



November 12, 2014

Ms. Maureen Joe, Assistant Field Manager
Farmington Field Office
Bureau of Land Management
6251 College Blvd., Suite A
Farmington, NM 87402

Dear Ms. Joe:

We are writing in response to your letter of October 8, 2014, which we received on October 14, 2014 regarding the Mancos Shale/Gallup Formation Resource Management Plan Amendment and associated Environmental Impact Statement. You requested the Society for American Archaeology's (SAA) comments regarding definition of the area of potential effect, identification efforts for historic properties, and consultation and public outreach efforts, which we provide below.

SAA is an international organization that, since its founding in 1934, has been dedicated to the research about and interpretation and protection of the archaeological heritage of the Americas. With more than 7,000 members, SAA represents professional archaeologists in colleges and universities, museums, government agencies, and the private sector. SAA has members in all 50 states as well as many other nations around the world.

1. BLM seeks to limit the Area of Potential Effects (APE) to BLM land and federal minerals within the planning area. However, ownership is not directly relevant to definition of the Area of Potential Effects under the National Historic Preservation Act. Instead, "the area of potential effects means the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist" (36 CFR 800.16(d)). It is clear that BLM land use decisions made under this plan amendment will result in direct and indirect impacts on non-Federal lands within the larger 4 million acre planning area. The BLM should acknowledge these impacts and evaluate them as part of the RMPA/EIS process. For these reasons we do not believe that the APE is limited to BLM land and federal minerals. BLM has a long-standing policy of taking the scale and nature of an undertaking into account without regard to land ownership when determining the APE. This is especially important in long-term planning, when decisions made by BLM may stand for 15 years or more into the future.

2. BLM acknowledges that the APE includes areas of "high site density and possible high sensitivity to future development". Among the cultural resources likely to be present within these areas are prehistoric roads that are not identifiable through pedestrian archaeological survey. Because they are difficult to identify and are likely to extend across numerous lease areas, a comprehensive planning-area wide study to identify, document and preserve roads should be part of the RMPA/EIS. In order to minimize costs and delays and identify roads warranting protection and preservation as ACEC's, this should occur prior to leasing. The investigation should include analysis of historic imagery and modern (LIDAR) aerial imagery, followed by multidisciplinary ground-truthing, documentation of identified cultural features, and preparation of a technical report describing the cultural features, discussing their significance, and determining their eligibility to the National Register of Historic Places. In addition, properties of traditional cultural significance to Native American Tribes are warranted for consideration by BLM and should be considered in the historic properties identification, evaluation, and management process. Traditional cultural properties can include, but are not limited to, shrines, collection areas, offering sites, trails, and ancestral archaeological sites that are visited by tribal traditional practitioners as part of ceremonial observances. The 1992 amendments to the NHPA clearly calls out traditional cultural properties as a class of historic properties eligible for nomination to the National Register of Historic Places. Until these concerns have been adequately addressed, we do not believe that efforts to identify historic properties have been sufficient.

3. The BLM should work with the NPS, other federal and state agencies and tribal nations, the local community and consulting parties to establish a mutually agreed upon no-lease buffer around the perimeter of Chaco Culture National Historical Park. As both a national park and world heritage site, Chaco and its surrounding cultural and natural landscape can and should be protected from cumulative degradation due to indirect impacts associated with mineral leasing, including seismic effects, view shed alteration, noise and light pollution, and soil, vegetation, and wildlife disturbance.

4. The 2003 ROD and RMP describe a variety of goals and objectives to be carried out over the life time of the plan. These range from reduction of surface and environmental impacts related to drilling, to meeting New Mexico Standards for Public Land Health, implementation of a new compliance plan for well pads and preparation of numerous cultural resource management plans. The RMP calls for periodic evaluation of the plan to determine if these objectives are being implemented. A 2008 plan evaluation provides some general information on implementation, but (for example) provides no review of the plan's effectiveness in reducing oil and gas development impacts through best management practices such as standardized drilling window offsets, facility unitization, minimization of new service road construction, electronic transmission of well data, or the development of a voluntary fund to mitigate and reclaim areas affected by well development. In order to establish basic credibility and accountability, the plan amendment BLM is now preparing should include basic data showing BLM's progress in implementing each of the 2003 plan goals and objectives.

We do appreciate your including us in this process, and we look forward to working with you further on this project. If you need any further information or would like to discuss any of these points further please contact David Lindsay, SAA Manager, Governmental Affairs, Society for American Archaeology, 1111 14th St NW, Suite 800, Washington, DC, 20005 (david_lindsay@saa.org).

Sincerely,

A handwritten signature in blue ink that reads "Jeffrey H. Altschul". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Jeffrey H. Altschul, Ph.D., RPA
President

CC:

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