



# NEWSLETTER

Volume 7, Numbers 3 and 4

November, 1995

## Editor's Comments

No, your mind's not playing tricks on you. You missed the August issue of the *OAC Newsletter*! But that was our fault. For that we're heartily sorry. As a result, this issue is a combination of Numbers 3 and 4 of Volume 7, 1995.

Everyone is encouraged to submit articles for the *Newsletter*, preferably on DOS 3.5" computer disk (double sided, high or low density) as a WordPerfect document (version 5.0 or 5.1). Lacking this, any file from an ASCII word processor on any type of diskette will be acceptable (we will make a concerted attempt to retrieve or convert any format you may use). If you mail your diskette files to Al Tonetti, Editor, *OAC Newsletter*, Ohio Historic Preservation Office, 1982 Velma Avenue, Columbus, OH 43211-2497, telephone (614) 297-2470, he will make sure you get your diskette's returned. If you do not have access to a word processor, contact one of us about transcribing your paper copies.

You can Email direct to me articles, questions, or comments via the Internet. My net address is: [lpotrow@magnus.acs.ohio-state.edu](mailto:lpotrow@magnus.acs.ohio-state.edu).

*Len Piotrowski*

## PRESIDENT'S COLUMN

*Mark F. Seeman*

Dr. Paul Pacheco and I completed a 5-week archaeological field school this summer. We took 17 students from Kent State University, all anthropology majors, to the Philo II site, a well-known late prehistoric village in the Muskingum River Valley. Our plan was to complement the data Jeff Carskadden and Jim Morton have collected on overall site layout. More specifically, we wanted to use micro-stratigraphy and water-screening to get at questions of site formation and seasonality. With the excavation of two houses and associated pit and post mold data, I think we can address some of our scientific concerns. More to the point, this recent experience provides a good basis for commenting on the "field school" experience in general. Is it a politically incorrect, "invasive" luxury we can't afford, or is it central to an Ohio archaeology?

The number and variety of field schools offered by Ohio institutions is probably at an all time high, seeming to argue that this activity is central to our discipline. In addition to Kent's program, field schools were offered this summer by Wright State University, the University of Cincinnati, the College of Wooster, and The Ohio State University. The Dayton Museum of Natural History and the Cleveland Museum of Natural History also offered field experiences this summer, some of which were for college credit, and some of which were not. The University of Toledo and Ohio University also have developed programs, although I'm not sure if they held field schools this summer. In short, there are probably more field school opportunities in Ohio now than ever before.

Despite the rosy picture, several factors suggest a more troubled long-term forecast. The recent experience of the Bloomsburg University field school in 1992 at the Newark Earthworks demonstrates how susceptible all university and museum administrators are to public and/or Native American pressure. After demonstrations and death threats, this excavation was shut down. In a similar vein, the "Junior High" field school run by the Center for American Archaeology in western Illinois for many years has now moved away from letting students recover "real" data, because of the public perception that youth equates with a lack of proper responsibility. In addition to questions of perception regarding who should do archaeology, legal issues arise, and they can only get more complicated. At Kent, for example, and on the advice of our attorneys, we already have to deal with very specific policies and liabilities, qualifications for acceptance, and justification for deregistration; we can not now require field work as a qualification for any degree. Given the above, it isn't hard to see a time when field schools could fall on very tough legal times.

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The marketplace also has a potentially negative effect on the care and feeding of archaeological field schools. Today most archaeological work is contract work, and more than once I've heard contract archaeologists argue that they would rather hire a person off the street than a field school-trained college student. College students think too much (or about the wrong things), don't work hard enough, or have a bad habit of wanting to return to school when the summer is over. I myself have hired minimum-wage workers for the Clark Maritime Project right out of the Manpower office in Louisville, Kentucky; if someone didn't catch on after a week we fired them. Much of the work at Mound City in the early 1960s was done by prisoners from the adjacent Chillicothe Correctional Institution, and we can assume that the majority of these men were not field school veterans. In point of fact, I understand the argument; when it comes time to take out a feature, bisect a post mold, or draw a stratigraphy boundary, some people, students and prisoners alike, "get it" immediately, almost like they were born to do field work, while others acquire comparable skills with more experience, and some people never catch on, despite what other abilities or talents they might have. Consequently, we must ask if archaeological field schools are a necessary part of the future. I believe they are.

Since the 1930s, field schools have been a "core" aspect of professional training; they provide students with a particular perspective that simply cannot be gained from another classroom or venue. On a more basic level, the field school really helps to bond the student to the discipline. In my experience, most students with even a casual interest in archaeology become "hooked" once they've been to field school. Minimally, and in almost parental fashion, they want to help with the post-recovery lab analysis and see what can be done with it. In some cases, this may lead to professional aspirations; in others simply a stronger appreciation of the science. I can't offer a good explanation as to why this is the case, but it is a clear pattern. On the loftier level, participating in a field school is the "participant-observer" component of doing archaeology, living and working "in the field." The serious student needs to understand where the data come from, and how they are collected. Studying collections or site reports are altogether different experiences than primary data collection in the field. Similarly, I think the "production orientation" of contract work leaves little room for a learning curve, nor does it provide the necessary framework to connect a particular person's work with the entire project.

Field school experiences can differ tremendously in terms of tactics, scope, and problem-orientation. As a student, my first field school experience was spent in a single unit with a "pit partner" meticulously pedaling, mapping, and taking notes on fire-cracked rock in an Archaic midden, never leaving my initial 10 x 10 foot excavation unit the entire summer. My second experi-

ence, several years later and under the direction of another archaeologist, was spent opening up as many units as was humanly possible, with my professor "overlord" taking the majority of the notes and not being very concerned with student opinions or interpretations. Production was definitely the watchword. From my standpoint, both of these were valuable experiences.

In my own field school, I try to be guided by several principles. First, I think it is important that every student have an opportunity to excavate and document as wide a range of archaeological phenomena as possible. Operationally, this requires an intensive occupation of some sort. Second, a concerted effort must be made to periodically explain *en masse* what is being done at the site, and why, and correspondingly, to elicit interpretations from the participants. A good way to do this is to give all of the students a weekly tour of the entire project, together with available field interpretations and prospective plans for additional work. Students also must have an opportunity to improve their skills through periodic feedback, and repetition.

In the early 1930s Faye-Cooper Cole initiated a series of archaeological field schools at the University of Chicago. They put prehistoric Illinois on the map, and at the same time helped to train a generation of professionals. It is important that this tradition continue, and that an ever wider range of people, representing diverse backgrounds and abilities, participate.

## OHIO HISTORIC PRESERVATION OFFICE

### MOVE DELAYED A BIT

As reported in the last issue of the *OAC Newsletter*, the Ohio Historic Preservation Office (OHPO) will move to the Hudson Street warehouse complex for approximately 4 years while renovation to the Ohio Historical Center is undertaken. It is now anticipated that the move will take place soon after the first of the year. Further information about the timing of the move and any inconveniences researchers may experience in using the research records during or as a result of the move will be addressed separately when we have a clearer understanding of the move and its consequences. Please bear with us.

### STAFF CHANGES

As of November 6, Dr. W. Ray Luce no longer serves in the capacity of State Historic Preservation Officer.



Deputy State Historic Preservation Officer Franco Rufini should be contacted until a new State Historic Preservation Officer is appointed by the Governor.

As of July 24, Steve Gordon has assumed the duties of National Register Manager. He continues to manage the Ohio Historic Inventory.

Nathalie Wright has been hired as the Survey/National Register Coordinator. She will assist Steve Gordon in these program areas. She will also oversee the development and maintenance of a system for indexing and cross-referencing historic contexts and other planning components with information from other program areas, including the Ohio Archaeological Inventory (OAI), Ohio Historic Inventory (OHI), and National Register of Historic Places (NRHP); assist in assigning and tracking OAI and OHI site numbers; maintain monthly reporting data for the OAI and OHI; assist in the maintenance and updating of the OAI, OHI and NRHP files including coding, computerization, and mapping; and respond to inquiries from agencies, consultants, and the public regarding historic properties.

With the hiring of the Survey/National Register Coordinator, Archaeology Manager Al Tonetti will devote more time to archaeology-related planning issues, upgrading the OAI database, assisting unregulated agencies and the private sector with archaeology-related matters and special projects, and increase public education activities.

Todd Tucky, Review Assistant reviewing undertakings affecting archaeological sites, is now working full-time. Todd is working on his Ph.D. at The Ohio State University. His as yet untitled dissertation deals with Woodland populations in Greene County.

Dr. Joni Manson, Program Assistant working with the NRHP, the OAI, the OHI, and the National Archaeological Database, will continue her part-time activities through December, after which she will be working on a research project funded through the National Center for Preservation Technology and Training. This research project, which she will jointly work on with Dr. David Snyder, Archaeology Reviews Manager, is titled *Evaluating Sites with Late Nineteenth or Early Twentieth Century Components for Eligibility in the National Register of Historic Places: Using Turn-of-the-Century Whitewares as Economic Indicators in Assessing Collections and Developing Contexts*. In this research project a sample of turn-of-the-century whiteware assemblages from extant collections will be analyzed to measure relative socioeconomic status patterns to produce recommendations for interpretations of interregional socioeconomic patterns,

provide a basis for developing a context to evaluate the significance of components at turn-of-the century sites, and offer suggestions for the development of effective guidelines and standards for collection and curation of these assemblages. Joni and Dave would like to hear from anyone who wants to suggest assemblages for possible inclusion in this study. The site, or site component, should date between 1890-1930 and contain at least 50 whiteware sherds. Joni and Dave can be contacted at the Ohio Historic Preservation Office, 1982 Velma Ave., Columbus, OH 43211-2497, telephone (614) 297-2470; FAX (614) 297-2496; email [davidsn@freenet.columbus.us](mailto:davidsn@freenet.columbus.us).

## FUNDING

The State of Ohio's 1996-1997 biennial budget includes \$249,546 as a line item for the operation of the OHPO in FY 1996. This is the first time OHPO has received line item funding from the General Assembly. The U.S. Congress' Senate-House Conference Committee recently decided on a 5% reduction in Historic Preservation Funds (HPF) for State Historic Preservation Offices in FY 1996. It is estimated that this amounts to a loss of about \$35,000-40,000 for the OHPO. The OHPO receives about 75% of its operating funds from the HPF.

The U.S. House Appropriation's Committee proposed a cut of 66% for the Advisory Council on Historic Preservation (ACHP), and elimination after FY 1996. During floor debate on the House Interior Appropriations bill, Rep. Bernie Sanders (I-VT) offered an amendment to restore \$2 million to the ACHP's 1996 budget and strike the elimination language. In spite of strong efforts to reduce and eliminate programs, Sanders' amendment passed 267 to 130. Eventually, the ACHP was recommended to be funded at \$3.068 million by the House.

The vote on the Sanders amendment was a major victory for historic preservation, and many Ohioans, including many OAC members, contributed to this success. The OAC is to be commended for its efforts. Grass-roots contacts played an important role in educating and persuading many members of the House. In particular, Reps. Phil English (R-PA), Jack Kingston (R-GA), and Bruce Vento (D-MN) spoke in strong support of the ACHP during floor debate. Ohio Representatives voting for the Sanders amendment were Republicans Boehner, Cremeans, Hobson, La Tourette, and Ney, and Democrats Brown, Hall, Kaptur, Sawyer, and Traficant. The Senate voted \$2.5 million for the ACHP. Later the two houses agreed on the lesser figure. The National Trust for Historic Preservation's budget for FY 1996 was cut 50%, to \$3.5 million.



## CONGRESSIONAL OVERSIGHT HEARINGS ON THE NATIONAL HISTORIC PRESERVATION ACT

The House of Representatives' Resources Committee's Subcommittee on National Parks, Forests and Lands, chaired by Rep. James Hansen (R-UT), plans to hold an oversight hearing on the National Historic Preservation Act (NHPA), possibly as early as this month. This hearing is likely to focus on streamlining the Section 106 process, reevaluating the significance of sites, including traditional cultural properties, protecting private property rights, and the reauthorization of funding for the Advisory Council on Historic Preservation. The hearing could result in amendments to the NHPA being proposed.

The Society for American Archaeology (SAA) is interested in any information or examples that can be provided concerning the following topics: successful and unsuccessful applications of Section 106 in archaeology; material prepared for the public as a result of Section 106 compliance work; information about the public benefits derived from Section 106 archaeology; clients who might be willing to go on the record in support of archaeology; and examples of archaeology-agency-industry cooperation. If you have information to provide the SAA immediately contact Donald Forsyth Craib at (202) 789-8200, FAX (202) 789-0284.

### IT'S OUR 20TH ANNIVERSARY!

The Ohio Archaeological Council was founded in 1975. Come celebrate with us at our next conference!

### HUNTER-GATHERERS TO HORTICULTURALISTS: THE ARCHAIC PREHISTORY OF THE OHIO AREA

Cleveland State University, November 17-18, 1995

The objective of the fourth Ohio Archaeological Council conference is to synthesize archaeological research on the Archaic stage (ca. 10,000-3,000 BP) in Ohio and surrounding areas, including the mid and upper Ohio River Valley and the Lake Erie Basin. In addition to the

Plenary and Contributed Papers sessions, a Poster Session and Book Publisher Exhibits are planned.

#### Preliminary Program

Friday, November 17

#### Plenary Session

1:00 Opening Remarks

1:10 J. Blank, *The Ohio Archaic: A 25 Year Perspective*

1:35 L. Shane, G. Snyder, and K. Anderson, *Holocene Vegetation and Climatic Changes Faced by People of the Ohio Region*

2:00 E. Breitburg, *Archaic Period Animal Resource Use in the Eastern Woodlands: Synchronic Patterns and Diachronic Developments*

2:25 K. Gremillion, *The Archaic Period and Early Agriculture in the Ohio Valley*

2:50 R. Jefferies, *Late Middle Archaic Trade and Social Interaction: Carved and Engraved Pins from the Ohio River Valley*

3:15 Break

3:30 R. Mensforth, *Review of the Physical Anthropology of Ohio Archaic People: The Role of Human Skeletal Remains in the Development and Testing of Theoretical Models in Archaeology*

3:55 O. Prufer, *The Archaic of Northeastern Ohio*

4:20 D. Stothers, T. Abel, and A. Schneider, *Current Perspectives Regarding the Archaic Time Period of the Western Lake Erie Drainage Basin*

4:45 J. Adovasio, R. Fryman, A. Quinn, D. Pedler, D. Dirkmaat, *The Archaic West of the Upper Ohio Valley: A View from Meadowcroft Rockshelter*

5:10 K. Vickery, *Archaic Manifestations in Southwestern Ohio and Vicinity*

5:35 Plenary Session Panel Discussion and Question/Answer from Audience

6:00 Break

6:30 Banquet

8:00 Keynote Address: Brian Fagan, *Archaeology: The Science of Rubbish*

Saturday, November 18

#### Open Houses

8:30 Opening Remarks

8:45 Open Houses: Department of Anthropology, Cleveland Museum of Natural History, and Bioarchaeology Laboratory, Cleveland State University

11:30 Lunch on your own

#### Contributed Paper Session

1:00 Opening Remarks

1:05 F. Finney, *New Perspectives on the Archaic in the Upper Mississippi Valley*

1:25 T. DeRegnaucourt, *Late Archaic Point Typology and*



*Chert Utilization Patterns in the Upper Reaches of the Great Miami and Whitewater River Drainages of West-Central Ohio and East-Central Indiana*

1:45 T. Tucky, *An Evolutionary Perspective on the Development and Intensification of Plant Utilization in the Archaic and Early Woodland*

2:05 C. Keener, K. Butterworth, and C. Reustle, *A Regional Analysis of Land Use Patterns of the Archaic in North-Central Ohio Through the Use of CRM*

2:25 Break

2:35 T. Abel, D. Stothers, and J. Koralewski, *The Williams Mortuary Complex: A Synthesis of Archaic Regional Band Cemeteries in the Northern Ohio Region and Their Implications on Trade and Exchange*

2:55 T. Minichillo, *A Late Archaic Textile from Central Ohio*

3:15 K. Duerksen and J. Doershuk, *A Reconsideration of the Maple Creek Phase*

3:35 D. Applegate, *A Study of Late Archaic-Early Woodland Cultural Chronology in Muskingum County, Ohio*

3:55 Break

4:05 W. Byrd, *St. Albans, West Virginia Revisited: Lithic Analysis of Kirk II and LeCroy Levels and Early Archaic Settlement and Subsistence Patterns in the Kanawha River Valley*

4:25 J. Stone, E. Voigt, and O. Miller, *Overview of Recent Research on the Upland Archaic of West Virginia*

4:45 A. Pecora and K. Mickelson, *Kanawha Black Flint and the Distribution of Upland Archaic Sites in Central West Virginia*

5:05 A. Mickelson, *The Spring Creek Site (46GB114) in Greenbrier County: Observations on a Low-Density Middle to Late Archaic Resource in West Virginia*

5:25 J. Kerr and S. Creasman, *Archaeological Investigations at the Railway Museum Site (15JF630), Jefferson County, Kentucky*

5:45 Closing Comments

1995 is the OAC's 20th anniversary! Come to the conference and help us celebrate! We are already planning next year's conference, the theme of which is the Early Woodland and Adena cultures of the Ohio area.

## WOODLAND HERITAGE

Woodland Heritage is a unique and new Ohio-based charitable, nonprofit, open membership organization whose mission is the conservation and management of both cultural and natural resources throughout the midwest for the benefit of the public and for scientific research. Woodland Heritage's goal is to acquire, protect and manage important remnants of the midwest's 13,000 year old cultural landscape. Woodland Heritage is the only such organization to address land conservation from a cultural landscape perspective, the interaction of humans and the natural environment. Woodland Heritage preserves will be dedicated to education and

research and for use by the public.

Woodland Heritage's program consists of three phases of development. First is land acquisition. Only through direct ownership can Woodland Heritage assure protection, conservation management, scientific research, and public programming. Acquisition is focused on small ecological habitats or niches representing important remnants of past climates, archaeological sites, and historical sites and structures defining the early modern landscape. Woodland Heritage preserves are permanently dedicated to education, research, and use by the public. The second phase combines site-specific conservation techniques with short and long term management plans for site protection. Ecological and cultural resource assessments will be conducted at all sites to determine compatible stabilization, reconstruction or maintenance activities. The third and final phase is the development of educational and scientific research programs. The focus of educational programs will be the cultural aspects of the site, its ecological setting, and the inter-relationship of the cultural and natural environments at the site within a regional context. Innovative methods of ecological and cultural resource management and investigative techniques will be encouraged. All programs will be designed to involve individuals and local communities in site management, research and education.

The Executive Director of Woodland Heritage is Barbara Donahue, former Director of the Archaeological Conservancy's Midwest Regional Office. For further information about Woodland Heritage or to become a member supporting its mission contact Barbara Donahue at Woodland Heritage, P.O. Box 296, Groveport, OH 43125-0296, telephone (614) 836-5818.

## NATIONAL PARK SERVICE AWARDS GRANTS TO INDIAN TRIBES

Forty-nine (49) Indian tribes received \$1,996,000 from the FY 1995 HPF. One hundred and twenty-two (122) tribes sent 138 applications totaling over \$6.1 million. Since 1990, over \$7.3 million has been awarded to 220 Indian tribes for cultural and historic preservation projects authorized under the National Historic Preservation Act. Eligible activities include historic preservation plans and ordinances; cultural needs assessments; training in historic preservation, conservation, oral history, and documentation; rehabilitation and restoration of historic properties; cultural camps that bring elders and youths together; museum training and collections management; and surveys of archaeological sites, traditional plant uses, and tribal collections held



in museums.

No grant proposals were received from the states of Ohio, Pennsylvania, West Virginia, Kentucky, Indiana, or Illinois. Seven (7) proposals were received from Michigan tribes, 4 of which were funded. Archaeological surveys were funded for the Hopi (AZ), \$50,000; \$25,000 to the Houlton Band of Maliseet Indians (ME); \$10,000 to the Coquillee Indian Tribes (OR); and \$50,000 to the Pokagon Potawatomi Nation (MI) for an archaeological survey of a 210 acre historic site near the Battle of Tippecanoe (IN), including providing two weeks or professional training for two tribal members in archaeological survey techniques and non-invasive archaeological discovery techniques.

## **COURT RULINGS AFFIRM BURIAL SITE PROTECTION IS NOT A TAKING**

William Green, Office of the State Archaeologist,  
University of Iowa

[This article is reprinted with permission from the *SAA Bulletin*, Vol. 13, No. 3, 1995]

Does designation and protection of a burial site constitute a government "taking?" Recent Iowa and U.S. Supreme Court actions and non-actions address the takings argument and uphold a state's ability to preserve burial sites on private land.

As many archaeologists know, Iowa has had a burial site protection and reburial law since 1976 [see D. Anderson, 1985, *Reburial: Is It Reasonable?* *Archaeology* 38(5):48-51]. The law prohibits disinterment of ancient human remains without the permission of the state archaeologist. In 1991 a burial mound was found on one lot within a 124-lot subdivision under development in the city of Ames. Through probing, Office of State Archaeologist Burials Program Director Shirley Schermer and I confirmed the presence of human remains in the mound. [S.J. Schermer, 1991, *Archaeological Investigations and Osteological Analyses at 13SR18 and 13SR19, Northridge Subdivision, Ames, Sory County, Iowa. Research Papers* (16):2. Office of the State Archaeologist, University of Iowa, Iowa City]. I declined to give permission for disinterment, and it was not feasible to build a house on the lot while preserving the mound. The developers bought the lot back from its owner, and nothing was built there. The rest of the multimillion

dollar project proceeded as planned.

The developers then sued the state, claiming a loss of \$50,000 because of their ability to develop the one site. On November 6, 1992, a district court dismissed the suit, ruling "rights to real property do not include the right to disinter human remains." According to the court, my refusal to permit the disinterment was not a "taking" of property rights, and the state is not required "to pay compensation for loss of a property right that never existed."

The developers appealed this ruling to the Iowa Supreme Court. On July 27, 1994, the court ruled 4 to 1 that the designation of a burial site does not require the state to compensate a landowner for any loss in value that may follow the designation. The court specifically stated such designation does not constitute a government taking. When the developers acquired the property, "there was no right to disinter and build in the area where the remains were located. For that reason, there was no taking when the state archaeologist made the significant find and took action denying permission to disinter the human remains" [519 N.W.2d 367 (Iowa 1994)]. (Iowa Supreme Court Rejects Takings Challenge to State Law Prohibiting Destruction of Ancient Burial Mounds. *Preservation Law Reporter* 13:1141-1145.)

With reported funding aid from the National Association of Home Builders, the developers appealed this decision to the U.S. Supreme Court. On March 6, 1995, the U.S. Supreme Court rejected the appeal and let stand the Iowa ruling. By refusing to hear the appeal, despite pressure around the country to ease the perceived burden of government "takings," the U.S. Supreme Court upheld at least one state's ability to protect burial sites on private land.

Lobbyists and radio talk-show hosts are clamoring for revisions in state law, so the story is by no means over. Fears that the ruling may encourage developers and landowners to destroy sites before they can be recorded are as yet unfounded, but the situation requires constant vigilance. For now, however, burial sites in Iowa retain a legal status that generally encourages preservation.

[Editor's note (Tonetti): Ohio has no such burial site protection law, one of the few remaining states not to protect burial sites on private property. Ohio's desecration law does not apply to persons with the privilege to disturb the graves or human remains of persons buried a long time ago, interpreted by the courts to be 125 years or more, even in recognized cemeteries]



## COURT RULES CALIFORNIA LAW PROTECTING NATIVE AMERICAN SACRED SITES UNCONSTITUTIONAL

[Adapted and reprinted, in part, from the *ACPAC Newsletter*, newsletter of The American Committee For Preservation of Archaeological Collections]

In 1994, the California Native American Heritage Commission *et al.* filed suit to prevent California State University, Long Beach, from developing a 22 acre parcel of the campus on the grounds that the land was sacred and that development would prevent Native Americans from exercising their religion. On April 6, 1995, California Superior Court Judge Abby Soven ruled, in part, that the California statute involved is unconstitutional, under both the state and federal constitutions, on grounds of church/state separation. The state statute involved was the Public Resources Code Section 5097.9, which prohibits any public agency or private entity from doing anything to "interfere with the free expression or exercise of a Native American religion...or cause severe or irreparable damages to any Native American cemetery, place of worship, religious site or shrine..."

The court ruled, in part, that "None of the plaintiffs can state a claim under the 3d C/A based on interference with the free exercise of religion. *Lyng*, ruling on the federal free exercise clause (which prohibits legislative conduct) held, in short, that the clause is not violated by governmental activity which may make religious practice more difficult but does not tend to coerce individuals into acting contrary to their religious beliefs...Even if a defendant's use of certain public property inhibits plaintiffs practice, the State has not prohibited plaintiffs from any particular religious practice..."

The language difference between the federal and state constitution does not help plaintiffs position. The free exercise of religion under the California constitution must be read in light of the no-discrimination no-preference language. In *Woody*, the Indians wanted to be let alone; here, plaintiffs claim their free exercise rights are inhibited unless the property involved is dedicated to their religious practices...

Section 5097.94(g) violates the establishment clause of the First Amendment and the no-preference clause of

the California constitution. Subdivision (g) relates only to religious items, locations, or practices. The Code sections totally flunk the *Lemon* test: subdivision (g) has no secular purpose; the principal and primary effect - indeed, the only effect - is to advance Native American religion over any other organized religion or no religion; the section impermissibly entangles government with religion. Even assuming a neutral interpretation of subdivision (g) is possible, the complaint as filed asks for relief that constitutes a total prohibition against any disturbance of the land and demands that defendants be prevented from barring appropriate Native American access to the land, which demand constitutes a total dedication of the property to Native American religious purposes. For the same reasons, subdivision (g) also violates our state's no-preference clause."

[Copies of the ruling and legal briefs arguing the case, about 100 pages, are available from ACPAC for the cost of reproduction. Contact the American Committee for the Preservation of Archaeological Collections, P.O. Box 1171, Whittier, CA 90609-1171]

## PUBLICATIONS

### SANDUSKY VALLEY CHAPTER, ARCHAEOLOGICAL SOCIETY OF OHIO

Over the last two years, the Sandusky Valley Chapter of the Archaeological Society of Ohio has released 4 publications, all authored by OAC member Jeb Bowen. These publications include *The Distributions of Five Late Archaic Time Period Artifact Types in Ohio: Notched Butterfly Bannerstones, Bar-Type Birdstones, Marine Shell Sandal Sole Gorgets, Plummetts, and Ashtabula Bifaces* (No. 1, 1994); *The Sandusky River Area of North-Central Ohio: 1300-1600* (No. 2, 1994); *Upper Mercer Flint Large Bifurcates of the Ohio Region* (No. 3, 1994); *Flint Ridge/Upper Mercer Dovetail Knife/Spearpoints of the Greater Ohio Region: CA. 7300 B.C.* (No. 4, 1995). Vol. 1 is available for \$2.50 + \$.15 tax (Ohio residents) + \$1.00 shipping/handling; Vol. 2 for \$8.49 + \$.51 tax (Ohio residents) + \$1.75 shipping/handling; Vol. 3 for \$10.00 + \$.60 tax (Ohio residents) + \$1.75 shipping/handling; and Vol. 4 for \$15.00 + \$.90 tax (Ohio residents) + \$2.50 shipping/handling. To order any of these publications contact James E. Milum, 17306 CR 113, Harpster, OH 43323.



## SANDUSKY BAY CHAPTER, ARCHAEOLOGICAL SOCIETY OF OHIO

*The Petersen Site and New Perspectives on the Late Prehistory of Northwestern Ohio*, by Timothy J. Abel, The University of Toledo. This volume constitutes a major contribution to understanding the cultural dynamics of Late Woodland prehistory in the western Lower Great Lakes region. Based upon 5 years of continued large scale excavation, this new monograph documents the Paleo-Indian, Early and Late Archaic, and Early Historic occupations at the Petersen site located near Port Clinton, OH. The monograph also documents two superimposed Late Woodland villages pertaining to the Wolf and Indian Hills phases of the Sandusky Tradition, recently identified as the Totontaratohnronon or "Fire Nation" of early history. This definitive study establishes a temporal chronology for the evolution of the Parker Festeoned ceramic type through time, while documenting the cultural transformations in settlement, subsistence and mortuary systems which accompanied stylistic transformations in Sandusky tradition ceramic assemblages. New perspectives on Sandusky tradition cultural interaction with neighboring societies in the western Lower Great Lakes are explored, while a strong data base for future advancement in our knowledge about the enigmatic "Fire Nation" is firmly established.

A special pre-sale offer on the purchase of this monograph will end December 24, 1995. The monograph is 709 pages including 21 plates and a large fold-out map. A limited number of hard-bound copies of this book are available during the pre-sale only. Pre-sale price for the soft-bound volume is \$20.95; the hard-bound volume is \$27.50, with shipping and handling in the U.S. \$5.00; \$11.00 to Canadian addresses (in U.S. funds). Quantity discounts are available. To order contact Lester F. Gerken, 9319 Thorpe Road, Berlin Heights, OH 44814. Make checks payable to Sandusky Bay Chapter.

### ARCHAEOLOGY AND HISTORIC PRESERVATION

This is a new publication in the National Trust for Historic Preservation's (NTHP) *Information Series*. It is an excellent primer for organizations or individuals covering basic archaeological concepts, state and local issues, protection of archaeological sites, public programs, and key legislation. It explains how the study of what lies below the surface of the ground or water is an important ingredient in understanding historic buildings and sites. Historic preservationists need to gain a basic understanding of the field of archaeology and what

archaeological research can teach us about historic resources. This booklet accomplishes these purposes. Written by Shereen Lerner, this publication also suggests ways in which archaeologists and other historic preservationists can work together to protect historic sites both below and above ground. The 24 page booklet also includes information on heritage tourism and archaeological ordinances. The booklet, Order No. 2I86, and other publications in the NTHP's *Information Series*, can be ordered from the *Information Series*, NTHP, 1785 Massachusetts Ave., N.W., Washington, D.C. 20036, telephone (202) 673-4286. The cost of this booklet is \$6.00. Bulk orders of 10 or more are \$3.00/booklet.

### PEOPLE OF THE MOUNDS: OHIO'S HOPEWELL CULTURE

Hopewell Culture National Historical Park, 16062 S.R. 104, Chillicothe, OH 45601-8694, (614) 774-1126, recently released this new publication about the Native American culture which dominated the Ohio River Valley 2,000 years ago. Written by Ohio Historical Society archaeologist Dr. Bradley T. Lepper, and published by the Eastern National Park and Monument Association, this 23 page booklet tells the story of the Ohio Hopewell with maps, sketches and color photographs. The booklet is available at the park's Mound City Visitor Center for \$1.75.

### ARCHEOLOGY AND THE NATIONAL REGISTER

The National Park Service recently published *Archaeology and the National Register* as a supplement to Volume 18, No. 6 of CRM. This 16 page booklet includes three articles from presentations delivered at a 1994 workshop on this subject. The articles are *Research Questions and Important Information*; *The National Register and the 20th Century: Is There Room for Archeology?*; and *A Site Form for Important Sites - Converting Archeological Reports into National Register Nominations*. To obtain this publication or to subscribe to CRM, contact the Editor, CRM (400), U.S. Department of the Interior, National Park Service, Cultural Resources, P.O. Box 37127, Washington, DC 20013-7127; telephone (202) 343-3395, FAX (202) 343-5260, Internet: ron\_greenberg@nps.gov

### WORKSHOPS

The University of Nevada, Reno will be conducting a number of heritage resources management workshops in the coming year, and you will not have to travel to Reno to attend. For a full description of these courses or



to register contact Heritage Resources Management, Division of Continuing Education/048, University of Nevada, Reno, Reno, NV 89557-0024, telephone (702) 784-4801. Some courses of interest include:

**NAGPRA: Implications and Practical Application:** April 14-16, 1996, New Orleans, LA, following the annual meeting of the Society for American Archaeology. Fee is \$375. Registration deadline is March 14. This course is designed to help those affected by the law to comply in a timely and meaningful manner. As the law invites litigation, the course is also focused on an understanding and recognition of potential problem areas in order to allow for prospective planning and avoidance of court intervention. The instructors will discuss practical methods of compiling summaries and inventories and interfacing with claimants. They will also discuss the regulations and the decisions of the Review Committee and look at the future ramifications of decisions and any court actions. The course will consist of lectures, case studies, and participant involvement in discussions.

**Archaeological Collections Management and Curation:** January 3, 1996, Cincinnati, OH, prior to the annual meeting of the Society for Historical Archaeology. Fee is \$125. Registration deadline is December 6. This course is an overview of collections management and curation and will include discussions on the legal background, requirements and policy. Also included will be the relationships between managers of collections and practices and benefits of collections management. The course will be tailored to the priorities of the participants.

**Archaeological Collections Management and Curation:** March 4-8, 1996, Alexandria, VA. Fee is \$625. Registration deadline is February 2. This course will assist curation managers to clarify goals and design a work plan. Discussions center on the legal background, requirements, and policy of federal standards; the relationships between managers of collections and practices and benefits of collections management; and problem solving. Field trips are included. The course will be tailored to the priorities of the participants.

**Assessing the Archaeological Significance of Historical Sites:** January 3, 1996, Cincinnati, OH, prior to the annual meeting of the Society for Historical Archaeology. Fee is \$125. Registration deadline is December 6. The course is an overview of how to evaluate the archaeological record of historical sites for National Register eligibility. Key topics include the development of historic contexts and research designs for significance evaluation, assessing archaeological integrity, small isolated sites such as towns and mining districts, linear sites such as overland roads and railroads, industrial

sites, and recent 20th century sites.

**Introduction to Global Positioning Systems:** April 6, 1996, New Orleans, LA, prior to the annual meeting of the Society for American Archaeology. Fee is \$125. Registration deadline is March 8. This one-day short course introduces archaeologists to the principles and operation of mapping grade GPS. Course includes mission planning system specifications, integrating GPS with GIS, and use of related technologies such as range finders. An in-class demonstration of the Trimble GPS receivers is included.

**Teaching the Teachers: Preparing Students for Careers in Heritage Management:** Career opportunities for many archaeology students are in heritage management rather than in academe. This course will provide academic faculty with information and teaching materials relating to the organization, operation, legal and ethical obligations, and employment requirements in heritage consulting firms (contract archaeology, environmental analysis, etc.). Instructors will include owners of firms, as well as individuals from government agencies. This two-day course is being developed for presentation in April, 1996, prior to the annual meeting of the Society for American Archaeology in New Orleans, LA. Please call the Division of Continuing Education at (702) 784-4046 for further information.

**Soil Horizons and Strata in Mound Fill:** The May issue of the *OAC Newsletter* advertised a training opportunity on identifying and describing soil horizons and strata in mound fill. This National Center for Preservation Technology and Training workshop was held in June. Forty-five archaeologists, geomorphologists, and soil scientists from Arkansas, Louisiana, Mississippi, and Texas participated. The purpose was to discuss how soil formation, pedogenesis, in mound fill can be used to estimate a mound's age as Archaic, Woodland, or Mississippian. Instruction focused on how to apply standard soil terminology to prehistoric earthen mound stratigraphy, and to standardize soil horizon terminology for midden deposits, basket-loaded material, and soil development within these anthropic deposits. Presentations included a primer on pedogenesis by a geomorphologist, results of pedogenesis research in mound fill in northeast Louisiana, recovery of macrobotanical data, thermoluminescence dating, and oxidizable carbon ration dating. Subject to the critical review of the participants, it was generally agreed that stages of soil development can provide corroborating data for estimating the ages of prehistoric mounds. For further information about the results of this workshop contact Joe Saunders, Regional Archaeologist, Department of Geosciences, Northeast Louisiana University, Monroe, LA 71209, telephone (318) 342-1899, FAX (318) 342-1755.



## POSITION OPENINGS

### CULTURAL RESOURCES PRINCIPAL INVESTIGATOR, FIELD DIRECTOR, TECHNICIAN 3D/ENVIRONMENTAL

3D/Environmental, a multidisciplinary environmental consulting firm in Cincinnati, is seeking candidates at all levels. Principal Investigator candidates should have an M.A. or Ph.D. in Historic and/or Prehistoric Archaeology (a specialty other than lithic analysis is preferred), or Architectural History; demonstrated excellence in complex project management; and must have ability to participate in marketing and proposal writing. Salary and benefits competitive. Send application, including a minimum of 3 references, and a sample of CRM writing and publications to Patricia Bruckner, 3D/Environmental, 781 Neeb Road, Cincinnati, OH 45233, telephone (513) 922-8199, FAX (513) 922-9150.

### HISTORIC PRESERVATION SPECIALIST (ARCHAEOLOGY) PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICE

Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation, Harrisburg, PA. This is a permanent, union, non-civil service full-time (37.5 hrs/week) position that requires some travel. Salary is \$30,377/year with liberal benefits. Applicants must be 36CFR61 qualified (MA/MS or Ph D in Anthropology, Archaeology, Historic Archaeology or closely related field, or BA in above fields with 2 years full-time experience. Responsibilities include protection of historic and prehistoric archaeological resources in the development of state and federal projects. Knowledge of state and federal historic preservation programs, regulations, and legislation, including the *Secretary of the Interior's Standards for Archaeology and Historic Preservation*.

Specific duties include organizing, developing, managing, preserving, and protecting Pennsylvania's historic and prehistoric archaeological resources as outlined in the State Archaeological Resource Protection Plan; review state and federal program requests and evaluate their effects on archaeological resources as required under state and federal legislation; assist in the management and collection of archaeological site survey infor-

mation; assist state and federal agencies with the management of archaeological resources; develop and review nominations for archaeological resources to the National Register of Historic Places; review and assist in the management of archaeological survey and planning grant projects; prepare and publish archaeological research reports based on data collected from surveys and other archaeological field investigations; prepare correspondence and write or provide other appropriate replies to inquiries about archaeological survey and preservation programs; and enhance cooperation between the statewide amateur and professional archaeological organizations.

Submit letter of intent and vita by November 1, 1995 to Kurt Carr, Chief of Archaeology and Protection, Bureau for Historic Preservation, P. O. Box 1026, Harrisburg, PA 17108-1026, telephone (717) 783-8946 or 8947.

### ARCHAEOLOGIST-ASSISTANT PROFESSOR KENT STATE UNIVERSITY

Tenure-track position beginning January or August, 1996. Ph.D. completed. Theoretical interests in site formation processes, technological organization, and/or human ecology, with particular expertise in geoarchaeology, physio-chemical analysis, or GIS. Geographic area open, but preference for eastern North America or east Africa. Commitment to fundable research and student training required. Candidate must show broad teaching capabilities, and is expected to enhance a general M.A. program or Ph.D. in Biological Anthropology. Women and minorities are particularly encouraged to apply. Deadline is October 15, 1995. Send vita, letter of application, evidence of teaching excellence, and names of three references to Mark Seeman, Chair, Archaeology Search Committee, Department of Anthropology, P.O. Box 5190, Kent State University, Kent, OH 44240. EOE/AEE.

## CALENDAR OF EVENTS

September 29-October 1, 1995:

*The Midwest Bioarchaeology and Forensic Anthropology Group*, Holmes Student Center, Northern Illinois University, DeKalb, IL. Contact Maria O. Smith or Denise C. Hodges, Department of Anthropology, Northern Illinois University, DeKalb, IL 60115, telephone (815) 753-0246.

October 25-29, 1995:

*The Midwest Archaeological Conference*, Beloit College, Beloit, WI. Deadline for titles and abstracts is September 1.



Contact Robert J. Salzer, Department of Anthropology, Beloit College, 700 College, Beloit, WI 53511, telephone (608) 363-2616, FAX (608) 363-2718.

October 26-29, 1995:

*The Eastern States Archaeological Federation*, Radisson Hotel, Wilmington, DE. Abstracts were due June 1. Contact Ronald A. Thomas for local arrangements, MAAR Associates, P.O. Box 655, Newark, DE 19715, telephone (302) 368-5777.

November 2-5, 1995:

*The American Society for Ethnohistory*, Radisson Plaza Hotel, Kalamazoo Center, Kalamazoo, MI. Contact Donald L. Fixico, ASE 1995 Meeting Chair, Department of History, Western Michigan University, Kalamazoo, MI 49008-5020, telephone (616) 387-4629, FAX (616) 387-3999.

November 8-11, 1995:

*The Southeastern Archaeological Conference*, Hilton Hotel, Knoxville, TN. Deadline for abstracts is August 1. Contact Jefferson Chapman for local arrangements, and Gerald Schroedl for program arrangements, SEAC Conference, Department of Anthropology, University of Tennessee, Knoxville, TN 37966-0720, telephone (615) 974-4408, FAX (615) 974-2686.

November 17-18, 1995:

*The Ohio Archaeological Council Conference*, Cleveland State University, Cleveland, OH. Theme is *Hunter-Gatherers to Horticulturalists: The Archaic Prehistory of the Ohio Area*. Contact Al Tonetti, Conference Chair, Ohio Historic Preservation Office, 1982 Velma Ave., Columbus, OH 43211-2497, telephone (614) 297-2470, FAX (614) 297-2546, or Kent Vickery, Program Coordinator, Department of Anthropology, P.O. Box 210380, Cincinnati, OH 452-21, telephone (513) 556-2772, FAX (513) 556-2778.

January 2-7, 1996:

*The Society for Historical Archaeology Conference on Historical and Underwater Archaeology*, Omni Netherland Plaza, Cincinnati, OH. Themes are *Bridging Distances: Recent Approaches to Immigration, Migration, and Ethnic Identity*, and *Forging Partnerships in Outreach and Education*. Contact Marcy Gray,

Conference Chair, Gray and Pape, Inc., 1318 Main St., Cincinnati, OH 45210, telephone (513) 665-6707, email 76554.3313@compuserve.com, or Kim McBride, Program Coordinator, Department of Anthropology, 211 Lafferty Hall, University of Kentucky, Lexington, KY 40506-0024, telephone (606) 257-1944, email kamcbr00@ukcc.uky.edu.

## OFFICERS OF THE OHIO ARCHAEOLOGICAL COUNCIL

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PLEASE ADDRESS ALL CORRESPONDENCE TO  
 THE OHIO ARCHAEOLOGICAL COUNCIL,  
 P.O. BOX 82012, COLUMBUS, OH 43202

<b>Schedule For Submission:</b>	
<u>Deadline</u>	<u>Issue</u>
January 1st	February
April 1st	May
July 1st	August
October 1st	November

### **Editors**

Len Piotrowski ..... (614) 292-3687  
 Al Tonetti ..... (614) 297-2470



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