

First Name	Last Name	Submission Date	Feedback
			AMEND: 736-051-0070 RULE TITLE: Archaeological Permits: Definitions RULE SUMMARY: Updates to term definitions: Qualified Archaeologist
Terry	Ozbun	07/30/26	I appreciate the addition of (23)(d)(E) to allow supervisors or co-authors to vouch for an applicant's non-thesis study. Another qualification that needs clarifying is coursework requirements for a non-traditional graduate program in archaeology. The newer CRM programs are often focused on compliance law/regulation and business/management and are light on coursework in archaeological methods/theory and regional archaeology overviews or culture history. If SHPO determines coursework to be insufficient, the SHPO reviewer should identify the number and type of courses necessary to compensate. It seems that taking a couple of graduate-level classes would suffice in most cases. Alternatives to achieving the knowledge needed should also be included - perhaps demonstrated by a competency test or a publication that discusses regional research questions.
Coquille	Indian Tribe	07/29/26	Dai s' la! (Greetings, Friend!), I hope this letter finds you well. I am the Chairperson of the Coquille Indian Tribal Council and am pleased to send you these comments in response to proposed amendments to the Archeological Permit Rule, 736-051-0000, et seq. Thank you for proposing these draft amendments to improve the permitting process in collaboration with Oregon Tribes. I propose changes to the following text of the Archeological Pen-nit Rule: Section 736-051-0030 This section states "If disputing parties have not reached a resolution within 60 days, the director may... [e]nd the process by approving or denying the permit based on the objection(s) and condition(s) received." I am concerned that, without more directive language, this section may effectively allow the director to issue a permit over the expressed objections of entities with conditioning authority. Therefore, I suggest the following text: "End the process by approving or denying the permit based on an impartial and fair review of all the objection(s) and condition(s) received." Section 736-051-0050 This section provides "The director, who will serve as a member of the arbitration panel... will notify each of the following of the need to designate one representative to additionally serve on an arbitration panel: The state archaeologist, assistant state archaeologist, and/or the archaeology survey and inventory coordinator of the State Historic Preservation Office to serve as subject matter expert(s)." I am concerned that including "and" could create a panel in which the SHPO office is overrepresented in arbitration proceeding. I'm further concerned that an overrepresentation of SHPO officers could provide the opportunity for an imbalance of opinions and objections, thereby disfavoring other parties. I would therefor like to suggest replacing "and/or" with "or" in order to ensure that no more than one SHPO representative serves as a panelist. Section 736-051-0050 (4)(b) and (7) Taken together, these sections mandate that each arbitration panel establish their own procedure for arbitration and present their decision by agreement in writing. However, I am concerned that the process by which the arbitration panel will render a decision is unclear. This could lead to issues like disagreements over procedure that delay arbitration, or split decisions with no remedy. For clarity, consistency, and transparency, I recommend that the arbitration procedure and method for decision-making be prescribed in this section rather than adopted ad hoc. Procedures should include rules for appointing an arbitrator, the arbitrator's duties and responsibilities, allowable evidence and subpoenas, and the standard of review. The decision-making process should clearly define who has authority to make decisions, allowable methods of decisionmaking (i.e. majority or unanimous vote, consensus, and/or negotiated terms), and the binding nature and enforceability of such decisions. Section 736-051-0050 (8) This section suggests that the director may base a decision on the "objection(s) and condition(s) received at the close of the arbitration process..." I am concerned that this section creates ambiguity in the director's decision-making process. To prevent any confusion, I would like to suggest that the section be edited to clarify whether the sentence refers to the arguments made during arbitration or objections and decisions that the director received at the end of or after the arbitration process. Thank you very much for considering my comments. I look forward to the release of the next draft. Masi! Brenda Meade, Chairperson Coquille Indian Tribe