

Archaeology Frequently Asked Questions Regarding Oil and Gas Development of Federal Minerals

Why does the Bureau of Land Management require an archaeological survey?

The law¹ requires the Federal government to find, record, and evaluate archaeological or historic sites that might be affected by a ground-disturbing project (undertaking²). If there is any Federal involvement, even if it is indirect, the government must follow the appropriate regulations.

What will the survey involve?

After making contact with the private landowner, an archaeologist, possibly with a small crew, will walk transects in the location of the proposed well pad, as well as any associated roads, pipelines and other facilities. If something is found, the archaeologist will determine the boundaries of the site, take GPS points, draw a map and take pictures. If artifacts are present on the ground, they will be examined, analyzed, and photographed in the field, and will be left where they were found. After the archaeologist leaves the field, a report and site forms will be prepared and sent to the federal agency requiring the survey.

Who owns the artifacts?

The landowner owns the artifacts. Archaeologists are not authorized to remove anything from the field without the permission of the landowner.

What will happen if something important is found?

If a significant site is found, the Bureau of Land Management will work with the operator to avoid the site. The vast majority of the time, the well pad can be relocated to avoid the site. If the well pad cannot be relocated, the government has the option of denying the operator's application or requiring the operator to perform additional archaeological work on the site (such as excavation). However, no additional work on the site may occur without the consent of the private landowner.

Why do archaeologists have to survey plowed fields?

Sometimes archaeological sites are buried, and plowing a field can bring evidence of the site to the surface.

What does the Bureau of Land Management do with the information collected by the archaeologist?

The law requires the government to follow a process of consultation with the Colorado State Historic Preservation Office³, and, rarely, the Advisory Council on Historic Preservation⁴, before a decision is made. After the process is completed, the BLM and the Colorado State Historic Preservation Office maintain the information in a highly secure manner.

¹ Section 106 of the National Historic Preservation Act of 1979, and supporting regulations in 36 CFR 800

² An undertaking is defined as "a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license or approval"

³ <http://www.historycolorado.org/oahp/review-compliance>

⁴ <http://www.achp.gov/docs/CitizenGuide.pdf>

