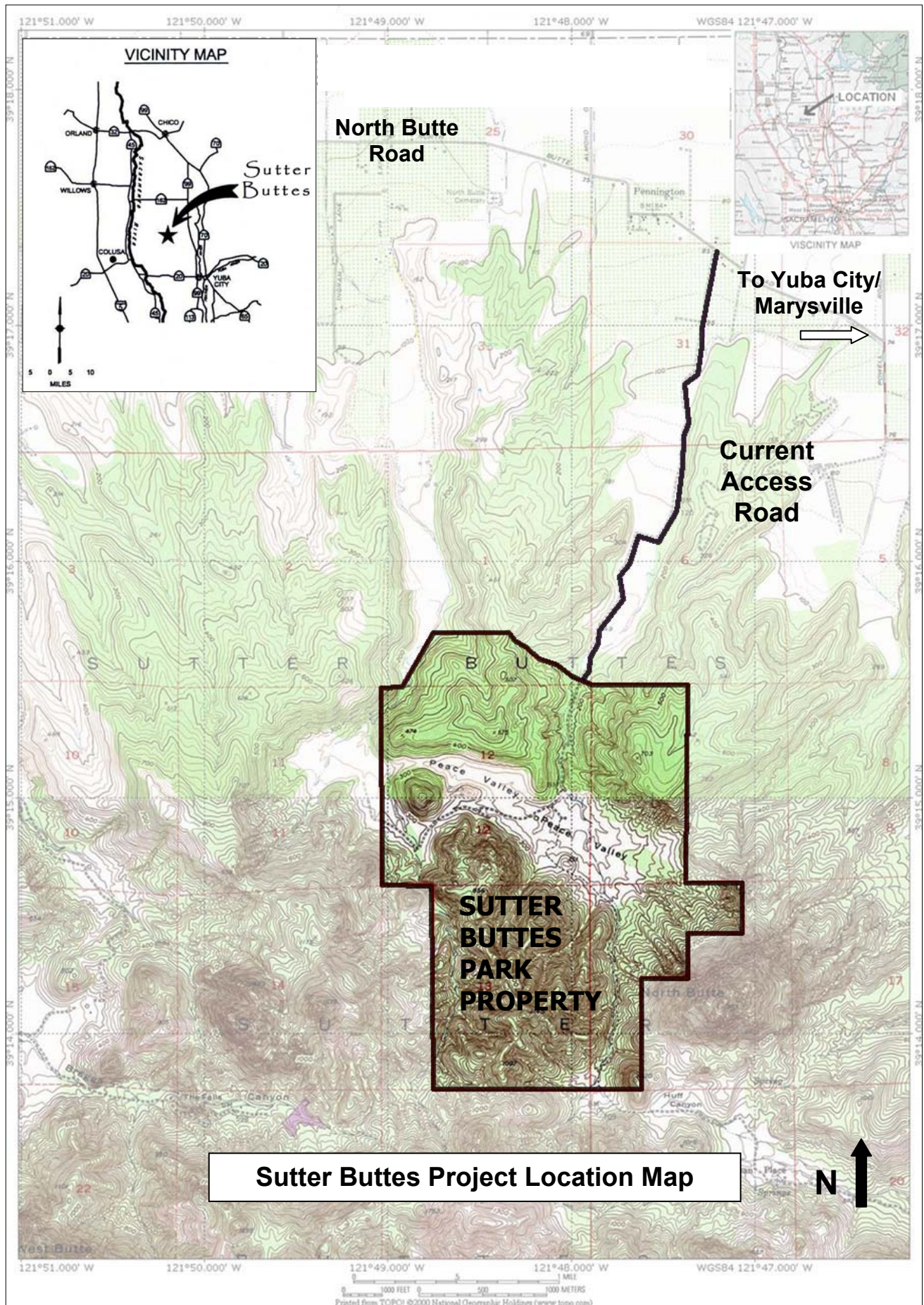
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Section 2. Archaeology and the Law

Most current archaeological investigations take place in order to comply with legal requirements. Archaeological resources in California are protected not only because it's desired by professional archaeologists and other members of the public, but also because it's required by a number of Federal and State and local laws, published guidelines, and policy decisions. This section lists some of the major laws that protect our archaeological resources.

We must emphasize that laws and regulations are not enough to protect archaeological resources. It's necessary to win and maintain broad public support. If we are not prepared to explain why archaeology is important to communities and individuals, then this part of our heritage will diminish, no matter how hard law enforcement and public agency personnel work.

This section presents only a summary of selected Federal and State laws. This information does not substitute for the advice of a lawyer. Additional information concerning archaeology and the law can be found in Cultural Resource Laws and Practice, An Introductory Guide, by Thomas F. King, published by the Altamira Press (1998). Also, much information is available at the web sites of the National Park Service <<https://www.nps.gov/orgs/1345/whatwedo.htm>>, the Advisory Council <www.achp.gov>, and the California Office of Historic Preservation <www.ohp.parks.ca.gov>.

Federal Legislation

The Antiquities Act of 1906

This act provides for protection of historic and prehistoric remains on Federal lands from looting. It establishes the permit process for scientific studies, and it establishes criminal sanctions for unauthorized excavation or destruction of historic or prehistoric ruins or objects of antiquity located on federally owned or controlled lands. The Act also authorizes the President to declare historic or prehistoric sites as national monuments. The Act is published on the Internet at <www.nps.gov/archeology/tools/Laws/antact.htm>.

The Historic Sites Act of 1935

This Act declares that it's federal policy to preserve historic and prehistoric resources of national significance. It also designates the Secretary of Interior as responsible for establishing the National Survey of Historic Sites and Buildings. Many of the missions in California are drawn and documented under this regulation.

The Reservoir Salvage Act of 1960

Provides for the recovery and preservation of archaeological data that might be lost or destroyed as a result of construction of federally funded or licensed dams, reservoirs, and associated facilities. In 1974 this law was extensively amended.



National Historic Preservation Act of 1966

This act expands the National Register of Historic Places, establishes State Historic Preservation Officers, and requires that federal agencies take into account the effects of a federal or federally assisted undertaking on “any district, site, building, structure or object that is included in or eligible for the National Register” before federal funding for the project is approved. Determining eligibility and then resolving adverse effects of a project on archaeological resources often involves several phases, for which archaeology consultants may be hired. Sets forth the national policy for historic preservation. It establishes the Advisory Council to oversee the process of nominating properties to the National Register of Historic Places and to review federal projects and how they may affect historic properties. In Sections 106 and 110, this legislation established procedures for complying with the historic preservation policies. The Act is published on the Internet at <https://www.nps.gov/archeology/tools/Laws/NHPA.htm>.

The National Environmental Policy Act of 1969

It gives the federal government responsibility to “preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity, and variety of individual choice.” As result, preparation of an Environmental Assessment or Environmental Impact Statement for a federal project has to consider any potential effects on archaeological and other cultural resources. This legislation has brought archaeologists into the planning process, and not just at the construction stage for last-minute salvage actions. The Act is published on the Internet at <https://www.epa.gov/laws-regulations/summary-national-environmental-policy-act>.

Executive Order of 11593 of May 13, 1971 (Protection and Enhancement of the Cultural Environment)

This order directs all federal agencies to inventory their facilities for possible historic properties and to develop policies to protect and preserve these properties.

The Archeological and Historic Preservation Act of 1974

It calls for the “preservation of historical and archeological data (including relics and specimens) which might otherwise be irreparably lost or destroyed as the result of ...any federal construction project or federally licensed activity or program.” Up to one per cent of the cost of a federal project could be used for “recovery, protection, and preservation of any data deemed endangered.”

Archaeological Resources Protection Act of 1979

This act strengthens the permit process for conducting archaeological investigations on federal or Indian lands (which was originally mandated in the Antiquities Act of 1906). Archaeological resources that are excavated from federal lands are federal property, and penalties can be levied for any violations. Without ARPA permit, “no person may excavate, remove, damage, or otherwise alter or deface, or attempt to excavate, remove, damage, or otherwise alter or deface any archaeological resource located on Federal or Tribal lands.” This act also calls for preservation of objects and associated records, and requires confidentiality of information concerning the nature and location of most archaeological resources. The penalties for violating ARPA can be significant (16 U.S.C. §470ee):

Any person who knowingly violates, or counsels, procures, solicits, or employs any other person to violate, any prohibition contained in subsection (a), (b), or (c) of this

section shall, upon conviction, be fined not more than \$10,000 or imprisoned not more than one year, or both: Provided, however, That if the commercial or archaeological value of the archaeological resources involved and the cost of restoration and repair of such resources exceeds the sum of \$500, such person shall be fined not more than \$20,000 or imprisoned not more than two years, or both. In the case of a second or subsequent such violation upon conviction such person shall be fined not more than \$100,000, or imprisoned not more than five years, or both.

The Act is published on the Internet <<https://www.nps.gov/archeology/tools/Laws/ARPA.htm>>.



Native American Grave Protection and Repatriation Act of 1990, amended 1995

Establishes the procedures for returning to appropriate Native American tribes human remains, funerary objects, sacred objects, and objects of religious and cultural patrimony that were held by federal agencies and federally-funded museums or that have collections recovered from federal lands. NAGPRA also provides for protection of Native American graves and funerary objects discovered inadvertently or during planned archaeological excavations. Section 4 of NAGPRA asserts, "Whoever knowingly sells, purchases, uses for profit or transports for sale or profit the human remains of a Native American without the right of possession to those remains as provided in NAGPRA, shall be imprisoned on fined or both, in accordance with Title 18 of the USC 53, as amended." The Act can be found on the Internet at <<https://www.nps.gov/archeology/tools/Laws/NAGPRA.htm>>.

State Laws

Our State environmental law, California Environmental Quality Act (CEQA), parallels the federal environmental regulations and with the recent changes to CEQA, the state laws more closely match the federal regulations. Portions of the California laws that concern the protection and management of archaeological sites are briefly described below.

There are a number of codes of law that address the issue of theft or damage to archeological sites. These laws are found in the California Code of Regulations, Title 14, and the Penal Code, Public Resources Code, the Health and Safety Code (when dealing with burial grounds).

The California Code of Regulations (CCR) contains the regulations that have been formally adopted by state agencies, reviewed and approved by the Office of Administrative Law, and filed with the Secretary of State. The CCR consists of 28 titles and contains the regulations of approximately 200 regulatory agencies. You may find it on the Internet at <ccr.oal.ca.gov> and at <<http://leginfo.legislature.ca.gov/faces/codes.xhtml>>.

California Public Resources Code, Sections 5097–5097.6

Provides guidance for state agencies in the management of archaeological, paleontological, and historical sites affected by major public works projects on state land. Defines as a misdemeanor the unauthorized disturbance or removal of archeological, historical, or paleontological resources located on public lands. Specific items include:

Section 5097.5. Removal or Destruction; Prohibition

(a) No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or

any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands. Violation of this section is a misdemeanor.

(b) As used in this section, “public lands” means lands owned by, or under the jurisdiction of, the state, or any city, county, district, authority, or public corporation, or any agency thereof. **Senate Bill 1034** (enacted 2011) increases penalties and provides for restitution for crimes of archaeological vandalism, theft, and damage. It was written to closely follow Federal law, specifically the 1979 Archaeological Resources Protection Act (ARPA).

California Public Resources Code, Section 5097.9

Section 5097.99. Felony Possession of Native American Human Remains and artifacts.

(a) No person shall obtain or possess any Native American artifacts or human remains which are taken from a Native American grave or cairn on or after January 1, 1984, except as otherwise provided by law or in accordance with an agreement reached pursuant to subdivision (l) of Section 5097.94 or pursuant to Section 5097.98.

(b) Any person who knowingly or willfully obtains or possesses any Native American artifacts or human remains which are taken from a Native American grave or cairn after January 1, 1988, except as otherwise provided by law or in accordance with an agreement reached pursuant to subdivision (l) of Section 5097.94 or pursuant to Section 5097.98, is guilty of a felony which is punishable by imprisonment in the state prison.

(c) Any person who removes, without authority of law, any Native American artifacts or human remains from a Native American grave or cairn with an intent to sell or dissect or with malice or wantonness is guilty of a felony which is punishable by imprisonment in the state prison.

Summary Of California Native American Resource Protection Act Of 2002 (Chapter 1.76, PRC Section 5097.995-5097.996)

- Introduced by State Senator Chesbro as Senate Bill No. 1816 [also known as Chesbro Bill]; approved by Governor Davis on September 30, 2002; took effect January 1, 2003.
- Any person who illegally excavates, destroys, injures, or defaces a Native American historic, cultural, or sacred site, including any historic or prehistoric ruins, any burial ground, any archaeological or historic site, any inscriptions made by Native Americans at such a site, any archaeological or historic Native American rock art, or any archaeological or historic feature of a Native American historic, cultural, or sacred site is guilty of a misdemeanor.
- The archaeological or historic site should be listed, or may be eligible for listing, in the California Register of Historic Resources pursuant to Section 5024.1.
- Pertains to public and private land.
- Punishable by imprisonment in a county jail up to one year, by a fine not to exceed ten thousand dollars (\$10,000), or by both that fine and imprisonment.
- Each person who commits this violation is also subject to a civil penalty not to exceed fifty thousand dollars (\$50,000) per violation.
- In determining the civil penalty amount, the court takes into account the extent of the damage to the resource and may consider the commercial or archaeological value of the resource involved and the cost to restore and repair the resource.
- Civil action may be brought by the district attorney, the city attorney, or the Attorney General, or by the Attorney General upon a complaint by the Native American Heritage Commission.

- All moneys collected from civil penalties as a result of an enforcement action brought by a city or county, or by the Attorney General for the Native American Heritage Commission, is first utilized to repair or restore the damaged site, and the remaining moneys shall be available to that city or county or Attorney General to offset incurred costs.

Public Resources Code Sections 5020 through 5024

Establishes the California Register of Historical Resources, prescribes the criteria for inclusion of resources in the California Register. The guidelines for the California Register were approved and were officially effective January 1, 1998. This legislation and guidelines for the state strengthens the process for preservation of historic and archaeological resources.

Penal Code, Title 14, Section 622.5

Makes it a misdemeanor for any person other than the owner to injure or destroy objects of historical or archeological interest located on public or private lands. Specific paragraphs include:

Section 622.5. Destruction, defacement of objects of archeological or historic interest.

Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor.

California Code of Regulations, (Title 14, Natural Resources. Division 3, Department of Parks and Recreation. Chapter 1)

Section 4308: Archaeological Features.

No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value.

Section 4308. Geological Features.

(a) No person shall destroy, disturb, mutilate, or remove earth, sand, gravel, oil, minerals, rocks, paleontological features, or features of caves.

(b) Rockhounding may be permitted as defined in Section 4301(v).

Section 4301. Definitions

(v) Rockhounding is defined as being the recreational gathering of stones and minerals found occurring naturally on the undisturbed surface of the land, including panning for gold in the natural water-washed gravel of streams.

Health and Human Safety Code (Human Remains)

Section 7050.5. Removal of Human Remains.

(a) Every person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law is guilty of a misdemeanor, except as provided in Section 5097.99 of the Public Resources Code. The provisions of this subdivision shall not apply to any person carrying out an agreement developed pursuant to subdivision (1) of Section 5097.94 of the Public Resources Code or to any person authorized to implement Section 5097.98 of the Public Resources Code.

(b) In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code,

that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains.

(c) If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

California Environmental Quality Act of 1970

Establishes the procedures at the state level for environmental considerations of major projects where development may have an adverse effect on the environment. The environment is meant to include cultural and archaeological resources.

AB52

This 2014 law expands CEQA review of project impacts on cultural resources. It explicitly requires that California Native American Tribes be consulted for information about the effects on tribal cultural resources from a project undergoing CEQA review.


County and City Ordinances

In addition to Federal and State regulations, several cities and counties have policies, laws, and guidelines relating to archaeological or cultural resources. These local laws and regulations often closely parallel the Federal and State laws, with a primary emphasis on the implementation of the guidelines and disposition of the archaeological resources.

California Office of Historic Preservation

Technical Assistance Series #6

California Register and National Register: A Comparison (for purposes of determining eligibility for the California Register)

Society for California Archaeology
 CASSP Workshop

California State Parks,
Northern Buttes District,
Lake Oroville State Recreation Area
April 29-30, 2017

page 2.7

This handout compares the California Register of Historical Resources and the National Register of Historic Places. Because the California Register was consciously designed on the model of the National Register, the two programs are extremely similar. However, it is important to be aware of the areas in which these programs differ. Herein is offered information about eligibility criteria, integrity requirements, special (criteria) considerations, and the nomination process.

When trying to determine if a resource is eligible for the California Register, you may find it easier to first determine a resource's eligibility for the National Register. Then, if you find it ineligible for the National Register--and keeping in mind the differences between the two programs--move on to determine if it may in fact be eligible for the California Register as a result of these differences.

The information in this handout is taken from the implementing regulations for the California Register of Historical Resources (California Code of Regulations, Title 14, Chapter 11.5, Section 4850 et seq), which can be accessed on the internet at <http://ohp.parks.ca.gov>, and How to Apply the National Register Criteria for Evaluation (National Register Bulletin 15), which can be accessed on the internet at http://www.cr.nps.gov/nr/publications/bulletins/nr15_toc.htm. It is advised that you consult these two publications for more specific information. The back of this handout contains a listing of and request form for other publications you may find helpful.

Eligibility Criteria

California Register

An historical resource must be significant at the local, state, or national level, under one or more of the following four criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or
2. It is associated with the lives of persons important to local, California, or national history; or

National Register

An historical resource must be significant at the local, state, or national level, under one or more of the following four criteria:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master,



3. It embodies the distinctive characteristics of a type, period, region, or method or construction, or represents the work of a master, or possesses high artistic values; or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Integrity

California Register

Integrity is the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Historical resources eligible for listing in the California Register must meet one of the criteria of significance described above and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. Historical resources that have been rehabilitated or restored may be evaluated for listing.

Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association. It must also be judged with reference to the particular criteria under which a resource is proposed for eligibility. Alterations over time to a resource or historic changes in its use may themselves have historical, cultural, or architectural significance.

It is possible that historical resources may not retain sufficient integrity to meet the criteria for listing in the National Register, but they may still be eligible for listing in the California Register. A resource that has lost its historic character or appearance may still have sufficient integrity for the California Register if it maintains the potential to yield significant scientific or historical information or specific data.

or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

D. That have yielded, or may be likely to yield, information important in prehistory or history.

National Register

Integrity is the ability of a property to convey its significance. To be listed in the National Register of Historic Places, a property must not only be shown to be significant under the National Register criteria, but it also must have integrity. The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a property's physical features and how they relate to its significance.

Historic properties either retain integrity (that is, convey their significance) or they do not. Within the concept of integrity, the National Register criteria recognize seven aspects or qualities that, in various combinations, define integrity. These are location, design, setting, materials, workmanship, feeling, and association.

To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. Determining which of these aspects are most important to a particular property requires knowing why, where, and when the property is significant.

Special (Criteria) Considerations

California Register

Moved buildings, structures, or objects. The State Historical Resources Commission (SHRC) encourages the retention of historical resources on site and discourages the non-historic grouping of historic buildings into parks or districts. However, it is recognized that moving an historic building, structure, or object is sometimes necessary to prevent its destruction. Therefore, a moved building, structure, or object that is otherwise eligible may be listed in the California Register if it was moved to prevent its demolition at its former location and if the new location is compatible with the original character and use of the historical resource. An historical resource should retain its historic features and compatibility in orientation, setting, and general environment.

Historical resources achieving significance within the past fifty years. In order to understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than fifty years old may be considered for listing in the California Register if it can be demonstrated that sufficient time has passed to understand its historical importance.

Reconstructed buildings. Reconstructed buildings are those buildings not listed in the California Register under the criteria stated above. A reconstructed building less than fifty years old may be eligible if it embodies traditional building methods and techniques that play an important role in a community's historically rooted beliefs, customs, and practices; e.g., a Native American roundhouse.

National Register

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past fifty years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his or her productive life; or
- A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or
- A property achieving significance within the past fifty years if it is of exceptional importance.



Nomination Process

California Register

1. Obtain nomination packet from the Office of Historic Preservation (OHP).
2. Complete application, including all necessary supplemental forms, according to instructions.
3. Notify the clerk of the local government in whose jurisdiction the resource is located by certified mail that an application will be filed with OHP and request that the local government provide written comments. The notification must include a copy of the application.
4. Upon receiving written comments from the local government or ninety days after sending notification to the local government (whichever is sooner), the applicant forwards the completed application and any comments to OHP.
5. Within 30 days, OHP staff will ensure that the application is complete and will send notification to the property owner (if the applicant is not the property owner). When the application is complete and the property owner has been notified, the application will be scheduled on an agenda of the SHRC for action.

Note: A nomination does not require owner consent in order for the resource to be listed, but it cannot be listed over an owner's objections. The State Historical Resources Commission can, however, formally determine a property eligible for the California Register if the resource owner objects.

National Register

1. Obtain nomination packet from OHP. Read National Register criteria and How to Complete the National Register Forms (Bulletin 16A) and follow these guidelines exactly when preparing application form.
2. If you are not the owner of the property you are submitting for registration, please inform the owner of your intention to apply for registration. The property or district may not be listed over the objection of the owner or majority of owners.
3. If the area is proposed for registration as an historic district, please follow the SHRC district policy prior to submission of the application. OHP staff is available to assist district applicants and should be contacted in the early stages of the process.
4. Submit completed forms, photographs and maps to OHP for review. If the property is endangered or the applicant is requesting rehabilitation incentives under the Tax Reform Act or Revenue Act of 1978, this must be stated clearly in the cover letter.
5. Applications will be reviewed by the OHP. Those which are inadequate or are not prepared in accordance with the guidelines published in Bulletin 16A will be returned to the applicant for further work.
6. OHP notifies all applicants, property owners and appropriate governmental jurisdictions of the time and place of the SHRC meeting.
7. If approved by the SHRC, the application is sent to the State Historic Preservation Officer for nomination to the National Register. The final determination is made 45 days after receipt by the Keeper of the National Register in Washington, D.C.



American Antiquities Act of 1906

16-USC-431-433

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who shall appropriate, excavate, injure, or destroy any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the Government of the United States, without the permission of the Secretary of the Department of the Government having jurisdiction over the lands on which said antiquities are situated, shall, upon conviction, be fined in a sum of not more than five hundred dollars or be imprisoned for a period of not more than ninety days, or shall suffer both fine and imprisonment, in the discretion of the court.

Sec. 2. That the President of the United States is hereby authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with proper care and management of the objects to be protected: Provided, That when such objects are situated upon a tract covered by a bona fied unperfected claim or held in private ownership, the tract, or so much thereof as may be necessary for the proper care and

management of the object, may be relinquished to the Government, and the Secretary of the Interior is hereby authorized to accept the relinquishment of such tracts in behalf of the Government of the United States.

Sec. 3. That permits for the examination of ruins, the excavation of archaeological sites, and the gathering of objects of antiquity upon the lands under their respective jurisdictions may be granted by the Secretaries of the Interior, Agriculture, and War to institutions which they may deem properly qualified to conduct such examination, excavation, or gathering, subject to such rules and regulation as they may prescribe: Provided, That the examinations, excavations, and gatherings are undertaken for the benefit of reputable museums, universities, colleges, or other recognized scientific or educational institutions, with a view to increasing the knowledge of such objects, and that the gatherings shall be made for permanent preservation in public museums.

Sec. 4. That the Secretaries of the Departments aforesaid shall make and publish from time to time uniform rules and regulations for the purpose of carrying out the provisions of this Act.

Approved, June 8, 1906

Archaeological Resources Protection Act of 1979

**AN ACT To protect archaeological resources on public lands and Indian lands, and for other purposes.
Be it enacted of the Senate and the house of Representatives of the United States of America in Congress assembled,**

SHORT TITLE

Section 1. This Act may be cited as the "Archaeological Resources Protection Act of 1979".

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that-

(1) archaeological resources on public lands and Indian lands are an accessible and irreplaceable part of the Nation's heritage;

(2) these resources are increasingly endangered because of their commercial attractiveness;

(3) existing Federal laws do not provide adequate protection to prevent the loss and destruction of these archaeological resources and sites resulting from uncontrolled excavations and pillage; and

(4) there is a wealth of archaeological information which has been legally obtained by private individuals for noncommercial purposes and which could voluntarily be made available to professional archaeologists and institutions.

(b) The purpose of this Act is to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites which are on public lands and Indian lands, and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals having collections of archaeological resources and data which were obtained before the date of the enactment of this Act.

DEFINITIONS

SEC. 3. As used in this Act-

(1) The term "archaeological resource" means any material remains of past human life or activities which are of archaeological interest, as determined under the uniform regulations promulgated pursuant to this Act. Such regulations containing such determination shall include, but not be limited to: pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, human skeletal materials, or any portion or piece of any of the foregoing items. Nonfossilized and fossilized paleontological specimens, or any portion or piece thereof, shall not be considered archaeological resources, under the regulations under this paragraph, unless found in an archaeological context. No item shall be treated as an

archaeological resource under regulations under this paragraph unless such item is at least 100 years of age.

(2) The term "Federal land manager" means, with respect to any public lands, the Secretary of the department, or the head of any other agency or instrumentality of the United States, having primary management authority over such lands. In the case of any public lands or Indian lands with respect to which no department, agency, or instrumentality has primary management authority, such term means the Secretary of the Interior. If the Secretary of the Interior consents, the responsibilities (in whole or in part) under this Act of the Secretary of any department (other than the Department of the Interior) or the head of any other agency or instrumentality may be delegated to the Secretary of the Interior with respect to any land managed by such other Secretary or agency head, and in any such case, the term "Federal land manager" means the Secretary of the Interior.

(3) The term "public lands" means-

(A) lands which are owned and administered by the United States as part of -

(i) the national park system,

(ii) the national wildlife refuge system, or

(iii) the national forest system; and

(B) all other lands the fee title to which is held by the United States, other than lands on the Outer Continental Shelf and lands which are under the jurisdiction of the Smithsonian Institution;

(4) The term "Indian lands" means lands of Indian tribes, or Indian individuals, which are either held in trust by the United States or subject to a restriction against alienation imposed by the United States, except for any subsurface interest in lands not owned or controlled by an Indian tribe or an Indian individual.

(5) The term "Indian tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (85 Stat. 688).

(6) The term "person" means an individual, corporation, partnership, trust, institution, association, or any other private entity or any officer, employee, agent, department, or instrumentality of the United States, of any Indian tribe, or of any State or political subdivision thereof.

(7) The term "State" means any of the fifty States, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands.

EXCAVATION AND REMOVAL

SEC. 4. (a) Any person may apply to the Federal land manager for a permit to excavate or remove any archaeological resource located on public lands or Indian lands and to carry out activities associated with such excavation or removal. The application shall be required, under uniform regulations under this Act, to contain such information as the Federal land manager deems necessary, including information concerning the time, scope, and location and specific purpose of the proposed work.

(b) A permit may be issued pursuant to an application under subsection (a) if the Federal land manager determines, pursuant to uniform regulations under this Act, that-

(1) the applicant is qualified, to carry out the permitted activity,

(2) the activity is undertaken for the purpose of furthering archaeological knowledge in the public interest,

(3) the archaeological resources which are excavated or removed from public lands will remain the property of the United States, and such resources and copies of associated archaeological records and data will be preserved by a suitable university, museum, or other scientific or educational institution, and

(4) the activity pursuant to such permit is not inconsistent with any management plan applicable to the public lands concerned.

(c) If a permit issued under this section may result in harm to, or destruction of, any religious or cultural site, as determined by the Federal land manager, before issuing such permit, the Federal land manager shall notify any Indian tribe which may consider the site as having religious or cultural importance. Such notice shall not be deemed a disclosure to the public for purposes of section 9.

(d) Any permit under this section shall contain terms and conditions, pursuant to uniform regulations promulgated under this Act, as the Federal land manager concerned deems necessary to carry out the purposes of this Act.

(e) Each permit under this section shall identify the individual who shall be responsible for carrying out the terms and conditions of the permit and for otherwise complying with this Act and other law applicable to the permitted activity.

(f) Any permit issued under this section may be suspended by the Federal land manager upon his determination that the permittee has violated any provision of subsection (a), (b), or (c) of section 6. Any such permit may be revoked by such Federal land manager upon assessment of a civil penalty under section 7 against the permittee or upon the permittee's

conviction under section 6.)(g)(1) No permit shall be required under this section or under the Act of June 8, 1906 (16 U.S.C. 431), for the excavation or removal by any Indian tribe or member thereof of any archaeological resource located on Indian lands of such Indian tribe, except that in the absence of tribal law regulating the excavation or removal of archaeological resources on Indian lands, an individual tribal member shall be required to obtain a permit under this section.

(2) In the case of any permits for the excavation or removal of any archaeological resources located on Indian lands, the permit may be granted only after obtaining the consent of the Indian or Indian tribe owning or having jurisdiction over such lands. The permit shall include such terms and conditions as may be requested by such Indian or Indian tribe.

(h)(1) No permit or other permission shall be required under the Act of June 8, 1906 (16 U.S.C. 431-433), for any activity for which a permit is issued under this section.

(2) Any permit issued under the Act of June 8, 1906, shall remain in effect according to its terms and conditions following the enactment of this Act. No permit shall be required to carry out any activity under a permit issued under the Act of June 8, 1906, before the date of the enactment of this Act which remains in effect as provided in this paragraph, and nothing in this Act shall modify or affect any such permit.

(i) Issuance of a permit in accordance with this section and applicable regulations shall not require compliance with section 106 of the Act of October 15, 1966 (80 Stat. 917, 16 U.S.C. 470f).

(j) Upon the written request of the Governor of any State, the Federal land manager shall issue a permit, subject to the provisions of subsections (b)(3), (b)(4), (c), (e), (f), (g), (h), and (i) of this section for the purpose of conducting archaeological research, excavation, removal, and curation, on behalf of the State or its educational institutions, to such Governor or to such designee as the Governor deems qualified to carry out the intent of this Act.

CUSTODY OF RESOURCES

Sec. 5. The Secretary of the Interior may promulgate regulations providing for-

(1) the exchange, where appropriate, between suitable universities, museums, or other scientific or educational institutions, of archaeological resources removed from public lands and Indian lands pursuant to this Act, and (2) the ultimate disposition of such resources and other resources removed pursuant to the Act of June 27, 1960 (16 U.S.C. 469-469c) or the Act of June 8, 1906 (16 U.S.C. 431-433). Any exchange or ultimate disposition under such regulation of archaeological resources excavated or removed from Indian lands shall be subject to the consent of the Indian or Indian tribe which owns or has jurisdiction over such lands. Following promulgation of regulations,

under this section, notwithstanding any other provision of law, such regulations shall govern the disposition of archaeological resources removed from public lands and Indian lands pursuant to this Act.

PROHIBITED ACTS AND CRIMINAL PENALTIES

Sec. 6. (a) No person may excavate, remove, damage, or otherwise alter or deface any archaeological resource located on public lands or Indian lands unless such activity is pursuant to a permit issued under section 4, a permit referred to in section 4(h)(2), or the exemption contained in section 4(g)(1).

(b) No person may sell, purchase, exchange, transport, receive, or offer to sell, purchase, or exchange any archaeological resource if such resource was excavated or removed from public lands or Indian lands in violation of-

(1) the prohibition contained in subsection (a), or

(2) any provision, rule, regulation, ordinance, or permit in effect under any other provision of Federal law.

(c) No person may sell, purchase, exchange, transport, receive, or offer to sell, purchase, or exchange, in interstate or foreign commerce, any archaeological resource excavated, removed, sold, purchased, exchanged, transported, or received in violation of any provision, rule, regulation, ordinance, or permit in effect under State or local law.

(d) Any person who knowingly violates, or counsels, procures, solicits, or employs any other person to violate, any prohibition contained in subsection (a), (b), or (c) of this section shall, upon conviction, be fined not more than \$10,000 or imprisoned not more than one year, or both: *Provided, however,* That if the commercial or archaeological value of the archaeological resources involved and the cost of restoration and repair of such resources exceeds the sum of \$5,000, such person shall be fined not more than \$20,000 or imprisoned not more than two years, or both. In the case of a second or subsequent such violation upon conviction such person shall be fined not more than \$100,000, or imprisoned not more than five years, or both.

(e) The prohibitions contained in this section shall take effect on the date of the enactment of this Act.

(f) Nothing in subsection (b)(1) of this section shall be deemed applicable to any person with respect to an archaeological resource which was in the lawful possession of such person prior to the date of the enactment of this Act.

(g) Nothing in subsection (d) of this section shall be deemed applicable to any person with respect to the removal of arrowheads located on the surface of the ground.

CIVIL PENALTIES

Sec. 7. (a)(1) Any person who violates any prohibition contained in an applicable regulation or permit issued under this Act may be assessed a civil penalty by the Federal land manager concerned. No penalty may be assessed under this subsection unless such person is given notice and opportunity for a hearing with respect to such violation. Each violation shall be a separate offense. Any such civil penalty may be remitted or mitigated by the Federal land manager concerned.

(2) The amount of such penalty shall be determined under regulation promulgated pursuant to this Act, taking into account, in addition to other factors-

(A) the archaeological or commercial value of the archaeological resource involved, and

(B) the cost of restoration and repair of the resource and the archaeological site involved.

Such regulations shall provide that, in the case of a second or subsequent violation by any person, the amount of such civil penalty may be double the amount which would have been assessed if such violation were the first violation by such person. The amount of any penalty assessed under this subsection for any violation shall not exceed an amount equal to double the cost of restoration and repair of resources and archaeological sites damaged and double the fair market value of resources destroyed or not recovered.

(3) No penalty shall be assessed under this section for the removal of arrowheads located on the surface of the ground .

(b)(1) Any person aggrieved by an order assessing a civil penalty under subsection (a) may file a petition for judicial review of such order with the United States District Court for the District of Columbia or for any other district in which such a person resides or transacts business. Such a petition may only be filed within the 30-day period beginning on the date the order making such assessment was issued. The court shall hear such action on the record made before the Federal land manager and shall sustain his action if it is supported by substantial evidence on the record considered as a whole.

(2) If any person fails to pay an assessment of a civil penalty-

(A) after the order making the assessment has become a final order and such person has not filed a petition for judicial review of the order in accordance with paragraph (1), or

(B) after a court in an action brought under paragraph (1) has entered a final judgment upholding the assessment of a civil penalty, the Federal land managers may request the Attorney General to institute a civil action in a district court of the United States for any district in which such person is found, resides, or transacts business to collect the penalty and such court shall have jurisdiction to hear and decide any

such action. In such action, the validity and amount of such penalty shall not be subject to review.

(C) Hearings held during proceedings for the assessment of civil penalties authorized by subsection (a) shall be conducted in accordance with section 554 of title 5 of the United States Code. The Federal land manager may issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and administer oaths. Witnesses summoned shall be paid the same fees and mileage that are paid to witnesses in the courts of the United States. In case of contumacy or refusal to obey a subpoena served upon any person pursuant to this paragraph, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Federal land manager or to appear and produce documents before the Federal land manager, or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

REWARDS; FORFEITURE

Sec. 8. (a) Upon the certification of the Federal land manager concerned, the Secretary of the Treasury is directed to pay from penalties and fines collected under sections 6 and 7 an amount equal to one-half of such penalty or fine, but not to exceed \$500, to any person who furnishes information which leads to the finding of a civil violation, or the conviction of criminal violation, with respect to which such penalty or fine was paid. If several persons provided such information, such amount shall be divided among such persons. No officer or employee of the United States or of any service in the performance of his official duties shall be eligible for payment under this subsection.

(b) All archaeological resources with respect to which a violation of subsection (a), (b), or (c) of section 6 occurred and which are in the possession of any person, and all vehicles and equipment of any person which were used in connection with such violation, may be (in the discretion of the court or administrative law judge, as the case may be) subject to forfeiture to the United States upon-

(1) such person's conviction of such violation under section 6,

(2) assessment of a civil penalty against such person under section 7 with respect to such violation, or

(3) a determination of any court that such archaeological resources, vehicles, or equipment were involved in such violation.

(c) In cases in which a violation of the prohibition contained in subsection (a), (b), or (c) of section 6 involve archaeological resources excavated or removed from Indian lands, the Federal land manager or the court, as the case may be, shall provide for the payment to the Indian or Indian tribe involved of all penalties collected pursuant to section 7 and for the transfer to such Indian or Indian tribe

of all items forfeited under this section.

CONFIDENTIALITY

Sec. 9. (a) Information concerning the nature and location of any archaeological resource for which the excavation or removal requires a permit or other permission under this Act or under any other provision of Federal law may not be made available to the public under subchapter II of chapter 5 of title 5 of the United States Code or under any other provision of law unless the Federal land manager concerned determines that such disclosure would-

(1) further the purposes of this Act or the Act of June 27, 1960 (16 U.S.C. 469-469c), and

(2) not create a risk of harm to such resources or to the site at which such resources are located.

(b) Notwithstanding the provisions of subsection (a), upon the written request of the Governor of any State, which request shall state-

(1) the specific site or area for which information is sought,

(2) the purpose for which such information is sought,

(3) a commitment by the Governor to adequately protect the confidentiality of such information to protect the resource from commercial exploitation, the Federal land manager concerned shall provide to the Governor information concerning the nature and location of archaeological resources within the State of the requesting Governor.

REGULATIONS; INTERGOVERNMENTAL COORDINATION

Sec 10. (a) The Secretaries of the Interior, Agriculture and Defense and the Chairman of the Board of the Tennessee Valley Authority, after public notice and hearing, shall promulgate such uniform rules and regulations as may be appropriate to carry out the purposes of this Act. Such rules and regulations may be promulgated only after consideration of the provisions of the American Indian Religious Freedom Act (92 Stat. 469; 42 U.S.C. 1996). Each uniform rule or regulation promulgated under this Act shall be submitted on the same calendar day to the Committee on Energy and Natural Resources of the United States Senate and to the Committee on Interior and Insular Affairs of the United States House of Representatives, and no such uniform rule or regulation may take effect before the expiration of a period of ninety calendar days following the date of its submission to such Committees.

(b) Each Federal land manager shall promulgate such rules and regulations under subsection (a), as may be appropriate for the carrying out of his functions and authorities under this Act.

COOPERATION WITH PRIVATE INDIVIDUALS

Sec. 11. The Secretary of the Interior shall take such action as may be necessary, consistent with the purposes of this Act, to foster and improve the communication, cooperation, and exchange of information between-

(1) private individuals having collections of archaeological resources and data which were obtained before the date of the enactment of this Act, and

(2) Federal authorities responsible for the protection of archaeological resources on the public lands and Indian lands and professional archaeologists and associations of professional archaeologists.

In carrying out this section, the Secretary shall, to the extent practicable and consistent with the provisions of this Act, make efforts to expand the archaeological data base for the archaeological resources of the United States through increased cooperation between private individuals referred to in paragraph (1) and professional archaeologists and archaeological organizations.

SAVINGS PROVISIONS

Sec. 12. (a) Nothing in this Act shall be construed to repeal, modify, or impose additional restrictions on the activities permitted under existing laws and authorities relating to mining, mineral leasing, reclamation, and other multiple uses of the public lands.

(b) Nothing in this Act applies to, or requires a permit for, the collection for private purposes of any rock, coin, bullet, or mineral which is not an archaeological resource, as determined under uniform regulations promulgated under section 3(1).

(c) Nothing in this Act shall be construed to affect any land other than public land or Indian land or to affect the lawful recovery, collection, or sale of archaeological resources from land other than public land or Indian land.

REPORT

Sec. 13. As part of the annual report required to be submitted to the specified committees of the Congress pursuant to section 5(c) of the Act of June 27, 1960 (74 Stat. 220; 16 U.S.C. 469-469a), the Secretary of the Interior shall comprehensively report as a separate component on the activities carried out under the provisions of this Act, and he shall make such recommendations as he deems appropriate as to changes or improvements needed in the provisions of this Act. Such report shall include a brief summary of the actions undertaken by the Secretary under section 11 of this Act, relating to cooperation with private individuals.

Repatriation: A Clash of World Views

Tamara Bray - Repatriation Office, NMNH

Introduction

Repatriation is a topic of unparalleled importance in the museum world today, particularly as museum personnel struggle to meet deadlines imposed by law. There is also concern about the loss of museum collections. In addition to museums, repatriation is an issue of extreme importance for Native Americans, archaeologists, and physical anthropologists. In Indian country, there has been a ground swell of interest in and commitment to seeing the mandate for repatriation carried out. In the professional community, repatriation has had a profound impact on the way archaeologists 'do business' in the United States.

The idea of repatriation represents a highly charged issue where different currents of history, science, and politics converge. It is a point at which the interests of museums, Native peoples, archaeologists, and physical anthropologists intersect, where old relationships are being shattered and new ones forged. Repatriation has frequently been characterized as a clash of world views, the outcome of a head-on collision between diametrically opposed belief systems. It bears note that the two belief systems involved are not of equal valence within contemporary society. One system pertains to a subordinate minority group within the United States, the other to the majority. It took an act of Congress to move the scientific community to address the concerns raised by Native peoples.

For both Native people and non-Native scientists, human remains possess meaning. For many, if not all, Indian peoples, ancestral bones hold spiritual significance and power. For the scientist, skeletal remains are meaningful as sources of information: as 'data' for biomedical research, for studies of the evolution of human disease, and for solving forensic cases. For the physical anthropologist, human remains have been depersonalized and de-sanctified, though they are still highly meaningful. The fundamental differences in these two approaches to human skeletal remains relate to differences in world view and values systems.

Embedded within the repatriation movement are a number of fundamental issues that challenge our views of Native American peoples, call into question the "absolute" values of science, and force us to take a critical look at the role of museums in Western society.

Repatriation may best be understood within the broader historical context of global decolonization. It parallels and is on a continuum with other indigenous movements around the world in which Native rights are being asserted. Among the issues being pressed are the fight of control over one's own cultural heritage and the fight to the sanctity of the grave.

In addition to human remains, the categories of cultural items encompassed within the repatriation mandate include funerary articles, sacred objects, and items of cultural patrimony. Legally, these items are defined as follows:

Funerary objects are items believed to have been intentionally placed with an individual at the time of death as part of a death rite or cultural ceremony.

Sacred objects are defined as specific ceremonial articles that are needed by traditional Native American religious leaders for the practice of traditional Native American religions.

Cultural Patrimony is defined as communally owned cultural property that has an on-going historical, traditional, or cultural importance central to a Native American group. Such objects, by definition, cannot be alienated, appropriated or conveyed by any individual, regardless of whether or not that person is a member of a Native American tribe or Native Hawaiian organization.

History of the Repatriation Movement in the U.S.

The idea of repatriation is rooted in the historical context of the civil rights movements of the 1960s. During this period, Native Americans, like other minority groups within the United States, gained new-found political influence and recognition. It was during the activist climate of this era that some Native people began to express strong opposition to archaeological excavations, the public display of American Indian burials, and the permanent curation of Native American remains in museums.

The differential treatment of Native burials and the seeming disregard displayed by archaeologists toward them were seen as powerful symbols of oppression and the pervasiveness of racist practices for the Native community. In 1974, an activist group known as American Indians Against Desecration (AIAD) formed, with the explicit intent of bringing political pressure to bear on the question of the return and reburial of Native American remains. They argued that all Indians, past and present, are spiritually linked. As a result, modern Native peoples were responsible for the security of their ancestors' remains. They also argued that the removal and curation of human remains caused spiritual disturbance that could have a potential negative impact on the well-being of modern Native peoples.

Repatriation Legislation

Through the efforts of the AIAD and the widespread media attention it attracted, the repatriation issue slowly bubbled to the surface of public consciousness and eventually captured the attention of several sympathetic lawmakers. The first piece of legislation to treat this issue was the National Museum of the American Indian (NMAI) Act, which was passed by Congress in 1989. The principal functions of this Act were to authorize the transfer of the Heye Foundation's Museum of the American Indian collections from New York to the Smithsonian Institution. This

magnificent collection of Native American artifacts from all over the western hemisphere was to form the basis of the new National Museum of the American Indian. The NMAI Act also required the Smithsonian to inventory and assess the cultural origins of collections potentially affiliated with Native American and Native Hawaiian peoples. Human remains and funerary objects for which cultural affiliation could be established were to be offered for return to the appropriate tribal group. The idea that there must be a demonstrable relationship of cultural affiliation between the remains or objects in question and the tribal group to whom they would be offered for return was the cornerstone of this repatriation legislation.

The Native American Graves Protection and Repatriation Act (NAGPRA) was passed the following year, in 1990. This law expanded the repatriation mandate beyond human remains and funerary objects to include the categories of sacred objects and cultural patrimony. It also extended the applicability of this mandate to all federally funded museums, institutions, and agencies. The Smithsonian was explicitly exempted from NAGPRA due to the fact that it was already covered by the NMAI Act.

NAGPRA has four provisions:

1. To increase protection for Native American graves and provide for the disposition of cultural remains inadvertently discovered on tribal and federal lands;
2. To prohibit traffic in Native American human remains;
3. To require federal museums and institutions to inventory their collections of Native American human remains and funerary objects within five years and repatriate them to culturally affiliated tribes upon request; and
4. To require museums to provide summaries of their collections of Native American sacred objects and cultural patrimony within three years and repatriate them if it is demonstrated that the museum does not have right of possession.

NAGPRA has been characterized as an important piece of human rights legislation for Native Americans. It also represents landmark legislation for museums in that it recognizes that scientific fights do not automatically take precedence over religious and cultural beliefs in the United States. NAGPRA has served to establish a new ethical outlook for museums in their relationships with Native peoples and other minority groups. It provides a framework within which museums and Native peoples can begin to develop new kinds of partnerships and collaborative relations. The passage of these laws represents the culmination of years of struggle for Native American groups. In essence, they legislate respect for the dead.

Issues in Repatriation

The central issue in the repatriation debate revolves around the question of whether Native American interests in

reburying ancestral skeletal remains take precedence over the interests of archaeologists and physical anthropologists in studying and preserving them. From the outset, repatriation was portrayed as a controversy between museums, archaeologists, and anthropologists on one side, and Native peoples on the other. Discussion between the various parties affected by the repatriation issue became very polarized and was often characterized as a debate between science and religion.

Portraying the repatriation issue in these terms had the effect of casting Native peoples as anti-science or anti-intellectual, playing upon and promoting stereotypes of Native peoples as "backwards" or "primitive." To escape this kind of simplistic analysis, it is more helpful to think of the controversy over repatriation as a dash between competing value systems rather than as one of science versus religion. This requires a recognition of the fact that science is legitimately subject to criticism on the level of values as well as facts. Anthropology and archaeology, and science in general, have their own agendas, their particular politics being a commitment to the story of progress.

To better understand the positions and world views of the protagonists in the repatriation debate, it is important to consider the arguments and issues from the different sides of the prism. From the perspective of Native Americans, the points at issue in repatriation revolve around the differential treatment of the dead, the lack of respect for Native beliefs and feelings, treatment of people as objects of study, and racism, as evidenced in disproportionate numbers of Native American remains given over to scientific study. From the professional community's point of view, the notion of repatriating collections for purposes of reburial is contrary to the most fundamental principles of preservation and conservation. The loss of collections is seen as an irreplaceable loss of data for scientific and educational purposes. The different issues embedded in these two world views are elaborated upon below.

Native Concerns:

1) Many museums, the popular media, and public school texts present stereotypes of Indian peoples as foreign and vanishing members of a different race, distinct and apart from the rest of us. The generally held belief that Native cultures would become extinct in North America was one of the original justifications for the collecting practices of museums and the work of anthropologists in the 19th century. Reburial is an important political issue on the Indian rights agenda in part because, by asserting their rights to protect the sanctity of their ancestors, Indian people assert that they have not vanished, and that their beliefs and feelings are entitled to the same respect as other Americans;

2) Native Americans view the collections of Indian human remains housed in museums as disrespectful, racist, and colonialist. To many, the collecting of their ancestors' bones by museums is a source of pain and humiliation, the last stage of a conquest that had already robbed them of their lands and their way of life. They cite, as evidence, museums' institutionalized treatment of Native Americans

as objects of natural history, in which elements of their traditional lifeways are collected as specimens, and the remains of their ancestors are collected like fossils. Native peoples ask what knowledge has been produced through the study of these remains that is of value to them. They also want to know why museums need so many skeletal remains to study;

3) There is a question of differential respect for the sanctity of the grave. Native peoples ask why Euro-American burials that are accidentally exposed or uncovered are rebuffed elsewhere, while Native American burials are sent to museums or universities for further study. Indian arguments for the sanctity of the grave tend to be based on beliefs in the sacred nature of burials, and a concern for the spiritual well-being of the deceased. Their concept of ancestry is a communal one that compels respect for the dead even in the absence of direct familial relations. The differences in attitudes between Euro-Americans and Native Americans may be seen to revolve around secular versus sacred constructs with respect to the sanctity of the grave and individual versus community responsibility to one's forebears; and

4) There is also the question of who controls the past; who has the right to interpret and write history. Native peoples have, for the most part, been denied the ability to interpret their own past. There has been a general refusal by scientists to admit to different ways of knowing, understanding, or interpreting the past. The past has been traditionally seen as the privileged domain of archaeologists. This is related to the elevation of Science as the supreme epistemology and the corresponding devaluation of other ways of 'knowing' the world, such as through oral history, legend, and myth. In the context of colonization, the past forms a critical locus in the struggle to reconstitute cultural identities and culture histories that have been severely impacted by the relentless drive and destructive policies of the State. The past forms the raw material for many and varied interests besides those of archaeologists, to be appropriated, preserved, exalted, or denied as required in the service of contemporary aims and motivations.

Museum/Scientific Concerns:

1) For many in the museum world, the notion of repatriating collections for purposes of reburial runs contrary to the most fundamental principles of preservation and conservation. It is viewed as tantamount to the purposeful destruction of knowledge. Museums are seen, by those who value them, as storehouses of data for future research. Physical anthropologists argue that the materials now in the collections provide information on the history and descent of the people represented; new developments in the areas of DNA research, genetics, and chemical analysis in the past decade may hold the key to such questions as the peopling of the New World, human origins, and the evolution of disease;

2) Scholars also make the argument that archaeological finds in this country constitute the 'national heritage' and don't belong to one 'special interest group.' Since all

humans are members of a single species, and ancient skeletons are the remnants of non-duplicable evolutionary events, all living and future peoples have a right to know about and study these human remains. That is, ancient human skeletons belong to everyone;

3) It was museums and anthropologists who were, in large part, responsible for the preservation of knowledge of Native American lifeways when Native cultures were on the wane or in the process of being systematically destroyed during the late 19th and early 20th centuries. Museum people note with no little irony that in cultural revitalization movements, Native peoples have often recovered information on their heritage and traditions from the very institutions they now oppose;

4) It has also been argued that it would be racist not to have collections of aboriginal remains in New World museums. Such a situation would imply a lack of interest in the history of Native peoples of this continent.

Positive Outcomes of Repatriation

While the passage of the recent legislation provides a partial answer to the question of 'Where do we go from here?' the laws do not fully settle the issues. The murky language employed by the authors of the federal Acts leaves a number of technical and philosophical questions unreconciled.

These may prove to be intractable unless we are able to understand the repatriation issue within the broader sociopolitical and historical context of global decolonization. What we're witnessing with the repatriation movement is a struggle for self-determination and control over cultural heritage. This struggle represents an effort on the part of indigenous peoples to reconstitute a collective cultural identity, in the aftermath of colonialism.

While having a direct and profound impact on Native communities in this country, repatriation also can be construed as a step in the right direction toward improving relations among Native peoples, anthropologists, and museums. Repatriation legislation provides a framework within which to develop better lines of communication and foster greater understanding and dialogue between the different parties affected. The change in attitudes and values developing out of encounters based on the repatriation mandate has begun to lay a foundation for museums, anthropologists, and Native peoples to work together in a spirit of mutual cooperation and collaboration.

Repatriation Process at the National Museum of Natural History

The Smithsonian Institution's physical anthropology division in the National Museum of Natural History (NMNH) houses about 28,500 sets of skeletal remains. At one time, Native American remains numbered approximately 17,600 individuals; the remainder of the collection is made up of Euro- and African-Americans, and Europeans, Africans, and

Asian peoples from various parts of the world. These collections were developed during the first half of this century, through the efforts of the Smithsonian Institution's first physical anthropologist, Ales Hrdlicka.

The repatriation mandate requires the Smithsonian to inventory and assess the cultural origins of collections potentially affiliated with contemporary Native American and Native Hawaiian peoples. Affected tribal groups are to be notified of the Museum's findings and consulted with regard to the disposition of culturally affiliated remains or objects. The Museum facilitates the return of the materials in question upon the request of the affiliated tribal group.

One of most sensitive collections in the NMNH is the Army Medical Museum collection of skeletal remains, which were transferred to the Smithsonian around the turn of the century. This collection contains about 2300 sets of remains, many of which date to historic periods and are explicitly identified with regard to cultural origins. The Army Medical Museum was founded in 1862 to perform biomedical and pathological studies on the Civil War dead. At the close of this War, the emphasis of the Army Medical Museum shifted to the collection of Native American skeletal remains. With the outbreaks of the Spanish-American War and World War I, research funding was diverted away from the museum, and its collecting function ceased.

The repatriation legislation offers little in the way of technical guidelines for how to proceed with this effort. It was thus left to the Museum to set up a workable program, which involved the establishment of a formal Repatriation Office. To date, much attention has been focused on the historical remains, with the Army Medical Museum collections being the most sensitive. Museum personnel continue to work through these collections, documenting specific information relevant to cultural identification from each set of remains. In addition to responding to requests, the NMNH also takes a pro-active approach to the inventory process. Groups that have not contacted the Smithsonian Institution are notified if collections of potential interest to them are identified during the inventory process. In addition to the documentation of physical remains, the Repatriation Office of the NMNH is also producing summaries of the ethnographic collections.

From a core staff of four in September 1991, the office has grown to include 20 regular staff and six full-time contractors. The Museum has sponsored eleven Native American professionals, students, and interns to date, one of whom is now a permanent member of the staff. The office currently has about 35 formal repatriation requests on file. These are handled on a first come, first served basis. Fifteen separate repatriations have been completed to date by the NMNH, and twelve others are in progress.

Outreach

In addition to the inventory and documentation work of the Repatriation Office, outreach efforts to the Native American community are a high priority. Repatriation staff have travelled to the Pacific Northwest, the northern Plains,

Oklahoma, the Southeast, the Southwest, and Alaska to meet with leaders of different tribal groups. The purpose of these visits is to provide information on the repatriation program at the NMNH and collections of potential interest to the tribes. Staff members have participated in a number of the regional consultations held by the National Museum of the American Indian in various parts of the country as well.

A standing committee made up of five independent, external individuals is in place to review any disputed cases. Three of the members of this committee were elected by the Native American community. To date, there have been no disputes for the committee to arbitrate.

It is important to remember that there is no Pan-Indian religion or single viewpoint on how to deal with the dead. Cultural protocols vary by tribe. Some Native groups feel that the housing of the dead in museums threatens the spiritual harmony and balance of the world; many say they personally feel the spiritual disquiet of their ancestors who are stored in museums. Another viewpoint is held by the Zuni tribe, which does not want skeletal remains returned to the Zuni reservation at this time. They feel the remains have been desecrated, and there is no method of dealing with them in any traditional Zuni way. The Zunis avoid the disturbance of grave sites when possible, but when a burial must be exposed (due to construction, for instance), the remains are excavated by an archaeologist, and basic information about the individual is determined by a physical anthropologist. The remains, along with all grave goods, are then reburied out of harm's way, as close to the original burial as possible.

The returns conducted to date have varied. The procedures have ranged from museum personnel boxing and shipping remains, to private ceremonies held in the museum by tribal representatives, to very public ceremonies.

Tamara L. Bray - Repatriation Office
National Museum of Natural History
Smithsonian Institution

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www.mnh.si.edu/arctic/html/repattb.html

Society for California Archaeology
CASSP Workshop



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Section 3. Forms

This section provides the California Archaeological Site Stewardship Program (CASSP) application and confidentiality forms, the Society for California Archaeology Code of Ethical Guidelines, and a reference copy of the CASSP field monitoring form. The inside pocket of your notebook contains additional copies.

California Archaeological Site Stewardship Program Candidate Application Form

Name
Address
Phone/E-mail
Occupation
Relevant training, experience, and interests
Relevant clubs, organizations, memberships
Site visit scheduling preferences, if any
Site location preferences, if any
I hereby apply as a Volunteer under the California Archaeological Site Stewardship Program (CASSP). Furthermore, I understand that neither the Society for California Archaeology nor its officers or employees are responsible for any accidents or injuries that I may suffer during my activities as a CASSP volunteer. Signed _____ Date _____

I want to share my contact information with other workshop participants. An e-mail containing names, addresses and phone numbers will be sent to everyone who opts in.



Society for California Archaeology By-Laws Article XVI: Code of Ethical Guidelines

Whereas it is the intent of the Society not to violate the Constitutional rights of any Member or citizen of the United States of America, the following guidelines shall be adhered to by the Society for California Archaeology (universities and institutions included) to advise the most ethical course of action in the various archaeological matters which may arise.

Section 1. Ethical Responsibility to the Public


1.1 An archaeologist shall:

- a. Recognize a primary commitment to present the public with the results of field research in a responsible manner, such as publication or public displays.
- b. Actively support conservation of the archaeological resource base by recording sites, advocating protection or salvage in impending destruction, or any other means available.
- c. Encourage conformance with the UNESCO Convention, General Conference, Paris, November 14, 1970, and U.S. Public Law 94-446: Title III, the Convention on Cultural Property Implementation Act of 1983, which prohibit illicit export or import and /or sale of cultural property.
- d. Contact pertinent representatives of the Native American or other ethnic peoples during the planning phase preceding archaeological programs of excavation or extensive reconnaissance, and it shall be the express purpose of such communications to develop a design for field work in coordination with the interests and sensitivities of those pertinent people.
- e. Encourage careful compliance with procedures specified in state and federal law regarding the discovery of Native American human remains. (Section 7050.5 of the state Health and Safety Code; and Section 5097.5 et seq. of the state Public Resources Code, Division 5, Chapter 1.75, added by amendments, Senate Bill 297 of 1982, Chapter 1492.)
- f. Whenever a site of religious, ceremonial, or social significance to a Native American or other ethnic community is encountered, contact appropriate representatives of these communities and respect their expressed interests and concerns while considering the archaeological values of the site's resources.
- g. Encourage the complete preservation of any significant cultural site for which the traditional religious beliefs of the pertinent ethnic peoples will not allow scientific excavation/ salvage or the cost of salvage is prohibitive.

1.2 An archaeologist shall not:

- a. Collect artifacts or features for the purposes of private collection, sale of the items, or any other non-scientific activity.

- b. Excavate or otherwise disturb any location of a previous Native American settlement, ceremonial locality, cemetery, or other mortuary context which was being used until recently or is still being used, and for which native or other ethnic peoples maintain a sense of spiritual affinity, without the full concordance of those pertinent peoples.
- c. Allow his or her name to be used in the support of illegal or unethical activity.
- d. Advocate unscientific destruction of cultural resources or testify in a public hearing to assist other individuals in a less than scientific destruction of said resources.
- e. Advocate the destruction of identified or known sacred/religious sites of Native American or other ethnic peoples, merely because there are no observable or quantifiable artifacts or features.
- f. Knowingly misrepresent oneself as “qualified” in matters for which there is a reasonable doubt of qualification and in which the existence of a cultural resource is at stake.

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California Archaeological Site Stewardship Program Agreement of Confidentiality

Executed on April 29, 2017, at the volunteer training workshop for the California State Parks, Northern Buttes District, at Lake Oroville State Recreation Area, Oroville, California. This agreement is to be renewed on April 29, 2018.

I, the undersigned, agree that I have read, fully comprehend, and agree to comply with the Archaeological Resources Protection Act of 1979.

I have read, fully comprehend, and agree to comply with the Society for California Archaeology By-Laws, including Article XVI: Code of Ethical Guidelines, Section 1: Ethical Responsibility to the Public.

I fully understand the confidential nature of working at archaeological, historical, and paleontological sites, and working with archaeological data, and I agree to respect that confidentiality.

I will ensure that specific site location information is not distributed in public documents, not made available on the Internet to the public, and not otherwise made available to unauthorized individuals.

Furthermore, I agree to forward any information pertinent to cultural resource management to archaeologist(s) of the Bureau of Land Management, US Forest Service, California State Parks, or National Park Service.

I understand that failure to comply with any aspect of the above agreement is grounds for denying subsequent access to the cultural resource site record data and for terminating my participation in site stewardship.

Signed by volunteer	Date
Printed name of volunteer	
Mailing address, phone number, e-mail address	
Signed by California Archaeological Site Stewardship Program representative	Date
Printed name of representative	

California Archaeological Site Stewardship Program

Site Monitoring Report

Site.
Date and time of monitoring.
Name. _____
Address. _____
Phone. _____
Accompanied by (name and address).
Condition of archaeology site. (State if clear, damaged, overgrown, or vandalized. Describe any damaged areas. Attach sketches, maps, or photographs.)
Condition of trails (State if clear, obstructed, overgrown, or damaged).
Evidence of human intervention at site, such as footprints, trash, fire. (Do not touch or disturb—just note it. Write “none” if no evidence—do not leave blank.)

California Archaeological Site Stewardship Program, Site Monitoring Form, continued

Observation of human activity at site. (Do not make contact or attempt to chase off individuals. Provide description of individuals, their activities, and where they were doing it. Note license plates of vehicles at trailhead or campsites.)

Describe location from which you observed the activity.

What steps did you take to notify law enforcement, local agency personnel, or others?

Other significant activity or problems that you encountered while monitoring.

Comments and suggestions.

Total volunteer hours for this visit.

Signed.

Date.



Section 4. Safety

1. For events that require law assistance: Emergency 911

Butte County Sheriff Department (530) 538-7321

2. For assistance from the California State Parks:

California State Parks Dispatch (916) 358-1300

Northern Communications (NORCOM) Dispatch (916) 358-1310

3. For assistance from the Lake Oroville State Recreation Area (LOSRA):

LOSRA Office (Monday–Friday, 8:00–4:00) (530) 538-2200

LOSRA Visitor Center (530) 538-2219

917 Kelly Ridge Road, Oroville, 95966

Brian Walsh, Archaeologist, (530) 538-2703

California State Parks, Northern Buttes District Brian.Walsh@parks.ca.gov

400 Glen Drive Oroville, CA 95966

4. For CASSP related administrative or program needs, CASSP coordinators:

Karen Lacy and Michael DeGiovine Karen.Elizabeth.Lacy@gmail.com

mdegiovine@gmail.com

Beth and Chris Padon (562) 595-3995

bpadon@discoveryworks.com

cpadon@discoveryworks.com

5. For more information:

California Archaeological Site Stewardship Program at www.cassp.org, and

[www.facebook.com/California-Archaeological-Site-Stewardship-](https://www.facebook.com/California-Archaeological-Site-Stewardship-Program-608935952575076)


[Program-608935952575076](https://www.facebook.com/California-Archaeological-Site-Stewardship-Program-608935952575076)

Society for California Archaeology

www.scahome.org

California State Parks

www.parks.ca.gov/

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Safety Checklist

When I visit my site to observe and record changes, what do I need to take with me?
(To be completed during classroom discussion.)

Personal Safety of CASSP volunteer site stewards

As a monitor you may encounter persons who are on the public lands for illegal purposes such as drug cultivation or manufacturing, felony theft, disposing of hazardous materials, or evidence of major crimes committed elsewhere. You may also encounter unauthorized activities involving the use of firearms and explosives. Some public land users may be under the influence of alcohol or other drugs. Persons participating in these activities may be very hostile and resistant to any official presence. Some people may have different ideas and value systems. These people may be hostile to the work you are doing or the agency you represent. The following principles and procedures should help minimize situations where volunteers become involved in situations of jeopardy for which they are not fully trained or equipped. Not all risks can be avoided. However, volunteers should not take unnecessary risks that place them in a situation of personal jeopardy. Trained public law enforcement officers should always be used for such situations.

Obligations as a CASSP volunteer site steward

Volunteers are to conduct their public contact with caution and prudence. State Parks policy does not permit the use of volunteers in hazardous duty or law enforcement work. When encountering a person or persons behaving in a suspicious or hostile manner:

- Leave the area immediately.
- Discreetly note license plate number, description of violator, and other pertinent facts.
- Call trained law enforcement to deal with violators as soon as you may safely do so.

CASSP Site Stewards are not law enforcement officers

Avoid actions which fall within law enforcement activities, such as the following:

1. Avoid confronting a person about a particular violation of a criminal law or regulation, where there is intention to hold the person accountable for that action. The keyword here is confronted, not contacted and informed.
2. Avoid ordering a person to disperse, leave an area, or not enter an area. The keyword here is ordered, not invited or asked. When based upon reasonable suspicion or probable cause, a person must be asked to show their personal identification or other identifying information. "Reasonable suspicion" is the legal threshold necessary to conduct an investigative stop and demand identifying information. Only State Parks or other public law enforcement officers are trained to determine such thresholds.
3. Avoid physically touching or removing a hostile or combative person from an area. Only State Parks or other public law enforcement officers are trained in the use of force under prescribed legal and policy restraints. State Parks or other public law enforcement officers are

trained in the use of defensive weapons and in making determinations of when certain levels of force are permitted or not permitted.

4. Avoid making a physical arrest or issuing accusatory or charging instruments, such as written warnings or citations.

As a volunteer, what should I do to enhance my personal safety on public lands?

1. Be prudent in all of your contacts, especially when telling people who are in violation. The keywords here are “contact” and “providing information.” Wear the official identifying accessories (hat or t-shirt) when conducting public contact duties.

2. Call State Parks or other public law enforcement officers to make contact with individuals, if you anticipate persons to be contacted could be hostile or uncooperative. Also, notify State Parks or other local law enforcement officers if you observe actions or evidence that indicate a serious crime is occurring (i.e., drug activities, theft, violence against other persons, vandalism). Do not confront such individuals!

3. Notify BLM or other public law enforcement officers if persons are ignoring the regulatory information that has been supplied through public contact.

4. Immediately notify State Parks or other public law enforcement officers if threats have been made against, or assaults or batteries have been committed upon any volunteer or public land user.

5. Know where the nearest phone is located, and carry a cellular phone, if you have one.

As a volunteer, what actions should I avoid to enhance my personal safety?

1. Do not make threats or inferences about issuing citations, making arrests, or statements about calling the authorities. This may elevate the hostility of the contact. In most cases, a quiet withdrawal and notification to appropriate authorities without direct contact with the subject is the safest alternative.

2. Do not let your anger or emotions dictate your actions. Attempt to communicate in a calm and precise manner. Do not raise your voice or shout at any person. If your emotions get the best of you, withdraw from the contact immediately and make proper notifications.

3. Do not issue written warnings or any written form which may be interpreted to be a criminal accusatory instrument.

4. Do not ask for or demand a person’s identification in connection with a potential violation. Volunteers lack the proper law enforcement authority and the necessary level of proof; this action would also constitute an unwarranted invasion of privacy.

5. Do not confuse any authority you may have to conduct law enforcement activities given to you by a State, Federal, or local agency (i.e., reserve police or deputy sheriff) with your duties as a volunteer, and/or authorizing such volunteers to take any law enforcement action.

6. Do not physically touch, lay hands upon, or strike a person.

7. Do not carry, wear, or display firearms or other weapons (including spray, clubs, sticks, batons, etc.) on your person when serving as a site steward.

8. Do not work alone, if possible work as a team.



Being a Good Witness

(provided by Law Enforcement Officer Vic Herrick, California State Parks)

Witness: One who can accurately relate what he or she saw, heard, smelled, felt, experienced.

Being a good witness

Try to observe and learn. Your careful observations of fact will prove invaluable. “I saw” is powerful testimony and will do much to overcome the false claims and denials of a violator. Remember to ask yourself: Who? What? When? Where? Why? How? Could you tell a person not there what occurred without adding or deleting from what you saw?

Gathering Facts, i.e. descriptions of person, places, things, locations

Example 1: “I saw a heavy set Asian man with a long pony tail, black hair and a wispy beard, about 40-50 years old. He parked a beat up red Chevy truck with a primer gray right front fender on the cemetery road, next to the giant gray pine with the dead top. His truck was mud spattered, the license plate hard to read, but similar to XYZ123, the XYZ for sure. a yappy yellow dog was chained in back. The driver loaded a rock mortar and a pick and a cloth bag into the bed of the pickup. I noticed the drive was wearing a faded green tank top, new blue jeans, tan ankle high work boots and he had a small tattoo on his left upper arm. He lit a cigar as he started his truck and drove away, the engine backfiring repeatedly.”

Example 2: “I saw a guy load some rocks and stuff into an old truck and drive away.”

Both stories depict the same event. Example 1 is rambling and tedious, but is very useful, because it relates unique features and would allow a vehicle stop and investigation to continue. Another monitor on another date or location would *know* this guy and the truck for sure. Example 2 is of little value. It fails to give the valuable *unique* details that allow an investigator to focus.

Write down details or you will forget. Multiple witnesses may see events differently, noticing things the other did not, so do not be surprised if witness accounts of the same event vary.

Describing a person

A person is more easily described and remembered if you view them from *top* to *bottom*.

Example: *Hair?* Length, color, thickness, curly, receding, bald, grey streaks, etc.

Face? Round or thin, smooth or wrinkled, scarred, tattooed, pierced, facial hair, eyebrows or nose distinctive, eyes narrow or wide, teeth missing or gold, silver capped, etc.

Build? Short or tall, fat or thin, muscular or flabby, bust, etc.

Clothes? Shirt—color, sleeves, logos, clean or dirty. Belt—fancy buckle, leather or weave. Pants—long or short, color, clean, dirty, faded, torn knees, straight or flared. Shoes—boots, sandals, sneakers, colors, etc.

Unique features? Always look for something special, that makes it easy to remember and see. Scars and tattoos, unusual moles or marks, fancy cowboy boots, fancy jewelry, we all have something that makes us and others unique.

Race/Sex? Important features that greatly reduce the field of suspects. Make your best guess, it is not always obvious.

Practice with your friends! You will be amazed how little most people remember about the persons they see through the day. Perhaps because we are taught to not stare or draw attention to injuries etc., we *look but do not see*. Use the *top to bottom* system and you will improve. It is necessary to focus on a violator and give a good description.

Example: Who? What? When? Where? Why? How?

Who? Describe *top to bottom*. “*Unique features and behaviors i.e. An older white male, 60-70, about 6’ 2” and thin, clean shaven with receding short white hair, wearing ‘Reebok’ logo grey T-shirt, faded blue jeans, no belt, ‘Birkenstock’ sandals. Has weathered face with liver spots and an Airborne/parachute tattoo on left forearm. Nose is sunburned.*”

What? What makes the event a concern? “The man was digging with a shovel on a known grave site.”

When? Date and time, exact if you can, otherwise estimate and write it down.

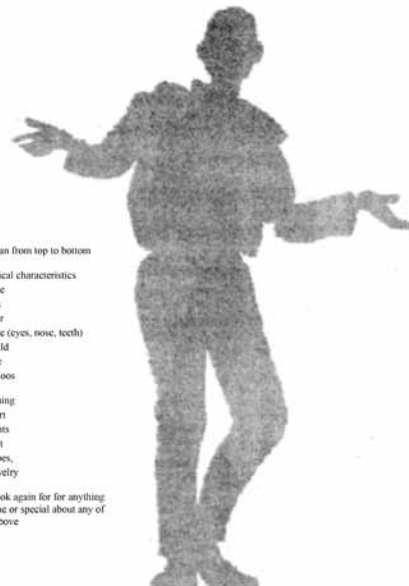
Where? Try to use permanent features. “A hole dug in black soil on the North corner of the bedrock mortar at the Enterprise access ramp.”

Why? Not easy to determine, but give it some thought. Is the violator a casual, curious collector or a skilled and focused commercial motivated exploiter? An experienced looter or vandal, digger of burials or just surface materials? Obvious or secretive?

How? Vehicles used. Drop off. Digging, screening, surface scatter. Where did the artifacts go—pockets, packs, trunks, hidden or hand off to others. Boats or motorcycles.



"TOP TO BOTTOM"



1. Scan from top to bottom

Physical characteristics

race
sex
hair
face (eyes, nose, teeth)
build
age
tattoos

Clothing

shirt
pants
belt
shoes,
jewelry

2. Look again for for anything
unique or special about any of
the above

Scene Management

Most often you will find the results of looting after the fact. Still, a story remains to a trained investigator and clues remain. Help protect the scene until it can be viewed by an investigator. Enter the area of the looting, with caution, try not to rub out tracks and clues. Do not enter the area at all if you can see from afar it has been looted. Do not rebury artifacts, or move objects until advised to do so. Sometimes nobody will be available to respond to a “cold” case. Try to walk out on the same tracks you entered. Leave some sign of where you entered, something discreet that only you can identify, i.e. three pine cones, or stones in a row, obvious to you but not to others. The looter may return, and maybe we will be waiting for them. Remember what you saw, report it and hope for appropriate action, and know that we do not catch all violators, but will try our best.

Witness, Testimony

You may be a witness in court. Officers are also witnesses in court. Officers will seek to witness violations themselves if at all possible, and will not involve you unnecessarily. Most cases do not go to trial, only a few.

Should you be required to testify in court, consider the following: Testifying is easy if you remember to just to tell the truth. If you do not remember something, just say so. Do not feel you have to “fill in the blanks,” as it is normal and natural to not recall everything you have witnessed.

As a witness, you may be questioned by officers and later by attorneys. Your answers should therefore be consistent, as the facts do not change. When questioned by an attorney, answer the specific question asked, neither volunteering nor deleting information. Many of these answers will be “Yes” or “No.” If you are confused, ask the questioner to slow down and rephrase the question asked.

An attorney will usually tell the story of what occurred (or did not occur), using witnesses and evidence obtained to verify or emphasize important points. To be a good witness, answer truthfully without embellishment or emotional reaction. It is normal to be a bit nervous, try to relax and go along with the process. You are not on trial.

"MANTRACKING"

BY ROLAND ROBBINS 1977 NAT. SAR

DR/MIS. NO.		ARIZONA SITE STEWARD		SEX M/F		RACE		HT.		WT.		HAIR		EYES		CLOTHING		REMARKS							
NAME		A		B		C		1		2		3		4		5		6		7		8			
								TOP		BOTTOM										OVERALL W-		HEEL L- W-		STRIDE	

FISH SCALE



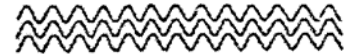
BROKEN BARS



SUCTIONS CUPS



RIPPLE OR WAVY



LUG PATTERS



HERRINGBONE
(running W)



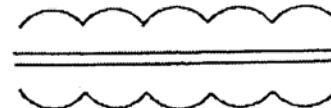
MIXED DIAMOND/
BARS



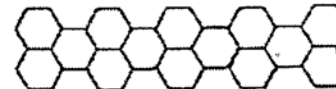
DIAMOND
(checkered)



TIRE TREAD



HONEY COMB



Be sure to state the number, size and location of any nonuniform features such as lugs or suction cups. It will help to give the measurement of some particular features in comparison to known objects, i.e., bars *about the thickness of a pencil*, or fine herringbone pattern *as wide as a toothpick*, etc. If there is a distinct heel give as many details on it as possible. If there are nail hoes, count them and relay this information. Unless you actually see the suspect, you will not know their race, height, weight, hair or eye coloring. Fill out the form with as much information as you can.

DESCRIPTION OF MAN TRACKS

BLM Information Bulletin “Personal Safety for Volunteers”

Volunteers are encouraged to conduct their required compliance and/or public contact duties. However, in doing so, they should be aware that some persons may be on the public lands for illegal purposes such as wildlife poaching, drug cultivation or manufacturing, felony theft, or disposing of hazardous materials or evidence of crimes committed elsewhere. Other individuals may be participating in activities involving the use of firearms or explosives. Still others may be interested in the consumption of alcohol or drugs to the point of becoming boisterous and disorderly. Persons who participate in these types of activities may become hostile and resistant to any official presence. Volunteers are not trained, equipped, prepared or authorized to make contact or deal with violators behaving in these ways.

The procedures outlined below will help minimize situations where volunteers become involved in situations of jeopardy for which they are not trained or equipped. Not all risks can be avoided; however, **BLM volunteers should not take unnecessary risks that place them in a situation of personal jeopardy.** Trained Law Enforcement Officers (LEOs) should always be used for such situations. The following can be used as a reference for field-going volunteers when making public contacts.

What can I do to enhance my personal safety on public lands?

- Exercise caution when explaining legal and regulatory requirements to members of the public who are violating a BLM regulation or prohibition.
- Wear the official BLM uniform and other identifying accessories when conducting public contact duties.
- Call upon BLM law enforcement officers (LEOs) to make contact with individuals if you anticipate persons to be contacted may be hostile or uncooperative. Also, notify BLM LEOs or local law enforcement officials if you observe actions or evidence that indicate a serious crime is occurring (i.e., drug activities, theft, violence against other persons, vandalism). Do not confront such individuals!
- Notify BLM LEOs if persons are ignoring the regulatory information that has been supplied through public contact.
- Immediately notify BLM LEOs if threats have been made against, or assaults or batteries have been committed upon any volunteer or public land user.

What actions can I avoid because they put me at greater risk?

- Avoid making threats or inferences about issuing citations, making arrests, or statements about calling the authorities. These things may elevate the hostility of the contact. In most cases, a quiet withdrawal and notification to appropriate authorities without the knowledge of the subject is the safest alternative.
- Avoid letting your anger or emotions dictate your actions. Attempt to communicate in a calm and precise manner. Do not raise your voice or shout at any person. If your emotions get the best of you, withdraw from the contact immediately and make proper notifications.
- Avoid issuing written warnings or any other written form that may be interpreted to be a criminal accusatory instrument.



- Avoid asking for or demanding a person's identification in connection with a contact concerning a potential violation. If you lack the proper law enforcement authority and the necessary level of proof, this action would also constitute an unwarranted invasion of privacy.
- Avoid confusing any authority you may have to conduct law enforcement activities given to you by a State or another Federal agency (i.e., reserve police or deputy sheriff) with your duties as a BLM volunteer.
- Avoid physically touching, laying hands upon, or striking any person.
- Avoid carrying, wearing, or displaying firearms or other weapons (including OC spray, sticks, batons, etc.) on your person when conducting BLM public contact duties.

Recommended Actions Upon Observing Illegal Acts On BLM Lands:

If you encounter a crime scene make notes and take photographs from a distance to minimize potential loss of evidence. Don't touch or remove anything unless otherwise directed by law enforcement. If the violator is present, do not make contact. If you have any doubt as to your safety, leave the area. When safely away from the area immediately make notes of pertinent facts as outlined below and inform law enforcement.

If possible make note of:

1. Who committed the crime?

Description of Violator:

- Sex/Gender
- Race/Ethnicity
- Height [compare the subject's height with a nearby object if necessary]
- Weight/Build
- Hair Color and Style
- Clothing Type and Color
- Facial Features and/or Other Characteristics

Description of Vehicle:

- Make
- Model
- Style
- Color
- License Plate
- Other Characteristics [body damage, bumper stickers, rims, etc.]

2. What crime was committed?

- A general description of what you observed

3. When was act observed/committed?

- Is illegal activity in progress?
- If not in progress, when does it appear the activity may have occurred?

4. Where was crime committed?

- BLM administered lands
- Township / Range / Section
- G.P.S. coordinates
- Road, trail, river names and numbers
- Drainage, canyon, creek, etc., or other referential names

Role-playing exercises for dealing with the public

The following situations allow monitors to examine possible actions that you may take when confronted with issues regarding artifact and site vandalism, destruction, and protection. As site monitors, you may have to make decisions in difficult situations. It is best to examine how you may react and prepare yourself for handling these types of situations. As you review this situations, point out the pros and cons of each and write out your reasons for your decision.

Situation 1

You are monitoring a rock art site consisting of Native American pictographs and petroglyphs. As you walk towards the site, you pass several young adults carrying a large bag. When you arrive at the site, you can see names painted across the opening. When you look closer, you see that the paint is still wet. What do you do?

- Approach the young adults. Tell them it is against the law to damage rock art and you are calling the authorities.
- Quietly follow the young adults, get their license plate number, a physical description of them and their car. Report them to a law enforcement officer as soon as possible.
- When you get back home, call the appropriate personnel listed in your notebook..
- Try to wipe off the paint before it dries.
- Other solution:

Situation 2

Your neighbor shows you some prehistoric artifacts that he obtained while on a weekend camping trip because he wants your opinion about how much they might be worth. When you talk to him about the artifacts, he says that since he found them on private property, then it is legal to sell them. What do you do?

- Try to get more information about where he found the artifacts, and contact your coordinating archaeologist for advice.
- Tell your neighbor that he has broken the law.
- Ask law enforcement personnel to investigate your neighbor.
- Don't do anything because you have no concrete proof.
- Try to get your neighbor involved in archaeological classes or to volunteer on a legal excavation so that he will understand the importance of preserving sites on private and public lands.
- Other solution:

Situation 3

While on your monitoring route you discover a large projectile point in the hiking path. What do you do?

- Pick up the point and take it back to the archaeologist's office.
- Leave the point where you found it. Take a photograph and carefully record the location on a map. Turn your information over to the coordinating archaeologist.
- Leave the point where you found it. Cover it with brush or dirt so that no one else will find it.
- If this is a common type of projectile point, then take it home to show and educate other people about archaeology.
- Other solution:

Situation 4

Your monitoring assignment includes an historic ranch site. Several of the buildings no longer have roofs. Only the rock foundation of one building remains. A sign by the buildings says: "This site is very fragile! Do not walk on the foundations or enter the buildings. Take only photographs."

You are eating lunch nearby when a family arrives in a car. After getting out of their car, the children run to the buildings. They ignore the sign. The children walk on top of the foundation and jump inside the building. They start picking up glass fragments and old nails and putting them in their pockets. What do you do?

- Politely ask the parents if they have read the sign.
- Ignore the family. Law enforcement is not part of your job as a volunteer site monitor.
- Tell the children they are breaking the law.
- Say nothing, but record the license plate number before leaving. Hurry to call a law enforcement office to report the family.
- Other solution:

Situation 5

On your monitoring route, you encounter several people who are sitting in a small rock shelter that is part of a known archaeology site. They are sitting around a small fire and chanting. What do you do?

- Approach the group. Ask them if they have a burn permit.
- Tell the group that they may be damaging a prehistoric site. Ask them to leave.
- Contact your coordinating archaeologist for advice.
- Say nothing; record the license plate number, and leave. Hurry to call a law enforcement office to report the group.
- Other solution:

Situation 6

While on your monitoring route, a young man approaches you. He says that he is a Native American and that you are on a sacred site. He further comments that he does not believe that you, or any other non-native, should have access to sacred sites. What do you do?

- View this encounter as a teaching opportunity. Say, “I am a site steward” and proceed to explain the program.
- Tell the young man that you are an official site steward. You have not finished your monitoring route and you don’t have to leave because this is public land.
- Tell the young man that you respect his view and that you are leaving.
- Finish your monitoring assignment. Fill out the monitoring form, detailing the encounter.
- Other solution:

Society for California Archaeology
CASSP Workshop



California State Parks,
Northern Buttes District,
Lake Oroville State Recreation Area
April 29-30, 2017

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Section 5. Glossary, References, and Other Sources of Information

Society for California Archaeology
CASSP Workshop



California State Parks,
Northern Buttes District,
Lake Oroville State Recreation Area
April 29-30, 2017

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Glossary

As in other work environments, you will find that archaeologists use specific terms to describe job tasks, equipment, regulations, and products. This section lists some of the important terms that you will hear while working as an archaeological site steward.

Adit (mining)

A horizontal or nearly horizontal underground excavation from the surface into a hillside.

Anthropology

The scientific study of human cultures and physical traits; includes ethnology, linguistics, archaeology, biological anthropology and other sub-disciplines.

Archaeology

The scientific study of past cultures through their material remains. Archaeology seeks to describe and explain the nature and evolution of cultural systems.

Artifact

Any product of human cultural activity; more specifically, any tools, artwork, or objects found in an archaeological context.

Atlatl

An Aztec term for spear-thrower; a wooden device with a handle at one end and at the other a hook or spar that fits into a concavity at one end of the spear shaft. Atlatls were replaced circa 1500 B.P. by the bow and arrow.

Bedrock mortar

A mortar cup in a bedrock outcrop.

Bedrock milling station

An outcrop of rock containing one or more milling areas, mortar cups, or grinding features.

Biface

Any stone artifact worked on both front and back faces.

B.P.

Before Present, by convention, number of years before A.D. 1950.



Biface.



Burial

Human remains disposed of by interment. Burials may be simple (containing the remains of one person) or complex (two or more individuals), primary (including the remains as originally interred) or secondary (where a reinterment follows a temporary disposal elsewhere).

Cairn

A pile of rocks, milling stones, or other materials. Sometimes these are used to cover a burial to protect valuables. (In Palmdale and other mining areas, piles of rock often indicate historic mining claims).

California Environmental Quality Act (CEQA)

The 1970 act which requires that state agencies regulate activities with major consideration for environmental protection.

Cleared circles

Oval or circular areas cleared of any boulders or vegetation that have no defined edge or wall around them

Clovis point

A concave-base leaf-shaped projectile point or knife, 4-12 cm long, with characteristic bifacial flutes extending about half the length of the artifact; most are about 12,000 to 11,000 years old.

Cremation

Disposal of the dead by burning; a feature consisting of ash and small pieces of burned human bones and teeth.

Data recovery

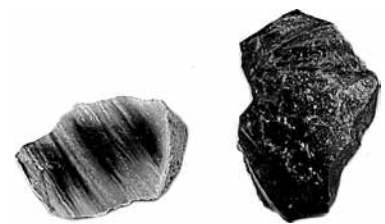
The systematic removal of the scientific, prehistoric, historic, and archaeological data that provide an historic property with its research value.

Datum point

A reference point on an archaeological site from which measurements are taken and to which all finds are related by way of horizontal and vertical mapping.

Debitage

Stone debris produced during flaked-stone tool manufacture.



Chert debitage, about 2 to 3 mm in size.

Desert pavement

A layer of cobbles and pebbles, often darkly varnished, that forms on the ground surface in some desert areas, concealing the underlying soil.

Effect

Any change or damage to a historic property including any activity which could alter the setting or environment surrounding a historic property, if that setting might be a factor contributing to the importance of the site.

Environmental Assessment (EA)

The document used under NEPA to determine if an EIR is needed.

Environmental Impact Report (EIR)

A detailed statement setting forth the environmental effects of a project and the considerations of how these impacts will be lessened according to state guidelines, as described in CEQA.

Environmental Impact Statement (EIS)

An environment impact report that contains a detailed statement describing the environmental effects of a project and the considerations of how these impacts will be lessened according to federal guidelines, as stated in NEPA.

Diagnostic

An artifact or some other aspect of a site that is known to be associated with a particular time period.

District

A district includes sites that are linked culturally, similar in function, theme or time period. Districts may be prehistoric or historic, small or large in size.

Feature

A large, complex artifact or part of a site such as a hearth, cairn, housepit, rock alignment, or activity area.



Partial excavation of a feature.

Folsom point

A concave-base, leaf-shaped projectile pint, 2-7 centimeters long with broad flutes extending nearly the full length on both sides. Most Folsom points are 10,000 to 11,000 years old.

Geoglyphs

A motif or design, usually very large in size, made on the ground surface by scraping away the natural desert pavement.

Global Positioning System (GPS)

A satellite navigation system that provides location information through hand-held and other receivers.

Hammerstones

Usually hard, tough, fist-sized rock used as a hammer to work chert and other stone materials, or to break bones, shells, or other materials. They tend to be shaped through use and show battered edges.



Side view of handstone, 5-10 cm thick.

Handstone (mano)

A round-shaped or oval-shaped stone used for grinding seeds, pigments, bones, on a grinding slab or milling stone.

Hematite (ochre)

An earthy iron oxide usually red to brown in color; used by many Native Americans as a pigment.

Historic

The historic period refers to human activities associated with the advent of written records.

Historic archaeology

The study of the material remains of cultures with a written record. Historic sites are at least 50 years old. Often there is written information about the site or its artifacts, which is supplemented by the material remains.

Holocene (Recent)

The post-Pleistocene geologic epoch characterized by fluctuating but generally moderate climates and modern fauna assemblages; from about 11,000 B.P. to the present.

Hopper mortar

A mortar consisting of a stone base upon which rested a sturdy conical basket without a bottom. The basket part was often glued to the base with asphaltum or pressed against it during milling. A pestle would be used inside the basket for the grinding.

In situ

(Latin) In place, applied to archaeological remains found in their original, undisturbed location or position.

Integrity

The authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period. If a property retains the physical characteristics it possessed in the past, it has the capacity to convey association with historical patterns or persons, architectural or engineering design and technology, or information about a culture or people. Integrity is a quality that applies to resources in specific ways: location, setting, design, materials, workmanship, feeling, and association.

For sites significant for their information potential, integrity requires the presence of those parts of the property that contain important data and which survive in a condition capable of yielding such information.

An archaeological site is important for its information potential may have some disturbance to its deposits yet still retain the significant data and spatial relationships or contextual associations between the data to address the important research questions.

- location is the place where the historic property was constructed or the place where the prehistoric event occurred;
- setting is the physical environment;
- design is the combination of elements that create the form, plan, space, structure, and style of a site;
- materials are the physical artifacts or elements that were combined or deposited during a particular period of time and in a particular pattern to form the site;
- workmanship is the physical evidence of the tools or crafts of a particular culture or people during any given period of history or prehistory;
- feeling is a site's expression of the historic period of time represented;
- association is the direct link between an important historic period or person and a historic property (site).

Knapping

Manufacturing stone tools by controlled flaking.

Lake Cahuilla

The historical name for the present Salton Sea.

Midden

A deposit marking a former habitation site and containing such materials as discarded artifacts, bone and shell, food refuse, charcoal, ash, rock, human remains, structural remains.

Millingstone

An unshaped or shaped stone slab or basin upon which seeds, plants, pigments, or other materials are ground with the use of a handstone.

Mortar

A stone bowl or bowl-shaped depression in which seeds, berries, nuts, meats, and other items are ground or pulverized with an up and down motion rather than a back and forth motion used with a handstone and millingstone.

National Environmental Policy Act (NEPA)

The 1969 legislation requiring all federal agencies to prepare an EIS evaluating proposed federal actions which may significantly affect the environment.

National Register of Historic Places (NRHP)

A published list of districts, sites, buildings, structures, and objects of national, state and local significance in American history, architecture, archaeology, and culture that is expanded and maintained by the Keeper of the National Register in the Department of Interior.

Percussion flaking

Precision stone tool manufacturing with blows struck by a stone, antler, or bone hammer.

Pestle

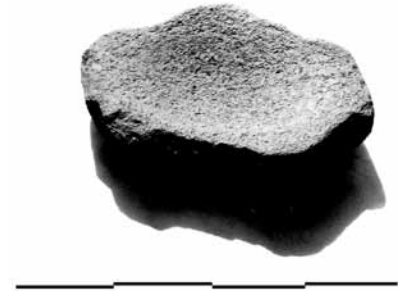
An elongated often cylindrical stone or wooden artifact used to pulverize food or mineral products in a stone bowl or mortar.

Petroglyph

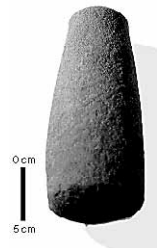
A design or motif pecked or scratched into a rock surface; usually unpainted rock art.

Pictograph

A design or motif painted on a rock surface; painted rock art.



Millingstone, about 30 cm long.



Pestle.

Prehistory, Prehistoric

The term 'prehistory' was coined by Daniel Wilson in 1851 to cover the story of man's development before the appearance of writing. In California prehistory represents the time prior to 1542, when the first European explorers began traveling through California and began documenting their first encounters of California Indian cultures through personal journals, diaries, and letters among other documentation.

Pressure Flaking

The manufacturing of stone tools by the removal of stone material with pressure applied with a bone or metal knapping tool. Usually, the final stage in shaping a projectile point.

Retouch

Resharpener a stone tool by removing small flakes from the working edge.

Rock alignments

A figure, or design, made by arranging cobbles and boulders on top of the ground surface.

Rock ring

Rocks and boulders placed in a circular or oval design on top of the ground surface that measures one to two meters in diameter and creates an open space.

Shaft (mining)

A vertical or steeply inclined underground excavation used for access, ventilation, and ore haulage.

Sherd

A broken piece of pottery; a potsherd.

Significant

A significant resource is one that has been determined by qualified archaeologists or historians to embody elements important to the understanding of our prehistory or history because of its association to an important event or person, its design elements, or because it has the ability to yield important data.

Site

The location of past cultural activity; a defined space with mainly continuous archaeological evidence.

Sterile

Devoid of any archaeological evidence; non-cultural; no evidence of past human use.

Stratigraphy

The study of cultural and natural strata or layers in the archaeological deposit or geological deposits. It indicates relative age.

Traditional Cultural Properties

A geographic area or historic resource that embodies important cultural values. It is a place associated with cultural practices or beliefs that are rooted in the history of a living community. This place is important in maintaining the cultural identity of the community. Examples include cemeteries, sacred places, gathering sites, and places of tradition.

The Native American Heritage Commission (NAHC)

State agency, established by the State Legislature in 1976, for the preservation and protection of Native American human remains, associated grave goods, and cultural resources.

Trails

Linear ground features developed from human foot traffic and average 25 centimeters wide. Prehistoric people could cover 100 miles in a day.

Tunnel (mining)

A horizontal underground excavation with two portals.

UTM

Universal Transverse Mercator, a set of metric coordinates, easting and northing, that indicate a unique location. They appear on the United States Geological Survey maps (topo sheets).

References About California Archaeology

There are many good references and sources of information about California archaeology; a comprehensive list is beyond the scope of this notebook. Some of the standard references are:

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