

**STATEMENT OF NINA ROSE HATFIELD
DEPUTY DIRECTOR, BUREAU OF LAND MANAGEMENT
ON S. 1093
GALISTEO BASIN ARCHAEOLOGICAL PROTECTION ACT
BEFORE THE
SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE
ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION**

July 29, 1999

Thank you for the opportunity to testify on S. 1093, the "Galisteo Basin Archaeological Protection Act," sponsored by New Mexico Senator Jeff Bingaman. The Bureau of Land Management (BLM) supports this bill which would preserve, protect, and interpret the nationally significant archaeological resources in the Galisteo Basin. Since S. 1093 is patterned after the Chacoan Culture Preservation Act of 1980 (P.L. 96-550), there are certain lessons we have learned from our experience with implementation of that law, which suggest how a similar bill for the Galisteo Basin should be structured and implemented.

Before commenting specifically on S. 1093, I would like to highlight the Galisteo Basin's unique and remarkable cultural resources. The lands surrounding Santa Fe and the area known as Galisteo Basin possess a rich cultural heritage and are considered one of the nation's most beautiful natural settings. Pinons, junipers, pristine mountains and arid mesas broadly define the dramatic landscape. The Galisteo and Santa Fe Rivers provide additional diversity and grandeur to the landscape and a critical water supply for the area's magnificent wildlife.

The first Spanish explorations in this area found thriving Pueblo Indian communities dating back to prehistoric times. Today, the ruins of these pueblos commemorate both the achievements of the ancestral Pueblo people and the events which shaped the early colonial history of New Mexico and the Southwest. Other important historical events which have left traces on this landscape include the development of the Camino Real, the Pueblo Revolt of 1680, the establishment of the Santa Fe Trail, a major Civil War battle, the coming of the railroads and the mining booms of the territorial period.

Lands to the north of Santa Fe are Pueblo Indian reservations, while the lands to the east and west are largely public lands managed by the BLM and the U.S. Forest Service. Portions of this land, such as the Pecos Wilderness and the La Cienega Area of Critical Environmental Concern (ACEC), have been set aside for special protection; other areas are managed under the principle of "multiple use."

The southern part of Santa Fe County has a pattern of mixed ownership, with private lands predominating. However, key parcels in this area are owned by both the State of New Mexico and the BLM. Development of this area is proceeding at a rapid pace as the population of Santa Fe County continues to grow.

I would like to make the following comments on S. 1093. The BLM should be designated the lead federal land managing agency for the preparation and implementation of the management

plan for the sites referred to in Section 3. The management plan would be prepared in close consultation with private landowners, the State of New Mexico and other federal land managing agencies, including the National Park Service, which may have an interest in the area. Of the 26 sites listed in Section 3 of S. 1093, six of them are currently managed by the BLM. The other sites are either on state or private land. No other federal agency currently manages cultural resources in the area.. BLM archaeologists have provided extensive background research and expertise on these sites and the agency has a long-standing, positive, working relationship with the affected local communities of La Cieneguilla and La Cienega, the affected state agencies, the University of New Mexico, and local conservation organizations on all aspects of the appropriate protection of the archaeological resources of the Galisteo Basin.

Another concern involves the cost of implementing this legislation. BLM's New Mexico State Office estimates that \$100,000 will be needed to complete the planning required by the Act. The bill calls for the plan to be completed three years after funding is provided. However, the Act also directs the Secretary to administer the Federal lands located within the archaeological protection sites "...in a manner that will protect, preserve, and maintain the archaeological resources of those sites and provide for research thereon." Based on BLM's previous experience with similar legislation (the Chacoan Culture Preservation Act of 1980), the annual cost to manage and protect these sites once the plan is completed could exceed \$50,000. It is estimated that a minimum of \$100,000 would be needed during the initial implementation efforts to get the overall program up and running outside of the planning effort.

Section 8 addresses the withdrawal of all Federal lands within the archaeological protection sites. It is assumed that this applies only to existing Federal lands. The language should be modified to also include the withdrawal of any lands that may be acquired under the provisions of Section 7 (a). We suggest substituting the following provision in place of lines 16-19, page 6.

SEC. 8. WITHDRAWAL.

Subject to valid existing rights, all Federal lands within the archaeological protection sites, including all lands or interests acquired by the United States after the date of enactment of this Act, are hereby withdrawn.

Finally, as a result of a recent court decision by the United States District Court for the District of Columbia which concerned maps that were not on file at the time legislation was enacted, we believe that it is essential for the Committee to work with the Department to develop a dated and filed map prior to the enactment of the legislation.

In conclusion, we strongly support and commend Senator Bingaman for introducing this legislation. We are also pleased and encouraged that Congressman Tom Udall of New Mexico has introduced the House companion bill, H.R. 1970. The archaeological sites at issue deserve both the recognition and preservation provided for in the legislation. The bill not only recognizes the specific 26 areas listed but also allows for further study of the area and the flexibility to add and acquire sites in the future. Through the proper preservation, study, cooperative agreements, acquisitions and withdrawals called for in the bill, these areas will be properly and appropriately preserved, protected and interpreted for generations to come.

Mr. Chairman, that concludes my statement. I would be pleased to answer any questions at this time.

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