

August 2, 2011

VIA EMAIL AND FIRST CLASS MAIL

Ms. Linda Rundell  
Director, New Mexico State Land Office  
Bureau of Land Management  
P.O. Box 27115  
Santa Fe, NM 87502-0115

Gary Torres  
Field Manager, Farmington Field Office  
Bureau of Land Management  
1235 La Plata Highway, Suite A  
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RE: Oil and Gas Leasing in the Vicinity of Chaco Culture National Historical Park and Chacoan Outliers | Request for Reconsideration and Additional Information, Consultation, and Status Report

Dear State Director Rundell and Mr. Torres:

As you are by now probably aware, the National Trust for Historic Preservation has designated the Greater Chaco Landscape as one of America's 11 Most Endangered Places in 2011. In light of the heightened danger this landscape faces from increased energy development pressure, the National Trust, the Chaco Alliance, and the San Juan Citizens Alliance write jointly to request reconsideration of BLM's decision not to adopt the October 21, 2010, master leasing plan nomination, and a more detailed explanation for the denial. In addition, we request an opportunity to consult with BLM and to receive an update on BLM's landscape-level analysis.

**Request for Reconsideration and Additional Information**

In regards to our first request, reconsideration of our proposed master leasing plan is warranted for several reasons. In denying our nomination of the Greater Chaco Landscape, the only explanation we received was that the nomination failed to meet BLM's "geographic boundary requirements." This decision, however, contradicts our understanding of the letter and spirit of BLM's own Instruction Memorandum (IM) 2010-117, specifically that BLM would consider, among other listed factors, "wilderness characteristics"; "nearby state, tribal, and other federal agency lands"; and "important cultural resources, including traditional cultural properties of importance to Native American tribes, and historic trails." IM § 2.A.

All of these aspects, however, are set forth in detail in the proposed master leasing plan. If BLM has identified a specific defect in regards to the geographic boundaries, it would be helpful to understand what the defect is in the event a correction is possible. Without providing this detail, the decision appears to run counter to BLM's own criteria that suggest mandatory recognition of the master leasing plan that we submitted. For these reasons, and in recognition of the fiduciary duty BLM owes to all Native American tribes, reconsideration in favor of granting the proposed leasing plan is appropriate.

## **Request for Consultation and Status Report**

In addition, with respect to our request for consultation and a status report, BLM held an initial consultation meeting on May 10, 2010 in Albuquerque, the purpose of which was to identify an area of potential effect (APE) around the Park that BLM would use when evaluating future oil and gas leases. At this meeting, the consulting parties stressed that the APE must account for the full range of potential direct and indirect effects, including visual alterations, noise, air, and light pollution stemming from all aspects of oil and gas development, including road construction and use. The consulting parties also stressed that the APE must include not only the Park, but also other significant cultural resources outside the Park such as prehistoric roads and Chacoan outliers. To address our concerns with cultural resources outside the Park boundaries, we requested that BLM consult with us when leases are nominated within five miles of Chacoan outliers as well as within five miles of the Park itself.

During the meeting, BLM made verbal assurances that it would not authorize any new leases within five miles of the Park in the foreseeable future. BLM also committed to doing a visual impacts assessment for, at a minimum, the Park's viewshed, and agreed to consider expanding the viewshed analysis to the Greater Chaco Landscape, the scope of which analysis would be determined in cooperation with the consulting parties based on the results of BLM's visual impact assessment for the Park. BLM also recognized the need to do landscape-level analyses of noise and air pollution impacts to the Park and Chacoan outliers to inform future leasing decisions.

To date, BLM has not followed through with these commitments. Furthermore, BLM has not held any additional meetings with consulting parties since the initial consultation kick-off meeting held over a year ago. The only thing BLM has done is to send periodic email updates informing us as to whether any parcels within five miles of *the Park* have been nominated for upcoming lease sales.

Because the consultation process has not moved beyond the initial meeting, we remain deeply concerned about potential adverse effects to the Greater Chaco Landscape from oil and gas leasing. We are also concerned that BLM is not notifying us of lease parcel nominations located within five miles of Chacoan outliers such as Pueblo Pintado. Therefore, we request the BLM re-engage in the consultation process by convening a meeting with all consulting parties as soon as possible. We are happy to work with you to find a mutually acceptable meeting time and location. We also request that, at the meeting, BLM provide a status report on what, if any, landscape-level analyses the agency is pursuing to address our concerns about impacts to the Greater Chaco Landscape and by when these analyses will be completed. This meeting should also lay out a path for continuing consultations on how to best protect the Greater Chaco Landscape from encroaching energy development.

Please address all correspondence to the persons below. We look forward to meeting with BLM and the other consulting parties to discuss the concerns outlined in this letter and a path forward to permanent protection of an important World Heritage Site and its associated landscape.

Sincerely,

/s/Jonathan Poston

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cc (via email):

Barbara West, Superintendent, CCNHP  
Jan Biella, New Mexico State Historic Preservation Office  
Terry Morgart, Hopi Cultural Preservation Office  
Theresa Pasqual, Acoma Historic Preservation Office