

# Memorandum

**To:** Doug Wickizer, Staff Chief  
Environmental Protection Program  
California Department of Forestry and Fire Protection

**Date:** December 19, 2006

**Telephone:** (916) 653-0839

**Website:** [www.fire.ca.gov](http://www.fire.ca.gov)

**From:** Dan Foster, Senior State Archaeologist (Sac HQ)  
Rich Jenkins, Senior State Archaeologist (CNR)  
Linda Pollack, Lead Archaeologist (CSR)  
CDF Archaeology Program

**Subject:** CDF Archaeology Program's Response to the 11/13/06 Letter  
Sent by the Society for California Archaeology

The Society for California Archaeology (SCA) recently submitted a letter, dated November 13, 2006, to the Department and to the Board of Forestry which expresses their concern with an inadequate level of protection being afforded to cultural resources and their perceived inadequacies of the CDF Archaeology Program. This letter was sent by Shelly Davis-King in her capacity as SCA Past President. The purpose of this memo is to submit an analysis from the CDF Archaeology program regarding the contents of the SCA's letter, including a description of the current workload issue, events which contributed to it, and what is needed to correct the problem.

## General Comments Pertaining to the Letter

The concerns raised by the SCA are valid. The CDF Archaeology program is indeed significantly understaffed and too much reliance is being placed on archaeologically-trained RPFs and other personnel to conduct archaeological survey, site recording and site protection work simply because CDF does not have enough professional archaeologists on staff to provide the oversight and support in the way the program was intended. Decisions affecting cultural resource protection are routinely made by the CDF Inspector and participation by a CDF Archaeologist is now based on limited availability rather than true need. It has been this way for quite a few years in several parts of the state. Other areas such as HUU, which has an archaeologist on staff, are better covered. The state's heritage resources are not being adequately protected on far too many projects and the number of poorly reviewed projects is increasing. The number of site-damage incidents being reported, such as the one reported by the SCA, also is increasing.

## Problem Description and Analysis

The biggest challenge facing the team of CDF Archaeologists is trying to complete an overwhelming workload without sufficient staff or resources necessary to complete project reviews for some 1400 projects per year at a level needed to ensure adequate site

identification and protection. These project reviews are critical as CDF has historically relied on non-archaeologists to perform archaeological work. Over 1700 individuals have participated in CDF's Certified Archaeological Surveyor training program since 1982 and it is imperative that the archaeological survey work performed by these non-archaeologists is evaluated for adequacy by a professional. In past years, archaeological sites were usually identified and protected with great reliability because CDF used its team of professional archaeologists to conduct field inspections on a good percentage of the projects. These field inspections allowed CDF to correct inadequate survey work and incorporate additional site protection into project design before projects were approved or implemented.

A number of changes have occurred within the past ten years which increased the workload for CDF's small team of archaeologists. Over time this has forced them to make fewer field inspections and spend less time evaluating the adequacy of work performed by non-archaeologists. For the past few years, the frequency and level of plan field review by CDF Archaeologists has been significantly reduced, to the point that participation by a CDF Archaeologist on a preharvest inspection is an infrequent occurrence in many counties. As a result, sites are being missed and damaged with increased regularity. These are sites that should have been found, and would have been found and protected, if CDF had enough archaeologists on staff needed to implement a program of statewide review. CDF recently completed a workload study prepared to support a Budget Change Proposal (BCP) for additional archaeology staff. This study indicated that CDF needs a minimum of 14 staff archaeologist positions to deliver the program as currently structured. The Department currently has eight archaeologist positions (six of these are filled – two are vacant) plus additional help provided by contracts with State Universities and the Department of Parks and Recreation. CDF needs at least six more staff archaeologist positions to be able to continue a Certified Archaeological Surveyor training program and provide the professional oversight for the archaeological surveys they conduct statewide.

Investigations by CDF Archaeologists following reports of site damage typically reveal that sites were damaged because they were not adequately identified during THP development, and inspection by a CDF Archaeologist was either completely absent or insufficiently scoped due to lack of CDF archaeologist staff time to perform the level of review needed for that particular project. In these situations there is usually no enforcement action that needs to be undertaken. In most instances, the RPFs that completed these incomplete surveys have not done anything wrong, other than to not be professional archaeologists. Although most RPFs are good at finding historic features, many simply can't see the more subtle forms of cultural resources nor do they have the qualifications and expertise needed to identify site boundaries and provide adequate protection. In most instances they have followed existing Forest Practice Rules and CDF procedures. The breakdown is linked to the necessity for a certain level of professional archaeologist review and oversight but insufficient CDF staff to provide this expertise necessary during project review.

The Certified Archaeological Surveyor Training Program was never intended for Certified Archaeological Surveyors to *independently* conduct archaeological survey work without sufficient review provided by a CDF Archaeologist. However, due to workload pressures,

CDF's field review program has been significantly reduced and non-renewable archaeological sites are being missed and damaged as a result of inadequate review.

### Events Which Contributed to Workload Shifts

A number of major events have occurred during the past ten years which contributed to workload shifts affecting CDF Archaeologists. These are listed and discussed below. It is true that over this same period of time, the number of annual THP submittals is way down from what it once was. The current volume is about 600 THPs and 120 NTMPs per year. But in its heyday, the Department at one time received about 2000 plans per year. Back then, a cultural resource issue was rarely identified and those that were noted occurred in less than 5% of the plans. Now, and more justly noted, complex cultural resource issues exist on over 60% of the plans. This is due to the fact that several hundred sites are found by the RPFs during THP preparation – sites that previously were overlooked. In recent years, the average number of acres harvested in each plan has significantly increased in the Cascade and Sierra Areas (and has actually decreased in the Coast Area), but archaeological survey and site protection documents supporting these plans have become larger and far more time consuming to review.

VMP Program In the early years, the Vegetation Management Program (VMP) used professional archaeologists for field surveys and impact assessments to comply with CEQA. As CDF's Certified Archaeological Surveyor training program evolved, the Department began to use VMP Coordinators to conduct archaeological survey work which added workload to the CDF Archaeologists assigned to provide support. The area of responsibility for CDF's archaeologists now covers the state of California, not just the private timber areas where five of our six archaeologists are placed. Since most of the CDF Archaeologists are based in the timbered areas of Northern and Central California, a driving distance of 200 miles is not uncommon and these projects are often quite large requiring multiple days of fieldwork. Recently, the VMP Program has provided substantial levels of contract funding for additional archaeological resources which provides valuable assistance, but the time that must be given by CDF Archaeologists to support this program continues to be substantial.

Federally Funded Programs In 1995, CDF began to receive millions of dollars each year from federal agencies to deliver federally-funded programs on private lands in California. This has resulted in a steady increase in the number of projects CDF archaeologists must review. These projects are distributed throughout the state at considerable distance from the nearest CDF Archaeologist. Because federal funds are used, these projects constitute *undertakings* subject to the requirements of Section 106 of the National Historic Preservation Act. The archaeological review standards for this federal law are higher than what is required by the Forest Practice Rules. These federal standards require more frequent involvement by a CDF Archaeologist and include a series of additional tasks including required monitoring, consultation with the State Office of Historic Preservation (SOHP), and annual performance review. CDF negotiated a Programmatic Agreement with multiple federal agencies that fund and review these programs to clarify CDF's archaeological review procedures.

Native American Consultation Program CDF Archaeologists now have an enormous new workload resulting from an expanded Native American Consultation program. This program began in 1985 when a lawsuit filed by the Environmental Protection Information Center (EPIC) was upheld in appellate court creating case law affecting how THPs must be reviewed for cultural resources. Participation by Native American groups during review of THPs and other CDF Projects has steadily increased. In some counties, participation by Native American groups now takes place on every single project and additional PHIs attended by CDF Archaeologists to address Native American issues are no longer an infrequent occurrence. Considerable staff time is necessary to maintain the CDF Native American Contact List on the Archaeology Program Web Site (mandated by the FPRs), support the Native American Advisory Council (which originated as a Board Committee and was later handed over to CDF), provide training, develop procedures and documents, and help resolve disputes. CDF's Native American Consultation Program has developed into a highly successful and effective program which has led to better THP planning. CDF has not provided additional staff for this added work. If the workload problem remains unresolved one of the unfortunate outcomes will be damage to the positive, cooperative relationships which have been developed between CDF and the Native American community in California.

Site Record Review Another major contributor to the workload issue is time spent by CDF Archaeologists reviewing archaeological site records prepared by RPFs for THPs and other CDF Projects. We estimate there are about 600 such records submitted each year. We also estimate that about 150 of these are related to sites found by CDF Archaeologists during inspections that were missed during initial survey. It is not uncommon for a THP in the Central Sierra, after initial survey and inspection by an archaeologist to have 50 archaeological sites present within the plan area. Because we very seldom see a site record that meets professional standards at first submittal, considerable time is spent generating recommendations to RPFs for revision of the records to make them compliant with SHPO Site Recording Guidelines. The task of reviewing them for content, accuracy, and professional quality was given to the CDF Archaeologists about 10 years ago without additional staff. This greatly reduces the number of field inspections that these archaeologists can attend. We considered the possibility of dropping this work but soon realized that direct access to the Information Centers (ICs) by RPFs would be discontinued if CDF did not review site records, require corrections, and transmit them to the ICs to ensure that the state's site recording standards have been met. Training efforts in this task have also been increased, yet again increasing the workload.

Protection of Sites on Wildfires CDF recently initiated a policy to require a CDF Archaeologist on every wildfire where an Incident Command Team has been assigned. To make this work, CDF Archaeologists completed Fire Fighter I Academy (a month-long course), Basic ICS, and other training courses to be able to work safely and effectively on the firelines. This policy was initiated by the Department following the disastrous level of damage to cultural resources resulting from suppressing the 2002 Pines Fire. The public demanded that CDF begin to give consideration for cultural resources. The purpose of assigning an Archaeologist to an incident is to identify and protect important archaeological, historical, and other types of cultural resources whenever feasible if such protection can be accomplished in a safe manner without delaying or hindering emergency response operations. The CDF Archaeologists never

compromise safety for the protection and preservation of archaeological and historic properties, and have become viewed as an asset to the team they support.

Archaeological Training Given CDF first began providing cultural resource awareness training for RPFs in 1979. From 1979 to 1990, attendance in these courses was voluntary. In 1991, with the adoption of the first set of Forest Practice Rules which required RPFs to complete a number of tasks related to protection of cultural resources, the training program became mandated by regulation and CDF's Certified Archaeological Surveyor training program was born. In the early years, the initial training course was given in a large lecture hall once each year, but in response to a demand from RPFs to deliver more effective training, the maximum class size was reduced to 40 students which required CDF to deliver multiple sessions rather than a single one. We usually provide about 8-12 classes per year to fill the current need. In 1989, the initial training course used to be given in two 10-12 hour days. The length was increased to 3 days in 1991, four days in 2000, and five days in 2005. The course curriculum has evolved and expanded over those years to include training on tasks and skills not initially covered. For example, the Board passed additional archaeology rules in 1997 which clarified site recording requirements for RPFs and asked CDF to deliver this expanded training to its certified surveyors. This was a significant increase in course content and workload. In 2003, the Board passed new archaeology rules which changed the way Native Americans were consulted during THP preparation and review. These rule changes required additional training be provided in the full course which contributed to the increase in the course length and workload.

The complexity of refresher training sessions has also increased over the years with multiple classroom and field sessions needed to cover a variety of new topics. We are tasked to recruit and train RPFs, consulting archaeologists, and Native Americans to become members of the training cadre, find new field sites and change classroom and field locations as needed. Obtaining permission from landowners to hold field exercises has gotten trickier with new issues related to indemnification. Considerable time is now required to execute hold-harmless agreements between the landowner and every student that attends the training.

CDF Archaeologists have been given additional assignments to provide training at the Academy and other locations to CDF's fire control personnel. This includes cultural resource awareness training in Fire Fighter Academy (FFA), Heavy Fire Equipment Operator (HFEO), Crew Captain, Fire Suppression Repair, and for unit's requesting additional training for their fire personnel. CDF Archaeologists also provide training to staff and personnel associated with the Department's Resource Management programs concerning cultural resource review procedures required by the Department.

Historic Building Management Plan In 2001, CDF adopted a statewide plan for the management of its archaeological sites and historic buildings. Execution of this plan institutes a host of new assignments. Environmental review of Department Minor Projects is done within the Department and relies on support provided by CDF Archaeologists. Although CDF's Capital Outlay Program utilizes Environmental Planners plus contractors from Department of General Services (DGS) for CEQA work supporting Major Projects, considerable time is spent in consultation with the DGS Environmental Planners and their contractors to explain and to

guide them in correctly following the CDF Management Plan. California Executive Order W-26-92 requires CDF to appoint an *Agency Preservation Officer* who is responsible to ensure that the State's policies for the protection of cultural and historic resources are carried out. This assignment, which includes the development of heritage resource management plans, policies, and procedures, was given to the CDF Archaeology program in 1992. Workload associated with this task was significantly increased when the Management Plan was adopted in 2001. Due to constant erosion of promises CDF faces a need to prepare a new Management Plan and EIR, and even if a contractor is retained for assistance this task will contribute a significant volume of new work for CDF Archaeologists.

State Forests Cultural resource management work on State Forests has previously been limited to review of timber sale areas with very few exceptions. However, CDF has management responsibilities on state owned lands that extend outside the requirements of CEQA for project review. This work has been deferred for years due to lack of staff time, but public pressure at Jackson Demonstration State Forest (JDSF) and other state forests has required CDF to develop new management plans which include many new responsibilities given to CDF Archaeologists. The State Forest program recently created an Associate State Archaeologist position to take on this new work, but the position is special-funded (FRIF) and therefore can't be used to help complete anything other than State Forest workload with rare exception. This position is currently vacant because funding isn't presently available.

These are just some of the major events which affected the workload of CDF's small team of staff archaeologists. Most of these events were given without additional staff being provided. We have attempted to complete the increased work assignments through efforts other than adding staff such as increased contractor support and providing additional training to RPFs. These efforts have resulted in some success but the problem has grown worse lately and as workload increases continue.

### Policy Documents Referenced in the Letter

The SCA letter made reference to a Memorandum of Agreement (MOA) between CDF and the State Historic Preservation Officer (SHPO) which requires professional archaeologists to oversee and review RPF surveys. There are actually several agreement documents that speak to the issue of the level of professional archaeologist oversight that CDF is obligated to provide in support of the Certified Archaeological Surveyor training program. We have listed these agreements and provided relevant excerpts in Attachment #1 to this Memo (Memo pages 12-13).

The use of archaeologically-trained RPFs to conduct archaeological survey and protection work is unique to CDF. Every other agency in California uses professional archaeologists for such work. CDF and the Board were able to secure approval for this unique program through the above-listed policy documents but there were strings attached. The federal and state review agencies, Information Centers, and members of the public who participated in the development of these agreements were promised that CDF would ensure that a certain level of professional oversight would be provided. In the mid-1990's, with a highly-trained team of RPFs, and frequent involvement of a staff archaeologists, the survey and protection work

developed on THPs was outstanding. RPFs have continued to do their part and continue to perform impressive work. Over the past 10 years the available staff time for CDF Archaeologists to effectively review THPs has gradually declined due to the workload increases mentioned above as well as the overall growth of the number of Certified Surveyors seeking our assistance.

### Extent of the Problem

The workload study for the BCP contains detailed information about how many Timber Harvesting Plans and other CDF Projects should have field inspections conducted by CDF Archaeologists and how many inspections actually take place. For example, in HUU, where we have an Archaeologist on staff specifically for that Unit, approximately 50% of the projects where it has been determined should have CDF Archaeologist field review actually were reviewed in the field by an archaeologist. In TCU, only 25% of the projects requiring a professional archaeologist received this field review. If you review Unit by Unit you will note that a CDF Archaeologist conducted necessary field review about 40% of the time (in many cases the field review was conducted by a contractor and not a CDF Archaeologist).

In trying to determine how many CDF projects would result in significant damage to cultural resources without adequate review and/or field inspection by a CDF Archaeologist, our team of CDF staff archaeologists completed a random review of THPs in which a CDF Archaeologist attended the PHI. This information, which describes the cultural resource issues addressed during those inspections, is contained on pages 14-16, Attachment #2 of this Memo.

Of the plans reviewed, depending on the Region, between 25% and 50% of the inspections revealed that cultural resources would have been damaged by timber operations had the CDF Archaeologist not attended the PHI and corrected the deficiency. Due to limited staff availability and including the use of our contract resources, we are presently only able to make a field inspection on 40% of projects where first review determined that a CDF Archaeologist should be present. The Department does not wait if a CDF staff or contract archaeologist is unavailable and only rarely requires the applicant to hire one. We simply do the best job we can using the information provided by the RPF and from the inspection report by the CDF Forester. We estimate that approximately 100 to 200 archaeological sites are damaged each year on Timber Harvesting Plans and other CDF projects because they were approved without adequate protection measures for cultural resources.

The complaint raised by the SCA about site damage on one particular THP located in TCU is not an anomaly. Most of this damage goes undocumented. Sometimes the damage gets reported to us by a neighbor or by an archaeologist visiting the property later – as was the case with Shelly Davis-King. The CDF Archaeologists could conduct post harvest inspections and monitor the effectiveness of protection measures written into plans, and these efforts would enable the Department to more accurately quantify the number of sites being damaged each year. Out of necessity, almost 100% of our limited resources are devoted to pre-approval review work to maximize our ability to prevent damage from occurring. During the initial office review the CDF Archaeologists triage the projects. Highest priority is given to

attending inspections where there are known sites or the projects have a high potential for undocumented cultural resources. CDF Forest Practice Inspectors check to see if archaeological sites were protected as stated in the plan, and occasionally have observed those instances where obvious damage has occurred. They bring in a CDF Archaeologist at that time. But the CDF Archaeologist rarely, if ever, has time to make follow-up inspections on those plans other than the ones requested by the Inspector.

### What is Needed

The workload analysis developed for the BCP contains a detailed assessment of the current workload and a determination of the number of staff archaeologist positions needed to complete it. That review documented a need for a minimum of fourteen (14) archaeologist positions to deliver the program as currently structured. CDF currently has eight (8) positions although two of these are vacant at this time. The minimum need is for six (6) more positions including one Program Manager and five Associate State Archaeologist positions. This would result in fourteen positions filled in these three classification levels:

- One (1) Archaeology Program Manager placed at Sacramento Headquarters. This position should be classified as either a *Supervising Environmental Planner* (Environmental Planner series) or a *Supervisor, Cultural Resource Program* (State Archeologist series).
- Two (2) Senior-level (Supervisory) Archaeologist positions, one stationed in CDF's Northern Region and one in the Southern Region, classified in either the *Senior Environmental Planner* or *Senior State Archeologist* classification.
- Eleven (11) Associate-level archaeologists distributed in key field locations. These should be filled at either the *Associate Environmental Planner (Archaeologist)* classification or the *Associate State Archeologist* class.

In addition to the quantitative workload study completed to determine the number of positions required, it might be helpful to review the number of archaeologists on staff at other public agencies in California with similar areas of responsibility as well as the number of positions on staff at CDF and other state agencies responsible for THP review. These data are presented in Attachment #3, page 17, of this Memo. The relevance of this information lies in the fact these agencies carry out a similar mission and reveal the number of archaeologists they use to complete the work.

The information in Attachment #3 reveals that CDF has far fewer staff archaeologists than any other similar agency in California. The California Department of Parks and Recreation has 42 archaeologists, the California Department of Transportation 132, and the USDA Forest Service 81. The CDF Archaeology Program is also seriously understaffed when compared to state Department of Fish and Game (DFG) and Water Quality Control Board (WQ) staff assigned to each agency's Timber Harvest Plan Review program. Each of these agencies are part of the CDF Forest Practice Review Team and perform initial review and field inspections of newly submitted THPs as do the CDF staff archaeologists. DFG has committed a statewide

staff of 34 individuals to review the adequacy of RPF work regarding plant and animal issues on THPs and WQ has devoted 32 positions for the review of water quality issues. These other agency personnel are experts in their fields, conducting field inspections that the RPF and CDF Inspector have already made, but a resource expert is utilized to either add additional resource protection or concur that the level of protection is adequate. CDF's Archaeology Program can not perform a similar level of review with a staff of only 8 persons let alone perform the review of dozens of additional projects in the Vegetation Management, Reforestation, Capital Outlay, and Fire Protection Programs. This is why cultural resource damage is occurring.

The total on-going cost for adding six additional positions to the CDF Archaeology Program would be approximately \$520,000 per year. A detailed assessment of this cost is provided in the BCP.

### Conclusion

The issues raised by the SCA do indeed have merit. There is a significant shortage of archaeologists on staff at CDF severely limiting the Department's ability to complete archaeological review work required by state and federal law. The level of review provided by CDF Archaeologists in terms of the numbers of field inspections given and length of time spent on review has steadily decreased over the past several years due to increases in other types of work and support of additional programs within CDF. Too much reliance is now placed on archaeologically-trained foresters without sufficient oversight by professional archaeologists. Cultural resources are being damaged as a result.

The SCA letter mentions the Memorandum of Agreement between the State Historic Preservation Officer and CDF, which requires, among other elements, that CDF will provide adequate professional archaeologist oversight, supervision and review of archaeological work done by resource professionals involved in the Certified Archaeological Surveyor program. As detailed in Memo Attachment #1, there are actually three such agreements with SHPO. The consequence of CDF's inability to fulfill this obligations under these agreements adequately may well be that the SHPO will determine that CDF is not in compliance with the terms of the agreements and, therefore, the agreements must be either amended or terminated. Possible fallout from this would be that RPFs would lose direct access to the Information Centers as well as the loss of CDF's ability to continue to use archaeologically trained resource professionals in the way they have been used. Another likely consequence of CDF's ongoing inability to adequately oversee the cultural resource survey work of RPFs and others would be the loss of millions of dollars in federal funding.

The discussion of CDF's workload problem described in this memo should not be interpreted as a negative criticism of the work done by RPFs. RPFs have enthusiastically completed initial and on-going archaeological site recognition training provided by the Department. Over the past 20 years, RPFs have done an outstanding job in their role of identifying and protecting cultural resources on CDF projects. The Golden Trowel Award is presented annually in demonstration of the kinds of efforts made by RPFs to protect this resource. If

CDF is forced to reduce the services provided by a reconfigured Archaeology Program and discontinues delivery of its Certified Archaeological Surveyor training program, it is truly unfortunate that the RPFs and the landowners they serve will be so drastically impacted by CDF's staffing issue.

The Professional Foresters Registration Program in California has established policy concerning the practice of forestry as it relates to other professions. This policy, supported by state law, speaks to the required involvement of an RPF for projects involving the application of forestry principles and techniques for managing forested landscapes. It also endorses an interdisciplinary approach in the management and treatment of forested landscapes. When an RPF's expertise is exceeded in a particular activity, the RPF is obligated to utilize the services of other qualified experts such as an archaeologist. When an RPF encounters a situation clearly outside his or her level of archaeological expertise they are required to bring in a professional archaeologist. However, there are two reasons why this policy does not solve the problem at hand. In most instances, the RPF has made a good faith determination that cultural resources are being adequately protected and sees no need to bring in a professional archaeologist. State policy should ensure more frequent archaeologist involvement. The other reason why this policy does not adequately address the problem is that CDF does not restrict its certification training to just RPFs. Of the 1703 resource professionals certified for archaeological survey work, approximately 1200 are RPFs. The other 500 surveyors are forestry technicians, timber operators, wildlife biologists, Native Americans, firefighters, timberland owners, and others who work on THPs and other types of CDF projects, and are not covered under Professional Foresters Law or policies. The roster of Certified Archaeological Surveyors indicates which ones are RPFs and includes their license number (see [http://www.indiana.edu/%7Ee472/cdf/training/training\\_record.xls](http://www.indiana.edu/%7Ee472/cdf/training/training_record.xls)).

The number of staff archaeologist positions needed (n=6) was not padded in any way and represents the minimum number needed to successfully deliver the program. Ideally each Unit should have an archaeologist assigned to cover the work. A few units such as HUU with 200 plans per year should have two. Other units with few projects could share an archaeologist from a neighboring unit. In addition, each Region Office should have a Senior Archaeologist that can operate without having to cover Associate field duties due to inadequate staff. Please resist any attempt to reduce the number of positions needed in a BCP. Any number less than six would only continue the problem by stretching people to cover too large an area resulting in inadequate review. Correction of this problem will take more than just a successful BCP proposal. These are the steps necessary to establish an adequate workforce capable of reviewing CDF projects, supporting the efforts made by RPFs, leading to a reliable level of cultural resource protection:

1. Resubmit BCP for at least 6 positions.
2. Schedule Archaeologist Exams at all three classification levels.
3. Recruit qualified experts to take those exams, especially those residing near locations where positions will be placed.

4. Establish Hiring Lists, hold interviews, and fill positions with qualified highly experienced cultural resource specialists. These are not jobs for beginners and it will take some classification changes to recruit superior candidates.
5. Secure office space at key CDF facilities. This is potentially a huge problem as most existing CDF Region and Unit locations have indicated they don't have the office space available to support the operations of a staff archaeologist even if one were given to them. Overcoming this obstacle will require support from the highest levels within CDF.
6. Convert all 14 positions to the Environmental Planner series to make the positions more attractive to well qualified applicants.

We recognize that at least twice in the past six years you and the Deputy Director for Resource Management have attempted to establish a Program Manager position for the CDF Archaeology Program but that request was not supported internally. The justification was a relatively small number of staff archaeologists assigned to the program without recognition given to relationship between the archaeologists and the hundreds of Certified Archaeological Surveyors whose cultural resource work we oversee. Hopefully, with the addition of at least six new Environmental Planner positions, and increased recognition of the program scope and complexity, the Department will be able to justify the establishment of this important position. If it does not, the two Senior-level archaeologist positions placed in the regions would be required to cover some of the program management and administrative responsibilities which would greatly reduce their ability to effectively perform their Senior Archaeologist duties and cripple the effectiveness of program delivery.

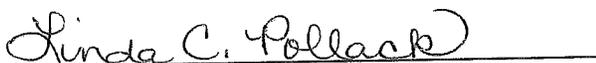
Feel free to contact us if we can help clarify any of this information or if our program expertise is needed as you proceed in efforts to correct the severe shortage of staff archaeologists which will enable the Department to continue to provide the same level of service.



Daniel G. Foster  
Senior State Archaeologist (CDF Sacramento Headquarters)



Richard C. Jenkins  
Senior State Archaeologist (CDF Northern Region (CNR))



Linda C. Pollack  
Lead Archaeologist (CDF Southern Region (CSR))

Memo Attachment #1  
Excerpts from Relevant Agreement Documents  
Addressing Use of CDF Staff Archaeologists  
For Protection of Cultural Resources

**MOA Executed between CDF, the Board, and SHPO on January 18, 1994 (page 2):**

The CDF, in its capacity as a lead agency has responsibility to ensure the proper survey, recordation, review and disposition of archeological information developed in the timber harvest plan (THP) preparation and review process, which includes a component for professional archeologist review. The CDF Historic Preservation Officer shall implement a procedure whereby a professional archaeologist is utilized, when prudent and feasible, during the review of THPs to ensure adequate evaluation and protection of historical resources. CDF shall review all THP survey documents to ensure compliance with the survey requirements specified in the Board's rules, and will cooperate with the OHP and the Information Centers to ensure that the quality of the recordation documents meets the standards identified in OHP's draft Instructions for Recording Historical Resources (1993). CDF shall periodically evaluate its THP review process to ensure consistent application of these survey and recording procedures.

**(2) CDF-INFORMATION CENTER MOU Executed between CDF, the Board, SHPO, and the CHRIS Information Centers on April 21, 2005 (Page 11):**

IX. Professional Archaeologist Oversight

CDF shall implement procedures to utilize a CDF Archaeologist to review the Confidential Archaeological Addendum to all THPs to ensure professional adequacy and to concur (on behalf of the CDF Director) with the investigation's findings. CDF Archaeologists shall also be involved in the conduct of archaeological and historic sites surveys and impact assessment supporting other types of CDF Projects as outlined in Archaeological Review Procedures for CDF Projects which is provided in this MOU in Appendix VI.

**(3) CDF's Programmatic Agreement Executed on August 26, 2004 between CDF, the USFS, BLM, USFWS, SHPO, and the Advisory Council on Historic Preservation (Pages 30, and 11):**

Survey: An intensive cultural resource survey shall be made within the APE of the project area. These surveys shall only be made by a professional archaeologist, or an *archaeologically trained resource professional* as defined in this PA. In most cases the work will be done by the CDF project manager, possibly assisted by a CDF Archaeologist. It is possible, however, that the survey work will be completed by a consulting RPF or professional archaeologist retained by the landowner, as part of the grant, or retained by CDF. In all cases, however, the work will be completed under close supervision by a CDF Archaeologist. The objective of this survey is to identify the specific location for all cultural resources within the project area, including but not limited to: historic landscapes (defined in this PA), prehistoric or historic archaeological sites, features, or artifacts, historic buildings or structures, or types of resources that have significant cultural importance to Native Americans such as traditional cultural properties, cemeteries, gathering areas, or sacred sites. In some situations, cultural resource survey work may be delayed until after the project has begun. For example, certain exempt practices may begin without cultural resource survey, and this staggered approach may be necessary to determine the precise location of Areas of Potential Effect for subsequent activities. Fuels

reduction projects involving hand cutting of brush and the burning of brush piles are typical examples of the kinds of projects where cultural resource survey may take place after the exact location of the brush piles becomes known.

Definition of *Archaeologically Trained Resource Professional*: a person who has successfully completed the initial (full) course of the Board of Forestry certified, CDF sponsored, archaeological training course entitled Archaeological Site Recognition Training for Resource Professionals, and who has kept this certification current through successful completion of a CDF sponsored refresher course at least once every five years, and who has demonstrated the ability to conduct professionally adequate cultural resource surveys and impact evaluations working in close association with a CDF Archaeologist.

**Memo Attachment #2  
Partial List of Recent THPs  
Where a CDF Archaeologist Was Needed  
For Protection of Cultural Resources**

THP 4-06-028/ELD	The RPF identified a historic site but didn't include enough detail for CDF to evaluate significance or impacts from proposed timber operations. Inspection by CDF Archaeologist determined the site to be significant with abundant surface artifacts to its age and function. The original plan didn't provide an equipment exclusion zone for the prehistoric site. These additional protections were added in following review by CDF Archaeologist.
NTMP 4-06-3/ELD	This RPF spent weeks on a detailed archaeological field survey of this NTMP and submitted an impressive, lengthy, and highly-detailed CAA describing abundant findings of historical sites and features. Curiously, no prehistoric sites were found. The Regional CDF Archaeologist wasn't available to attend the PHI due to workload issues and the PHI was initially going to proceed without her, but a Sacramento Archaeologist filled-in during the PHI to inquire if the property could be used for archaeological training purposes. Within 10 seconds of exiting the vehicles in a large open meadow area, a large, significant prehistoric site was immediately identified within the meadow in an area proposed for a log landing. This site would have been destroyed had not the CDF Archaeologist found it during the PHI. Hundreds of artifacts were laying on barren dirt in the meadow and on the roadways. This site would have immediately recognized by any archaeologist. The RPF did nothing wrong and with this one exception did a fine job on the survey. But without a CDF Archaeologist on the PHI, irreversible site damage would have occurred here.
THP 4-06-11/ELD	The RPF proposed entering a site without providing protection measures. Question to Inspector to review in field and discuss with Archaeologist who wasn't able to attend. CDF Inspector contacted Archaeologist to determine adequate protection measures.
THP 4-06-12/ELD	The RPF stated that a site was not significant. Archaeologist determined it was significant and added protection to the plan. The initial plan proposed by the RPF was to allow timber operations within the site.
THP 4-06-37/ELD	The RPF was unable to determine the location of a historic road which the CDF Archaeologist was able to find. An additional site was incorrectly identified as ditch. It was a historic road and both features were visibly identifiable and discussed in the prefield research). Incorrect site size would have caused site damage during logging. Additional protection needed for prehistoric site.
THP 4-06-4/MAR	CDF added a 50-foot EEZ to protect a prehistoric site found by the RPF. The site was larger than the RPF thought.
THP 4-05-63/FRE	All sites needed additional EEZ. One prehistoric site was mapped and flagged 30 meters smaller than obvious surface artifacts. Would have caused significant site damage.
THP 4-06-18/TUO	Original survey missed a historic site. The RPF discovered one prehistoric site but had site boundaries too small. Proposed protection measures would have significantly damaged site.
THP 1-06-163/MEN	During PHI the CDF Archaeologist identified a site consisting of a scatter of obsidian flakes missed by the RPF during his archaeological survey of the plan area.
THP 1-06-186/MEN	RPF's assessment that the site was insignificant was reversed by CDF Archaeologist who also required protection not originally proposed. As well, the CDF Archaeologist identified an isolated ground stone artifact fragment not previously observed by the RPF.
THP 1-06-134/NAP	Inspection by CDF Archaeologist did not support RPF's preliminary determination that the historic road segment he identified is not a significant site. Additional recording, report correction, and site protection were required.
THP 1-06-135/MEN	CDF Archaeologist discovered a back-filled privy and a collapsed outhouse on the northern edge of a site that had not been identified, mapped, recorded, or afforded protection. The RPF subsequently made the required changes

THP 1-06-138/MEN	The CDF Archaeologist observed that an isolate depicted on the archaeological coverage map was mapped incorrectly.
1-06NTMP-11/SON	The CDF Archaeologist identified a Native American site during the PHI. He later returned to the plan area after the PHI in order to address concerns raised by Native American contacts that scratch marks on top of petroglyph boulder constituted significant damage to a site that is sacred to them.
1-06NTMP-15/MEN	CDF Archaeologist identified a cupule boulder during PHI not found during RPF's survey.
1-06NTMP-16/MEN	CDF Archaeologist determined that a site found by the RPF was far more significant than initially described. The RPF also missed a large midden deposit. Additional protection was added to the plan based upon CDF Archaeologist input.
1-06NTMP-17/SCR	CDF Archaeologist identified the on-the-ground remains of the historic Deer Creek Mill and required the site to be protected. No protection was listed for this location prior to the PHI.
1-06NTMP-20/MEN	CDDF Archaeologist's inspection resulting in identification of more cultural features than those included by RPF in site map. As well, the preliminary determination of non-significance by the RPF was reversed by the CDF Archaeologist. Protection required.
1-06NTMP-25/MEN	CDF Archaeologist noted several archaeological features the RPF had not included on the site map. As well, RPF was asked to revise the site boundaries and correct a preliminary determination that the sites within the plan area are not significant; and the protection measures were improved.
THP 1-05-65/MEN	Although RPF correctly identified an historic can dump, the CDF Archaeologist didn't agree with the preliminary evaluation of significance. Protection was required.
THP 1-05-84/MEN	CDF Arch. does not concur with the preliminary determination of significance. Protection required.
THP 2-05-057/PLU	The CDF archaeologist discovered a large prehistoric site missed by the RPF's archaeological survey. The site contained hundreds of large dark black basalt flakes and tools and was very obvious as little leaf litter was present.
THP 2-05-076/TRI	The RPF discovered two can dumps in addition to several other historic sites. The RPF evaluated the significance of each can dump and determined that they were insignificant per the Forest Practice Rules (FPR). He provided no protection and prepared no site records. The CDF archaeologist determined that one of the can dumps proved to represent the remains of a 1920s-30s habitation site based upon the presence of stove pipe and window pane; the other can dump was determined part of a large mining site with 2 collapsed adits that the RPF did not recognize. Both sites are considered significant per FPR Criteria A. RPF also missed an obvious can dump containing large institution sized food tins which are comparable in size to modern 3lb coffee cans.
THP 2-05-141/PLU	CDF archaeologist discovered well-preserved segment of the National Register of Historic Places eligible 1860 Humbug Wagon Road passing through the THP area. RPF admitted knowledge of the feature but considered it non-significant and not worthy of mention in the THP.
THP 2-05-155/LAS	The CDF archaeologist discovered two archaeological sites missed by the RPF despite their locations in obvious settings. One was a prehistoric lithic scatter situated along a forest meadow ecotone at the point where a seasonal drainage flowed into the meadow. The other was a historic site containing a stacked rock feature and can dump along a permanent drainage.
THP 2-05-157/LAS	The CDF archaeologist discovered a historic can dump and engineered flat (cabin pad?) missed by the RPF. A previously recorded historic site was located less than 100 yards to the south, across a dirt road from the plan boundary. The RPF should have made efforts to verify that no portion of the recorded site extended into the proposed THP.
THP 2-05-162/PLU	The CDF archaeologist discovered a prehistoric site missed by the RPF. The site should have been found by the RPF as its location was reported to him in correspondence provided by a local Native American contact and due to the presence of favorable environmental factors including a permanent spring and south-facing aspect.
THP 2-05-177/BUT	The RPF reported 6 historic sites in the CAA. The CDF archaeologist knew the area to be highly sensitive and attended the PHI to evaluate the adequacy of the RPF's archaeological survey. The PHI was terminated

	after several additional obvious historic sites (ditches, rock tailing piles, etc) were discovered and the plan was withdrawn. The plan was resubmitted in 2006 (THP 2-06-083 BUT) and now contains 19 rather than the original 6 historic sites.
THP 2-06-047/SIS	The CDF archaeologist discovered an obvious historic site missed by the RPF. This site of unknown function contains numerous large 5 gallon tins, abundant bottle fragments, lumber scraps, and an abundance of black coal. The site dates to the late 1800s – early 1900s judging by dates embossed on several of the cans.
THP 2-06-109/TEH	The CDF archaeologist discovered two archaeological sites that were missed by the RPF. One of the sites was a late 1800s railroad logging camp that was previously recorded. The RPF found only 10 large tin cans and missed the main site area, which was found to contain dozens of square nails, numerous glass and metal shards, and several short lengths of narrow gauge railroad rail, located a few hundred feet to the east. The RPF also failed to discover an unrecorded prehistoric archaeological reported in the archaeological records check. The RPF reported that several inspections had been conducted in the area with negative results yet the CDF archaeologist found an intact obsidian projectile point and over 20 small obsidian flakes in just a few minutes. The RPF later failed to recognize the importance of the railroad logging site, due to lack of expertise, and was reluctant to provide the CDF recommended protection.
THP 2-06-112/SHA	The CDF archaeologist discovered a prehistoric site missed by the RPF. The site should have been found by the RPF given its highly sensitive and predictable location - a south-facing terrace overlooking a permanent Class 1 drainage. The RPF is aware of the numerous similar recorded sites located nearby on industrial lands managed by the same company.
THP 2-06-122/PLU	The CDF archaeologist discovered two historic sites missed by the RPF. One is the wood remains of a steam donkey skid or bridge, the other what appears to be a large (28 feet long by 16 feet wide) steam donkey skid. Both were located adjacent to Class 1 drainages, areas sensitive for both prehistoric and historic sites, and should have been found by the RPF.
THP 2-06-137/BUT	The CDF archaeologist discovered a prehistoric site missed by the RPF. The site should have been found by the RPF due to the presence of favorable environmental factors including a permanent spring, location along a forest-meadow ecotone, and south-facing aspect. Obsidian and basalt flakes were readily visible, and should have been found during the survey.

Memo Attachment #3  
Comparison of Number of Positions Doing Similar Work

Comparison of Archaeology Staffing Levels to Similar Agencies in California

Agency	Legal Responsibilities	Responsibility Area	Current Number of Staff Archaeologists Or Other Cultural Resource Specialists
CDF	CEQA NHPA Section 106 Forest Practice Act	31 Million Acres (SRA)	8*
USFS	NHPA Section 106	30 Million Acres	81
DPR	CEQA	1.4 Million Acres	42
CALTRANS	CEQA NHPA Section 106	45,000 Miles of Road (approx.3 Million Acres)	132

Comparison of State Employee Staffing Levels Assigned to THP Review

Agency	Job Title/Expertise	Current Number of State Employees Assigned to Review THPs in California
CDF	Forest Practice Inspectors Deputy Chiefs, Forester II, Forester I, Forestry Assistants (CDF has 155 Foresters on Staff. 80 positions are assigned full-time to THP review)	80
Department of Fish and Game (DFG)	Wildlife Biologists, Natural Scientists	34
Water Quality Control Board	Hydrologists, Engineers, Soil Scientists	32

\* Although CDF does have 8 Archaeologist positions, only about 4 PY archaeologist staff time is available for THP review. One position is based in Riverside and works almost exclusively on Vegetation Management and other non THP assignments. One position (currently vacant), will be located in Fort Bragg and is funded by FRIF. That person will only be available for survey work on State Forests. Another position based in Headquarters is also funded by FRIF and the majority of assignments are in support of forestry assistance programs. Of the remaining positions, only two work almost exclusively on THP review. The other positions have extensive workload in non THP program areas.