



SOCIETY FOR AMERICAN ARCHAEOLOGY

January 21, 2022

Tiffany Arend, District Archaeologist
Bureau of Land Management - CA Desert District Office
1201 Bird Center Drive
Palm Springs, CA 92262

RE: Review of the Revised Draft Amendment to the Programmatic Agreement for the Desert Renewable Energy Conservation Plan

Dear Ms. Arend,

The Society for American Archaeology (SAA) appreciates the opportunity to review and comment on the Revised Draft Amendment to the Programmatic Agreement (PA) for the Desert Renewable Energy Conservation Plan (DRECP), which was received on December 22, 2021. Upon review of the consultation letter and draft amendment, the SAA has the following comments:

1. The SAA recognizes and appreciates the inclusion of the following within Stipulation VI (C)(3) for work related to creating the Cumulative and Indirect Effects Mitigation (Appendix G):

The BLM will invite all Consulting Parties to participate in a committee to develop the compensatory mitigation fee and the process for management and use of the fee. All interested Consulting Parties will be included in the committee.

This partially addresses questions raised within the Society's previous submittal of comments on October 14, 2021. However, the SAA continues to request transparency regarding the "subset of the Consulting Parties" responsible for the creation of the Cultural Resources Sensitivity Analysis (Appendix F). The whereas clause of the amendment document (line 25) notes that this committee has been established, and there is no alteration to Stipulation VI (A)(3) indicating that a new committee will be established, as is seen in Stipulation VI (C)(3) regarding the committee for the Cumulative and Indirect Effects Mitigation (Appendix G). As such, the SAA is again requesting that the list of participants, past and present, as well as the selection process for participants, for the committee responsible for Appendix F be provided to the SAA and any other requesting parties.

2. It is recognized that many alterations within the updated amendment document, such as additional commitments to engaging in robust consultation with Tribes and the addition of Stipulation VI (E), are positive changes. Discussions with Consulting Parties regarding the amendment, however, started seven (7) months ago, and communications from the BLM have been sparse. Meanwhile, the region has seen, and continues to see, a high number of proposed projects seeking approval prior to the finalization of the cultural sensitivity analysis and mitigation fees in an effort to avoid high costs. The SAA continues to be concerned that the

process to finalize requirements pursuant to Appendices F and G is moving at a glacial pace, and strongly recommends swift action be taken to satisfy requirements outlined in the PA.

Overall, the SAA continues to encourage quick and thoughtful action by the BLM in support of cultural resource preservation efforts required under the PA for the DRECP. The SAA appreciates the opportunity to provide comments to the BLM regarding the draft amendment to the PA and looks forward to continued participation in efforts on this subject.

Sincerely,

A handwritten signature in black ink, appearing to read "Deborah L. Nichols". The signature is written in a cursive style with a large initial "D" and "N".

Deborah L. Nichols, Ph.D., RPA
President