

First Name	Last Name	Submission Date	Feedback
			AMEND: 736-051-0090 RULE TITLE: Archaeological Permits: Process for Applying for an Archaeological Permit on Private Lands RULE SUMMARY: Grammatical updates The grammatical updates in this section were helpful, but there is a contextual part of this rule that needs clarification. Section (1) states: A person may not excavate, injure, destroy, or alter an archeological site or object, or remove an archeological object from private lands in Oregon unless that activity is authorized by a permit that the director issues pursuant to this rule. Section (1) mentions archaeological object twice, however, there is not a straightforward answer as to what to do if an archaeological object is identified on private lands. Subsection (c) vaguely states that if additional investigation is needed, a permit is needed. As a qualified archaeologist, if I find one flake (technological by-product) on private lands in a shovel probe, I stop digging because I know the likelihood of encountering more flakes is high. Based on subsection (c), a permit would be needed if an archaeologist needs to place radials around a flake to determine if there is a subsurface site. According to this permit rule, identifying an archaeological object on private lands via subsurface testing would always require an archaeologist to apply for a permit if additional work is necessary. As such, can SHPO add a subsection similar to b, but clarifying what to do if an archaeological object is identified, such as: "(c) if an archaeological object is identified, all excavation must stop and the archaeologist must apply for a permit to continue excavation of any exploratory probes, conduct further archaeological excavations, or collection of archaeological objects." If this is updated, then (b) could be updated to include what to do to establish site boundaries: "(b) If an archaeological site is identified, all excavation must stop and the archaeologist must record the site on a State of Oregon Archaeological Site Record and submit to the director. If additional investigation is necessary for an archaeologist to establish the boundary of the site, the archaeologist must apply for a permit." Thank you for your time and consideration of clarifying this permit rule.
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