

**Draft Executive Summary of Comprehensive Comments to be Submitted by a Coalition Including
US/ICOMOS, Archaeology Southwest, and National Parks Conservation Association**

10 September 2020

The Bureau of Land Management (BLM) Farmington Field Office, in coordination with the Bureau of Indian Affairs Navajo Regional Office, has prepared a joint Draft Resource Management Plan Amendment (RMP) and Environmental Impact Statement (EIS) to analyze and update resource management issues and data and to ensure compliance with applicable laws, regulations, and policies related to further development of the Mancos-Gallup formation. Unfortunately, as fully explained below, the Draft RMP is legally deficient and fails to adhere to those authorities, in particular for the following issues: (1) public participation; (2) Greater Chaco Landscape; (3) community and health impacts; (4) climate change; and (5) lands with wilderness characteristics. Notably, a broad and diverse group of stakeholders, including the All Pueblo Council of Governors, federal and state elected officials, and conservation and historic preservation groups, has raised significant concerns for the Draft RMP and its failure to adequately account for these issues.

Accordingly, because of these legal deficiencies and significant unresolved concerns, we believe that BLM must prepare and release for public review and comment a supplemental EIS to evaluate additional alternatives and account for significant new information that will be available in the near future. While a supplement is necessary and legally required, we nevertheless recognize that aspects of the Draft RMPA/EIS would enhance protections for the Greater Chaco Landscape. For this reason, and consistent with our support for the Chaco Cultural Heritage Protection Act of 2019, we endorse the closure of federal lands and minerals to future oil and gas leasing proposed in Alternative B1

PUBLIC PARTICIPATION DURING THE DRAFT RMPA/EIS COMMENT PERIOD

Actions by the Department of Interior to proceed with the planning process in spite of the COVID 19 pandemic raises serious concerns regarding the Department of Interior's commitment to public participation and tribal consultation, particularly in a time of public health and environmental and social justice crises. The insufficient virtual public meeting process and failure to conduct meaningful tribal consultation and appropriate ethnographic research under the National Historic Preservation Act (NHPA) has resulted in the political disenfranchisement of tribes and laid bare deep environmental injustices. It discounts science, archaeology, and religious practices in favor of authorizing further development in an area that is already more than 90 percent leased and has been extensively developed over the past several decades. As a consequence, the BLM is failing to uphold its responsibility to provide for meaningful public participation and consult in good faith with tribes. Our concerns with the public participation process and related impacts on the plan are detailed in the substantive comments which follow.

GREATER CHACO LANDSCAPE

In spite of longstanding opposition from APCG, federal and state officials, and many other stakeholders, the BLM has chosen a preferred alternative that could open federal lands to drilling right up to the park boundary. Allowing intensive drilling within and beyond the 10-mile area surrounding the park greatly threatens the dark skies for which the park is known, the air quality of the park and connected

landscape, and thousands of sacred sites and cultural resources within and outside the park. Further, BLM is proceeding with the planning process in spite of several ongoing studies that will provide will likely provide new information about the significance of cultural resources in the Greater Chaco Landscape. This includes an ethnographic study that Congress approved and appropriate funding for in has violated multiple federal laws that pertain to the analysis and proposed management for the Greater Chaco Landscape, incl the National Environmental Policy Act, the NHPA, the Federal Land Policy and Management Act, and the Convention Concerning the Protection of World Cultural and Natural Heritage.

COMMUNITY AND HEALTH IMPACTS

This is to say nothing of the unconscionable approach the agency took toward the public participation period during the nearly three months following the RMP's release, which saw an unprecedented public health crisis in the COVID-19 pandemic. This crisis required the immediate diversion of resources and attention on the part of state, local, and tribal governments to respond to the outbreak, with members of the Navajo Nation and Pueblos among the hardest hit by COVID-19, and compounded by the lack of health and other services.

Engagement in a land management plan by those stakeholders most affected by it, many of whom are members of the Navajo Nation or Pueblos, was often not possible, as community members and leaders were wholly preoccupied by caring for the sick. Multiple requests from Pueblo governors, community groups, the New Mexico congressional delegation and governor, former land management officials, environmental groups, and a resolution introduced to the Navajo Nation Council, asked that the agency extend the public comment period by at least 120 days past its original May 28th deadline. The agency failed to acknowledge or respond to any of these requests until a week before that deadline, when it finally announced a 120-day extension of the comment period. We welcome this extension but maintain that the months of silence in the face of these requests were appalling, callous, and capricious. Furthermore, the BLM held five virtual public meetings via Zoom during the weeks before the original deadline, a process which effectively silenced the voices of those stakeholders without sufficient access to broadband (or preoccupied with responding to the COVID-19 pandemic) to participate – which is more than half of the planning area. Virtual meetings are not an appropriate substitution for legitimate Public participation, and virtual meetings are culturally inappropriate for traditional tribal communities accustomed to meeting and discussing in person.

The Draft RMP is also deficient because potential direct, indirect, and cumulative impacts on the health and safety of communities in the planning area, in particular those located within the Greater Chaco Landscape, are not adequately evaluated. This despite the fact that a wealth of studies and methodologies are available which can be employed to assess the probable impacts to human health which existing and new wells would have, the social cost of methane and carbon which would result from 3,000-plus new wells, and the sociocultural impacts from an influx of energy development on communities. Accordingly, BLM must take the required hard look at the impacts of the plan on community health and safety, and incorporate measures to address those impacts in the range of alternatives.

CLIMATE CHANGE

BLM's environmental analysis must acknowledge the key role that oil and gas development plays in causing climate change and the role public lands could play in combating it. Incorporating consideration of such factors as multiple-use analysis or option value would give a full picture of the opportunities the BLM has to improve the land for future generations – not just maximize short-term extractive energy development at great cost and risk to long-term human health, air and water quality, wildlife, and cultural properties and resources. As explained below, the Draft RMP has not accounted for and based the range of alternatives on an adequate assessment of how future oil and gas development in the planning area will contribute to climate change.

LANDS WITH WILDERNESS CHARACTERISTICS

In the Draft RMP, BLM acknowledges that “trends in areas with wilderness characteristics indicate an overall decreasing quality of naturalness and opportunities for solitude and primitive, unconfined recreation,” and that “[a]n increasing amount of oil and gas developments, agricultural infrastructure, recreation developments, routes and [rights of way]...” will further decrease the wilderness qualities of these lands. Despite this acknowledgement, BLM is proposing to emphasize other uses *over* preservation of inventoried LWCs in Alternatives C, D, and the no action alternative. These alternatives will only accelerate any degradation of wilderness qualities on BLM-inventoried LWCs and additional LWCs inventoried by the New Mexico Wilderness Alliance.