



THE UPAC NEWS

Published by the Utah Professional Archeological Council

Published Quarterly
July 1991

Bruce Louthan, President
Diana Christensen, Editor
673-3545

PANEL DAMAGED

Sometime during the first week of June, 1991, the Big Kachina Panel on the San Juan River seven miles downstream from Bluff, Utah was seriously damaged by vandals. The damage was discovered and reported by commercial river guides employed by Wild River Expeditions of Bluff, Utah. The Bureau of Land Management (BLM), who manages the lands where the panel is located, is investigating the incident.

The panel was damaged at eight places more or less evenly spaced across its 300 yard length. Damage is in the form of words or phrases that were pounded into the rock face, and destroying some of the prehistoric figures on the panel. The words are up to 10 inches high and as long as five feet. Fortunately, none of the large, well known "kachina" figures received damage.

Plans for restoration of the damage are being formulated by the Monticello office of the BLM. Rock art conservator Kate Hogue of Moab, Utah is

supplying technical assistance. Her recommendations will probably include work to minimize the impact of the damage and provide interpretation concerning the importance of the panel.

An investigation that may lead to criminal charges is also underway. A reward of \$10,000 for information leading to the arrest and conviction of those responsible for the vandalism has been posted. Also, law enforcement officers from several jurisdictions are working on the case.

---Dale Davidson

UPAC MEETING

The next UPAC meeting will be held on October 25 and 26, 1991 at the Division of State History, 300 Rio Grande, Salt Lake City, Utah. Plan to attend.

A joint meeting with the Colorado Council of Professional Archaeologists and UPAC will be held in late March

of 1992 in Grand Junction, Colorado. Michael Piontkowski, chair of the meeting, requests ideas for topics. Some suggested topics are using historic contexts, repatriation of burials, and Archaic/Formative pit structures. Please contact him for suggestions at

Grand Junction District
Bureau of Land Management
764 Horizon Drive
Grand Junction, CO 81506
(303) 243-6561

EDUCATION WORKSHOP

The archaeology education program sponsored by the Interagency Task Force on Cultural Resources, Intrigue of the Past: Investigating Archaeology, is in the final phase of implementation. A teachers' guide has been prepared, which many Utah archaeologists have reviewed. It has been revised and 70 teachers from around the state have just completed a workshop at the Utah Museum of Natural History using the material.

A goal of the program is to have the materials widely-used. Part of this strategy is to pair trained teachers and archaeologists to conduct local inservice workshops for local teachers. The BLM state office will supply the teachers' guides (which will be published in August). The teachers from the recent Museum workshop must conduct an inservice workshop to receive their credit. This strategy should result in a more efficient use of

archaeologist's time and fewer requests for classroom talks.

Shelley Smith and Jeanne Moe of the BLM and Kelly Letts (a teacher working on the program) have prepared a one-day orientation workshop to the teacher's guide and conducting local inservice workshops. It is required that archaeologists who will be paired with the trained teachers attend this orientation. The local inservice workshops should require little preparation after attending this orientation.

The schedule for the orientation workshops is:

Cedar City, Friday, August 2, 1991

Moab, Tuesday, August 6, 1991

Salt Lake, Thursday, August 8, 1991

All workshops will be from 8 am to 4 pm and will be held in the BLM district office in that city.

All archaeologists interested in working with teachers are invited to attend. We realize that this will take a day out of the busy field season. Hopefully, by scheduling this far in advance, archaeologists will be able to attend one of the orientation workshops.

Please notify Shelley Smith or Jeanne Moe by July 22, if you would like to attend.

---Shelley Smith

PRESIDENT'S MESSAGE

Activity in governmental affairs has been high in the last few months. Actions affecting UPAC include the filing of briefs in the State Lands case on the Cottonwood tract near Moab, appealing a state exchange north of Blanding, two meetings of the committee to write new regulations for the Division of State History for antiquities bills passed in the 1990 legislature, and the two final meetings of the committee to draft a bill on Native American remains. In addition, a Public School Trust Lands Task Force created in the last session of the legislature is considering the management and governance of state lands.

All of these activities require effort of UPAC members to insure proper consideration for cultural resources. Fortunately, despite a sudden increase in the cultural workload in the state, members have responded very well to the challenge.

Claudia Berry, working pro bono, has spent considerable time responding to a small mountain of briefs and representations of the State Attorney General's office in behalf of State Lands, including an overnight trip to Moab to plead an appeal before the State Land Board itself. Since the final resolution of this matter may take as long as a year or more -- the courts can't decide who has jurisdiction, her unflagging determination and energy are doubly appreciated.

David Madsen (ex officio), Jim Wilde, Ken Wintch, and recently Betsy Tipps have served on the advisory committee to State History in drafting their new regulations under the 1990 laws.

Steve Simms, Ann Hannibal, and Dave Madsen have served on the committee to draft a bill on disposition of Native American remains. Archaeologists were in the minority making the job one of patient persuasion. The most notable outcome of the committee may be the relationships forged between archaeologists and Native American participants.

Monitoring the school lands task force I have taken on since I am involved with the legislature interim sessions already. However, the meetings are open so let me know if you are interested in attending. The task force is to examine management of state lands to see if there are improprieties, as alleged by the PTA, or if there can be improvements to improve the cash flow to public schools. It might result in a change to the structure of governance such as the creation of a lands commissioner and elimination of the land board (which has obvious and admitted conflicts of interest).

In addition, we have largely resolved our tax-free status as being "professional" rather than "charitable" due to the efforts of Debbie Newman and Lorna Billat. While donations to UPAC are not tax deductible, professional dues may be if they exceed the 2%

threshold. Also there are now numerous other places to which donations can be made to support UPAC ends. In any case, this will allow non-profit bulk mailing.

Finally, the issue of how federal preservation funds are divided up and used by State History is a significant one to UPAC and I urge all to read the editorial which follows.

Those who remember the cancellation of regional research design efforts a few years ago will appreciate its crucialness. The similar lack of historic theme studies in Utah is likewise handicapping historical and historical archaeology in the state. Why the federal oversight agencies allow this is unclear. In any case, the sooner that the process is begun here the sooner it can benefit the resource and preservationists.

---Bruce Louthan

**THE UTAH SHPO:
AN EDITORIAL**

Utah receives good service from the State Historic Preservation Office in some areas and is shortchanged in others since the creation of that office and the initial receipt of historic preservation funds in the late 1960s.

The Utah SHPO received \$530,000 from the historic preservation fund of the Department of the Interior in 1991. This amount is matched by the state of Utah. The Utah SHPO annually receives more than one million dollars.

What do we see in Utah as a result of this funding?

In some respects, we have one of the best SHPOs in the nation. In some respects, we have one of the poorest and least helpful SHPOs in the nation. And I speak from experience having worked as a private consultant with the SHPOs of Arizona, California, Colorado, Idaho, Louisiana, Missouri, Montana, Nevada, New Mexico, Utah, Washington, and Wyoming. Of these offices, I would rank California and Louisiana as the most helpful to a private consultant. All of the remaining except Nevada are more helpful and provide more information to private consultants than Utah. Nevada I would place on an equal basis with Utah.

Some of these offices have less staff than the Utah SHPO. Louisiana has fewer staff and I still rank them as one of the most helpful I have worked with, largely due to the quality of their small but effective staff.

The National Historic Preservation Act of 1966 (NHPA) lists specific SHPO responsibilities. Let's see what we receive in Utah for our historic preservation and Utah state funds.

1) The first responsibility of a SHPO is to direct and conduct a comprehensive statewide survey of historic properties and maintain inventories of them. I would be happy if that office would direct such an inventory or at least come up with a plan to do so. We need this in Utah.

Fortunately, we have one of the best data management systems in the nation, largely due to SHPO efforts. They should proceed with this excellent program and look forward to further automation.

2) Next the SHPO should identify and nominate eligible properties to the National Register and administer applications for listing on that register. We receive excellent advice on National Register nominations and the process works well in the state. Our SHPO has also nominated sites and districts to the National Register. We are well served in this area.

3) They should prepare and implement a comprehensive statewide historic preservation plan. We desperately need this in Utah.

Other states have come up with innovative ways to identify, interpret, and evaluate cultural resources. Arizona has several historic contexts developed for specific classes of sites and California has a plan for mitigating lithic scatters so that the Section 106 process is avoided for these common sites.

4) The SHPO administers the state program of federal assistance for historic preservation in the state. From my observation our SHPO is well administered and positively goal oriented.

5) They should advise and assist, as appropriate, federal and state agencies and local governments in carrying out their historic preservation responsibilities. We receive

some excellent advice for archaeological, architectural, and paleontological resources.

What we don't receive is adequate and helpful advice and information on the implementation of and compliance with historic preservation laws, regulations, and mandates.

Archaeologists, other than those in federal agencies, receive little incentive and minimal advice to comply with the National Historic Preservation Act, the National Environmental Policy Act, the American Indian Religious Freedom Act, the Archaeological Resources Protection Act, the Native American Grave and Repatriation Act and numerous other laws and regulations covering their implementation.

Federal agencies complying with historic preservation laws in Utah assume that if they do what the SHPO tells them, then they are complying with the law. Unfortunately, too many times a case taken successfully past the Utah SHPO is stalled at the Advisory Council because of inadequate advice. Famous cases in Utah include the Forest Highway 10 project which put all participating agencies at loggerheads when a more effective SHPO could have helped solve the problems.

Most archaeologists don't receive information that most of these laws even exist and how to comply with them. The Section 106 process, as operational in Utah, is a wasteful exercise in paperwork when it could easily be used to provide excellent information and advice.

We never receive information about new or existing publications regularly put out by the Advisory Council on Historic Preservation, the National Park Service, or the National Trust for Historic Preservation.

6) The SHPO should cooperate with the Secretary of the Interior, the Advisory Council, other federal and state agencies, local governments, and organizations and individuals to ensure that historic properties are taken into consideration at all levels of planning and development.

In spite of the continual lip service from the Utah SHPO about how helpful they are and how much they want to be of assistance, in reality some of their staff have poor working relationships with the Advisory Council, some federal agencies, some private organizations, and some individuals.

Portions of that office do not work cooperatively or effectively with private organizations promoting historic preservation in the state.

7) They should provide public information, education and training, and technical assistance relating to the federal and state historic preservation programs.

We receive some technical assistance but no information, education or training. We are really losing out on this one.

8) The SHPO cooperates with local governments in the development of local

governments in becoming certified (CLGs). Luckily we have one of the most effective and widespread CLG programs in the nation and it is managed well by the SHPO.

What should UPAC and it's individual members do to help this office shoulder its responsibilities and protect and promote Utah's historic heritage? Some of my suggestions for individual UPAC members are:

1) Tell that office when you don't receive information or advice needed for the responsible management of Utah's cultural resources.

2) Request the information you need specifically (workshops, advice on Section 106 cases, information from the Advisory Council or the National Trust for Historic Preservation, etc.).

3) Request the preparation of a statewide historic preservation plan or plans so that we have a framework in place in the state to aid in the interpretation and identification of it's resources.

4) Request the preparation of a statewide comprehensive survey plan.

5) Request that historic properties receive ADEQUATE consideration before they are changed or destroyed.

6) Request the further automation of data currently on file.

7) Don't hesitate to call the Advisory Council or other individual (your agency's historic preservation officer, if you have one) for advice and assistance.

As an organization UPAC might send a letter to the SHPO specifically requesting historic preservation assistance in the form of workshops, more advice on compliance with laws, more information on laws, regulations, and printed material designed to assist in complying with the various laws.

We also must continue to represent UPAC in various statewide committees on cultural resources and insure that this information is relayed back to the executive council and individual members.

--- Diana Christensen

Please see the Deputy SHPOs response to this editorial attached to this newsletter.

NPS AUDIT OF SHPO

In February of this year the National Park Service (NPS) completed an audit of the Utah SHPO. In response to this audit the SHPO made some minor changes in operation and responded to most of the comments.

The following comments on this audit do not reflect the complete comments found in the 44 page document but are only excerpts indicating some of the most positive and negative responses.

If you are interested in seeing the complete document, you may request to see the SHPO copy or contact Diana Christensen.

The Utah SHPO received positive marks in having a better working relationship with Native Americans than many states, having a solid inventory data system, having a good link between survey and National Register programs, having an effective logging and tracking system for handling correspondence, and maintaining an excellent 10-15 day turn-around time.

In addition, the Certified Local Government (CLG) program received high marks with some recommendations for better liaison with professional organizations, particularly for rural CLGs and minor technical suggestions for improvement.

However, the NPS also found no historic contexts developed sufficiently to produce goals and priorities around the state. None of the local contexts generated by the CLGs during reconnaissance level surveys are incorporated into the State Plan. The NPS requested the SHPO to produce a historic context to meet these needs.

The SHPO should be providing guidance to CLGs on how to evaluate and organize their historic contexts and how to begin the preservation planning process.

The NPS identified a need for the SHPO to provide direction and identification of specific archaeological survey objectives to the CLGs and the

