

PAC Newsletter

Spring 2003

Vol. 24

PENNSYLVANIA ARCHAEOLOGICAL COUNCIL

PRESIDENT'S MESSAGE

After a year's absence, I am pleased that this new issue of the PAC newsletter is available. I have to admit that I bear a major responsibility for the delay in that I have been negligent in writing this column and in sending other material to the newsletter. This issue also marks the long planned change in editors from Phil Perazio to Ken Basalik. Phil has done a wonderful job for a number of years and we all owe him many thanks for his efforts. We should welcome Ken to the job by at least sending him some material for the next issue. At the rescheduled fall meeting in January, we will discuss the possibility of changing from a printed format for the newsletter to an electronic version. Let me know what you think about that change.

So what has PAC been doing recently? We have been busy with public education projects. Valerie Perazio did a great job this past year with the student essay contest. Once again the award ceremony was held in conjunction with the Archaeology Month celebration on City Island. The students toured the City Island excavation and visited the experimental archaeology exhibit which featured a reconstructed Monongehela house. Valerie and I also arranged for the PAC traveling exhibit booth to be displayed at the State Social Science Teachers conference in Lancaster. The booth will also be at the National Science Teachers Association Annual Conference this March in Philadelphia. The NSTA booth will be co-sponsored by PennDOT. PAC was awarded a PHMC local history grant in August to revise our Project Archaeology curriculum. Project director, Renata Wolyneć has started work on the project.

We have also added two new pencil designs to go along with the two we produced last year for you to hand out to schools when you do classroom programs. The pencils each focus on one of the multidisciplinary aspects of archaeology: Archaeology is $\frac{1}{4}$ Science, Archaeology is $\frac{1}{4}$ Art, Archaeology is $\frac{1}{4}$ History, Archaeology is $\frac{1}{4}$ Writing. If you would like a set or some for a program, send me a request. We also have videotapes that contain all six of the short (8-10 minute) videos on different aspects of Pennsylvania archaeology. You can distribute the videos to schools or other local groups or you can use them in classroom programs. Thanks to Pat Miller, Paul Raber, Sarah Neusius, Lori Frye, and Joe Baker for their assistance with the project. The video project was funded by a PHMC historic preservation grant.

Another major accomplishment has been the publication of the second volume based on our annual symposia held on Fridays during the SPA Meetings. The volume, *Ice Age Peoples of Pennsylvania*, was edited by Kurt Carr and James Adovasio, and is Number 2 of the series *Recent Research in Pennsylvania Archaeology*, published by the PHMC in 2002. Copies are available for PAC members at a slightly discounted price from me or Mark McConaughy or from the PHMC for \$14.95. Copies of the first volume in the series, *The Archaic*, are also still available.

The membership requirement for PAC changed last spring following a vote of approval on a constitutional amendment. PAC Vice President Dan Roberts and his committee of Phil Neusius and

Gary Coppock put much effort into the project which has changed the requirements for membership as well as the process for applicants to become members. We are opening the membership requirements so that archaeologists with BA degrees and employment and interest in Pennsylvania archaeology can join. We also have changed the application process so that an applicant just has to send his or her vita to Dan and the committee and board can accept the application before the next meeting. We have had a spurt in membership applications since the change. I would hope you encourage other members of your firms or departments to join as well.

So what's next? This will be a busy, but short spring since the fall meeting has been delayed until January 31. There are some big issues in Pennsylvania archaeology- How will the state budget deficit affect agencies like the PHMC and PennDOT? The leadership of both agencies is changing. How will that affect their policies that affect archaeological sites? Because of financial problems, the Carnegie Museum is suspending access to its site files and report repository and not replacing staff members who have retired. What does this mean for those interested in research? A major Susquehannock site in York County is threatened by development. Is this another example of the problems with Act 70? How can we help protect the site?

There are some PAC issues as well. It's once again time for PAC elections. This is an opportunity for any of you to become more active in the organization either as members of the nominating committee or as candidates. If your interests are in research or publications or public education, this is your opportunity to make PAC more active in that area.

It's PAC's year to take the lead in preparing material for Archaeology Month. Renata Wolynech has volunteered to take on the design of the poster, using the theme of the French and Indian War which will have an anniversary in 2003. Other materials and events will be needed, so there will be plenty for volunteers to do.

On a personal note, I have enjoyed my stint as PAC President. I have had the chance to work with many of you on our different projects. I want to thank all of you for this opportunity and for your support. I know that the next President will enjoy that support as well.

Beverly Chiarulli
Indiana University of Pennsylvania

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COOPERATION COLUMN

There were no submissions for this edition.

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CURRENT RESEARCH

In an effort to shine some light onto the "gray" literature, the editor requests submissions for the Current Research column. These should be short descriptions of on-going or recently completed

work. Reference to the full report should be included, if available. Please forward such items to the editor (see below).

The Leetsdale Project

The U. S. Army Corps of Engineers, Pittsburgh District, has completed two years of fieldwork at Site 36AL480 (see PAC Newsletter, Fall 2000). This stratified, multi-component site is located within the floodplain of the Ohio River at Leetsdale, Pennsylvania. Site 36AL480 is approximately 12 acres in size and has cultural deposits extending from just below ground surface to about 4.5 m below ground surface. The site has evidence of intact Middle Archaic, Late Archaic, Transitional Archaic, Late Woodland, and 19th century industrial components. It is eligible for the National Register of Historic Places under Criterion D for its potential to add significant information to our current understanding of historic and prehistoric occupations in the upper Ohio River Valley region. None of the Phase I-III studies have located any Native American remains or grave goods.

This site was identified as part of the pre-construction permitting process for fabrication of the District's new Braddock Dam, a floatable concrete structure. The dam was constructed in two segments in a specially excavated, large casting/launch basin within a 30-acre work area along the Ohio River. Following consultation with the Pennsylvania Bureau for Historic Preservation, three areas (Areas 1, 2, and 3) totaling about 1.8 acres were segregated and fenced within the construction area for archaeological data recovery. Due to active construction and other constraints, the District is excavating the site in a staged, multi-contractor approach under the direction of a District archaeologist. Separate contracts were awarded for historic literature research, prehistoric literature research, geomorphology, palynology, historic data recovery and three contracts for prehistoric data recovery. The initial data recovery fieldwork began in fall 2000 with the historic component. At this time the District is reviewing draft submittals of the historic context, historic archaeology site component, prehistoric context, and interim geomorphology reports.

By spring 2001, Hardlines Design Company completed documentary research and field excavations on the historic industrial component, a brick factory, situated in the northern (Area 1) portion of Site 36AL480. The brick factory was owned and operated by the Harmony Society from 1890-1901 during the latter period of this religious sect. There was an earlier brick factory on the property but archaeological evidence for this was negligible. The document research provided background information on early brick manufacturing, the economics of brick production, and the history of Harmonist involvement in brick manufacturing. The archaeological fieldwork was limited to the upper meter of soil to minimize damage to any intact prehistoric occupations that may be present. The study uncovered subsurface structural remains of seven brick kilns, a drying room, well, and other features. The fieldwork documented type, size, construction methods, and fuel for the kilns. Also, changes in the drying room floor construction, heat source, and technology were identified. The drying room was a large structure where the freshly molded bricks were heat cured (excess moisture was driven out of the brick so that the bricks could withstand the high firing temperatures in the kiln).

Gray & Pape conducted the prehistoric context study. This involved comprehensive synthesis of regional prehistoric studies, reviewing lithic material types and projectile point types from approximately 15 other local site collections, and examining site files settlement patterns for a large area within the upper Ohio River drainage basin of Pennsylvania and Ohio.

In 2002 URS Corp. completed over 95% of the prehistoric data recovery fieldwork within a 1350 m² portion of Area 1. Approximately 75 prehistoric cultural features were excavated. Because of the dynamics of the hydrology of the Ohio River and Little Sewickley and Sewickley creeks, this portion of the site was frequently inundated creating a series of lamellar-like soil couplets that ended about 3000 years ago or approximately 3,000 years later than the stacked AC/C soil horizons elsewhere on the site. The excavation documented numerous individual camp sites that date to the period between 4000-1000 BC. Artifacts recovered from this excavation include fire cracked rocks and small quantities of points, other stone tools, and lithic debitage. This study also identified a cistern, circular hot floor, and some furnaces that were not identified by the previous historic data recovery fieldwork due to the greater depth of these features.

Greenhorne & O'Mara, and their sub-consultant, KCI, conducted data recovery excavations within a 200+ m² block within Area 2. Work began in 2002 and will finish in the spring of 2003. As of Feb 1, 2003, the excavations have yielded approximately 70 features and over 45,000 artifacts. The artifact assemblage includes over 30 steatite fragments (bowl pieces and two discs), dozens of ceramic sherds, and hundreds of tools including projectile points, graters, nutting stones, hammerstones, scrapers (end and hafted), pestle, drills, drills/punches, net weights, spokeshaves, knives, and expedient tools. Steatite artifacts are rare in southwestern Pennsylvania. The closest outcrops of steatite are found in the Piedmont area of eastern Pennsylvania, Maryland, and Virginia. Several 'bird' points (points that are generally less than 1.5 inches in length) were recovered from within the same 10 cm level as the steatite fragments. 'Bird' points include Merom Expanding Stemmed and Trimble point types. These points were considered to be a defining characteristic of the Riverton Culture sites located in the Wabash River Valley of Illinois but clusters of these points are also found in the lower Ohio River Valley. This Leetsdale cluster of 'bird' points may represent the easternmost find of these points from a good site context in the US and possibly the only documented cluster of these small points in Pennsylvania.

Tetra Tech, and their sub-consultant, Michael Baker Jr., conducted data recovery excavations of over 200 sq m within the southern portion of Site 36AL480 (Area 3) from late spring through late fall of 2001. There is archaeological evidence of at least five distinct occupations that fall within the Late Archaic, Transitional Archaic, and Early Woodland periods. Remains recovered from this excavation include over 175 stone tools (spear points, knives, graver, scrapers, drill tip), about 450 pottery sherds, nearly 8,000 pieces of lithic debitage, seven steatite fragments, four ochre/hematite fragments, nearly 1,000 animal bone fragments (mostly tiny pieces), over 750 botanical remains (mostly nutshell pieces), and over 10,000 fire cracked rocks. Numerous fire pits, roasting pits, storage pits, postholes, and surface fires were excavated.

Greenhorne & O'Mara, Inc. is providing geomorphology and palynology support for the environmental reconstruction studies undertaken as part of the data recovery plan for 36AL480. Dr. Frank Vento, Clarion University of Pennsylvania, Dr. Joe Schuldenrein, Geoarcheology Research Associates, Inc., and Dr. John Jones, Texas A&M University have started to reconstruct the site formation processes and climate. Their preliminary findings indicate that the site was situated on a point bar or a series of low ridges of sand and gravel that developed on the inside bank of a river meander as a result of channel migration toward the outer bank. In the early to mid-Holocene, the Ohio River cut through part of this point bar, separating it from the rest of the river terrace and creating an island. By 5,500 years ago this new river channel became inactive and the low-lying backchannel area became a wetland. Most of the occupations at 36AL480 fall within the period when the backchannel was a wetland environment rather than an active river channel. The presence

of two peat lenses located about 20-30 cm above the Pleistocene gravels has been a surprising discovery. An examination of recovered pollen and plant remains showed evidence of a mixed beech forest in the upper peat lens and the earlier peat deposit indicated the presence of heath-type pollen consistent with a blueberry heath. A date on one of the peat lenses indicates the change in vegetation occurred about 10,000 years ago. We anticipate confirming this information with additional radiometric dates.

Excavations terminated in mid-January 2003 for weather and is scheduled to resume in spring 2003. Dr. Patricia Miller, of KCI, will give a presentation on some of the Area 2 preliminary results at the upcoming spring SPA meeting. When fieldwork resumes at the site this spring, we hope to have a site tour available for PAC members. The date will be announced through the PAC mailing list. In 2003 all remaining fieldwork at Site 36AL480 will be completed. Draft reports for much of the work will be under review. Portions of the analysis and report preparation will continue into 2004. Follow the progress of these excavations on the District's web site and web cam at http://www.lrp.usace.army.mil/webcam/leet_webcam.htm.

Submitted by Lori Frye and Conrad Weiser

36Yo337 Middle Woodland Site In York County

A Phase II archaeological survey of Site 36Yo337 was completed for the Baltimore District, U.S. Army Corps of Engineers at the Defense Logistic Agency Defense Distribution Center (DDC), New Cumberland, York County, Pennsylvania. During previous Phase IB survey of an area within the DDC, the site was identified on a bluff south of the Susquehanna River. Chronologically diagnostic artifacts suggested that occupation of the site spanned the Late Archaic through Late Woodland periods, but the predominant occupation was attributed to the Early and Middle Woodland periods, marked by Calvert projectile points and grit-tempered ceramics with affinities to pottery found on contemporaneous sites on Three Mile Island. The series of ceramics identified by Smith on Three Mile Island spanned the Early Woodland through early Middle Woodland periods. The assemblages included grit-tempered, cord-marked pottery (as well as fabric and net impressed pottery) and short, wide, stemmed projectile points with affinities to Calvert and Vernon points found at the Accokeek Creek Site in northern Maryland.

Twenty-seven projectile points or point fragments were recovered at 36Yo337. Five stemmed specimens, including four of rhyolite and one of chert, formed the largest group. These points have broad triangular blades and relatively wide, straight-sided stems. This form was suggestive of, but noticeably smaller than the Snook Kill or Savanna River broadpoint types of the Late Archaic. It is more probable that they are related to the small, broad-bladed stemmed points noted by Smith at Early Woodland to early Middle Woodland sites on Three Mile Island in Dauphin County. Smith described these points as "Calvert-like" forms, in turn similar to Calvert points such as those described by Stephenson at the Accokeek Creek Site in Maryland. A small rhyolite point with a wide base was tentatively identified as a Hellgramite point of the Early Woodland, common in Cumberland and York Counties. That point also has similarities to Brewerton ear notched points of the Late Archaic.

Most of the sherds had some form of grit temper, with quartz/feldspar predominating (43% of

ceramics), followed by a combination of quartz and chert (6%) and other crushed rock (10%). The use of various crushed rock tempers is characteristic of Middle Woodland ceramic types in this region. Ceramics from the site are related to a little-known series of pottery found at Three Mile Island and a few other sites in the Lower Susquehanna Valley and are probably related to Susquehanna Cord-marked ceramics of the early part of the Middle Woodland.

A large oval fire pit feature yielded a radiocarbon age of 2300+/-80 B.P. (BETA-112727). This resulted in a calibrated date of 525-175 B.C., placing it within the early Middle Woodland Period. Examination of a flotation sample from the feature revealed that charred plant remains were not plentiful, although walnut, acorn, and grape were identified.

David Rue, A&HC

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PUBLIC EDUCATION

There is no report for this issue.

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COMMITTEE REPORTS

PAC Membership Amends Constitution to Make Requirements For Admission to the Organization More Inclusive

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In the fall of 2001, the PAC membership overwhelmingly voted to amend the organization's constitutionally-mandated requirements for admission. Specifically, the vote focused on Section IV: Membership. The approved amendments make admission requirements more inclusive by 1) requiring a graduate degree OR a Bachelor's degree and a minimum level and type of experience, and 2) making allowances for those who do not have professional publications and/or presentations to their credit. The amendments also streamline the admission process by 1) vesting in the Executive Board, rather than those members present at the appropriate meeting, the authority to decide for or against admittance, and 2) allowing for such consideration at any time during the year.

The amended text of Section IV of the Constitution now reads as follows:

Any person shall be considered for membership in the Council who satisfies the following requirements:

A. A graduate degree in anthropology, archaeology, or a closely-related field; or a Bachelor's degree in anthropology, archaeology, or a closely-related field, and two years of professional experience in a research, supervisory, educational, or administrative capacity.

B. A professional interest in Pennsylvania archaeology. This interest must be documented by the applicant and should clearly demonstrate how the applicant's professional activity has contributed, or may contribute, to the advancement of Pennsylvania's prehistoric or historical archaeology. This documentation may include:

1. Authorship of professional archaeological publications.
2. Authorship of archaeological papers presented at professional or professional/ avocational meetings.
3. Authorship of archaeological contract or grant reports.
4. Development or implementation of archaeological educational or interpretative programs.
5. Administration or supervision of archaeological programs or projects.

C. Applicants shall be admitted to membership upon the positive recommendation of the Membership and Ethics Committee and a positive vote of a majority of the Executive Board. The Membership and Ethics Committee shall establish a schedule for the membership application process such that candidates are admitted in a timely manner after their applications are received.

During 2002, the first year under the new procedures, 10 persons were admitted to the membership, a much higher than usual number than in years past. Presumably, the less onerous requirements and procedures encouraged more people to apply. From the point of view of the person responsible for implementing the process, there is no question that the new procedures are much better than the old. Along with members of the Executive Board and the Membership and Ethics Committee, I sincerely hope that more archeologists plying their trade in Pennsylvania will be encouraged to join the organization under the new requirements and procedures.

Dan Roberts Chair, Membership and Ethics Committee

PAC Essay Contest

The essay contest is still going strong. The last two years have had wonderful award ceremonies with around 50 people in attendance. This past year, one of the winners mother's sent a note thanking us all for a "...wonderful way to encourage children to appreciate [our] work...and to promote the importance of preserving our history...". There is some concern, however, for the small number of teachers/schools that are represented. Some new names are in for the current year, but the numbers are still small. Please send any suggestions for expanding this writing/knowledge opportunity for students to Valerie Perazio. Valerie B. Perazio

DISCUSSION AND DEBATE

"When Every One is Somebodee.."

In short, whoever you may be,
To this conclusion you'll agree,
When every one is somebodee,
Then no one's anybody!

-Don Alhambra, The Gondoliers

Abstract

So-called "lithic scatters" do not usually merit preservation in place, and are subject to similar kinds of field and analytic treatment, regardless of eligibility for listing in the National Register. While the potential exists in Pennsylvania for consensus on standard treatments, there appears to be no consensus on eligibility, nor any forthcoming. Eligibility of these sites is not an academic issue, but a matter of public policy, since the eligibility path chosen has major implications for agencies that need to coordinate tax-supported projects under Section 106 of the National Historic Preservation Act. More than that, the problems in Pennsylvania may push the National Register to decide whether it will be relevant in preservation efforts, or merely a feel-good list for affirming our collective memory.

Disclaimer

The views expressed in this paper are my own and do not necessarily reflect the views of the Pennsylvania Department of Transportation, nor the Federal Highway Administration.

Definition of a Lithic Scatter

The term "lithic scatter" is one that has crept into the literature over the last 25 years, and like "natural foods" or "good music," the meaning is largely in the eye of the beholder. The Pennsylvania Archaeological Site Survey has over 18,000 sites inventoried, and although there are open sites and camps, not one of them is classified as a lithic scatter. I do happen to agree with Michael Barber (2001) that the term should be banished from the language, but none of the alternatives are particularly attractive and I do not wish to add to the confusion by coining another term, acronym'd or not.

By lithic scatter, I do mean archaeological sites composed almost entirely of chipped stone, that behaviorally represent some type of temporary encampment rather than a permanent habitation, that are generally smaller than larger, on the order of one-half acre or less, and that archaeologically represent a constrained suite of tool and artifact types. Artifact densities are on the lower end –less than 10-15 per square meter in excavated and screened area; however, densities in and of themselves are not a defining characteristic.

Neither are characteristics of setting – lithic scatters can occur on upland and flood plain locations.

Lithic scatters do not have an inherent level of integrity. They can be plow disturbed or not. Lithic scatters can contain features, as long as the features are not evidence of a more permanent habitation, e.g. post-molds.

Lithic scatters are best defined by what they are not. They are not villages or hamlets, or base camps. They are not quarries or quarry reduction stations. They are not rock shelters. Various authors have characterized them as surface scatters of debitage, sites that are small, with few artifacts, with few tools or bifaces, and generally without ceramics (Barber 2001:85). I would take this definition one step further. These are archaeological sites for which functional interpretation is difficult to discern. In the end, lithic scatters are the small, difficult to understand sites. But I'll refrain from calling them SDTUS's.

Criterion D – what is important information?

Most archaeological sites that are eligible for listing in the National Register of Historic Places, especially prehistoric archaeological sites, are significant under Criterion D. Criterion D states that a property is significant if it:

"Has yielded or may be likely to yield, information important in history or prehistory"

For a site to be eligible for listing, though, it must also possess sufficient integrity of location, design, setting, materials, workmanship, feeling, and association to convey its significance. A site with excellent integrity is rare in the Eastern United States, and the chances are good that it contains data sets not normally found in other sites, e.g. living floors, internal micro-patterning, plant and animal remains, undisturbed features. These data sets have an excellent potential to tell us important things about the past. The National Register notes that logically one first assesses significance, then integrity; but the ease with which an archaeologist can find meaningful research questions for a site is affected by the site's richness and integrity.

The eligibility of small sites that are not easily addressed by meaningful research questions remain problematic in Pennsylvania, particularly since no statewide context exists. All lithic scatters share certain things in common: they all have a location and a setting; they have an areal extent; they have an assemblage; and are the material remains of past human behavior. All are currently part of a settlement pattern (following Flannery 1976), and were at one time part of a settlement system - from the largest mound group to the isolated find. What archaeologists do best with this material evidence is search for patterns, using available theories, to draw conclusions that inform us about our past. Without a context, the three biggest problem with lithic scatters are that: 1) current settlement studies have become a theoretical dead end, where the goal is assignment of sites to a type, not the behavioral interpretation of the pattern or system; 2) although a central premise of archaeology is that human behavior is patterned, some behavior is random and non-meaningful, but still produces patterns, and mixed remains from successive re-occupations can create patterns artificially; and 3) archaeology is inherently a sampling exercise. Interpretations and decisions about site management are always based on incomplete information. The challenge to archaeologists is to separate the non-meaningful noise from the meaningful information.

Typology is a basic starting point in interpreting archaeological sites. Almost all research and definitely all settlement studies begin with answering the questions, what is it, and to when what does it date? Almost all settlement typologies derived since 1980 owe their intellectual roots to Binford's analysis of hunter-gatherer settlement systems (Binford 1980), especially in defining and

distinguishing collectors and foragers. The archaeologist's "game" for these small, difficult to interpret, sites is to assign them to either procurement camp or transient camp status – procurement camp being the material remains of a specialized work force engaged in a specific utilization of the environment; transient camp being the remains of the entire social unit briefly occupying a location on what is presumed a seasonal round.

In many ways these remains look alike: low-density, lithic scatters, of a smaller size, with some tools, but not the richness of assemblages that comes from a base camp or village. Neither set of remains is likely to have features indicating an investment in the location, like hearths, permanent shelters, etc. Furthermore, as Binford pointed out, these types are ideals, and what is actually going on is a gradient of behavior between collector and forager, procurement and transient. Unless the archaeologist is incredibly lucky, or incredibly brazen, Phase I and II testing is unlikely to provide the kind of data needed to address this very basic question of typology for most lithic scatters, although datable artifacts may be discovered in the process.

When is there enough testing to make that typological assignment? Archaeologists should be able to test enough to determine eligibility (whether this is called Phase II or not). Excavated 1 x 1 m units would certainly uncover features, if present; however, in either procurement or transient camp interpretation, features are not expected. And if one or two features were identified, unless containing excellent preservation, they would be insufficient to type the lithic scatter. Controlled surface collections or aggressive shovel testing or 1 x 1's would certainly recover more artifacts, but would not be expected to reveal an assemblage profile different from the one initially identified. In general, an archaeologist would not expect dense chipping clusters throughout the lithic scatter if none had been identified prior. Nor would the archaeologist expect a hamlet, village or a quarry to reveal itself. Finding a datable artifact, usually a projectile point in the lithic scatter, might provide minimally one time period during which the location was occupied, but other components could be possibly present. Even with substantial testing, the archaeologist is still often left with the problematic lithic scatter and no secure typological assignment. And even with a typological assignment, and perhaps an identifiable time period of association, the archaeologist may come away from the site knowing only that prehistoric populations occupied this space at this time.

So which lithic scatters are likely to yield information important in prehistory, and which possess sufficient integrity of location, design, setting, materials, workmanship, feeling, and association to convey that significance, making them eligible for listing in the National Register of Historic Places? Published National Register Guidance is only partially helpful. When there is an adequately developed context for the resource type, the Guidance provides a clear and logical path for evaluation. When there is not an adequately developed context, the archaeologist is essentially left to his/her own devices. Small sites, such as lithic scatters, are noted in the Guidance, but eligibility is again by reference to a historic context (Little et al. 2000:21). I believe a close read of the published Guidance would support a view that a few lithic scatters would be considered eligible and most not, if a well-developed context existed. I also believe that the Guidance pushes archaeologists away from attributes of integrity as the starting point, and toward important research questions, which are based in what we already know about the past and wish to learn next.

The National Historic Preservation Act

The National Historic Preservation Act, as its title suggests is about preservation. In enacting this law, Congress declared that:

The historical and cultural foundations of the Nation should be preserved¼
Historic properties significant to the Nation's heritage are being lost¼
The preservation of this irreplaceable heritage is in the public interest..

Front and center, Title 1, Section 101(a)(1)(A), expands the concept of the National Register. It is clear to me that the National Register was envisioned as the number one tool for preservation, ahead of the SHPO (Section 101[b]), certified local governments ([c]), and grants to states ([d]). Although archaeological sites were always part of the mix for the National Register, how does the intent of Congress stack up with the reality?

The central paradox of the NHPA and archaeology is that it is necessary to destroy archaeological sites in order to learn about them, making the goals of preservation incompatible with the methods of archaeological discovery. Thirty years ago, this paradox was finessed by stating that information collection was also preservation. The core of this argument is found in the old 36 CFR 800 research exception to adverse effect.(1)

In practice, the regulation pushed agencies to data recovery as the sole mitigation measure. The no adverse effect finding also permitted agencies to "fly below the radar" of public interest or involvement, so that the eligibility of the site was not as important as the treatment plan. FHWA and PENNDOT got in the habit of seeking SHPO approval of a work-plan, and with that approval would proceed with final design. No adverse effect, no problem. The SHPO got in the habit of arguing "site eligible, no further work." Again, no adverse effect, no problem. However, none of these decisions have anything to do with actual physical site preservation.

Changes in the Regulations and Change in Process

In 1999, the Advisory Council on Historic Preservation made several changes to the implementing regulations for Section 106 of the National Historic Preservation Act. One of the changes to 36CFR800 was to remove the research exception to adverse effect for archaeological sites that would undergo data recovery as a mitigation measure.

The 1999 changes corrected the long-standing situation whereby a historic structure could be adversely affected by indirect impacts such as noise or visuals, yet an archaeological site could be completely destroyed but the effect is not adverse. Now impacted eligible sites are adversely affected, and require an MOA. This has meaningful impacts on how the Section 106 process is concluded.

It cannot be presumed that a site that is eligible warrants no further work simply on the opinion of the SHPO (Table 1). Regardless of the appropriate mitigation (including no mitigation), a memorandum of agreement must be executed. Prior to the MOA, an effort to identify consulting parties needs to be continued. While FHWA and PENNDOT may be seeking consulting parties throughout the 106 process, it is often the adverse effect finding that triggers interest in the community and brings these groups forward.

One of the groups who's views need to be sought are Native American tribes. In Pennsylvania, FHWA has identified at least 12 Federally recognized tribes who might have a legitimate interest in historic properties found in Pennsylvania, even though there is no reservation or tribal land within the Commonwealth. FHWA is currently in the process of sorting out which types of projects and which types of sites, the tribes are interested in. Eventually, FHWA and PENNDOT are optimistic

that each of the tribes that have an interest in historic properties, including archaeological sites, will choose a targeted subset of all projects and sites involved.

Concurrent with continued consultation on resolving adverse effects, the FHWA must notify the Advisory Council and afford the Council the opportunity to participate. The Council has 15 days from the time of notification to decide to participate or not. Beyond coordination with consulting parties, tribes, and the Council, the regulations provide an appropriate notification to the public and their opportunity to comment, which is understood to be 30 days.

At the end of the comment period, assuming non-participation by the Council and a consensus resolution of adverse effects, a memorandum of agreement can be executed. Minimum signatories include FHWA, as the lead agency, the SHPO, and PENNDOT, as an invited party. The average MOA takes 8 weeks to execute and file, with FHWA as the final signatory. Once FHWA files the MOA with the Advisory Council, the MOA is executed, and 106 consultation is then concluded. Adverse effect, big problem.

4(f) and lithic scatters

The National Historic Preservation Act is not the only applicable statute relevant to historic preservation and archaeological sites. In addition to Section 106 considerations, there is the National Environmental Policy Act (NEPA) and what is commonly referred to as Section 4(f) of the Transportation Act of 1966. For historic resources, the Federal Highway Administration's regulations require the agency to consider the "use" of a historic property and to demonstrate that there is no prudent and feasible way to avoid that use. If there is still a 4(f) use, the agency is directed to then minimize, and finally mitigate that use which cannot be avoided or minimized.

As currently interpreted by FHWA, in 23 CFR 771, there is an exemption specifically crafted for archaeological sites. If an archaeological site does not warrant preservation in place and is important chiefly for the information it contains, then there is no 4(f) use, and subsequent efforts to avoid, minimize, or mitigate do not apply. Of course, removing 4(f) considerations does not affect Section 106 obligations. For exceptional sites that do warrant preservation in place, and for sites important chiefly for reasons other than the information they contain, then 4(f) does apply.

The current regulations have been under review by FHWA, and applicability of 4(f) to archaeological sites has been in discussion, particularly with reference to the recent changes in Section 106 regulations. The current exemption for most archaeological sites is understood not to change merely because impacts to an archaeological site would be considered an adverse effect; however, some within and outside of FHWA have argued that should be the case, and changes to 4(f) are being discussed for the next re-authorization of transportation funding.

Proposed Alternatives

A number of states have grappled with the problem of small, hard to understand sites, and although details vary, they have been able to draw a consensus around treatment and even eligibility, formalized into a document of policy, or a programmatic agreement. In some states, the sites in question are considered eligible, in other states they are not. In some, context is emphasized more than in others, but in each case there appears to be clear enough guidelines to know where you stand upon finding a site and what needs to be done.

A similar approach could be productive for Pennsylvania. Reflecting the recent Guidance provided by the National Register, the treatment plan would need to be packaged with a thoroughly formed context. This context needs to synthesize the existing knowledge base as related to lithic scatters, providing in some detail, the *specific* research questions the site type is expected to address. In producing this context, Pennsylvania would be stating what is known, region by region, time period by time period, and what specific important questions need to be answered.

One of the immediate advantages would be a standardization in capturing site data, especially at the lower end of the spectrum. State guidelines are relatively clear for the level of effort needed to identify sites, but evaluation of sites that are identified is completely case-by-case. The conundrum faced by Agency archaeologists is that we are following the National Historic Preservation Act, and our testing is designed to get to the answer on eligibility quickly. For an Agency, the resulting identified sites, collected artifacts, analysis, and reports are *byproducts* of this process, not the main goal. From a purely research perspective, the sites are also a source of data, some of which is interpretable by current techniques, some which may be interpretable at some future date with advances in archaeological science and theory. While it might be nice to more fully excavate each of these sites and collect more data, there is nothing in the regulations to push the Agency in that direction, other than a mitigation as a result of an adverse effect. Consequently, there is a gap between compliance requirements and a fully realized research program. The states that have working treatment plans appear to have resolved that gap.

In addition to standardization, a treatment plan firmly grounded in a historic context should resolve the question of site eligibility. The logic of why some sites and not others are considered eligible needs to be clearly communicated to the public. This should be highly preferable to the current situation of disagreements between the SHPO and the Agency, followed by weeks or months of uncertainty as the parties attempt to resolve the disagreement. For the Agency, this is a lose-lose proposition, since "victory" usually entails lengthy delays in the project and additional consultant and staff costs as the Agency must prove the negative to the SHPO and/or the National Register. The current situation is a lose-lose proposition for the SHPO as well. If the Agency prevails, the SHPO will have needlessly spent internal political capital, as well as having spent scarce staff resources for a site that has no preservation future and limited information value. If the SHPO prevails, what in fact has been preserved?

I believe that any effort to develop a treatment plan needs to be an open and public consultative process. It needs to consider the views of the SHPO, agencies, interested parties such as SPA and PAC, tribes, and the public. It would be arrogant and foolish to leave the development of a treatment plan to professional archaeologists alone.

Most likely, a treatment plan would be the basis for a programmatic agreement. As in other more modest agreements, most of the time is spent in consultation, not in the actual execution of the agreement. If other existing or proposed agreements are any indication, the process for reaching a treatment plan, and agreement will take from 3-5 years. If the process is truly open, success will come, and it will be a fairly simple matter to explain the program to agency officials and the public alike.

Closing

The title of this paper comes from a Gilbert and Sullivan operetta, *The Gondoliers*. It is from the song, *There Lived a King*, about the Kingdom of Barataria, where in the name of republicanism

everyone is promoted to the top "of every tree." William Schwenck Gilbert, the librettist, knew when everyone is valued as a bishop, or chancellor, or prime minister then these roles become meaningless. Like the Kingdom of Barataria, making most lithic scatters eligible for listing in the National Register of Historic Places in the end renders that distinction meaningless, cheapening the Register and its purpose. A well-developed context that summarizes existing knowledge and establishes the important research questions will allow everyone to make the hard choices necessary to sustain public support for this public law, and to value that which we call important.

Notes:

(1) When the historic property is of value only for its potential contribution to archaeological, historical, or architectural research, and when such value can be substantially *preserved* through the conduct of appropriate research, and such research is conducted in accordance with applicable professional standards and guidelines (36CFR800.9.c.1)(my emphasis)

(2) DON AL.

That King, although no one denies
His heart was of abnormal size,
Yet he'd have acted otherwise
If he had been acuter.
The end is easily foretold,
When every blessed thing you hold
Is made of silver, or of gold,
You long for simple pewter.
When you have nothing else to wear
But cloth of gold and satins rare,
For cloth of gold you cease to care--
Up goes the price of shoddy.

MAR. and GIU.

Of shoddy, up goes the price of shoddy.

DON AL.

In short, whoever you may be,
To this conclusion you'll agree,
When every one is somebodee,
Then no one's anybody!

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Ira Beckerman
Pennsylvania Department of Transportation

John Milner Associates Mourn Loss of a Colleague and Friend

PAC member Douglas C. Kellogg died unexpectedly on April 7, 2001. For the past six years he was a principal archaeologist at JMA. His undergraduate degree was in Physics from the University of Arkansas, Fayetteville; he held a Masters degree in Quaternary Studies from the University of Maine at Orono where he also earned a Ph.D in Paleoenvironmental Archaeology. Last year Doug organized a field trip for the Geoarchaeology Interest Group in conjunction with the SAA annual meeting in Philadelphia, April 2000. He led a group of approximately 30 members to several stops along the Delaware River coastal plain to, in Doug's words, "introduce and explore geoarchaeological issues current in the Middle Atlantic region and to encourage discussion and interaction among individuals interested in Geoarchaeology". Doug's enthusiasm and commitment is reflected in the success of this day-long trip and in the web page he designed to promote further interest in this field. The address for the site follows:

http://www.ellesworth.com/GIG_Trip/home.html

He was a member of the Register of Professional Archaeologists, The Society for American Archaeology, the Geological Society of America, the Delaware Archaeological Society and the Pennsylvania Archaeological Council among others. His family request that contributions may be made in his memory to the American Friends Service Committee, 1501 Cherry St., Philadelphia, PA 19102; WXPB radio station, 3905 Spruce St., Philadelphia, PA 19104 or the Southern Poverty Law Center, 400 Washington Ave., Montgomery, AL, 36104. Contributions in his memory may also be made to the Geoarchaeology Interest Group of the SAA, 900 Second St. N.E., Suite 12, Washington, DC 20002-3557

Editor's Note: Due to the length of time since the last issue of the PAC Newsletter, a number of items, including the tribute to Doug, were delayed in appearing. This in no way diminishes our sense of loss, nor the importance of honoring his memory.

Date: October 2001

To: Friends and Colleagues of Doug Kellogg

From: Dan Roberts and Rolfe Mandel

Re: *Douglas C. Kellogg Fund for Geoarchaeological Research*

Many of you may know that we are trying to establish a fund under the auspices of the Society for American Archaeology's (SAA) Geoarchaeology Interest Group in memory of Doug Kellogg. Those familiar with Doug's extensive knowledge and research in the field of geoarchaeology understand what a fitting tribute this will be to his memory. The fund will provide dissertation or thesis support to a recipient selected annually whose area of graduate study is geoarchaeology.

John Milner Associates, Inc., the family of Doug Kellogg, and other entities will provide contributions to start the fund. However, contributions by individuals are also needed in order for it to be a "self-perpetuating" fund, with awards made from the interest earned on accumulated assets.

Many of you have indicated an interest in helping to establish this memorial fund by making a personal contribution. If you would like to do so, please fill in the amount you expect to contribute below. Having an idea of the approximate level of "seed money" will help the Geoarchaeology Interest Group and the SAA in their planning. Once particulars are established, we will let you know when and to whom your check is to be made out.

If you'd like additional information or have any questions about the fund, please feel free to contact either one of us. Thank you for your consideration!

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PAC COMPUTER USER'S COLUMN

There is no article in this issue

ANNOUNCEMENTS

Included with this newsletter is a copy of the Oberly Island report by John Milner Associates that has been turned into a CD by Joe Baker of PennDOT and Sarah Clark of IUP Archaeological Services, produced courtesy of PennDOT for the PAC membership. I have also talked to the board about including copies of the King of Prussia Inn publication and possible the Gaydos tavern publication.???

Several other CDs on archaeological projects and conferences are also available:

1. GAI Consultants, Inc has produced a CD version of a Context Study for the Upper Juniata Basin. Copies can be obtained by contacting Doug McDonald, Ben Resnick, or Jon Lathrop at GAI. Doug's email is d.macdonald@gaiconsultants.com.

2. IUP Archaeological Services has produced two CDs of the proceedings of the Byways to the Past Conferences. One contains the proceedings of the first two conferences in 2000 and 2001. The second contains the proceedings from the third conference in 2002. FYI flyer information is available on the website at <http://www.pennbyways.org> for the 2001 and 2002 conferences. Copies of the CDs which contain transcriptions of the presentations and in some cases are illustrated with graphics from power point presentation are available from IUP by contacting Beverly Chiarulli bevc@iup.edu.

MEETING AND EVENTS CALENDAR

** Please send notices of upcoming events to the editor.

PLEASE NOTE

PAC encourages its members to join the Society for Pennsylvania Archaeology. It is important to foster communication between professional and avocational archaeologists. Moreover, membership in SPA supports Pennsylvania Archaeologist in which PAC members often publish.

SPA annual dues are \$20.00 for individuals, \$18.00 for students, and \$25.00 for families, which should be sent to:

Society for Pennsylvania Archaeology
P.O. Box 10287
Pittsburgh, PA 15232-0287

EDITOR'S NOTE

Materials for the PAC Newsletter should be sent to:

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Phone: 215-699-8006; FAX: 215-699-8901

EMAIL: Kbasalik@chrsinc.com

Please send contributions by email or on disk (Wordperfect preferred). Short items, 1 page or less, may be submitted in hard copy or by FAX.

Deadline for next issue:

June 30, 2003

NOTE: Please make sure PAC has your current FAX and/or Email addresses so that we may distribute urgent information as quickly as possible. Send updates to Mark McConaughy.
