

WYOMING ASSOCIATION OF PROFESSIONAL ARCHEOLOGISTS

NEWSLETTER

VOLUME II NUMBER 2

NOVEMBER 1980

FALL MEETING

The fall 1980 meeting of the Wyoming Association of Professional Archeologists was held November 14 at the Bel Air Motel in Rawlins. Results of the elections are as follows: Charles A. Reher - president; Tom Larson - vice-president; Jana Vosika Pastor - treasurer; Steve Chomko, Julie Francis - Executive Committee members-at-large.

During the morning session, several topics of general interest were discussed. These included inventories on private land, snow monitoring, BLM seismograph policy, status of inventories on Reservation lands, and the effects of the Reagan administration on the professional community. Several WAPA position papers will be forthcoming as a result of these discussions. These include a position paper supporting inventories on private land; a position paper questioning current BLM seismograph policy; and a position paper condemning the practice of snow monitoring. This paper will also call for cooperation of all consultants in phasing out snow monitors and suggestions as to stricter guidelines on any snow monitors done this winter. As a result of the 1980 presidential and senatorial elections, Bruce Rippeteau discussed the importance of our relationships with the new federal administration and state governments. The memberships voted to form a new standing committee to contact other professional associations and state and federal officials in order to further our best interests.

Committee memberships were announced in the afternoon session. Members of the Resource Base Committee are: John Jameson, chairman; Barb Hickman, Mary Feathers, Pat Treat, Jack Savini, and Dick Enders. Membership and Ethics Committee members are: Tom Larson, chairman; Steve Chomko, Dave Reiss, John Lytle, Jana Vosika Pastor, and Mike Metcalf, alternate. The Peer Review Committee includes Mark Miller, chairman; Dave Eckles, Jenny Anderson, John Greer, Rhoda Lewis, Ray Leicht, Tom Marceau, and George Frison. Members of the Research Design Committee are: Julie Francis, chairman; Mike Metcalf, Ron Kainer, Dean Decker, Pat Treat, Kerry Lippincott, Barb Hickman, Chuck Reher, and John Albanese. The Committee (as yet unnamed) on external relations includes Mike Metcalf, chairman; Dave Eckles, Bruce Rippeteau, Tom Larson, Margie Krza, and Julie Francis. Chris Zier is the new Newsletter Editor.

Also during the afternoon session, the membership voted to assemble a directory of archeological consultants and archeologists in the state. Tom Marceau volunteered to take charge of the directory. A form for this directory is enclosed at the end of this Newsletter. These should be returned to Tom Marceau as soon as possible.

Steve Chomko discussed the status and condition of the Wagonbed Spring site. He noted that there had been some damage to the site as a result of construction of the Sand Draw Road by the Wyoming Highway Department and that both the BLM and Highway Dept. crews were in compliance. The membership

noted to bring these facts to the attention of the Advisory Council. Chomko will take charge of composing the letter to the Council.

Several aspects of BLM policy were also discussed during the afternoon. These included the issuing of emergency permits, monitoring, and giving clearance on the basis of Class II inventories. The membership agreed that the emergency permit is a useful way to accomplish emergency work when a site is endangered and to screen contractors prior to issuing a regular consulting permit. Position papers on the proper uses of monitoring and condemning clearance on the basis of Class II inventories will also be forthcoming.

Relationships with the Office of Surface Mining were also discussed. The membership is arranging a meeting with the OSM to discuss their policy and problems.

The principal item of business discussed during the afternoon was a recent article which appeared in the High Country News entitled "Archeologists dig for points, paydirt". On the basis of interviews with several archeologists in the state, this article discussed several aspects of cultural resource management in Wyoming. The article was totally negative towards contract archeology. Mike Metcalf had already drafted a reply which was circulated for comment, and the membership felt that equal time presenting both positive and negative aspects of cultural resource management was needed. Chuck Reher volunteered to contact the reporter.

The spring meeting will be hosted by Powers Elevation in Casper, Wyoming. Jack Savini is in charge of arrangements. A possible two day format was discussed and was generally favored by the membership. Details on the spring meeting will be announced by Savini.

PEER REVIEW COMMITTEE REPORT

Mark Miller submitted the following report on the activities of the Peer Review Committee during 1979.

Organization

The Peer Review Committee was organized on November 28, 1979 at the fall meeting of the Wyoming Association of Professional Archeologists in Laramie. Six individuals were appointed to the committee, each of which had been previously subjected to peer review at some time during their careers. These members include George Frison, chairman; John Greer, David Eckles, Ann Johnson, and Mark Miller. Chris Zier was appointed as an alternate.

Goal of Peer Review

The principal goal of the Peer Review Committee is to ensure authors that their reports and other written materials will receive constructive comment and evaluation from a qualified body of professional archeologists. Such a philosophy is predicated on the need to improve techniques and expression of archeological research in Wyoming. As such, Peer Review does not function as a punitive process, but rather it is oriented toward the betterment of our discipline on a state-wide basis.

Peer Review Committee

The committee held its first session following the November WAPA session.

Committee members in attendance were George Frison, David Eckles, John Greer, and Mark Miller.

One of the first problems considered was to define the role or function of a Peer Review Committee in the WAPA organization. Discussion centered on two specific alternatives:

- 1) Should the committee itself review and comment on archeological reports, or
- 2) Should the committee just organize the peer review process, whereby the committee could solicit reviews from a larger body of professional archeologists?

The first alternative would require a considerable amount of effort from the six member committee, particularly if there was a large volume of materials to be reviewed. For this reason, the second function seems the most feasible.

The Peer Review Committee must complete several steps in organizing and maintaining the peer review process. First, the committee would have to set up a file of potential reviewers. Secondly, it would need to collect materials for review and disseminate these to reviewers.

Techniques for Peer Review

The Peer Review Committee should organize and maintain a card file of qualified archeologists which can be referred to in order to distribute materials for review. A card would be required for each reviewer and probably should include:

- 1.) The reviewer's name,
- 2.) Institution or business address,
- 3.) Research interests (theoretical, regional methodological), and
- 4.) Types of archeological materials he/she is willing to review.

In addition, each potential reviewer should submit a current vita in support of his/her qualification, which will be kept on file by the Peer Review Committee. The committee, as an objective body, could select one or two reviewers for each report, based on their individual qualifications and research interests. The reviewer file could be either a card file or a computer based system, depending on the requirements of the WAPA organization and the volume of material to be reviewed.

Members of WAPA may voluntarily submit their credentials and fill out a card as a potential reviewer. It would be the function of the committee to ensure that reviewers selected for each report fulfill the requirement of a 'peer' to those that submit reports for review. Professional archeologists outside of Wyoming or WAPA, or those who share pertinent research interests should be encouraged to participate as peer reviewers.

In addition to the card file, the Peer Review Committee should adopt a format for a review letter to be completed by each reviewer upon receipt of a report. Three formats have been considered by the committee as prototypes for the peer review format, but a final decision has not been made. The National Science Foundation Proposal Evaluation Form, and the review forms for American Antiquity and Plains Anthropologist have been considered. Currently, it is believed that a WAPA Peer Review Form should include categories such as:

- 1.) Author(s) of a report,
- 2.) Title of report,
- 3.) A return date so reasonable rapid feedback is ensured,
- 4.) Considerable space for comments regarding the clarity of expression, technical merit, treatment of the subject, organization and completeness of the report.

- b.) a standardized report evaluation (for example) -
 - a. ___ Excellent
 - b. ___ Very good
 - c. ___ Good
 - d. ___ Fair, but needs revision along lines suggested above
 - e. ___ Poor, may require a complete rewrite.
- 6.) Instructions for completing each section of the form.

Reports

A major concern of the committee is to determine what archeological reports, etc., should be submitted for WAPA peer review. Reviewing can be a time consuming process, so different sampling strategies were discussed to limit the volume of reports to be reviewed.

Several types of written archeological materials are candidates for peer review. Among these are final contract reports, research proposals, research designs, and scopes of work. Due to the anticipated large volume of material, a clear need exists for some type of report sampling.

One possibility discussed was to limit peer review to problem reports, either where there is a clear need for improvement of material, or where there exists a controversy over a particular report. Rejected reports or reports with methodological problem might receive priority. Also, if a particular contractor voluntarily submitted a report for review, whether or not the report was of questionable quality, he should be given consideration.

Different techniques for sampling reports were discussed. Some classification of different types of reports would facilitate the construction of a sampling stratification. This classification might differentiate among drill pad reports, corridor surveys, small and large area block surveys, etc. Then, when a certain sampling percentage was required for review, each type of report would be guaranteed peer review exposure.

One unanswered question pervaded the discussion on peer review of contract reports. Should the Peer Review Committee organize a means to standardize reports? This would involve defining specific contents which must be present in reports to meet peer review approval. Certainly, particularly site location information, for example, would be necessary for compliance with Federal standards, but should such things like survey techniques, presentation of analytical sections, site forms, and isolated artifact forms be standardized on a state-wide basis? These are important considerations, and perhaps, are beyond the scope of this committee.

One final question discussed by the committee was whether or not peer review should include comment on policy formulations by independent, state, and federal agencies which involve Wyoming's cultural resources. Perhaps WAPA should react to archeological policies and legislation as a unified body of professionals. One way to respond to policies effecting archeological data is to solicit peer review of any policy influencing archeology and present a group position in support or contention of each program or position.

ANTIQUITIES LEGISLATION

Over the past several years, vandalism and destruction of archeological sites has become an increasingly distressing problem. This problem has been most obvious in the American Southwest, but is also prevalent in the Northwestern Plains, as evidenced by the Military Creek rockshelters.

Similarly, antiquities legislation has also been problematic. In New

Mexico, the 1906 Antiquities Act was ruled unconstitutionally vague. In 1979, the Archeological Resources Protection Act was passed by both the U.S. House and Senate and became effective in October, 1979. The first convictions under the new act were obtained in 1980 in Arizona. The 1979 Act has received regional and nationwide attention with articles in several major newspapers and coverage on the NBC Nightly News.

Reprinted here is a synopsis of the Military Creek incident and BLM actions (submitted by John Jameson), an article from the Arizona Republic, and a copy of a recent SAA memo concerning amendments to the National Historic Preservation Act.

Military Creek Rock Shelters (submitted by John Jameson)

In late summer of 1978, it was brought to the attention of the World BLM District Archeologist and District Manager that a number of potentially significant archeological sites had been extensively vandalized. In addition, the sites were found to be threatened by rapid downcutting of drainage channels. The sites are located in Big Horn County on the western flank of the Big Horn Mountains. The suspected looters were discovered to be BLM employees, and were subsequently prosecuted in April, 1979 as violators of the Antiquities Act of 1906.

In fiscal year 1979, BLM asked for and received funding (as a one time Congressional add-on) for the purpose of recording and stabilizing the damaged sites. In October, 1979, contract monies became available, and in February, 1980, a Request for Proposals was issued. The RFP was designed with three basic objectives: 1) to establish the significance and extent of cultural resources on the study area in relation to long-term research possibilities; 2) to document the extent and nature of the damage which had occurred to each site and to evaluate the loss of scientific data; and 3) to provide information and recommendations to BLM for effective long-range management. The RFP called for three main phases of work: intensive inventory, testing and backfilling, and analysis and report preparation. The contract also specified that artifacts recovered from the looters be thoroughly analyzed and compared to materials recorded during testing. In addition, a synthesis of data to the known cultural sequence of the region, along with a National Register eligibility summary, was to be provided.

The contract was eventually awarded to Larson-Tibesar Associates of Laramie, who to date have completed the fieldwork portions of the project, and are now engaged in the analysis and final report preparation.

In the preliminary report to BLM entitled "Progress Report on the Completion of Task I of the Military Creek Rock Shelter Project," submitted in July, 1980, Larson-Tibesar Associates stated that, based on preliminary observations, only one rock shelter locality appears to have sufficient intact deposits to warrant further testing. All other rock shelter localities investigated were found to be 60-100% destroyed by looting. Materials recovered from the vandals, from looted backdirt piles, and from controlled 'squaring-up' of looted potholes, appear to indicate that the Military Creek Rock Shelters were occupied from Late Paleo-Indian through Late Prehistoric times.

Further testing activities have been concentrated at 48BH448, a series of sandstone overhangs concentrated in a single erosional channel and measuring 20 and 120 meters. Squaring-up of a large pot hole at one locality has presented evidence for at least three major cultural strata, which may be composed of numerous micro-stratigraphic levels. Deposition of materials is estimated to be two meters in depth, based on pot hole and cutbank exposures.

A final draft report of findings is scheduled to be completed by the contractor and submitted to BLM in early 1981. The report will include analysis of matrix samples (soils, fauna, C-14 dates), as well as metric and functional analyses of lithics.

In an effort to retard or eliminate channel downcutting at 48BH448, BLM has constructed a series of 10 gabions, each composed of metal posts, wire, and rock. The gabions are located at strategic intervals along the channel bottom to form a 'stair-step' effect. Also, reseeding of native grass species has been attempted.

From the Arizona Republic, May 20, 1980 - Indian ruins case results in sentence (Submitted by Steve Sigstad)

A Utah man involved in an Indian-artifact theft case that tested the federal government's authority to prosecute such thefts was sentenced Monday to six months in jail and given a \$1000 fine.

Robert F. Sevara, 38, of East Carbon City, was sentenced by U.S. District Court Judge William P. Copple on a guilty plea to a misdemeanor charge of damaging an archeological resource.

He and two other Utah men, brothers, Thayde L. Jones, 36, and Kyle Jones, 26, were arrested Dec. 22, 1977, after they were observed digging in prehistoric Indian ruins in the Brooklyn Basin, about 14 miles southeast of Cordes Junction.

They were accused of stealing \$6000 worth of clay pots, bone awls, and other Indian objects.

The brothers have pleaded guilty in the case and are scheduled to be sentenced June 2. Thayde pleaded guilty to a felony and Kyle pleaded guilty to a misdemeanor.

Copple dismissed the cases in April 1978 in a ruling that left the U.S. attorney's office with no law under which to prosecute thefts from national archeological sites.

But the 9th U.S. Circuit Court of Appeals ruled in November that Copple's ruling was incorrect.

By then prosecutors had another law, the 1979 Archeological Resources Preservation Act, which became effective in October, Michael Hawkins, U.S. attorney for Arizona, said.

He said Sevara and the Joneses were allowed to plead guilty under the new law, which doesn't permit as much prison time as the original law.

They originally were charged under the general federal theft and malicious mischief laws.

Copple ruled the theft law did not apply in this case. In overturning him, the appeals court said the government had the discretion to prosecute under the broader theft laws.

SOCIETY FOR AMERICAN ARCHAEOLOGY

committee on



public archeology

Laboratory of Anthropology
University of Idaho
Moscow, ID 83843

25 November 1980

COPA MEMORANDUM

TO: COPA State Representatives
FROM: Ruthann Kaudson, COPA Chairperson

THE NATIONAL HISTORIC PRESERVATION ACT AMENDMENTS OF 1980
PASSED!!!

On 17 December 1980 H.R. 5496, the National Historic Preservation Act Amendments of 1980, passed the U. S. House of Representatives under unanimous consent. On 19 December 1980, it passed the U. S. Senate under the consent rule.

The bill as passed is essentially as outlined in the COPA outline of 21 August 1980, without the provisions for transfer of historic properties to National Park Service jurisdiction, or for State inventories of natural areas. The new law, passed with the consent of the Reagan transition team and support of the new Senate Republican majority, is expected to be signed by President Carter after Thanksgiving.

It does:

- reauthorize the Historic Preservation Fund through 1987 for \$150 million per annum
- integrate the needs of prehistoric and historic archaeology throughout the Federal historic preservation program
- codify E.O. 11593, and the office and functions of SHPOS
- provide a 70:30 match for state survey and planning programs
- outline Federal agency responsibilities for historic preservation
- provide a mechanism for administrative approval of data recovery projects in excess of 1% of construction costs
- require professional representation of history, archaeology, and architecture on the Advisory Council
- plus many other things; check the Congressional Record for 19 December or request a copy of House Report 26-1457 from your Congressperson for the details and the section-by-section analysis

Despite a mailing fluke you did all have enough information to be able to take action when we needed it in the last critical weeks--this bill would not have passed without the strong and immediate response from the archaeological community. You did make the difference, and when individual delegations needed to be sent to Washington, D.C., you were there.

INDUSTRY, FEDERAL AGENCY, AND CONTRACT ARCHEOLOGIST DEMONSTRATE COOPERATION IN SAVING SITE 48CR341

S.A. Chomko

In April, 1979, the Cities Service Company (CSC) voluntarily halted construction of a well in the Fillmore Creek area of south-central Wyoming. After ripping the frozen ground and during initial blading of the pad, personnel with CSC noticed that they had exposed a portion of a prehistoric site. The site had not been recognized during the cultural resource inventory. They notified the Bureau of Land Management Rawlins District office whose subsequent evaluation of the site indicated a potential for significant buried deposits. BLM was able to provide funds to salvage the portion of the site which would be destroyed by further construction. The contract for salvage and evaluation was awarded to Mike Metcalf (then with Foxers Elevation Company). CSC rearranged their construction-drillings schedule to allow sufficient time to conduct the archeological studies.

Metcalf reported the results of the excavations at the 38th Plains Conference. The site, 48CR341, is a multi-occupation habitation site; radiocarbon determinations and the single diagnostic point indicate a Late Prehistoric Period affiliation. The site is a complex arrangement of at least eleven features and some small amount of cultural material (lithic debitage and ground stone tools) in aeolian sand sediments. There is considerable diversity in feature form and fill. Future analysis will concentrate on interpretation of functional characteristics of the features.

The circumstances surrounding the discovery and mitigation of the site demonstrate a close cooperation between the energy industry, Federal regulatory agency, and private contract archeologists. Cities Service Company deserves special commendation for recognizing and reporting the site. Further, CSC worked closely with the archeologist in allowing time to conduct the studies and then in realigning the well pad so as to avoid the major portion of the site. The BLM, in an uncharacteristic bureaucratic maneuver, responded rapidly in providing the funds to salvage the site. Metcalf expertly completed the required work; a task made especially difficult because of strict time limitations and less than ideal spring weather. Since the BLM funding was only for data salvage, Metcalf is providing the funds for analysis (including radiocarbon dates). If it had not been for the cooperation of all these institutions and individuals, a significant site would have been lost and our knowledge of Wyoming prehistory diminished.

OIL COMPANY AND BLM COOPERATE TO RETRIEVE CULTURAL DATA

John Jameson

An example of government-industry cooperation to preserve archeological data was seen at the Marathon Oil Company's Custer 31 well site in Oregon Basin near Cody. On August, 1979, while in the initial stages of well pad construction, Marathon workers noticed dark stains and charcoal eroding from a bank. Marathon officials decided to delay construction operations, and immediately notified the Worland BLM office. Following and inspection and re-evaluation of the location by the Worland BLM archeologist, arrangements were made to use BLM funding for a program of testing and mapping of materials. In less than seven days from the time the materials were discovered by Marathon workers, a contract for archeological testing was issued. In less than fourteen days, the testing program was completed.

An important aspect of this case is that the archeological work was accomplished with a minimum of delay for the oil company, requiring only minor shifts in the construction schedule. Although BLM's standard stipulation requires that the operator to immediately notify BLM if cultural materials are encountered during construction, the conscientious and expeditious reporting by Marathon reflects an attitude of responsibility to public resource values that is truly exceptional. Both BLM and Marathon Oil Company should be congratulated for this effort of cooperation.

1980 PLAINS CONFERENCE

The 38th Annual Plains Conference was held November 5 - 8 in Iowa City, Iowa. A total of 27 papers were presented on some aspect of Wyoming archeology. This included several contributed papers and two organized symposia. This representation accounted for approximately 22% of all papers presented at the conference.

One symposium centered on Current Research in the Powder River Basin. This was organized by David Eckles and Chuck Reher. Papers included: Paleo-Indian Occupation in the Powder River Basin (George C. Frison); Geologic Factors Affecting Site Preservations and Distribution in the Central Powder Basin (John Albanese); Distinguishing Site Function of Open Lithic Scatters: an example from the Coal Creek Area, Powder River Basin (Julie Francis); Ecological Diversity and Site Patterning within the Central Powder River Basin, Wyoming (Jeffrey L. Hauff); the Evidence for Sub-regional Settlement Systems in the Eastern Powder River Basin (David Eckles); Plains Indian Occupation of the Central Powder River Basin: the Wagensen Site, 48CA89 (Charles A. Reher); the Wagensen Site: Vegetative Diversity and Density (William R. Laday); and Euroamerican Settlement System in the Western Powder River Basin (Marcel Kornfeld).

The second symposium focused on Archeological Research and Cultural Resource Management: a Wyoming Perspective. Organizer of this symposium was Steve Chomko. Papers presented included: Research Goals, Management Objectives, and Energy Development (Steve Chomko); Cultural Resource Reports: SMO Review (Ronda O. Lewis); Cultural Resource Management in Wyoming: the Bureau of Land Management Perspective (John Lytle); The Forest Service's Cultural Resource Program in Wyoming (Steve Sigstad); Cultural Resource Management: a Contractor's Viewpoint (Ronald E. Kainer); The Overland Planning Unit Survey (Thomas K. Larson); A Remote Sensing Project at South Pass City State Historic Site, Wyoming (William B. Fawcett and Thomas K. Larson); Archeological Excavations at 48CR341: a Sand Dune Site in South-Central Wyoming (Michael D. Metcalf); The Nidiwh Site, 58CR1113: a Multicomponent Site in South-Central Wyoming (Scott T. McKern); the Military Creek Rockshelter Project (William L. Tibesar); and Settlement Pattern Studies of the Hanna Basin, Wyoming (David Reiss). Discussants were George Frison and William Butler.

Other papers included: The Late Glacial/Pre-Boreal Vertebrate Fauna of Wyoming (Danny M. Walker); The Late Pleistocene/Holocene Mammalian Record in the Northern Bighorn Mountains, Wyoming (Steve Chomko and B. Miles Gilbert); Synopsis of Archeological Survey and Excavation Conducted for the Upper Mountain Project in Central Wyoming (Anne W. Zier and Christian J. Zier); Tipi Rings: a Re-Examination (William E. Davis); Prehistoric Steatite Sources, Procurement Methods and Use (George C. Frison); Lithic Resources in the Overthrust Belt, Wyoming (Barbara J. Hickman); Organizational Change on the Northwestern Plains (Gary M. Brown); and Sampling Methodology and Site Indicators, Salt Wells Resource Area, Southwest Wyoming (Pat Trex and Russel Tanner).

Requests for papers should be directed to the individual authors.