

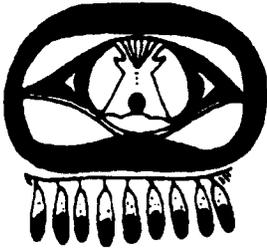


Legislative Reminder

**INDIAN GRAVES PROTECTION STATUTES
(ORS 97.740-.990)
PROTECTION OF ARCHEOLOGICAL SITES
(ORS 358.905-.955 AND ORS 390.235-.240)**

**DO YOU AND YOUR STAFF KNOW
ABOUT STATE LAW ON
ARCHEOLOGY THAT APPLIES TO
LANDS WITHIN YOUR
JURISDICTION?**

LEGISLATIVE COMMISSION



ON INDIAN SERVICES

Is your staff aware that, with very limited exceptions, it is illegal to disturb archeological sites or remove or alter certain archeological objects on state PUBLIC OR PRIVATE land unless this is done by an archeologist under a permit issued by the State Parks and Recreation Department?

Does your staff consider the possibility of the presence of archeological sites during review of construction permits?

Are you aware that construction must be stopped immediately if an archeological site or burial is encountered during construction? (An expedited permit process is possible in this situation).



Is your staff aware of the procedures to follow if Native American human remains are found on lands within your jurisdiction?

Violation of the Indian Graves Protection Law is a Class C felony.



**OREGON DEPARTMENT OF LAND
CONSERVATION AND DEVELOPMENT**

STEPS TO FOLLOW

If suspected Native American human remains are found:

FIRST, call the nearest office of the State Police; an initial determination must be made on whether or not the remains are part of a crime scene. ORS 146.505 requires the State Police to keep a file of unidentified human remains found within the State.

SECOND, If the remains are Native American, call the Legislative Commission on Indian Services at the State Capitol: 503-986-1067. State law says the appropriate Tribe(s) must be contacted—the Legislative Commission on Indian Services will tell you the appropriate Tribe(s) to contact.

THIRD, call the State Historic Preservation Office (SHPO) at 503-986-0674 for a list of archeological consultants (if needed). Only professional archeologists can apply for archeological permits. The State Historic Preservation Office (SHPO) maintains files on over 20,000 archeological sites in Oregon and sites on, or determined eligible for inclusion on, the National Register of Historic Places. Indian Tribes can also designate significant sites.

The appropriate Indian Tribe(s) must be notified by the person doing any archeological investigation and if a sacred object or object of cultural patrimony is found.

Excavating, injuring, destroying or altering an archeological site or removing archeological objects from Oregon public or private lands without a permit is a Class B misdemeanor.

Each Tribe can give you information about their interests and the areas of the State where they have concern and/or treaty rights.

The Legislative Commission on Indian Services (503-986-1067) can supply you a copy of their Oregon Directory of American Indian Resources, give you a list of Tribes recognized under State and Federal law and can provide a list of Tribal Cultural contacts.