On June 6, 1986, a meeting was held between members of the Society for California Executive Board and the California Office of Historic Preservation (OHP). The meeting began at 9:00 A.M., with the following attending: Mark Raab (President, SCA), Robert Jackson (Northern Vice President, SCA and OHP staff), Susan Hector (President elect, SCA), Larry Bourdeau (Secretary, SCA), Hans Kreutzberg (OHP staff), and Kathryn Gualtieri (the State Historic Preservation Officer). The meeting included:

Discussion from the OHP as to developments and progress of the California Heritage Task Force Commission, appointed last June 6, 1985. This discussion included the objectives and funding considerations of the California State Historic Preservation Plan. Efforts had been made to obtain a state-wide coordinator for the State Plan to no avail.

The OHP also indicated that a draft based upon the Santa Barbara Model for the State Plan was nearly completed, and that it soon would be ready for distribution and public review. Recipients of the draft are to include state and federal agencies, city and county planning departments, the SCA, the CCPH, the NPS, and the Advisory Council on Historic Preservation. The draft will also have a review checklist for subsequent tabulation of comments received.

The OHP indicated that the draft State Plan will incorporate site survey guidelines along with measures to assist in the identification, evaluation, recommendation and treatment of cultural resources. The OHP also is encouraging "contextual" research rather than "overview" approaches to cultural resource management.

Discussion from the SCA addressed issues of OHP monitoring of CEQA compliance and implementation of the State Historic Preservation Plan. Concerns were expressed that provisions for cultural resources defined by CEQA are often overlooked by developers and planning agencies, and that because of this, irreplaceable cultural and historical resources are being lost.

A letter of inquiry seeking written response to the SCA's concerns of CEQA enforcement and the State Historic Preservation Plan was presented to Ms. Gualtieri, SHPO, by SCA President Mark Raab (see below).

The OHP suggested that the SCA seek support for CEQA review and enforcement through political and legislative channels.

The SCA suggested that the OHP obtain staff involvement to make progress on the State Plan, to which the OHP responded that the California Heritage Task Force Commission is being relied upon for its expertise.

— The SCA inquired whether the OHP would endorse or sanction private funding to proceed with implementation of the State Plan, to which the
OHP replied that matter would need to be explored and checked further.

The SCA mentioned that many individuals and agencies within the archaeological community would be willing to contribute time and expertise in developing the State Plan. An example was given wherein the San Diego region has developed research concerns, determinations of significance, and outlines for cultural resource management through the efforts of the academic/professional archaeological community, and that it works well for all parties concerned. Also, Santa Barbara has adopted its own version of the State Plan and is implementing it in its daily case-by-case operations, even though certain areas of its plan are in need of upgrading and completion.

The suggestion was made that the OHP support the SCA on issues of the State Plan. Mention was made that certain expectations have been felt by historians, archaeologists, folklorists and others that the State Plan will come into effect soon, yet fear that the OHP will abandon its efforts to see it through is also being felt.

The OHP indicated that the decisions and actions on the State Plan are forthcoming, and that the Task Force Commission will be making its recommendations to the OHP in areas of cultural, historical, and archaeological resources in the near future. The OHP also indicated that it is not in a position to economically or processually favor any of these disciplines in its role as a state agency.

The SCA urged the OHP to act soon on the State Plan, and thanked the OHP for its time and consideration in hosting the meeting this day.

The meeting was adjourned at 11:45 A.M.

Respectfully submitted

Larry Bourdeau, SCA Secretary

6/5/86

Ms. Kathryn Gualtieri
State Historic Preservation Officer
California State Office of Historic Preservation
Sacramento, CA

Dear Kathryn:

The Society for California Archaeology and other historic preservation groups are increasingly concerned about the effectiveness of State historic preservation policies. We recognize that changes in the priorities of both State and Federal administrators during the last few years, along with shrinking budgets for historic preservation, have affected programs such as yours. Still, as economic recovery brings about accelerating loss of historical resources, serious questions remain about preservation policy in California.

With this letter we are requesting a written response about the policies and objectives of your office in relation to certain issues. We hope to hear from your office soon about the following:

CEQA enforcement Is your office monitoring compliance of State agencies and of political subdivisions of the State with sections of the California Environmental Quality Act that deal with historical resources? For example, does your office review the adequacy of cultural resources reports that are part of environmental impact studies required by CEQA? If such monitoring is not being done, why not?

The State Historic Preservation Plan What plans does your office have to bring into existence a comprehensive heritage resources preservation plan for the State? More specifically, what parts, if any, of the existing prototype plan documents will be used for future plan development? Will the plan deal with a broad spectrum of heritage resources, such as history, architecture, folklore, Native American values and archaeology? With what time frame can we expect a functioning plan to be developed for the whole State?

We respectfully seek your formal response to this missive in the hope of better understanding State preservation policy.

Sincerely yours,

L. Mark Raab, Ph.D.
President, Society for California Archaeology

Guest Editorial

Pot-hunter Busts in the Southwest

What Cost?

Ronald V. May

What is the cost in public image and education when federal and state police bust pot-hunter/collector/dealers in spectacular "Rambo" style raids? Have archaeologists truly sorted out the feelings of those whose homes were invaded or the impact upon communities where the "lesson" was intended to be made? Does the general public
perceive archaeologists as the good guys in these raids? These questions are the subject of considerable debate across the country as a result of the Archaeological Resources Protection Act of 1979 and it is time we examine what we are doing.

Few archaeologists have the opportunity to confront people in the police work of apprehension. Most perceive anger over observing some marginally acceptable criminal hip-deep in human bones in search of Mimbres bowls or glass beads. In reality most collectors are not axe-murderers or violators of little children. Many are farmers, ranchers, doctors, lawyers, and even a few are in government. Collectors may dress well, have nice homes, vote, and hold office.

Review of news articles in the Times-Independent, Salt Lake Tribune, and San Juan Record reporting on the May 8, 1986 "Utah Task Force on Artifact Looting" brought back uncomfortable memories of a 1983 sting in San Diego concerning smuggled Casas Grandes pottery looted from Sonora, Mexico. The sting required me to misrepresent myself, deceive the "criminal," and violate his trust placed in me in handing over the pottery to my care (U.S. Customs seized the objects at the same time, unknown to the perpetrator). It bothered me for a long time and I was able to perceive some of the innocence that collectors adopt to justify clearly shady doings. The pain and outrage expressed by family members and friends who witnessed the May 8 raids in Utah, Colorado, and Arizona were akin to the feelings experienced in the San Diego sting. They questioned the very fabric of American society in which a person's home could be entered and searched, deceit and trust violations laid down, and reputations damaged by the act of the search.

Archaeologists might prefer press coverage of sexual perverts and axe murderers caught red-handed pot-hunting. However, in a world where the Metropolitan Museum openly purchases prehistoric art and collectors purchase Mimbres bowls at Sotheby's for their curio cabinets, "guilt" is not so clear.

The May 8 raids on 16 private individuals culminated two years of undercover investigations by agents of the U.S. Forest Service and Bureau of Land Management, and netted 300 artifacts and six dealers. Law enforcement officers carefully documented each object known to have been stolen from federal lands and listed them in the Daylight Search Warrants. Examples are two loincloths from Fishmouth II ruin, a cradleboard from Ballroom ruin, a basket from Allen Canyon ruin, and colored sandals from Poncho House ruin. Moreover, testimony from convicted pot-hunter Earl Shumway led to a stash of bowls hidden in Blanding County Commissioner Calvin Black's house.

What should concern archaeologists is not the issue of guilt, but rather the negative backlash that people such as Shumway and black will have upon the greater southwestern communities. Calvin Black sued U.S. Attorney Brent Ward for his bowls back and family members began an editorial blitz condemning the raids as "Gestapo" tactics and un-American. Now a Congressional investigation is pending and people are reading that archaeologists are zealots and Fascists.

The point of this editorial is to awaken archaeologists to the need to increase our programs to educate our fellow human beings and make them believe that our ethics should be household values. These people did not, after all, have to sign the SCA Code of Ethics to vote in elections or attend the church of their choice. Too often we assume that the code of science is paramount to all other belief systems. To most people, collecting rocks and panning for gold is the same thing as hunting Indian relics or digging for bottles.

To turn public opinion around to the SCA Code of Ethics and respect for federal and state laws protecting cultural resources means stepped up intensive and coordinated public outreach programs. Archaeology cannot afford to be an elitist club of academicians. We must reach out with public lectures and public poster exhibits which rotate form schools, banks, shopping centers to local historical societies and groups interested in American Indian crafts. The basic message must follow the theme that mapping in place can tell more stories than collecting single objects. We must use the site maps as central illustrations with analytical examples of how research and statistics can tell the story of history, lifeways, and trade. The message must be simple and designed for 10th grade understanding.

The challenge is to initiate a state-wide pilot project to improve public opinion of archaeology. The SCA Board of Directors should call one or more meetings in which task-groups go back to their communities to establish competitive exhibits sponsored by museums, schools, and consulting firms. Each should use a case study to educate the public. The SCA should encourage the participants to bring photographs or their displays to the SCA Annual Meeting for competition and grant awards of $1,500, $1,000, and $500. Success stories could be touted across the country in newsletters and papers given at the SAA and AAA meetings.
Another Opinion

Oh, Aurora, Where Did You Go?
The Carting Off of Cultural Artifacts

Robert Pavlic

North Americans are fascinated with the past, if we take as evidence the large number of cultural artifacts—sun-tinted bottles, obsidian points, glass beads, “Log Cabin” syrup tins, square-cut nails, even entire buildings—that disappear from historic and archaeological sites on public lands every year. Almost all of us have confiscated, for one reason or another, a piece of history that rightfully does not belong to us as individuals. How can we stem this alarming flow of material culture from public lands into the hands (and garages, cigar boxes, and landfills) of unthinking looters?

As managers of cultural resources, we have a responsibility to protect those resources from degradation, to preserve them for study, and to use them to further our understanding of the past. As employees in the public realm (or as contractors working on the public domain) we also have a duty to inform and educate the public regarding the importance of cultural sites and artifacts. The purpose of this article is to suggest some methods of recovering artifacts that have been removed from public lands and to suggest ways to raise the level of understanding and appreciation for archaeological and historic resources among the general population.

Individuals who engage in the disturbance and/or destruction of archaeological and historic sites can be classified into two main groups. One type merely finds fascination and amusement in the discovery and collection of artifacts and does so for personal enjoyment. These individuals feel there is nothing wrong with sifting through obsidian scatters, searching for arrow points, or digging through abandoned dump sites for intact bottles and cans. The other group consists of commercial plunderers who destroy ancient, historic, remote sites for saleable artifacts and materials. Roger D. McGrath writes in his book, Gunfighters, Highwaymen, and Vigilantes: Violence on the Frontier of a dramatic but not isolated incident. The mining town of Aurora, Nevada, located just east of the border between California and Nevada in the trans-Sierra region, was swept off the map in the 1930s and 1940s when a used-brick craze swept southern California. The town had been built largely of brick and, after its decline and abandonment, was dismantled by contractors unaware (or uncaring) of the great theft they were perpetrating. The fact that Aurora lives on today in the patios of Bel Air and Beverly Hills does little for those interested in learning more about Aurora's boom and bust.

It is just such flagrant acts of vandalism that have led to increasingly stronger laws for cultural resource protection. The so-called pot hunter is the ethical equivalent of the game poacher, and he is finally being dealt with accordingly. Such collectors are now subject to stronger legal sanctions in accordance with the Archaeological Resources Protection Act of 1979, also known as P.L. 96-95. The act prescribes punitive measures in the form of fines and/or imprisonment for excavating, removing, altering, defacing, or trafficking in archaeological resources from public lands and Indian lands without a permit.

With the passage of this act, Congress recognized that archaeological resources—limited, fragile, and commercially attractive commodities—are also a part of our national heritage. Because sites typically are remote and it is difficult to ensure their preservation, this act provides strong legal measures for their protection from destruction by individuals, in contrast to the National Historic Preservation Act (NHPA) or the National Environmental Policy Act (NEPA), which provide for consideration of historic resources in the planning process for federal projects.

Although the law’s emphasis may appear to be on curbing the pot hunter’s illegal activities, it does not exonerate the noncommercial collector, who is also liable under the act for the disturbance or removal of artifacts, regardless of the collector’s intent or degree of ignorance. The only way to deal with commercial vandals is through the courts, but an educational campaign aimed at the casual collector could have a significant effect on the preservation and protection of cultural resources. While Congress and the courts have taken steps to punish lawbreakers after the damage has occurred, a more constructive goal is to prevent disturbance or destruction through interpretation and education.

The first item of importance is to raise the public’s awareness of the serious nature of absconding with cultural artifacts. Petroglyphs, stone tools rusted wagon wheels, old bottles, and other items of material culture which are located on public lands are the property of the governing agency who in turn manages and protects them for the entire public and not just the benefit or enjoyment of a few individuals. Conveying to the public an awareness of the role of cultural
remains in the continued study of our collective past should be one of our educational goals. Archaeological and historical remains are extremely limited resources. It is important for the public to know that the most valuable resources are those in situ. Only if the cultural resource specialist can study objects or features in relationship to other objects or features and the surrounding environment can he or she make inferences regarding the duration of occupancy and types of activities which help to determine site significance. If sites are photographed and mapped, and artifacts are collected systematically, resources are then available as a research source into the future.

The public should also be made aware of the laws governing the protection of archaeological resources. A common response on the part of visitors to the public lands is, "I didn't know," and the excuse is usually a plaintive cry for mercy while the visitor is being chastised or cited for violating some important (but possibly little known) law. As more and more visitors descent on our national parks, forests, desert lands, reservoirs, and state and county properties, the need to inform them of the special nature of these places and the laws for their protection becomes increasingly necessary. Printed information in the form of pamphlets, posters, booklets, and brochures can be prepared and made available at entrance stations, campgrounds, museums, information and visitor centers, or any prominent place where people embarking on forays into public lands have the chance to become better informed of their responsibilities to care for the public domain. Cultural resource specialists should be engaged to prepare such literature for the public, including information on the area's prehistory and history as well as the laws governing their preservation.

Efforts can also be made to secure the return of artifacts previously collected by visitors. An educational/interpretive campaign is one method. For those visitors who return materials, a cultural resource specialist should be engaged to see that the artifacts are documented and curated. Documentation should include the finder's name and address, a description of the area where the artifact was discovered, the location determined as accurately as possible on a map, the date of the find, and any additional information the finder may be able to provide. In return, the person returning these materials should receive a thank you letter from the agency. The letter can also include information regarding the agency's role in cultural resource management and the importance of artifacts to ongoing research. As a gesture of goodwill and education, the letter should not encourage casual collection by visitors, nor should it describe site locations or how to find them. While thanking a visitor for returning materials that rightfully belong in the public domain may appear to contradict resource protection, it can also be perceived as a means to create an informed public who will in turn support the governing agency's management policies and, in the future, comply with resource protection laws.

As budget constraints continue to limit the expansion of public agency staffs in order to meet the demands of ever-increasing visitation, we must strive to develop an informed and appreciative public to assist us in the protection of the features that parks, forests, and preserves are intended to protect. Education to prevent the disturbance and destruction of cultural resources will ensure that our heritage will remain intact.

From California History Action Vol. 4(3), Summer 1986

Artifact Surveillance Increases

ALBANY, ORE. (AP) — Visitors who illegally dig for ancient artifacts on federal lands have a greater likelihood of being caught this summer according to The Army Corps of Engineers.

The Corps is pushing for increased surveillance of known archaeological sites on its lands, said Robert Freed, staff archaeologist in the Corps' Portland district.

"What happens is that recreationists and casual collectors happen upon an item and think it's interesting to collect," Freed said. "A lot of people aren't aware that it's illegal to do that on any kind of federal land.

Even picking up an arrowhead is against the law, he said.

While the government would like to stop the unintentional law-breaking of casual collectors, they'd especially like to put a stop to the activities of those who make pot-hunting a business, he said. Often ancient campsites and villages are destroyed for the salable Indian remnants they yield.

Such activities are punishable with up to five years in prison and $100,000 in fines, Freed said.

Port Angeles Daily News July 14, 1986
SCA Data Sharing Meetings Scheduled

**NORTHERN CALIFORNIA**

Saturday, October 18, 1986

The 1986 Northern California Data Sharing Meeting will be held on Saturday October 18 at the University of California, Davis. The meeting is scheduled to run from 9:30 A.M. to 5:00 P.M. in the King Lounge of the Memorial Union. Mark your calendars and plan to attend the date has been arranged to avoid conflicts with other meetings this year. Several papers will be presented discussing regional settlement-subistence patterns and their changes through time. Additional information (e.g., maps, directions) will be forthcoming in the next Newsletter. If you wish to schedule a short paper or need additional information please contact:

Robert Jackson  
Office of Historic Preservation  
P.O. Box 2390  
Sacramento, CA 95811  
(916) 322-9602 (work)  
(916) 666-1754 (home)

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**SOUTHERN CALIFORNIA**

Saturday, November 1, 1986

This year the Southern California Data Sharing Meeting will be held on Saturday November 1st at the University of California, Los Angeles (Haines Hall, Room 39). Coffee and donuts will be available at 8:00 A.M. Presentations will start at 9:00 and continue until 5:00 P.M. There are plans to have many of the UCLA research labs open for tours and information as well as post-meeting social gathering.

Anyone interested in presenting a current research paper on Southern California archaeology is invited to submit a short (two paragraph) presentation outline and title. Presentations should be between 15 and 20 minutes in length. Slide and overhead projectors will be provided. Free parking will be provided for speakers. Due to time constraints, it is anticipated that only 20 presentations will be possible, so get those outlines in early. All outlines must be submitted prior to October 17 to be considered.

No registration fee will be charged, however there is a $3.00 parking fee for use of the campus parking lot.

Presentation outlines and requests for further information should be directed to:

John Parker  
UCLA Archaeology Program  
288 Kinsey Hall  
University of California  
Los Angeles, CA 90024  
(213) 644-6141

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Society Unearths the State’s Past

The Pacific Northwest Archaeological Society was formed last November by Gerald Fritts, a mortgage banker; Douglas McCallum, a financial consultant; and Dr Dale Croes, a Washington State University archaeologist; and Barbara McGee, a Kirkland teacher.

The society holds free public lectures on the second Thursday every other month at the Museum of History and Industry, plus various field trips and other activities in between. Membership fee for an adult is $35 a year senior citizens and students $15, family membership $50.

For more information, write to: Pacific Northwest Archaeological Society Inc., 12205 N.E. 66th, Kirkland, WA 98033.

Seattle Times  
July 21, 1986

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Recommended Reading...

The July/August issue of Science 86 contains an excellent article on pot hunting titled “The Culture Thieves.” It is well worth reading.

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Next Newsletter Deadline September 25, 1986
Sonoma State University Adds X-ray Fluorescence Capabilities

As of June 1, 1986, Sonoma State University’s Anthropological Studies Center gained new capabilities to perform rapid, non-destructive x-ray fluorescence analyses of obsidian. The Center is now able to provide analyses on a new Tracor X-ray Spectrace 5000 energy dispersive x-ray fluorescence machine which possesses full quantitative analysis subroutines which generate trace and rare earth element composition estimates in parts per million (ppm). All analyses are completely non-destructive: they do not require sacrificing any portion of an artifact for analysis (unlike obsidian hydration analysis which does require removal of a small portion of the specimen). The quantitative capabilities of this new system make it possible to generate data on obsidian from parent geological locations as well as from archaeological contexts, thus broadening the data base for source attribution of archaeological specimens.

Because the new system features the reporting of trace and rare earth element quantities in standard measurement units (i.e., parts per million and percent by weight), it will be possible to compare results directly between laboratories. This capability should encourage the establishment of broad comparative data bases for both obsidian sources and archaeological artifacts.

The obsidian sourcing laboratory will operate under the direction of Dr Richard E. Hughes, Senior Research Archaeologist at the Center who has extensive experience with x-ray fluorescence analysis of volcanic glasses from throughout western North America, including, in addition to California, the states of Arizona, Idaho, Nevada, New Mexico, Oregon, and Utah. Dr. Hughes has also published on his research efforts, including work that incorporates his technical analytical work into more general studies of prehistoric exchange.

The Center is currently able to analyze obsidian specimens submitted by interested researchers on a fee basis ($17.50 per routine analysis per specimen) through the Sonoma State University Academic Foundation, Inc. Contact Dr Hughes at the Center or at (916) 364-1074 for a detailed cost schedule.

David A. Fredrickson

New Publications


This volume includes the following contributions:


Michael A. Glassow, John R. Johnson, and Jon M. Erlandson: The Archaeology of Mescalitan Island and the Concept of Canalino.

William J Wallace: Archaeological Research at Malaga Cove.

D. L. True: Molpa, a Late Prehistoric Site in Northern San Diego County. The San Luis Rey Complex, 1983.


Albert B. Elsasser: Archaeology on Gunther Island (Site Hum-67).

Clement W. Meighan: Review of the Borax Lake Site (Lak-36).

William H. Olsen: History of a Central California Site or What Happened at King Brown (Sac-29).

James A. Bennyhoff: The Emeryville Site (ALA-309), Viewed 93 Years Later

David A. Fredrickson: Buena Vista Lake Revisited.

This publication will be available approximately August 30, 1986. Cost is $4.95 (California residents include 6% sales tax) plus $1.00 mailing and handling. Contact: Coyote Press, P.O. Box 3377, Salinas, CA 93912.

Information Needed

If you wish information on your publications to appear in the Newsletter, please send your flyers or the publications to the SCA Newsletter, care of P.O. Box 3377, Salinas, CA 93912. Please include all relevant information (price, tax rate, mailing or handling costs, number of pages, availability, address, etc.).
**Historic Fort Rosecrans Artillery Bunker Destroyed**

In spite of a 1981 evaluation report on the eligiblity of Fort Rosecrans, San Diego, California, for inclusion on the National Register of Historic Places, the U.S. Navy dynamited the 1898 mining casemate earlier this summer. Historian Steve Van Wormer, president of the San Diego County Archaeological Society, and Linda Roth, historic archaeologist, concluded that the mining casemate played a major role in the Spanish-American War effort in California and advised the Navy to nominate the building to the National Register. This conclusion was repeated in 1985 in the article “Guns on Point Loma: A History of Fort Rosecrans and the Defense of San Diego Harbor,” (Cabrillo Historical Association, San Diego).

The mining casemate was key to the arms race at the turn of the century. Electrical networks of cannons and mine fields defended harbors and rivers. Only the ports of San Diego, San Pedro, and San Francisco were selected by the U.S. Army Corps of Engineers and Congress for such defenses. The mining casemate was the command center for the dynamo and manual control of the mine-like torpedoes suspended above underwater cables. Had Spanish warships crossed the U.S. Naval blockade in 1898 and passed through artillery fire, Artillery Corps soldiers would have detonated the mine fields under their hulls from the underground bunkers.

The story of the destruction became public when Neal Matthews wrote “In a Demolishing Mood” in the column “City Lights” in The Reader on July 24, 1986 [reprinted in the column]. The Navy apparently ignored 36 CFR 800 procedures because the Naval Facilities Engineering Command in San Bruno, advised them to go ahead and build their enlisted men’s quarters.

Archaeological values of the mining casemate were never realized. The 1981 Roth and Van Wormer report produced design plans from the National Archives, but on-site mapping and excavations had not been conducted. Moreover, prehistoric Indian site CA-SDI-49 surrounds the remains of the structure to a depth of two meters. A human burial eroded out of the area in 1981, and a journal in the Research Archives in Balboa Park attributed to the 1898 contractors reported one historic grave. Shell midden, rock hearths, and crude Early Milling Horizon flaked stone tools characterize CA-SDI-49.

The fate of the remainder of old Fort Rosecrans remains unknown. Surviving are two huge gun batteries from 1898, two mortar batteries from 1915, several rows of officer and enlisted men’s barracks in the 1904 Colonial Revival U.S. Army style, and 34 prehistoric Indian sites. The U.S. Navy at San Bruno has yet to nominate any of the structures to the National Register and no one knows their future construction plans.

R. L. Christiansen
July 26, 1986

**In a Demolishing Mood**

Neal Matthews

Long before most of Point Loma was commandeered by the U.S. Navy in 1957 it was heavily fortified by the U.S. Army to guard against a military assault from the sea. Beginning in the late 1890s, artillery emplacements were built into the cliffs and manned by special coast artillery units. Inside the harbor on the small spit of land known as Ballast Point, three smaller gun emplacements were situated to attack ships that might have made it past the mouth of the harbor. These included Battery Wilkeson, containing four ten-inch, breech-loading rifles; Battery McGrath, with two three-inch, rapid-fire guns; Battery Fetterman, with the same armament; and a mining casemate, built into a bunker in the hill behind Ballast Point, which housed equipment to control, through cables, the detonation of mines placed strategically in the harbor. All the gun emplacements are still there, but the mining casemate was demolished last month to make room for a new barracks on the submarine base.

The demolition of the mining casemate was a clear violation of federal historic preservation laws, according to local historians. Under both the National Environmental Policy Act of 1969 and a long list of federal regulations known to archaeologists as “CFR 800,” all federal agencies with jurisdiction over federal lands are supposed to submit to a process of identifying potential sites eligible for inclusion in the National Register of Historic Places. In 1981 Linda Roth, an independent historical consultant, was hired by the Navy to conduct a survey of potential historical...
Navy Claims “It had no significant historical value”

sites on the 1100 acres of Navy property on Point Loma. Roth identified thirty-four historic sites, including the system of abandoned coastal defenses, and twenty-five much older sites that showed signs of Indian habitation. Roth recommended that coastal defenses, including the mining casemate, should be considered for inclusion on the national register Federal law mandates that before the Navy can disturb any of these sites, the Navy must wait for the conclusion of a formal assessment process. That procedure includes field surveys, archival searches, and preparation of a report, and it eventually involves the California State Historic Preservation Office (SHPO) and a federal advisory council that comments on mitigation measures, if it is determined that the site can be destroyed. A submarine base spokeswoman admits that the Navy ignored this process. Thomas King, director of the federal Office of Cultural Resource Preservation in Washington, D.C. comments, “If they demolished the building without going through the process, then they violated the law.”

Lt. j.g. Joy Hopkins, spokeswoman for the submarine base, says that permission to demolish the underground structure was granted about eighteen months ago by the Naval Facilities Engineering Command, based in San Bruno, California. She says the site was evaluated using guidelines issued by that command, which ask two questions: how the site relates to significant events, such as a war, and whether or not the architecture is rare and therefore valuable. “The building was never used in any major campaigns or to defend San Diego,” Hopkins explains. “And the architecture wasn’t unique. Plus, it had been abandoned for seventy years, and the concrete was crumbling. It had no significant historical value.”

Local historians refute that. “It’s not up to the Navy to decide whether or not something has historical value,” explains a historian who works with the Navy and asked that his name not be published. “They think they’re above the process. They don’t understand that even if something makes the National Register, they can still pretty much do what they want with it. A lot of National Register sites have been legally demolished all over the country.”

The mining casemate, according to Steve Van Wormer, who is president of the San Diego County Archaeological Society and has studied and written about the coastal defenses on Point Loma, was in fact used during the Spanish-American War in 1898. Van Wormer says that immediately following the American declaration of war on Spain in April 1898, mines were placed in the harbor to guard against a possible invasion through Mexico. These mines, which were attached to and controlled by the mining casemate, were removed from the water in August of that year. The building was later altered and was manned until after World War I. The historical importance of the building and its associated gun batteries is manifold, according to Van Wormer. San Diego, along with San Pedro and San Francisco, was one of the few places in California to have modern coastal defenses installed by the government. So the structures are rare. “And they mark the advance of weaponry,” Van Wormer explains. “They’re examples of the pre-World War II arms race. To put it tactfully I was dismayed that the Navy didn’t follow federal guidelines in removing the building.”

Other local historians are concerned about the implications of the removal of one part of the old coastal defenses. Using the Navy’s stated criteria for removing the mining casemate, the historians argue that the rest of the gun emplacements are also at risk, since by the Navy’s standards, they would also have “no historical value.” Comments one local archaeologist, “The Wilkeson battery and the McGrath battery are the ones I’m worried about now. I was told they have a list of old bunkers on the sub base that they want removed.”

Apparently the Navy will be able to shrug off any contention that it violated federal laws in tearing down the mining casemate. There are no penalties for ignoring the process. Thomas King, of the federal Cultural Resource Preservation Office, remarks rather ruefully, “Nobody gets keelhauled for this.”

The Reader
July 24, 1986
§ 622.5. Objects of archaeological or historical interest

Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archaeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor. *(Added by Stats. 1939, c. 90, § 1.)*

§ 623. Caves

(a) Except as otherwise provided in Section 599c, any person who, without the prior written permission of the owner of a cave, intentionally and knowingly does any of the following acts is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding one year, or by a fine not exceeding one thousand dollars ($1,000), or by both such fine and imprisonment:

(1) Breaks, breaks off, cracks, carves upon, paints, writes or otherwise marks upon or in any manner destroys, mutilates, injures, defaces, mars, or harms any natural material found in any cave.

(2) Disturbs or alters any archaeological evidence of prior occupation in any cave.

(3) Kills, harms, or removes any animal or plant life found in any cave.

(4) Burns any material which produces any smoke or gas which is harmful to any plant or animal found in any cave.

(5) Removes any material found in any cave.

(6) Breaks, forces, tampers with, removes or otherwise disturbs any lock, gate, door, or any other structure or obstruction designed to prevent entrance to any cave, whether or not entrance is gained.

(b) For purposes of this section:

(1) “Cave” means any natural geologically formed void or cavity beneath the surface of the earth, not including any mine, tunnel, aqueduct, or other manmade excavation, which is large enough to permit a person to enter.

(2) “Owner” means the person or private or public agency which has the right of possession to the cave.

(3) “Natural material” means any stalactite, stalagmite, helicitite, anthodite, gypsum flower or needle, flowstone, drapery, column, tufa dam, clay or mud formation or concretion, crystalline mineral formation, and any wall, ceiling, or mineral protuberance therefrom, whether attached or broken, found in any cave.

(4) “Material” means all or any part of any archaeological, paleontological, biological, or historical item including, but not limited to, any petroglyph, pictograph, basketry, human remains, tools, beads, pottery, projectile point, remains of historical mining activity or any other occupation found in any cave.

(c) The entering or remaining in a cave by itself shall not constitute a violation of this section. *(Added by Stats. 1976, c. 1303, § 2. Amended by Stats. 1977 c. 22, § 1; Stats. 1983, c. 1092, §312.)*

The Newsletter Needs Your News

During the past year the primary goal of the Newsletter staff has been to get the SCA Newsletter back to a regular schedule. With your help we have done this we have now produced an issue every two months for a full year with an extra issue thrown in prior to the Annual Meetings.

Now that we are back to a regular schedule, and have the current events news mostly under control, we need to include more archaeology in the Newsletter.

There is a lot of archaeological research being done in California. We would like to include in the Newsletter a series of one-page articles on some of the more meaningful research results. The articles can include photographs or illustrations, but overall size should be limited to one page as we have only 9.5 pages of free space per issue. (Photographs should be black and white, but send us the negative so we can size it properly.)

This is a perfect opportunity to share your findings with most of the archaeologists and many of the archaeological students in the state. Don't forget if you don't send in your work, your competitors will probably send in theirs. This is your chance to make history: remember if you didn't publish it you didn't do it.

The deadline for Newsletter contributions is always the 25th of each odd month (i.e., the next deadline is September 25). Contributions and suggestions are always welcome.
The Society for California Archaeology is a non-profit scientific and educational corporation. Its two purposes are:

To facilitate coordination and cooperation among archaeologists in California: (1) to stimulate scientific research in the archaeology of California, (2) to promote and maintain standards and goals for archaeology in California, (3) to encourage the development and use of new techniques for the better recovery, interpretation, and preservation of archaeological remains, (4) to conduct symposia and meetings for the presentation of archaeological matters, and (5) to publish and disseminate information on archaeological research in California.

To facilitate efforts between archaeologists and all citizens of California: (6) to stimulate greater public interest in and public understanding of the techniques and goals of archaeology in California, (7) to disseminate educational information to the public on the archaeological knowledge, (8) to encourage and assist in the conservation of archaeological remains for future research and public knowledge, (9) to discourage and curtail the destructive exploitation in California of archaeological resources, and (10) to increase public appreciation and support for scientific archaeology in California.

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Upcoming Events


—October 18, 1986. Society for California Archaeology Northern California Data Sharing Meeting, King Lounge, Memorial Union Building, University of California, Davis. Contact Robert Jackson, Office of Historic Preservation, P.O. Box 2390, Sacramento, CA 95811 or call (916) 322-9602 (work) or (916) 666-1754 (home).


—November 1, 1986. Society for California Archaeology Southern California Data Sharing Meeting, Room 39, Haines Hall, University of California, Los Angeles. Contact John Parker, UCLA Archaeology Program, 288 Kinsey Hall, University of California, Los Angeles, CA 90024 or call (213) 644-6141.


—May 6-10, 1987 Society for American Archaeology, 52nd Annual Meeting, Royal York Hotel, Toronto, Ontario, Canada.

—August 20-30, 1987 16th Pacific Science Congress, Seoul, Korea. Contact Dr. Wong, 125 Vassal Lane, Cambridge, MA 02138.
