Chairman Lee, Ranking Member Wyden, and members of the subcommittee, I appreciate the opportunity to share the National Trust for Historic Preservation’s strong support for the Chaco Cultural Heritage Area Protection Act (S. 2907) introduced by Senators Tom Udall (D-NM) and Martin Heinrich (D-NM). My name is Tom Cassidy, and I am the Vice President for Government Relations and Policy.

The National Trust for Historic Preservation is a privately-funded charitable, educational and nonprofit organization chartered by Congress in 1949 in order to “facilitate public participation in historic preservation” and to further the purposes of federal historic preservation laws.1 The intent of Congress was for the National Trust “to mobilize and coordinate public interest, participation and resources in the preservation and interpretation of sites and buildings.”2 With headquarters in Washington, D.C., nine field offices, 28 historic sites, more than one million members and supporters and a national network of partners in states, territories, and the District of Columbia, the National Trust works to save America’s historic places and advocates for historic preservation as a fundamental value in programs and policies at all levels of government.

We appreciate the Committee scheduling this hearing to discuss this legislative proposal to withdraw certain federal lands in the Greater Chaco area to protect against new oil and gas development. The National Trust strongly endorses this legislation, and we joined with 44 other preservation and cultural resource organizations in sending a letter of support to the bill’s sponsors on July 12, 2018 (attached). The following comments supplement that letter.

Background and Need

The Chaco Cultural Heritage Protection Act would permanently withdraw approximately 316,000 acres of federal lands surrounding Chaco Canyon National Historical Park from disposal, mining, and mineral leasing laws to prevent future oil, gas, and other mineral development. This withdrawal would not impact nonfederal minerals owned by tribal, state, or private entities within the broader 909,000-acre Chaco Cultural Heritage Withdrawal Area identified in the bill.

While the cultural resources associated with Chaco culture extend across an even larger landscape, this legislation takes a critical step to protect largely unfragmented areas around Chaco Canyon. The Greater Chaco landscape includes remarkable and interconnected cultural resources, including ceremonial buildings, distinctive great houses, and an elaborate network of engineered roads that provided a physical and cultural link for people across the region. The

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1 54 U.S.C. §§ 312102(a), 320101.
Global significance of this landscape led to the addition of Chaco Culture to the UNESCO World Heritage List in 1987 with the goal of preserving outstanding elements of ancestral Pueblo culture that dominated the region from the mid-9th to early 13th centuries. The World Heritage listing includes not only Chaco Canyon National Historical Park, but also Aztec Ruins National Monument and additional protected archaeological areas managed by the Bureau of Land Management.

The Greater Chaco landscape has enduring significance for many tribes throughout the southwest, including those descended from the ancestral Pueblos whose culture and economic life centered on Chaco Canyon. We applaud the bill’s sponsors for working with the All Pueblo Council of Governors and the Navajo Nation to develop this legislation, and we encourage continued dialogue with tribes that have cultural and sacred ties to the region.

The natural and cultural landscape as a whole—not just individual sites and artifacts—make this area worthy of protection. Yet most Chacoan sites and roads located on federal lands outside the Park and World Heritage boundaries are at risk from a variety of activities including, most significantly, energy development. Oil and gas development in Greater Chaco is problematic not only due to direct impacts to sites, artifacts, and traditional cultural properties, but also because of impacts to viewsheds, soundscapes, and dark night skies that provide a connection to the experiences of ancient culture and make Chaco such an internationally important site for preservation.

Threats from energy development associated with the Mancos-Gallup Shale formation led the National Trust to include the Greater Chaco landscape on our annual list of America’s 11 Most Endangered Historic Places in 2011. Since that time, pressure for oil and gas leasing in the area has increased. Most recently, multiple parcels within the Greater Chaco landscape were slated for a March 2018 lease sale, though the Bureau of Land Management ultimately deferred the lease sale at Secretary Zinke’s direction pending additional analysis of cultural sites. The National Trust formally protested leasing in this and other instances and we appreciate the Secretary’s deferral, but these important resources require the permanent withdrawal that this legislation would provide.

Notably, the All Pueblo Council of Governors and the National Congress of American Indians have passed resolutions calling for a moratorium on all oil and gas permitting and leasing in the Greater Chaco landscape. The tribes have requested this moratorium to protect traditional cultural properties and sacred sites until an ethnographic study and an updated Resource Management Plan and Environmental Impact Statement for the region are completed.

Conclusion

This area is not suitable for energy development. The National Trust supports the Chaco Cultural Heritage Protection Act and encourages members of the Committee to act favorably on this bill. We also encourage collaboration among this Committee, federal agencies, tribes, and other stakeholders to create a coordinated, updated management plan that better recognizes and protects cultural resources on public lands in the region. Robust interagency coordination, tribal consultation, and public involvement are necessary to limit the effects of industrial development on this globally-significant resource. Thank you again for this opportunity to present the views of the National Trust for Historic Preservation on this important piece of legislation.
July 12, 2018

The Honorable Tom Udall
531 Hart Senate Office Building
Washington, DC 20510

The Honorable Martin Heinrich
303 Hart Senate Office Building
Washington, DC 20510

Dear Senators Udall and Heinrich,

As organizations dedicated to preserving cultural and historic resources, we write today in support of the Chaco Cultural Heritage Area Protection Act (S. 2907).

We appreciate that your legislation provides a permanent withdrawal for approximately 316,000 acres of federal lands surrounding Chaco Canyon in recognition of the extensive and interconnected cultural resources across the landscape. We also applaud your work with the All Pueblo Council of Governors and the Navajo Nation to develop this legislation.

Chaco Canyon and the surrounding landscape hold remarkable examples of ceremonial buildings, distinctive great houses, and an elaborate network of engineered roads that link Chaco Canyon with outlying sites. This landscape was designated a World Heritage Site in 1987 for preserving outstanding elements of Chacoan culture, which dominated the region from the mid-9th to early 13th centuries.

Energy development associated with the Mancos-Gallup Shale formation in northwest New Mexico has increasingly threatened cultural resources and the broader landscape affiliated with Chaco. Recognizing this threat, the National Trust for Historic Preservation listed the Greater Chaco Landscape among America’s 11 Most Endangered Historic Places in 2011. In September 2017, Archaeology Southwest released a new report summarizing recent research by the archaeological and academic communities on the Greater Chaco Landscape that underscores the critical need to enhance protections for the area.

Thank you for introducing the Chaco Cultural Heritage Area Protection Act and for your continued leadership in protecting this important cultural landscape.

Sincerely,

National Trust for Historic Preservation
American Alliance of Museums
American Anthropological Association
American Cultural Resources Association
The Archaeological Conservancy
Archaeological Institute of America
Archaeological Society of New Mexico
Archaeology Southwest
Arizona Archaeological and Historical Society (AAHS)
Arizona Preservation Foundation
Association for Washington Archaeology
Association of Iowa Archaeologists
Cienega Watershed Partnership (CWP)
Coalition for American Heritage
Colorado Council of Professional Archaeologists (CCPA)
Colorado Plateau Archaeological Alliance
Conservation Lands Foundation
Council for Northeast Historical Archaeology
Council for West Virginia Archaeology
Council of Texas Archeologists
Crow Canyon Archaeological Center
Florida Archaeological Council
Florida Public Archaeology Network
Friends of Cedar Mesa
Heritage Ohio, Inc.
Illinois Archaeological Survey (IAS)
National Association of Tribal Historic Preservation Officers (NATHPO)
New Mexico Archeological Council (NMAC)
Pennsylvania Archaeological Council
Providence Preservation Society
Rainbow Heritage Network
Save Our Heritage Organisation (SOHO)
Site Steward Foundation, Inc.
Society for American Archaeology
Society for California Archaeology
Society for Historical Archaeology
SRI Foundation
Tucson Historic Preservation Foundation
US/ICOMOS (The United States National Committee of the International Council on Monuments and Sites)
Washington Trust for Historic Preservation
The Wilderness Society
Wisconsin Archaeological Survey
World Monuments Fund
Wyoming Association of Professional Archaeologists
Yuma Crossing National Heritage Area