



**Aubrey Dunn, State Land Commissioner
State of New Mexico**

For Immediate Release

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Land Commissioner Implements New Policy to Protect Cultural Resources on State Trust Lands

Santa Fe, NM (December 16, 2016) – Under the direction of New Mexico State Land Commissioner Aubrey Dunn, the State Land Office is implementing a policy to identify significant cultural properties and archaeological sites on State Trust Lands before approving leases, rights-of-way, access permits, and other projects, in an effort to mitigate damage and destruction to the property.

It is estimated that 250,000 archaeological sites exist on State Trust Lands, although less than 5,000 sites have been identified, documented and registered to date.

“New Mexico’s archaeological treasures have great significance in the Native American and Spanish colonial history of our state,” said Commissioner Dunn. “These sites are irreplaceable and must be protected from both intentional and inadvertent damage.”

This year, Commissioner Dunn, State Land Office archaeologists David Eck and Lia Tsesmeli, along with archaeologists from the State Historic Preservation Office, evaluated the site of a tree thinning project in Torrance County, near an area that had been identified as an archaeological site.

Because of the Commissioner’s due diligence by conducting a survey in advance of approving the project, the archaeological site was avoided.

According to the policy, all proposed projects on State Trust Lands shall begin with a search of the New Mexico Cultural Resources Information System maintained by the Archaeological Records Management Section of the State Historic Preservation Division – or an “ARMS Inspection” – to determine if (1) a survey has been conducted and no cultural property is located; (2) a survey has been conducted and cultural properties are identified near or on a proposed project site; or (3) no survey has been conducted in the area.

If the ARMS Inspection determines that a cultural resources survey has been conducted and no cultural properties are found, then the project may proceed.

If the proposed project area includes, or is near, a known cultural property, State Historic Preservation Officer and State Land Office archaeologists will coordinate a mitigation strategy before the project is approved.

If the ARMS Inspection reveals that the proposed project area has not been surveyed, the application may proceed without any further archaeological review. However, lessees are advised that the State Land Office strongly recommends that a survey be conducted prior to any activity, and that if any project or lease activities reveal an undocumented cultural property, activities must immediately cease, and the State Land Office must be notified.

Applicants and lessees who conduct activities without a site evaluation and damage cultural properties could be subject to a \$100,000 fine and be held liable for the cost of a damage assessment and site remediation. Lessees must sign an acknowledgement of having read the "Notice to Applicants" included in their lease application packets, and that they understand and agree to abide by the terms and conditions set forth therein.

Since Commissioner Dunn took office, three claims for archeological damage occurring prior to the policy have been resolved for payments totaling approximately \$316,000. One claim arising after the policy was adopted is still under review.

"Cultural resources throughout New Mexico are constantly threatened by natural causes, urban development, vandalism, and illegal excavations," said Commissioner Dunn. "This policy holds people accountable for any damage they cause on State Trust Lands."



300-year-old "Pork Chop Pass," located in Rio Arriba County, is a striking example of an archeological site on State Trust Lands.



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Commissioner Dunn and the State Land Office manage 9 million acres of surface estate and 13 million mineral acres held in trust to support public schools, universities, hospitals, correctional facilities, and other programs and services.

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