

# State Wants to Require Archaeological Surveys

The New Mexico State Land Office is proposing a rule that would require state trust land lessees to submit an archaeological survey before starting projects like building pipelines or roads or drilling for oil and natural gas.

State Land Commissioner Stephanie Garcia Richard said the rule would codify protections for sensitive cultural resources, compared to a policy or practice that could be undone by future administrations.

“We live on land that’s been resided on for tens of thousands of years,” she said. “There are many very vulnerable, significant cultural sites, properties and landscapes throughout our state.”

The proposal is an initiative of the agency’s recently-created cultural resources office, which houses three archaeologists and a tribal liaison.

Archaeological surveys are required for most land-disturbance projects on federal land.

Garcia Richard said many state land trust lessees already submit surveys, but this would make it a requirement.

“We don’t want it to be prohibitive in terms of cost for smaller (projects),” she said. “So we’re developing a compliance program that is going to help pay or assist with that archaeological work for smaller lessees.”

Survey results would help the land office determine if lessees need to adapt project plans to avoid sensitive sites.

Under the proposed rule, the surveys could include consultations with tribal historic preservation officers.

The agency has sought feedback on the proposed rule from advisory committees of conservation and agriculture groups and oil and gas associations.

Garcia Richard said that process will help ensure the rule protects cultural properties without “impeding the mission of the land office, which is to raise revenue.”

“This is quite a culture shift for this agency, which has seen over 100 years of developing state land with no real uniform protection,” she said.

The agency is accepting public comment until Oct. 21 on the proposed rule, which could go into effect early next year.