**Burial Sites**

*Keep in mind that special care needs to be taken to protect burial sites and certain native Indian objects (Burial Sites - ORS 97.740-97.780). This includes any burial site—whether the burial site of an Indian tribe, an old EuroAmerican cemetery or a prehistoric burial site. Because there has been considerable theft and destruction of these resources in the past, Oregon law makes it illegal to willfully remove, mutilate, deface, injure or destroy items from them. These resources include cairns, burial locations, human remains, funerary objects, sacred objects or objects having ongoing historical, traditional or cultural importance central to a native Indian group or culture. (Violations are a Class C felony and may result in possible civil penalties.)*

If you encounter a burial site, be sure to contact the Oregon State Historic Preservation Office (503) 986-0674 and the Commission on Indian Services (503) 986-1067.

**Federal Law**

If you receive federal cost share funds for your forestland projects or activities, the project area will most likely be checked to see if there are any archaeological and cultural resource sites that could be affected. In addition, most technical assistance foresters have been trained to help you identify potential sites. If any are identified, and your practices are likely to disturb the ground, the National Historic Preservation Act (1866, as amended) requires you to document the steps you are taking to identify and protect them. Technical assistance agencies will work with you to help protect these resources with the least impact to your operation or activities.

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**The Oregon Department of Forestry’s Role**

The Oregon Department of Forestry (ODF) promotes protection of archaeological and cultural resources by providing landowners and operators with information about the statutes and rules relative to archaeological and cultural resource site protection. ODF foresters are responsible for informing private landowners and operators when activities they are proposing could adversely impact such objects or sites.

**The Commission of Indian Services Role**

This Legislative Commission designates the appropriate Indian Tribe(s) that must be consulted as part of an archaeological permit application or in the event of discovery of an Indian burial. The Executive Director is available to provide information about contacting Indian tribes in Oregon and to answer questions you may have about consulting with Tribes.
As a forest landowner or operator, you may have unique opportunities to discover important archaeological and cultural resource sites.

Maybe it’s a tree that looks like it’s been modified by human hands...

Or perhaps remnants from the earliest inhabitants, trappers, miners, early settlements and logging activities...

Oregon’s forests

Inside cover photo by Mike McMurray
Common sense often dictates where sites are located—

- When working in the forest, pay special attention to fresh water sources; especially flat areas along small forested streams, where streams meander through alluvial valleys, near the confluence of two streams, or areas that have been turned into ponds.

- Areas offering a variety of different plants offered more resources that could be exploited for food, tools, etc.

- Natural openings, like open meadows in forested areas, could also be significant—American Indians favored these locations because visibility was better there than under heavy forest canopy. These areas also provided the highest ratio of animal resources to plant resources.

- Small islands or wooded slopes adjacent to villages were commonly used as cemetery areas.

- Ridgelines were favored travel routes with trails and small camps. Major camps are often found in saddles, especially if there is a water source nearby.

- Rock overhangs, caves or lava tubes are likely locations for prehistoric shelters.

- Rock outcrops of valued stone for tool manufacturing are likely locations for quarry sites.

Sites that may be harder to identify—

- Evidence of some sites is subtle, such as flaked or chipped rock debris resulting from the making of early tools. The Indians made many of their tools out of “glassy” or fine-grained rock like obsidian, jasper, quartz or agate.

- Even charred remains of plants and animals preserved for thousands of years, or charcoal remnants and clusters of unbroken rock can signal a significant site.

- Fire-cracked rocks used in skin bags, hearths and earth ovens to heat food are also common indicators.

- Surface features may also provide clues. The most common large feature is a shallow pit about 10-20' in diameter representing the remains of a pithouse or pithouse village. They usually look like a shallow saucer depression and contain greenhouse vegetation because of extra moisture and organic debris that has accumulated in them and enriched the soil.

- Cairns, or piles of rock, often covered in lichen may be significant.

You’ve identified a potential site. What to do—

If you think you may have found an archaeological or cultural resource site, you are encouraged to contact the State Historic Preservation Office (SHPO), (503) 986-0674. This state office maintains records on known sites.

SHPO will help determine if a site is already known. It is wise to assume all sites are valuable until they are professionally evaluated. SHPO can assist in determining how significant a site may be.

Confidentiality—

SHPO's archaeological and cultural resource site records are carefully guarded and not available for public access due to the risks associated with disclosing such information. Any findings you report to SHPO, will be treated with the same level of confidentiality.
Your help is needed to identify and protect Oregon's archaeological and cultural resources.

These special resources help explain how cultures have changed over time, and how they used the land and its resources. They contribute to our sense of history, establishing a chronological framework of the past. They can also provide insight to contemporary problems, such as the sustainability of agricultural practices and the impact of environmental changes upon society.

These sites are more than just “things,” or an accumulation of artifacts, features or waste products. Collectively, they often reveal subtle “patterns” that provide clues about how people lived. Sometimes several sites combine to answer the “who, what, when, where, how and why” questions to fully unlock the past. It is important not to disturb the integrity of archaeological and cultural resource sites and their surroundings, because these interrelationships can be very important.

As a forest landowner or operator, you are encouraged to survey all lands suspected or known to have cultural resource sites before you begin your operations. Some evidence is easily recognizable—arrowheads, old-logging camps, railroad trestles, trees altered by humans, drawings or figures on rocks, etc. Other sites require a careful eye. Common sense often dictates where these sites are located. Think about where people naturally congregate or go even today. In general, flat ground, sheltered areas near wood, water, valued minerals, plants and animals have always attracted humans, but the location of these may have changed over time.

Photos by Rick McClure, USFS
Harvesting practices—

The timber harvesting practices you use can minimize or avoid any damage to these important resources. Because these resources have unique values that can be damaged or destroyed by disturbance, you are encouraged to locate them before projects begin so they can be protected during operations.

Any practice that minimizes ground disturbance and makes use of existing disturbed areas is good practice. In general, what is good for the long-term management of the forest and its habitat is generally compatible with protecting cultural resource sites.

Responsible harvesting practices:

- Minimal impact logging (such as full suspension operations) is less likely to damage sensitive archaeological/cultural resource sites.
- Logging during winter conditions when there is snow on the ground and freezing conditions helps minimize ground disturbance.
- When planning for road construction, avoid known sites (otherwise you are violating state law), and keep cuts at a minimum. In some cases, deliberate filling over a site covered with a geotextile barrier may be a preferred option to protect the site.
- Re-use existing landings, roads and skid trails to minimize the chances you may inadvertently damage an archaeological or cultural resource site.

Property Rights—

Encountering an archaeological and cultural resource site on forest land doesn’t mean that you will have to give up your property rights or even change your management plan or timber operation. It just means that as a forest landowner or operator, you are encouraged to take prudent and feasible steps to help protect these resources, while still meeting your own goals of forest management and ownership.

There are state and federal laws intended to protect these important resources against neglect, destruction and misappropriation; however, the laws are designed to bring key people together to discuss with you a variety of options that may exist to do so.

Finding a significant archaeological and cultural resource site on your property and having its mysteries unveiled as you work with experts can be a truly rewarding experience. Many who have done so have developed a greater appreciation for their land and learned much about Oregon’s past and peoples.

According to Oregon law, archaeological and cultural objects cannot be removed from your land without your written permission. In most cases, the artifacts found on your land can remain in your possession. An exception to this, however, is if human remains and any funerary objects are found. In such cases, the Oregon State Police must always be contacted first to rule out whether they are associated with a crime.

If human remains (bones) are found, it must be reported to the:
1) Oregon State Police (contact the nearest office)
2) State Historic Preservation Office (503) 986-0674
3) Commission on Indian Services (503) 986-1067 and
4) Appropriate Indian Tribe(s) (the Commission on Indian Services can help identify)

Permits—

Permits are required from the Oregon Parks and Recreation Department before removing, excavating, injuring, destroying or altering an archaeological site (other than burial sites) or object from state public lands and private lands (ORS 358.905 to 358.955, ORS 390.235 to 390.240 and Administrative Rules 736-051-0000 to 736-051-0090). They are issued to qualified archaeologists. The State Historic Preservation Office maintains a list of qualified archaeologists which is available on their website, www.hcd.state.or.us under “Archaeological Services.”
Being intimately tied to Oregon’s forestlands, you can easily appreciate the wealth of resources that lie within them.

A great deal of our past can be traced in Oregon’s forestlands. Preserving these archaeological and cultural resources is important.

These sites are finite, non-renewable resources that cannot be restored or repaired when damaged. They can be lost forever.