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FISCAL IMPACT REPORT

SPONSOR Lopez ORIGINAL DATE 2/23/17
LAST UPDATED _____ HM _____

SHORT TITLE Protection of Chaco Canyon Landscape SM 103

ANALYST Chilton

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates House Memorial 70
Related to House Joint Memorial 5

SOURCES OF INFORMATION

LFC Files

Responses Received From

State Land Office (SLO; regarding identical HM 70))

Indian Affairs Department (IAD; regarding identical HM 70))

SUMMARY

Synopsis of Memorial

Senate Memorial 103 would express the sense of the House of Representatives, to be submitted to the federal bureau of land management (BLM), that the BLM should respect the government-to-government relationship between the federal government and the tribes, attaining full consultation with New Mexico tribes before deciding on a management plan is made regarding lands surrounding the Chaco Cultural National Historical Park. BLM and the federal bureau of Indian affairs would be asked to issue no leases or permits to the land surrounding the park, given its significance in Native American culture and tradition.

FISCAL IMPLICATIONS

No fiscal implications, other than, as pointed out by IAD, the possibility of decreased revenue to the state from foregone royalty revenues from oil and gas extraction.

SIGNIFICANT ISSUES

The Chaco Culture Historical Park is one of only 22 World Heritage Sites in the United States, attesting to its importance, both as an archaeological treasure and as a magnet for tourists from around the world.

The State Land Office states that it “is not aware that BLM has designated a “greater Chaco landscape” and is not aware of what that area does or would include geographically, but it likely would include significant amounts of state trust land. It appears that there are no active SLO oil and gas leases in the immediate vicinity of the park, but leasing might occur in the future.” It continues that the checkerboard region consists of “an extensive intermixture of federal, state and tribal land” such that modern oil and gas development techniques would require these entities working together to maximize output. “BLM restriction on leasing and permit approvals could have a negative effect on SLO leasing and development and thus a negative effect on SLO revenues. Indeed, the state land office oil, gas and minerals division already is experiencing development problems in other areas arising from the fact that BLM has not leased federal acreage needed for development of the state acreage.”

The National Park Service writes about the Chaco road system as follows:

One of the most remarkable aspects of Chaco Culture, at least from a modern perspective, is the extensive system of finely engineered roads both within the canyon and extending out a considerable distance to the outlying sites throughout the San Juan Basin and beyond. These roads are remarkably wide, straight, and carefully constructed. The ones inside the canyon average about 15 feet in width, while the ones going out toward the outliers tend to be about twice that wide.

Perhaps the most significant aspect of the Chacoan roads is their straightness. The roads are generally aligned very precisely, and continue for considerable distances with the same alignment without curving or adapting to the landscape as modern roads and trails usually do. When they do change direction, it tends to be with sharp, angled turns rather than gentle curves. When a road comes to a mesa or cliff face, rather than curving or turning it will often go straight up with stairs carved into the rock and continue on top with its original alignment. The most spectacular example of this in Chaco Canyon is the Jackson Stairway above Chetro Ketl, which can be seen (though not climbed!) on the Pueblo Alto Trail. Other stairways can be seen behind Hungo Pavi and east of Casa Rinconada. On more gentle slopes there are sometimes stairways with steps constructed of masonry rather than carved into the rock. One of these masonry stairways can be seen on the Pueblo Alto Trail. Occasionally, the people constructed massive earthen and masonry ramps to conduct people to the tops of cliffs. One example (near Chetro Ketl) can be viewed from the Pueblo Alto Trail.

RELATIONSHIP to House Joint Memorial 5, which would request of BLM a temporary moratorium on fracking leases in the greater Chaco area until a resource management plan amendment is completed.

DUPLICATES identical House Memorial 70

TECHNICAL ISSUES

The “greater Chaco area” is not defined in the bill, nor are the “other sites,” referred to as needing protection, as pointed out by IAD.

IAD also notes that “The bill presupposes there have been violations of the enumerated federal acts [regarding intergovernmental negotiations with tribes] without reference to specific violations.”

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Development of Chaco area resources would continue as they have without entreaty from the New Mexico legislature regarding federal adherence to established federal treaties and policies.

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