

UPAC NEWS

NEWSLETTER FOR THE UTAH PROFESSIONAL ARCHAEOLOGICAL COUNCIL

Lori Hunsaker, President

Liz Robinson, Editor

February 2006

UPAC Winter Meeting

Lori Hunsaker, UPAC President

Like most archaeologists and previous Presidents of UPAC, I believe that public outreach should be one of our most important goals. The public is and has always been fascinated by remains of the past. This is evidenced by heritage tourism, advocational interest, and the unfortunate and illegal trafficking of archaeological remains. The public can be our best friend or worst enemy; it all depends on outreach and education.

This year is the Centennial of the Antiquities Act and there are many opportunities for us to reach out and work with the public. Many events have already been planned and even executed. Utah Prehistory Week is not unique to the Centennial, but as always is an excellent opportunity for us to charm the public and educate them about the irreplaceable nature of archaeological remains. Admittedly and regretfully, I have not participated in past Prehistory Weeks as adamantly as I should have, but I plan to make up for that this year. I would like to encourage everyone to either continue to participate or like me, make up for past "sins." In addition to Prehistory Week, I would like to persuade each of you to involve yourself in some sort of outreach: lead a field trip, give a grammar school presentation, stage an open house at your laboratory, publish your data in a public friendly book or CD, or ... the possibilities are endless. This year would also be an excellent time for UPAC to start hosting an "archaeology booth" at the State Fair and work with State History at the Utah Arts Festival. Please plan to participate in a discussion of outreach possibilities and opportunities at our upcoming winter meeting on February 24, 2006.

Finally, none of us became archaeologists or cultural resource managers to become rich and famous. We do what we do because we care about our heritage resources and appreciate the valuable insight they yield. We may differ on our opinions about the best way to research or manage these resources. However, I believe we can put our differences aside and work together to do what is ultimately best for contributing to our scientific understanding of the past and when possible, preserving our heritage resources. Recent legislation suggests that we may have some challenging management decisions

Join the UPAC Yahoo! Group!

All UPAC members and interested parties are invited to join the UPAC group available on Yahoo! This group requires a Yahoo! Account, which is free. Then visit <http://groups.yahoo.com/group/UPAC/> to join.

Postings to this site include UPAC business, announcements, and other bits of archaeological interest.

Treasurer's Report

Marty Thomas

As of December 2005, UPAC has a total of \$8838 in checking and savings accounts. Since 12/30/05 there have not been any expenses. This report does not reflect income (dues) after 12/30/05.

I will be available at the February UPAC meeting to collect dues and to answer any questions you might have about dues. Please make sure I have your current addresses, email addresses and phone numbers. There has been talk about creating an Email newsletter in the future and we will need current information.

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The Daily Grind:

Current

Research in Utah

Comb Ridge Survey Project

Winston Hurst

BLM has contracted the University of Colorado (Cathy Cameron) and subcontractor Winston Hurst to conduct a multi-year class II archaeological survey of some 42,000 acres on Comb Ridge and in the adjacent drainages of Comb and Butler Washes. An extensive literature and file search is nearing completion, Navajo ethnohistoric information has been gathered, and two months of survey work have been accomplished. As anticipated, site density in the area is high with site components ranging from Clovis to modern.

Approximately 500 acres have been surveyed so far, resulting in recordation of 110 sites (2 previously recorded). The project is looking for institutional and individual partners, and is organized to accommodate volunteers. Anyone interested in further information or involvement should contact winstonhurst@frontiernet.net.

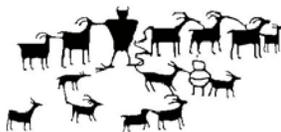
Update on the Jensen Site volunteer excavation project in Blanding

Winston Hurst

Excavations are proceeding into the final stage at the Jensen Site in Blanding. This is a USAS sponsored volunteer project under the direction of Winston Hurst, supported by small grants from State History. Two pit houses have been fully excavated, one a classic Basketmaker III style, the other a classic early Pueblo I style, both with Abajo Phase artifacts from the early-middle 700s A.D. A third pit house stain, currently under excavation, has turned out to be a house pit in which no house was built, but which was partially refilled with its own pit spoil then filled with carbon-rich midden sediment containing a moderate abundance of artifacts and many fire-modified rocks. Two concentrations of FCR, mostly porphyritic cobbles out of the local gravelly clay, are so tightly piled that they create rough pavements. One of these concentrations looks very like a shallow basin kiln, though the jury is still out on that. The structure and its fill are unusual and somewhat enigmatic.

The Jensen Site project has proceeded with the help of dozens of volunteers from across the country, with particular help from Colorado Archaeological Society members and USAS members from the Wasatch Front chapters, as well as a devoted cadre of local folks from the Trails of the Ancients chapter in southeast Utah. Support from the professional archaeological community has been light and sporadic, but greatly productive and appreciated when received. The hope is that excavations will be completed sometime during the spring of 2006. Anyone wishing to help out for a day or two should contact Winston Hurst (winstonhurst@frontiernet.net), who desperately wants to complete the project so that he can once again have an occasional free day to work on his yard or hike in the desert.

Winston Hurst
259 N 100 W 19-3
Blanding, UT 84511
435-678-3305





Comments on Current Legislation

Thoughts on Permitting v. Licensing

Kenny Wintch¹,
SITLA Lead Staff Archaeologist

Annual permits for survey and testing work are an increasingly poor substitute for licenses to practice archaeology on behalf of the public. I believe the time has finally come for the members of UPAC to seriously rethink the difference between the two systems, and to begin moving toward implementation of a licensing system. I argue that a change from survey permitting to a licensing system is clearly necessary, and that the events of the last year or so - including the recent filing of HB 139 - have made that abundantly clear.

Archaeological permitting began exactly 100 years ago as the federal government's instrument for authorizing archaeological investigations of specified sites and sub-regions. The permitting system implemented under the Antiquities Act suited the needs of the time, and worked arguably well until passage of the National Historic Preservation Act of 1966 (NHPA). Section 106 of NHPA, in particular, has changed the landscape of archaeology in America in a major way, resulting in anthropological archaeology becoming more a service in the marketplace than an academic pursuit for the sake of research alone. In that fundamental regard, the practice of American archaeology today is more like the fields of law, medicine, engineering, geology or architecture than it is not. The cost of doing compliance archaeology matters to our clients, and the competitive nature of the marketplace rewards those who provide lower-cost services; this has often had the negative effect, however, of resulting in poor quality investigations. Further, just as it is in the legal profession, the compliance arena is often contentious and most of us find ourselves representing clients whose purpose and mission is *not* archaeological research and preservation (in fact, it's usually just the opposite: revenue-generating development of one sort or another that is inherently destructive of the archaeological record). The morphed project-specific-permitting system has handled these stresses, but arguably not very well. I believe it is an increasingly poor fit, and is rapidly becoming an unacceptable fit for our profession.

Thus, I argue that it is time to fashion and embrace a

system of licensing people who are demonstrably competent to practice archaeology on behalf of the public, and to relegate permitting back to where it started and where it naturally belongs: a system for regulating data recovery work on particular sites in specified project areas. This isn't just a semantic change, the fundamental difference between permitting and licensing is two-fold.

First, unlike permitting, licensing systems used by other professions usually include some sort of pre-license examination that is structured to ascertain whether a potential licensee is competent to practice professionally in that field. The obvious example here is the legal profession's bar exam. Importantly, in other fields' licensing setups there are nearly always some credentials required as a prerequisite for taking the examination; only in public archaeology are the credentials the test. This is something that's sorely lacking in our system, as too often (for me, anyway) permits are given to individuals who hold the requisite credentials, but ultimately prove incompetent in conducting compliance-arena projects. Unfortunately, in every one of these cases, both the archaeological record and our credibility as a profession suffer as a result (especially in the eyes of clients and, potentially, the general public). Second, unlike any archaeological permit system I am aware of, licensing often involves extensive inclusion of the profession in maintaining the licensing system and in policing abuses by licensees *on a case by case basis* (not just when either the profession or the permitting agency wants to make a change to the permit requirements, for example). Again, take the example of lawyers - if a formal allegation of violation of the bar's code of ethics or conduct is made against a practicing attorney, the state bar association investigates the matter via a trial of sorts. The alleged offender has a fair hearing of his case among a jury of his or her peers and, if found guilty of the charges, a very decisive and sharp consequence is the result (e.g., suspension of the guilty party's license to practice law). It has been my observation that too often the consequences for archaeological malpractice (shoddy fieldwork, in particular) are far less than the sort of sharp and decisive measures necessary to deter abuse of our codes of conduct or ethics.

It doesn't matter whether we work for a governmental entity, an academic institution or a private consulting firm, we all have a professional obligation to the public and to our clients to behave in an ethical manner and in harmony with the SAA's, UPAC's, and RPA's codes of conduct and ethics. We can integrate those codes of ethics and conduct into the licensing system as appropriate. But I argue that the bottom line here is that we need to create inclusive, state-level licensing to effectively regulate ourselves in the practice of public archaeology and that we should leave permitting in the hands of the relevant state and federal land management agencies for regulation and authorization of research-design guided

¹ I wish to thank the handful of reviewers who graciously provided insightful comments on the draft of this op-ed and helped me develop it into a readable, logical argument. Of course, any errors in fact or logic are mine alone.



data recovery at particular sites in specified project areas.

As mentioned above, this discussion is especially timely and relevant in light of the legislature's consideration of HB 139, which proposes to move authority for permitting all archaeological work on non-federal lands from the Antiquities Section/SHPO over to the state's Public Lands Policy Coordinating Office (PLPCO). I would argue that moving the authority for permitting survey and testing work away from either of the two parties involved in the compliance debate (i.e., the consulting agencies and the SHPO) is a very good idea whose time has come, and it should be supported for philosophical reasons if nothing else. But I would also argue that the proposed move should only be viewed as just a temporary, interim step on the road to licensing.

UPAC's Comments on House Bill 139

Dear Mr. Natorianni:

This letter is a culmination of views expressed by members of the Utah Professional Archaeological Council (UPAC) representing Utah's professional archaeological community. UPAC membership has overwhelmingly expressed opposition to House Bill (HB) 139. The purpose of this letter is to present our generalized objections.

The permitting process and standards outlined in HB 139 appoint a new and separate committee that currently lacks any archaeological expertise. Shifting permit responsibilities away from experienced professional peers in the Antiquities Section to the Public Lands Policy Coordinating Office (PLPCO) would result in permit reviews being conducted by individuals unfamiliar with archaeological work and poorly suited to evaluate the quality of work and experience presented within the permit applications. Marginal and unsuitable applicants would ultimately result in increased cost and delay to State agencies and project proponents. Moreover, adding PLPCO to the permitting process adds another layer of bureaucracy to what is a relatively simple process and will require unnecessary expenditures of tax dollars to retool our current system.

HB 139 appears to insert PLPCO directly into the federal process mandated by the National Historic Preservation Act (NHPA) and may interfere with implementing regulations set forth at 36 CFR 800 as well as the implementation of existing agreements between Federal Agencies and the State Historic Preservation Officer (SHPO). The SHPO function is a Federal process that is defined under Federal Statute and Regulation. Nothing in those regulations provides for the inexperienced role of PLPCO in the review process.

Historical and archaeological resources are irreplaceable remains of our cultural heritage that provide our community with tourist attraction dollars, as well as information about what happened in the past and insight into our everyday existence. Most people are fascinated with remains of the past, as evidenced by their tourist attraction, membership in avocational groups, and the unfortunate and illegal trafficking of these remains. This Bill has the potential to destroy these resources and is not good for the people of Utah. Economic development is a positive inevitable, but because these remains are irreplaceable, decisions concerning whether or not they are sacrificed should not be taken lightly and should be made by professionally educated and experienced archaeologists. Using cost as a sole gauge for preservation and data recovery is likely to result in a public outcry and litigation.

Respectively & Sincerely,

Lori Hunsaker
President, UPAC

Do You Know Who Your Officers Are?

President
Lori Hunsaker

Vice President of Membership and Ethics
Laurel Heap

**Vice President of Government Affairs
and Research**
Sonia Hutmacher

Secretary
Jeanette Matovich
Treasurer
Marty Thomas

Utah Archaeology Journal Editor
Jason Bright

Webmaster
Rachel Quist

Curriculum Director
Ron Rood



Upcoming Events

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SAA Annual Meeting

The 71st Annual Meeting of the Society for American Archaeology will be held on April 26-30, 2006 in San Juan, Puerto Rico. For more information, visit their website at <http://saa.org/meetings/index.html>.

UPAC/USAS Joint Convention

This year's joint convention between UPAC and USAS will be held June 7-10, 2005 in Kanarrville, near Cedar City, Utah. Check the UPAC website for more upcoming details.

Utah Prehistory Week

This annual event begins with an Open House at the Rio Grande Depot on May 7, 2006. If you are willing to volunteer or have an idea for hands-on public involvement activities, contact Renae Weder at (801) 533-3529.

For a detailed list of a variety of events related to archaeology, check out the UPAC website! Go to <http://www.upaconline.org/events.htm> for information!

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Special Thanks

Projectile point and groundstone drawings used in this newsletter were created by Shannon Arnold