



# THE UPAC NEWS

Published by the Utah Professional Archeological Council

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December 1989  
Published Quarterly

James D. Wilde, President  
Diana Christensen, Editor

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## UPAC LEGISLATIVE ALERT

Several bills and budget items on cultural resources are on this year's agenda for the Utah State Legislature (beginning January 8, 1990). These issues can be influenced by letters from the public. We need a letter from each UPAC member so that the issues are resolved in the best interest of archaeological and Native American resources. Below is information about these items to use when you write your legislator. All senators and representatives can be reached at this address:

Utah State Capitol  
Salt Lake City, Utah 84114

Three bills will be introduced and considered by the State and Local Affairs Committee prior to introduction on the floor. The bills each deal with a separate aspect of antiquities/historic preservation and protection. They are sponsored by Representative Rob Bishop of Brigham City. Bill numbers have not been assigned, but here are the descriptions.

1. "Archaeological, Paleontological, and Historic Site Vandalism Protection Act." This bill concerns vandalism of antiquities and makes it illegal for anyone to alter, remove, destroy, etc., antiquities without the land owners consent. It would make it possible to prosecute persons vandalizing sites on private land, as long as the landowner has not given permission. It also toughens the penalties making a first offense a Class A Misdemeanor (as opposed to an unspecified misdemeanor in the present law) with third degree felony charges for subsequent offenses. It also allows for forfeiture of all property used in conjunction with the criminal activity.

2. "Amendments to 63-18-37." This bill would repeal Utah Code 63-18-37 and make it more comparable with Section 106 of the National Historic Preservation Act. Rather than just seek comment on projects, this bill would require state agencies to take the comment of the SHPO into account. A potential problem is some political maneuvering over a clause

stating that it only applies to state school trust lands to the extent consistent with Section 65A-1-2 (state lands legislation). Some think this may give state lands license to ignore the law but others contend it makes no difference. The applicability of land management laws to state trust lands will be decided in court. The general consensus of archaeologists familiar with the bill is that they would rather not have the clause in. But if the choice is whether or not the bill passes, then they would rather see the clause in the bill.

3. "Board of State History Amendments." The third bill reorganizes the board of state history and is mostly house-keeping. The most significant aspect of the bill is that it abolishes the Historic and Cultural Sites Review Committee and puts the responsibility for reviewing National Register nominations with the board of State History. In addition, this board must now meet the federal requirements for a State Historic Preservation Review board and thus insures adequate representation for archaeologists on the board.

The legislature will be considering budget requests by the Utah Division of Wildlife Resources to address erosion and vandalism of prehistoric human skeletons along the Great Salt Lake. Over 70 skeletons have been found so far, but not removed. Native Americans around the state, members of the public, and the archaeological community have voiced concern over this problem. Native

American interests, while still evolving, want the skeletons recovered to protect them from vandalism and erosion and reinterred in a central Native American cemetery or burial vault (as yet undesignated). Given the national level of attention the reburial issue has received in recent years, the Utah case represents an opportunity to:

1) Develop a reburial policy and facility at a state level for the protection of Native American remains from all over Utah.

2) Implement such a policy since the collection is large, endangered by proximity to an urban area, and urgent given the fluctuations of the Great Salt Lake, in addition to vandalism that has occurred to some of the burials.

This problem can be flagged to your legislator in a general way, showing we are concerned with Native American rights, as well as protecting and studying cultural resources. Urge your legislator to attend to the problem of skeletal loss on the Great Salt Lake, but mention the problem is also statewide and requires a solution. Perhaps you have cases in your area to add to the informational pool. Let them know that Wildlife Resources will be trying resolve this issue near the Great Salt Lake, but other state entities may need to consider it as well. Ask them to seek a long term solution.

--Steve Simms, Kevin Jones

## GREAT SALT LAKE MARSH SURVEY

During the late spring, summer and fall of 1989 archaeological surveys were conducted along the freshwater tributary areas on the eastern shoreline of the Great Salt Lake. The surveys were necessary because of the dramatic rise of the Great Salt Lake in the early 1980s and the subsequent drop in lake levels during the last two years. The rise of the Great Salt Lake destroyed dikes, covered archaeological sites, and killed much of the lush marsh vegetation along the shoreline and freshwater tributaries. The recent drop in lake levels is due to the decreased precipitation during the past three years and the pumping project on the west desert.

Exposed archaeological sites were impacted by natural forces such as wave- and ice-erosion, and by human action such as vehicular disturbance and looting. Public concern about the site destruction, especially the exposure and desecration of human remains, was raised. In response, the Utah Division of State History initiated a Memorandum of Agreement between the Division and the Bureau of Land Management, the US Fish and Wildlife Service, Hill Air Force Base, and the Willard Bay State Recreation Area. The agreement called for an archaeological survey of approximately 1% of the lands between 4205' and 4213' elevation in the three principal freshwater marsh areas on the eastern edge of the Great Salt Lake. The survey was a preliminary step in formulating a comprehensive plan for the

preservation of archaeological sites and the retrieval and reburial of exposed human remains. The Northwestern Band of Shoshone and the Utah Division of Indian Affairs have also been working in an advisory capacity on the project.

Archaeological surveys under contract to the Division of State History were conducted by the University of Utah for the Jordan River Marshes, Weber State College for the Ogden Bay and Weber River Marshes, and Utah State University for the Bear River Marshes. During the late spring and early summer of 1989 crews supervised by these institutions and comprised primarily of volunteers from the Utah Statewide Archaeological Society surveyed selected localities in the study areas. In addition, two small parcels administered by the Bureau of Land Management in the Bear River tributary were surveyed this fall. Reports on the reconnaissance surveys have now been completed.

The greatest number of previously recorded sites (148) lie in the Ogden-Weber River marshes, followed by the Bear River Marshes (56 sites) and the Jordan River marshes (10 sites). The 1989 surveys recorded fourteen new sites; four in the Ogden-Weber area, two in the Bear River area and eight in the Jordan River area. Approximately 2700 acres were surveyed for the project.

The most common location for sites in the area appears to be along the edges of ancient stream channels, in areas which now appear as very low rises above the surrounding terrain.

Streams flowing into the lake cause exposure of sites due to erosion. Surveys conducted along stream channels located a relatively greater number of sites. In addition, the presence or absence of dikes influenced the present visibility of cultural resources. Dikes allowed a buildup of substantial amounts of silt which protected sites from surface erosion during lower lake levels. Areas not protected by dikes are more subject to erosion, and consequently are more visible, and may suffer more damage from erosion and vandalism.

The archaeological sites in the study area are generally small lithic and ceramic scatters, with occasional charcoal stained areas, pits of various sizes, and sometimes evidence of a surface structure or windbreak. Most of the sites are representative of either the Fremont archaeological culture or of the Late Prehistoric cultural period representing the ancestors of the Shoshone, Ute, and Goshute groups known historically to have occupied the area. Human remains may be associated with sites from both periods.

Numerous finds of human remains have been identified to date, many of which have been vandalized by artifact hunters, erosion, and vehicular traffic. These sites represent a vast storehouse of information critical to a reconstruction of prehistoric lifeways in the area. More importantly, they may hold some of the keys to understanding how other cultures coped with the ever-changing levels of the Great Salt Lake. The presence of human remains in substantial numbers is a

problem which goes beyond a quest for information about the past. The descendants of those buried in the lake sites are concerned about proper interment of the dead.

Possible future actions range from doing nothing, to removing the human remains and retrieving the associated scientific information, and finally, reburying the human remains.

--Kevin Jones

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**UPAC SPRING MEETING**

The UPAC Spring meeting will be held on May 4 and 5, 1990 in the Moab District BLM offices in Moab, Utah. Plan to attend and actively support UPAC.

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**UPAC ELECTIONS**

Participate in elections for a new president, vice-president for membership and ethics and treasurer by using the ballot attached to this newsletter. Ballots have been attached to newsletters of paid UPAC (1989 and 1990) members only. If you recently joined or updated your membership and wish to receive a ballot, please contact Diana Christensen at (801) 977-4358.

**NOMINEES FOR PRESIDENT**  
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**Rich Talbot**

In the coming years, UPAC needs to continue its push for improvements in state cultural resource protection. This means actively working with others on the proposed antiquities

legislation in Utah. It also includes assisting others in drafting regulations to implement this legislation.

We also need to develop closer working relationships with Native American groups. And, finally, UPAC should take a more active role as a voice and when necessary, a watch-dog of public and private activities affecting cultural resources.

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**Bruce Louthan**

Over the last seven years UPAC has made substantial progress as an organization. Four priorities seem paramount for the continued growth and success of UPAC. Foremost, there needs to be increased, broadened participation by all segments of the archaeological community. We are now approaching our fifth presidential term without a female candidate for that office. Also alarming is the decline in consultant involvement in UPAC.

A second, long time concern since my previous term as an officer is the need for increased communication among officers between meetings. A partial solution to this is the use of the telephone, particularly conference calls. Another possibility is periodic (e.g. bimonthly) meetings of the officers between the semi-annual business meetings. There may be other solutions.

Most vital to the future impact of UPAC as an interest group is raising our public visibility. While we need to be careful about sensationalism, by now we should realize we are developing

a constituency for our product, the Past. We need to become more opportunistic and adept at the care and feeding of the media. Increased public support will translate directly into more political credibility. And we must become more visible and known on Utahs capitol hill. Visits to capitol hill on school board affairs taught me that.

Intertwined with the above is the need to continue and even increase UPAC support for public education efforts. This must include lobbying for more agency funding to put existing plans into effect. USAS, archaeology curricula, Archaeology Week, and other efforts will flourish only in proportion to the amount of seed dollars provided. There is a feedback circuit that will be self-amplifying if it is carefully nourished over time. We must not let down because of past success.

I greatly appreciate the honor and opportunity to be a candidate for president of UPAC. If elected, I will serve to the best of my ability.

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**ARCHAEOLOGY WORKSHOPS**

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**Anasazi Ceramics Workshop**

During the weekend of November 18-19, 1989, Edge of the Cedars Museum in Blanding hosted an Anasazi ceramics workshop. Organized by Wayne Howell and Winston Hurst, the purpose of this workshop was to acquaint archaeologists with Anasazi ceramic ware and type

classification currently used in the Four Corners region, emphasizing design style.

The workshop was led by ceramicists Winston Hurst of Edge of the Cedars, Helen Fairley of Plateau Archaeology in Flagstaff, and Phil Geib with the BIA in Flagstaff. Workshop participants consisted of 28 members of the archaeological community actively working or maintaining academic interests in the Four Corners Region. These included private contract archaeologists, federal and state cultural resource management personnel, university archaeologists and students from Utah, Arizona, Colorado, and New Mexico.

The workshop began with a discussion of ware and type definitions, ceramic production areas and design style horizons. Aided by hands-on examination of pottery samples laid out on artifact trays, the participants then proceeded through a detailed review of Anasazi graywares, redwares and whitewares from two Anasazi sub-areas: Mesa Verde and Kayenta, with some attention also given to the Cibola-Chuska (Chaco) sub-area. The workshop concluded with a discussion of temporal assemblages.

Participants gained a renewed sense of confidence to correctly identify the cultural and temporal affiliation of sites in the Four Corners Region.

Wayne and Winston are to be congratulated for organizing this much needed workshop. It clarified numerous questions about ceramic ware and type classifications, the geographical distribution of different

wares and design styles over time, and ceramic dating. It is hoped that workshops for other Southwestern ceramic traditions, such as the Virgin Anasazi and the Fremont, can be held in the interests of maintaining consistent identification and dating prehistoric populations over time and space.

--Debbie Westfall

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**Lithics Workshop**

During the late winter of 1990 (February or March, date to be determined but most probably on a weekend), the BLM Salt Lake District will sponsor a workshop by Dennis Weder on prehistoric lithic production and analyses techniques. A fee will be charged to cover Weders expenses. The workshop is open to anyone interested and will be held at the Salt Lake District offices. Notify Diana Christensen or Shelley J. Smith at (801) 977-4300, for more information.

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**A MAMMOTH EVENT**

The Utah Museum of Natural History offers the following "Winter Adventures" oriented around the Ice Age in Utah.

Winter Lecture Series (Fine Arts Auditorium, U of U Campus, \$3 per person per lecture or \$11 series ticket for all lectures)

January 15 The Great Ice Age by Frank DeCourten

January 22 Utah's Ice Age: A Glacial Landscape by Don Currey

January 29 Pleistocene  
Megafauna: A View from the  
Colorado Plateau by Larry  
Agenbroad

February 5 Early Human  
Occupations of the Great Basin  
by Don Grayson

February 12 The Last 40,000  
Years on the Planet of Doom by  
Paul Martin

#### Other Events

January 20 1-4 pm An  
Introduction to Fremont  
Archaeology Workshop taught by  
Kevin Jones (\$10 fee)

February 10 10-4 pm Fremont  
Ceramics and Projectile Points  
Workshop taught by Jim Wilde  
(\$20 fee)

February 17 Ice Age Discovery  
Room opens to the public  
(featuring a viewable  
paleontology laboratory where  
the Huntington Mammoth will be  
molded and cast)

February 16 and 17, Friday 4:30-  
7:30 and Saturday 8:30-4:30 A  
Ute Perspective by Shirley Reed  
(\$30 fee)

February 23 and 24, Friday 4:30-  
7:30 and Saturday 8:30-4:30 65  
Million Years of Mammals by  
Frank DeCourten and Karen Moyle  
(\$30 fee)

March 3 9-1 pm Flintknapping  
Workshop taught by Dennis Weder  
(\$15 fee)

For more information on other  
events including special youth  
activities and classes or on  
deadlines for registering for  
the workshops, call the museum  
at 581-6927.

#### ARPA CONVICTIONS

Two Washington County men, Cuave  
Rod Haverland and Burton Joseph  
Rondo, were placed on probation  
after pleading guilty to  
excavating an Anasazi site near  
St. George last summer. The men  
were also ordered to pay \$500  
restitution to the BLM, perform  
200 hours of community service,  
and forfeit their interest in  
a 1979 four-wheel-drive jeep  
used during the excavation. The  
two plead guilty to misdemeanor  
charges.

Criminal penalties under the  
Archaeological Resources  
Protection Act (ARPA) are  
extremely difficult to  
prosecute. The act provides  
for felony, misdemeanor or petty  
offense charges with possible  
corresponding fines and jail  
terms of \$250,000 and 2 years,  
\$100,000 and 1 year, or \$5,000,  
respectively. An individual  
previously convicted of an ARPA  
violation automatically faces  
felony charges for a second  
offense.

More effective but little used  
provisions under ARPA include  
forfeiture of any equipment used  
in connection with the violation  
(such as the vehicle forfeited  
above), whether that person is  
prosecuted or not, and civil  
penalties. Civil penalties may  
be assessed against the violator  
by the federal land manager for  
the cost of restoration and  
repair of the resource and the  
archaeological or commercial  
value of the resources involved.  
This procedure requires the  
individual who is assessed the  
penalty by the federal land  
manager to petition for judicial  
review by the U.S. District  
Court within 30 days of the  
assessment.

## PEOPLE ON THE MOVE

Archaeologist Ken Kohler with the Utah State Division of Parks and Recreation moved from Fremont State Park to Pioneer Trails State Park. Dee Hardy, archaeologist with the same division, moved from Anasazi State Park to Fremont State Park.

## FIELD SCHOOL

Utah State University Archaeological Field School, Spring Quarter 1990, Saturdays (8 am - 5 pm) in the field and Thursday evenings (7-9 pm) in the lab. Excavation and survey of Late Prehistoric sites near the Great Salt Lake west of Ogden. The field school is part of a research project on the Fremont to Late Prehistoric transition in northern Utah and is an introductory course with no requirements for previous experience or coursework. Instruction in: stratigraphic excavation, data recording, mapping, field reconnaissance and IMACS forms, basic artifact processing, classification, and analysis. Utah prehistory and the nature of the scientific method in archaeology are also introduced.

Dates: March 22 (lab intro), fieldwork begins Saturday, March 24, 1990 and continues through Saturday, June 2, 1990

Credits: 8 quarter hours  
For more information contact Dr. Steve Simms, Assistant Professor, Department of Sociology, Social Work, and

Anthropology, Utah State University, Logan, UT 84322-0730, phone (801) 750-1277.

## ARCHAEOLOGY JOBS

Crew leaders and field crew with experience in the Great Basin and/or Anasazi cultural areas needed. Please send resume and contact either Gene Rogge or Simon Bruder at Dames and Moore, 7500 North Dreamy Draw Drive Suite 145, Phoenix, AZ 85020, (602) 371-1110.

BLM temporary 3-month positions may be open next summer in the Salt Lake, Moab, Vernal and possibly Richfield Districts (depending on budget constraints). The BLM will hire for these positions through Job Service (a departure from past years hiring approaches). For more information contact Shelley Smith in the Salt Lake District (977-4300), Julie Howard in the Moab District (259-8193), Blaine Phillips in the Vernal District (789-1362) or LaMar Lindsay for the Richfield District (896-8221).

The BLM will also continue its Archaeology Volunteer Intern program next summer in the Salt Lake, Moab, and Grand Junction districts. The program provides field experience to archaeology students during a six-week course. The students are given room and board. For more information contact Shelley Smith in the Salt Lake District (977-4300).



Historic preservation funds have recently been used to hire a new San Juan County law enforcement officer whose primary responsibility is to enforce antiquities laws. Other counties in Utah may soon follow suit.

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**UPAC BUSINESS MEETING  
NOVEMBER 3, 1989**

(For a complete copy of the minutes, contact Shelley J. Smith, Secretary).

President Jim Wilde called the meeting to order at 1:35 pm. Thirty-four people attended. The summer meeting minutes were accepted with one exception. Deborah Newman reported that UPAC does not have tax exempt status in Utah, as reported in the minutes. Rather, UPAC is incorporated in Utah. Treasurer Nancy Coulam reported that the UPAC treasury has a balance of \$2000, after publishing Utah Archaeology.

Secretary Shelley Smith received twelve ballots unanimously in favor of the proposed by-law changes. Since so few responded by ballot, a vote was taken, with the proposed by-laws accepted unanimously.

Chas Cartwright, Vice-president for Membership and Ethics, stated that there is currently an ethics case pending. Jim Wilde said it would not be appropriate to change the Code of Ethics until this issue is resolved. UPAC now has 88 paid members, the highest membership ever. Deborah Newman circulated a list of active members and people who were

once members. She asked those at the meeting to update and correct the listing, and to indicate if they want a copy of the directory.

Joel Janetski brought the latest edition of Utah Archaeology for distribution to members. It was agreed to charge \$8/volume to cover production costs of \$3.76, plus marketing. Several suggestions were offered for marketing and distributing Utah Archaeology. Debbie Newman and Blaine Phillips volunteered to work on a marketing committee. Steve Manning thought USAS would be agreeable to marketing Utah Archaeology.

Deborah Newman will get UPAC classified for Federal tax-free status.

Steve Simms reported on the recent Utah antiquities legislation. The ad hoc committee reviewed HB 89 (last year's bill), now dormant. The Division of State History will introduce several antiquities bills during this year's legislative session. (See item from Steve Simms and Kevin Jones in this newsletter on the proposed legislation, editor). Archaeologists should align with others, such as hunters and fisherman or the Southern Utah Wilderness Alliance to work on State Land. State Lands says its fine to deal with cultural resources, but feel that State History should pay for it.

David Madsen passed out an editorial from the NATIONAL TRUST FOR HISTORIC PRESERVATION on when to sue. Litigation defines and clarifies historic preser-

vation law. To have a voice, we need to sue.

All UPACs ideas in the letter to Eugene Findley of UDOT were well taken. Kenny Wintch wanted to know what UPAC would consider "adequate lead time." He stated that RFP response should be 1-2 months. Other UPAC members stated that this is not the issue. To provide adequate lead time for cultural resources may mean restructuring UDOT contracting procedures (complete the archaeology before construction contracts are issued). Several archaeologists stated that seasonality should be considered so that excavation is not conducted in the winter. Susan Miller stated that discretionary funded projects (approximately 10% of UDOT projects) can't wait for archaeology. Kenny Wintch stated that archaeology could not be conducted prior to a scope of work. David Madsen stated that we should meet with UDOT to discuss adequate lead time on cultural resources.

Kenny Wintch mentioned the University of Pittsburgh is presently restructuring it's contract program. It is unclear at this time if Pittsburgh will be conducting the I-70 analysis or if another RFP will be issued.

#### New Business

Simms requested input for the BLMs Diamond Mountain Resource Area RMP (Vernal District). Uinta Basin researchers should

contact him regarding issues to be addressed, interpretation, types of sites, future inventories, and other view-points. The Salt Lake District will soon have an OHV plan for the Pony Express Resource Area. Archaeologists should respond to these management plans.

Jim Wilde discussed that Senate Bill 978, which creates a national museum of the American Indian. Another version passed the house (HB 2668) but not the senate yet. Simms contacted Jim Hansen about the burials along east side of the Great Salt Lake. Washington D.C. is watching the Utah case evolve. Our greatest victory will be if we can get federal legislation on reburial issues to have decisions made at a local level. The Great Salt Lake project can be used as a good example. We should wait to see what the various agreements between Native Americans and museums contain before reacting to them.

The Utah Board of State History reinstated the Antiquities Advisory Committee to write regulations for the new legislation. UPAC requested two representatives on that committee, the President and a member at large.

The UPAC spring meeting will be held in Moab at the Moab District BLM offices on May 4-5, 1990.

Meeting adjourned at 4:45 pm.

--Shelley J. Smith

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## UPAC NEWSLETTER

This issue of the UPAC Newsletter is being sent to present and past members of UPAC. To find out if you are presently a member and will receive future newsletters check the year listed on your mailing label. Those with a 1990 notation will continue to receive the newsletter.

Future newsletter publication dates and deadlines for submission are listed below. According to the UPAC bylaws, all UPAC officers should submit notices to the newsletter editor each issue to keep members informed of all UPAC activities.

### DEADLINE FOR NEWS

March 16, 1990  
May 18, 1990  
September 21, 1990  
November 23, 1990

### PUBLICATION DATE

End of March, 1990  
End of May, 1990  
End of September, 1990  
First of December, 1990

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### Utah Professional Archaeological Council

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