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BLM TURNS A BLIND EYE TO TRESPASS AT OTERO COUNTY OHV PARK – PRICELESS ARCHAEOLOGICAL SITES ON STATE TRUST LANDS AT RISK

SANTA FE, NM – The Red Sands Off-Highway Vehicle Park and trail system designated by the Bureau of Land Management as a public recreation area is illegally crisscrossing State Trust Lands, damaging valuable surface estate, vegetation, and wildlife habitat, and threatening an estimated 450 irreplaceable cultural properties.

According to BLM’s website, the park, located 20 miles south of Alamogordo in Otero County, offers 100 miles of trails which are open to cross country travel.

Not so, says State Land Commissioner Aubrey Dunn.

“Nearly 4,700 acres of Trust lands are intermingled with the OHV park and BLM is encouraging criminal trespass,” said the commissioner. “This, along with other irresponsible actions taken by the federal government, shows the complete disregard and downright theft of state property.”

A four month investigation conducted by State Land Office district resource managers and archaeologists documented trespass, identified offshoot trails, and surveyed cultural artifacts.

During this process it was discovered that Trust lands within the park have not been identified as such by BLM. For example, there is no signage notifying the public using roadways or trails within the park that they are entering or exiting Trust lands, and BLM’s website identifies Trust lands as part of its trail system, giving the public the perception that these roads and trails are accessible to all users despite ownership, creating a trespass situation.
Most troubling, in one section, two previously documented archaeological sites were found to have been traversed by OHV operators, and a new site was discovered and recorded as a consequence of OHV tracks deviating from the established road. There are a total of 18 previously recorded sites within this same section that are now placed at high risk for damage due to OHV operation.

In another section, one previously documented archaeological site was found to have been cut across by OHV operators. This particular feature and the entire site have been placed at risk as a consequence of this activity.

In a third section, two new archaeological sites immediately adjacent to the established roadway were discovered and recorded. Both these sites are at risk for damage as a consequence of OHV operation.

And, in a fourth section, OHV tracks illustrate the risk for damage to 22 previously documented archaeological sites in that area.

“The damage allowed, and frankly encouraged, by BLM is of highest concern and could cost the Trust millions in lost artifacts and treasured history,” said Commissioner Dunn. “What is even more baffling is why my predecessor, Ray Powell, ignored this flagrant trespass. He is just as guilty as BLM.”

Commissioner Dunn says, at the very least, BLM must acquire a right-of-way, which could amount to $78,000; close the park until it conducts cultural surveys and pays for the damages to the Trust’s cultural assets; build protective fencing on both sides of any right-of-way; agree to patrol the area, ensuring that vehicles remain within the boundaries of the right-of-way; and, publish trail maps that expressly prohibit the use of any trails that cross Trust lands without a Land Office-issued recreational access permit.

“We at the State Land Office encourage and support the proper recreational use of State Trust Lands but we must abide by our constitutional mandate to generate income from, and conserve, these lands,” said the commissioner. “I’m holding BLM liable for the right-of-way and all damage to Trust resources, a price tag that could very well exceed $1 million.”

Oil, gas and mineral production, ranching and farming, and commercial development on State Trust Lands support public schools, the New Mexico School for the Deaf, the New Mexico School for the Blind and Visually Impaired, the New Mexico Military Institute, seven universities, three hospitals, correctional facilities, and water conservation projects.

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An archaeological feature crossed by OHV tracks.

OHV tracks deviating from established route.
Multiple paths created by unauthorized OHV operation.