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Sent Via EMail

Re: "A Cultural Resources Survey for the CR 7950 Improvements Project, San Juan County, New Mexico," prepared by the URS Corporation

Dear Sirs:

Thank you for sending copies of *A Cultural Resources Survey for the CR 7950 Improvements Project, San Juan County, New Mexico*, to HPD and the listed consulting parties. I am pleased to hear tribal consultation was initiated in 2007 and so far two traditional cultural properties have been identified. It appears that a number of tribes and pueblos may continue to have interest in the project.

Now that all parties are in receipt of the survey report, we can commence the 106 process in earnest. I look forward to hearing the other parties viewpoints and issues as we go through the consultation process.

I would like to bring to your attention several issues that don't seem to be addressed in the correspondence. First, the Chaco Culture National Historical Park (CCNHP) is inscribed as a world heritage site and under the World Heritage Convention, "II. NATIONAL PROTECTION AND INTERNATIONAL PROTECTION OF THE CULTURAL AND NATURAL HERITAGE, **Article 4**

Each State Party to this Convention recognizes that the duty of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage referred to in Articles 1 and 2 and situated on its territory, belongs primarily to that State. It will do all it can to this end, to the utmost of its own resources and, where appropriate, with any international assistance and co-operation, in particular, financial, artistic, scientific and technical, which it may be able to obtain." Both BLM and NPS are land managers of the World Heritage site. Have you been in dialogue with both about how you will do your utmost to protect as the alternatives are considered? If not, I encourage you to do so immediately.

Second, as you mention there are potential adverse effects I suggest you contact the Advisory Council on Historic Preservation now to let them know the status of the resources and 106 consultation and invite their participation given the potential effects to the World Heritage site.

I think further discussion is needed in what appears to be segmentation of this project – the first three miles were addressed by San Juan County in 2006 (without consultation), now you are recommending the 11.4 miles will be addressed, leaving the remaining 4.4 miles unimproved but also lacking consultation. As two of the stated purposes of the proposed improvements along San Juan County Road 7950 (CR7950) are to improve safety and operability of the corridor and enhance mobility and access to all properties served by the roadway, this approach seems contrary to the intent of the project and legislation. From previous discussions and the analysis, the low-water crossing at Escavada Wash is likely the biggest safety problem along the road and improvements to this section of the road likely are necessary.

As I have stated in prior correspondence, in my opinion, increased traffic and visitation to the park has not been adequately addressed and therefore, I would like to hear more from CCNHP on their opinion of effect. I suggest you work to balance the various reports, not dismiss the NPS studies because another method was used to estimate potential effect. Actions the county takes may have significant impacts on the park, how it is managed and how it is experienced. If the road is chip sealed or paved, thereby increasing visitation, the impact on the historic resource needs to be evaluated and the NPS should be asked if it will need to change its management and operation of the park, including the way it serves visitors and the resources, possibly having an adverse effect. The analysts need to take into account potential changes as articulated by NPS that may result from increased visitation as a result of the proposed project. The park

has expressed it will be faced with changing infrastructure to accommodate increased visitation, or taking steps to manage visitation of the resources in a different manner which could significantly alter the visitors' appreciation for the setting and feeling of the historic resources by such actions as limiting access to archeological sites, requiring reservations, and shuttling people in, etc. The assertion that visitation is unlikely to increase as a result of the proposed undertaking is difficult to understand with contradictory data and an apparent selectiveness of analysis.

Given that we have just commenced consultation I feel it premature to concur with the requested determination of eligibility and effect.

Sincerely,



Katherine A. Slick
NM State Historic Preservation Officer

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