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Preserving America's Heritage

March 11, 2019

The Honorable David Bernhardt
Secretary of the Interior (Acting)
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Ref: *Proposed New Energy Extraction near the Chaco Culture World Heritage Site*

Dear Mr. Secretary:

On behalf of the Advisory Council on Historic Preservation (ACHP), I offer my congratulations on your nomination to serve as the Secretary of the Interior. The ACHP has long enjoyed a close working relationship with the Department of Interior and appreciates the leadership it has shown in advancing the goals of the historic preservation program. We appreciate also its membership and active engagement on the ACHP, as well as its able representation by Andrea Travnicek, Principal Deputy Assistant Secretary for Fish and Wildlife and Parks.

I write to express the ACHP's interest in working with the Department and its constituent bureaus to address concerns about potential new drilling near Chaco Culture National Historical Park that could have an adverse effect on this unique World Heritage Site.

As an independent federal agency charged by the National Historic Preservation Act with promoting the preservation, enhancement, and productive use of our nation's historic resources, the ACHP advises the President and Congress on national historic preservation policy. Since our creation in 1966, the ACHP has provided technical and policy guidance to federal agencies, including the Department of the Interior, on appropriate and effective strategies to address effects on historic properties as an integral part of their decision-making processes. Our goal is to achieve the accommodation of important historic preservation values with the implementation of needed public improvement projects.

Proposed energy development in the vicinity of Chaco Canyon has the potential to impair and degrade sites of both national and international significance, including the Chaco Culture National Historical Park, administered by the National Park Service, and the surrounding network of archaeological sites administered by the Bureau of Land Management and others. Collectively, these sites embody a vast pre-Columbian cultural and trade system that has dominated much of what is now the southwestern United States for centuries.

The exceptional significance of this complex of associated sites led to the United States nominating the combined sites to the World Heritage List. UNESCO accepted the nomination and inscribed the Chaco Culture World Heritage Site in 1987. Sites like Chaco are recognized to possess "Outstanding Universal Value" under the 1972 World Heritage Convention. During the Nixon administration, the U.S. not only led the way in developing the Convention but also was the first to ratify it.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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Under the Convention, the U.S. government voluntarily accepted “the duty of ensuring the identification, protection, conservation, presentation and transmission to future generations” of its World Heritage Sites and committed to “do all it can to this end, to the utmost of its own resources” (see Article 4 of the World Heritage Convention). Representing one of the only eleven such cultural sites in the United States, Chaco is recognized to be “of outstanding universal value from historical, aesthetic, ethnological or anthropological point of view” (Article 1 of the World Heritage Convention). We believe that the treaty obligations of the United States as a signatory to the World Heritage Convention impose on federal agencies heightened responsibilities in their oversight and management of World Heritage Sites like Chaco.

The ACHP is pleased to see that the Bureau of Land Management recognized the exceptional significance of Chaco by withdrawing a number of parcels from a proposed lease sale being conducted later this month. We believe this wise move provides a unique opportunity for the Department to develop a long-term strategy for managing these exceptional resources. Our experience in dealing with lease actions and other development proposals over the years near Chaco convince us that this challenge should be met at the departmental level. Portions of the Chacoan landscape are separately managed by the National Park Service and the Bureau of Land Management. Too often management decisions seem to be made in separate silos, without proper consideration of the exceptional overarching values inherent in the combined components of the site. The area certainly contains rich deposits of energy resources, but their development need not be at the cost of impairing irreplaceable cultural properties.

The ACHP urges you to pursue your stewardship responsibilities for these resources and develop a strategy that will guide both the National Park Service and the Bureau of Land Management as they carry out their respective missions in the area. The goal should be to use innovative approaches to avoid impacts directly and indirectly affecting this World Heritage Site, including creating a buffer zone to protect it or limiting the sale of parcels in sensitive areas until shared resource management plans can be developed and implemented. Consultation with all interested parties, and especially with the Indian tribes who have special expertise in assessing effects to the qualities that make these sites sacred to them, is critical to crafting innovative management approaches for these sites.

To facilitate this process, the ACHP offers its expertise in soliciting the viewpoints of diverse stakeholders, fulfilling legislative and regulatory compliance requirements efficiently and collaboratively, and developing innovative and collaborative management processes that can balance development goals with cultural resource protection.

The Department has both the opportunity and the capability to protect the unique characteristics of Chaco that have made it so profoundly significant. Thoughtful action now will leave both a legacy of conservation while plotting a predictable course for future energy development in the region.

I appreciate the opportunity to bring this matter to your attention and would welcome working with you and the Department to achieve these goals.

Sincerely,



Milford Wayne Donaldson, FAIA
Chairman