

Pinedale Anticline Working Group  
Cultural/Historical Resources Task Group

Meeting #3 January 10, 2005

5:15 PM

Pinedale BLM, Pinedale Field Office Conference Room

Attendance: Clint Gilchrist (resident, CLG), Dennis Foley (Questar), Jonita Sommers, (rancher, Teacher), Dave Vlcek (BLM,PFO), Kierson Crume (BLM,PFO), Conference Call, Fern Linton (OCTA) , Fred Linton (secretary, OCTA))

Task Group Chair: Clint Gilchrist

Minutes: Fred Linton

Handouts:           1. Minutes of Dec. 9, 2004 meeting  
                          2. Attendance Sheet  
                          3. Meeting Agenda  
                          4. Five pages of working notes for the Jan. 10, 2005 meeting

Minutes, Jan. 10, 2005

Minutes of the Dec.9, 2004 meeting were reviewed and approved.

Clint reported that he attended the PAWG meeting on 1/5/05. One of the concerns was about funding the monitoring plan and about the actual monitoring. Members of the PAWG discussed these concerns and it was determined that the task groups do not need to find funding by Feb 18. It still needs to be determined how funding will be found. The task groups need to come up with their monitoring proposal by the Feb. 18, 2005.

Discussion began using the working notes for guidelines.

- A.       What is the monitoring plan? (based on the appendix of the ROD and guidance from PAWG.  
          A monitoring plan should contain both long and short term goals, from present to at least 10-15 years in the future.

It must cover the frequency of each monitoring task.

Priorities must be set from the greatest concern to the least concerns.

Suggestions can be made as to who will monitor these gorals, but PAWG will determine the end results.

The rationale for each monitoring task should be tied to the ROD requirements or to the Rationale stated.

Mitigation suggestions can be attached for each task as is appropriate with the ROD Requirements.

- B.       Primary Goals of Monitoring:

Groups will determine specific and cumulative effects of development on our resources.

We can determine the effectiveness of mitigation as defined in the ROD, and appendix C. Long term goals can come into consideration when planning in this area.

The Group can validate the predictive models in use in the EIS

We can recommend modifications to the mitigation and models based on the monitoring.

C. Types of Monitoring:

Implementation: Operators and BLM employees do the monitoring as required or defined in the ROD and as is developed in the Adaptive Environmental Management Process.

Effectiveness Monitoring: The required and suggested mitigation measures effective in what they are designed to do. Example: reduce, eliminate, or mitigate effects of development on resources. As a task group we must make sure that effectiveness is happening the way they were intended as outlined in the ROD.

Validation monitoring: The assumption and prediction that the models used in the EIS & ROD are accurate. Task groups can recommend a change if the ROD conditions aren't getting the results that were expected.

Other Notes: There is no need for cost estimates for the first phase of the monitoring plan but possibly in the future phases.

When PAWG reviews all the task group recommendations they will look for common elements and probably will combine goals from other task groups.

PAWG will distribute the monitoring plans from all the task groups to the task group chair people. This should be about a week after the Feb. 18, meeting.

Monitoring plans and mitigation will be constantly changing as needed for the life of the Anticline project. Goals considered to be the highest priority should go into our recommendations as first to be considered. Plans with less priority should be included and more can be added as the need arises. Long term objectives could last ten or longer.

On March 2 & 3, 2005 the PAWG will combine all the task group monitoring plans and have a draft ready to present to the BLM, PFO. All chair people for the task groups should attend this meeting. BLM will review the recommendations and submit their changes or approval by the end of March. PAWG will then meet April 21, 2005 and again on May 19, 2005 to begin discussion about funding and implementation of the plan. The various task groups will help in the discussion of the plans that were approved by the BLM and the areas of concern that were approved.

These monitoring plans will be submitted electronically in word format.

EIS Assumptions;

1. Historical and cultural resources are non-renewable remains of past human activities. If any are disturbed whether known or unknown this would be a monitoring concern and mitigation would be a consideration.
2. Certain resources are protected by the National Historic Preservation Act (NHPA) and the Archeological Resources Protection Act (AROA) of 1979 along with other federal laws.
3. As of 1998 there were 257 sites identified in the PA covering 1025 block acres and 2011 linear acres averaging about 1 site to every 12 acres. The Anticline covers 220 thousand acres and a well pad covers 5 to 6 acres. There could be as many as 100 sites that have been identified at present and the potential is that more could be discovered. The definition of an artifact is something older than 50 years and a site is two or more artifacts in a 50 foot radius.
4. Native American and archaic aged sites are as follows: The southern sagebrush steppe has dense archaic aged sites, the mesa interior has extensive casual surface resources and limited burial sites, the mesa breaks have high site potential for existing known and new discoveries. Some known Clovis and Folsom activity known mostly on the northern mesa and these are historically and archeologically significant.

5. Traditional cultural properties (TCP) are protected by many laws such as NAGPRA, AIRFA, etc. and should be left alone.
6. Numerous prehistoric sites may qualify for TCP, these sites may be 1800 to 200 years old...
7. Geomorphology studies could help in identifying potential unknown sites. This has not been done in the Anticline area.
8.
  - A. There is a potential for unexpected discoveries and several have occurred. These discoveries have occurred during development of pipelines and well pad sites. The usual procedure is for the operators to stop work and notify BLM at which time a site inspection occurs and mitigation develops in accordance with all guidelines that are in place.
  - B. Pedestrian inventory prior to digging could identify potential sites. Private citizens on construction sites could also be a concern from the safety and liability standpoint. Public access in active development areas could be a concern. We need to check out what requirements for on site monitoring of active well pad development.
  - C. A database of soils with potential of predicting future discoveries of unknown Sites would be helpful. Consensus is that there is an need but question as to how we can meet these objectives. Presently soil analysis occurs with a backhoe or an auger.
  - D. Programmatic Agreements (PA) can expedite and aid in the handling the Discovery of unexpected sites. Some PA's are expired and we wonder how Expired PA's can be reinstated. SHPO is the controlling factor in this process.
9. Historic era resources include the Lander Trail (National Historic Register Site) also early wagon roads and auto roads, settlements and town sites, cattle ranching sites ditches, rural historic landscape and Green River cattle drift (I.e. The Drift).

ROD requirements that were reviewed are:

Operator's implements mitigation as defined in appendix A, the oversight group ensures mitigation is reasonable and effective. Appendix C defines adaptive environmental management including PAWG. Appendix E is the Programmatic Agreement written by BLM and SHPO, but was never ratified before the time frame ran out. Without the PA the Wyoming State Protocol Agreement and Regulations in 36 CFR 800. Operators education employees about regulations concerning cultural resources managements was reconsidered and decision to put this on hold and replace with monitoring sites until we see if there is a problem. This brought up concerns about a man camp in the Anticline area and people going out on BLM land and picking up artifacts, ATV and ORV use that would disturb or impact existing known site. Another area of concern might be the fossil hunting. Systematic monitoring might be the most effective method of regulation the impact in these areas. Recommended patrols by BLM need to be increased to deter illegal collecting of cultural materials. The Lander Trail needs to be avoided. The conditions are that there will be a ¼ mile avoidance zone on either side of the trail, the Trail cannot be used as a oil and gas field road . View shed visibility analysis needs to be done within a 3 mile area of the Trail and North of Hwy 351, each well pad will be reviewed on a case by case basis . The Trail is considered to be a sensitive resource management's zone .Prior to surface damage, a site specific environmental analysis should be performed. Appendix A deals with the requirements that apply to our groups concerns. When a site qualifies for NRHP and cannot be avoided, section 106 consultation process will be used. The PA can be used in a case by case mitigation. Preferred strategy is avoidance, but mitigation may include data recovery, stabilization, monitoring, signs, and protective barriers. Operators will follow section 106 compliance process prior to any surface disturbance activity and will either protect or avoid cultural resources. For previous undetected sites, construction will be halted until mitigation is determined. Previously undetected sites found in frozen will be left alone until ground is thawed and inspection is able to be done . Equipment

operators will be educated in rules and procedures associated with previously undetected sites found during construction. Educated employees and visitors on laws relating to artifact collection. One of the recommendations is that BLM should post this on their web sites also when sites are permitted and construction begins. This is in the ROD but concern is that if the general public was made aware of sites it would create more hazards and perhaps more site disturbance. Periodically the BLM will provide public presentations concerning the overall cultural resources program within the PAPA. Develop a Native American interest's management plan. BLM has guideline with the Native Americans. The informal plan was presented to the BLM by Dickie Ferris of the Shoshone. The Shoshone do the monitoring of their sites especially in the Northern Anticline area.

Other Monitoring concerns brought up were as follows: Known sites away from developments may be disturbed unknowingly by increased ORV traffic and recreational use. This is a concern that monitoring must be done on a more regular basis. Another solution might be the use of more signage. Archeology experts are hired to monitor construction in the anticline and are paid for by the construction companies at the present time this practice is not a concern but some guidelines need to be in place in event that a problem does arise. Education is an important part of community identity with its cultural past history. New influx of residents may be totally unaware of the historical and the public schools and libraries may help in creating a more informed public. Parties with a defined interest in monitoring construction sites might seek permission to visit site before, during, and after development. A mechanism needs to be in place to satisfy all parties' concerned dealing with safety and liabilities. Existing BLM data base of sites and materials can be used to establish an overall baseline to use as a measuring tool against which to measure such sites in the future. But is this enough or can there be more done now for future generations, for example digital pictures of area now and how it changes over time.

Existing monitoring and mitigation was discussed as follows:

1. BLM has extensive database of known historical/cultural resources ties to mapping that is a great resource use to avoid known sites or at least identify mitigation during planning stages.
2. TCP and significant sites are avoided.
3. Pedestrian site inspections are performed before any surface disturbing construction.
4. Archeologists are hired by operators when required by BLM to monitor construction that is either near a sensitive site or in areas highly likely to contain unknown buried resources Operator reporting is relied on in cases where previously unknown sites are unearthed.
5. Open trench inspection by professionals is performed on most pipeline diggings.
6. Construction is stopped when any previously unknown resources are uncovered until the resources and potential of find can be evaluated can be evaluated or mitigated .
7. Mitigation is considered for any National Register eligible sites.
8. View shed for the Lander Trail was analyzed and a Programmatic Agreement was negotiated to guide and mitigate development around the Trail . The agreement includes avoidance of the Trail , reclamation of an old abandoned site ,and \$60,000.00 in education products .
9. BLM personnel conduct unannounced inspections of construction to monitor compliance.
10. BLM personnel periodically conduct general field inspections and important site specific inspections.
11. There is regular Native American consultation and general working agreements have been

established. This can include construction monitoring by tribe near sensitive sites.

Monitoring ideas discussed by group;

1. We need more formal non-construction site monitoring, listing site priorities, defining regular monitoring frequencies based on site significance . This should include establishing key observation points that are monitored and photographed frequently . Organize an Adopt-a-Site Program for known site, also , possibly hire regular monitoring of significant and sensitive sites.
2. Develop a formal contact lists for interest parties to be contacted in case they want to monitor a construction site.
3. Maybe hire independent archeological monitors or have monitors appointed by somebody other than operators .
4. Expand existing database with more monitoring data to establish a better baseline of Anticline resource conditions.
5. Continue the Lander Trail view shed project piloted by SHPO and BLM to establish long term condition of the Trail and view shed as well as monitor compliance with Programmatic Agreement.

Mitigation ideas discussed by group;

1. Educate operator employees and visitors on laws against picking up cultural resources.
2. Educate equipment operators on procedures for a newly unearthed site as well as identifying a potential new site if monitors are not present .
3. Develop yearly reports and presentations for general public on new finds on the Anticline and there significance .
4. Develop teacher kits to educate students on history and cultural resources of the area especially as related to Anticline .
5. Conduct a Geomorphology study of the Anticline to better identify potential unknown sites.

No public was present for comment.

Next meeting February 3, 2005 at 5 PM at Pinedale, Wy. BLM Office in main conference room.  
Meeting ended at 9:43 PM

Certified as accurate.