

# **BASELINE DATA REPORT**

## **Section 11.0**

### **Historic Places and Cultural Properties**

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Submitted To:

New Mexico Mining and Minerals Division  
&  
U.S. Forest Service (Cibola National Forest)

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## 11.0 Historic Places and Cultural Properties

### NMAC §19.10.6.602 D.(13) (i)

*(i) A list and accompanying map indicating all sites on or eligible for listing on either the National Register of Historic Places and /or the State Register of Cultural Properties and known cemeteries and human burials within the proposed permit area. Included with this list and map shall be a description of the effects the proposed mining operations may have on these sites and any proposed mitigation measures.*

### 11.1 Introduction

Cultural resources surveys were conducted by Lone Mountain Archaeological Services, Inc. (LMASI) for the Roca Honda permit area in 2006 in advance of commencing any activity on-site. The information required by NMAC §19.10.6.602 D.(13) (i) regarding historic places and cultural resources was compiled. The information gathered, particularly the map and/or tables identifying the locations of cultural sites, is considered confidential. Therefore, in order to protect the integrity of these sites, and minimize the likelihood of their disturbance, the information is presented in the cultural resources survey reports (LMASI 1030a and 1030b). Roca Honda Resources, LLC (RHR) also more recently performed a cultural resources survey for the access route beginning at the north bound Lee Ranch coal mine private road, west through the southern edge of Section 11, T13N R8W, into the permit area on Section 10 (LMASI 1233). These reports were submitted to the New Mexico State Historical Preservation Office and the USFS for their review. The information will also be made available to others, as necessary. In addition, RHR has prepared and submitted in a separate “CONFIDENTIAL” package, maps that show the location of the sites identified by the archaeological survey contractor. These sites have been recommended either for listing, have an “undetermined status” with regard to listing, or are recommended as ineligible, as discussed in more detail below. These maps are considered confidential to protect the integrity of the sites.

### 11.2 Sites on or Eligible for Listing

#### 11.2.1 Sections 9 and 10

A cultural resources survey was conducted on Sections 9 and 10 of the permit area between April 20 and July 22, 2006. This survey was conducted under Cibola Forest Permit No. CIB71 and State Permit No. 06-073. The permit area was previously surveyed as part of a larger survey (Koczan and Doleman 1976). Prior to the field survey, a literature search was conducted of the National Register of Historic Places (NRHP), the State Register of Cultural Properties, the Archaeological Records Management Section of the State Historic Preservation Division, and the Cibola National Forest Office in Albuquerque, New Mexico.

The report indicates that 94 sites were visited during the survey, 69 of which were new sites discovered and registered and 25 of which were previously recorded sites and revisited. The survey identified 54 sites recommended eligible for nomination to the NRHP, 29 sites whose eligibility was undetermined and 11 sites that are ineligible for listing. Appendix 11-A of this section contains a table listing these sites. Further details regarding these sites can be found in

the report located at the offices of the Cibola National Forest and at the New Mexico State Historic Preservation Office.

#### 11.2.2 Section 16

A cultural resources survey was conducted on Section 16 of the permit area between April 20 and July 22, 2006. This survey was conducted under State Permit No. 06-073. Prior to the field survey, a literature search was conducted of the NRHP, the State Register of Cultural Properties, the Archaeological Records Management Section of the State Historic Preservation Division, and the Cibola National Forest Office in Albuquerque, New Mexico.

The report indicates that 54 sites were visited during the survey, 50 of which were new sites discovered and registered and 4 of which were previously recorded sites and revisited. The survey identified 20 sites recommended for nomination to the NRHP, 32 sites whose eligibility was undetermined, and 2 sites that are ineligible for listing. Appendix 11-A of this section contains a table listing these sites. Further details regarding these sites can be found in the report located at the offices of the Cibola National Forest and at the New Mexico State Historic Preservation Office.

#### 11.2.3 Access Corridor/Haul Road

A cultural resources survey was conducted on the access corridor and haul road to the permit area on July 7, 2009. The survey was conducted under Cibola Forest Permit No. CIB 106 and State Permit No. 06-073. This survey was necessary, even though the road through Section 11 is not part of the permit area, because RHR intends to improve and maintain a portion of Forest Road 192 and an existing unnamed Forest Service Road as shown on Figure 1-1 of the Mine Operations Plan, for the purposes of accessing Section 10 of the permit area. Review of the records prior to conducting the field survey indicated that four sites had been previously recorded within the project area. No new sites were discovered during the course of the survey and two of the four previously recorded sites could not be relocated in the field. One of the relocated sites was identified as eligible for nomination to the National Register of Historic Places and the other site's eligibility was undetermined. Appendix 11-A of this section contains a table listing these sites. Further details regarding those sites can be found in these reports located at the offices of the Cibola National Forest and the New Mexico State Historic Preservation Office.

#### 11.2.4 Mt. Taylor Traditional Cultural Property

In April 2008, the USFS determined that certain areas of Mt. Taylor and certain surrounding forest property, known commonly as the Mt. Taylor Traditional Cultural Property (TCP) were eligible for listing on the NRHP. Sections 9 and 10 of the permit area are within the boundary of the USFS Mt. Taylor TCP. Additionally, Section 11, through which access will be gained to Section 10, is also in the TCP. Figure 11-1 shows the USFS TCP.

On June 5, 2009 the New Mexico Cultural Properties Review Committee (CPRC) placed a certain area of Mt. Taylor and surrounding property on the State Register of Cultural Properties and recommended it for nomination on the NRHP. Sections 9 and 10 of the permit area are located within the boundary of the property identified as the Mt. Taylor TCP. However, the CPRC exempted private property from the designation as "non-contributing" properties. Roca Honda Resources, LLC views its mineral estate as private property. Inasmuch as RHR owns the



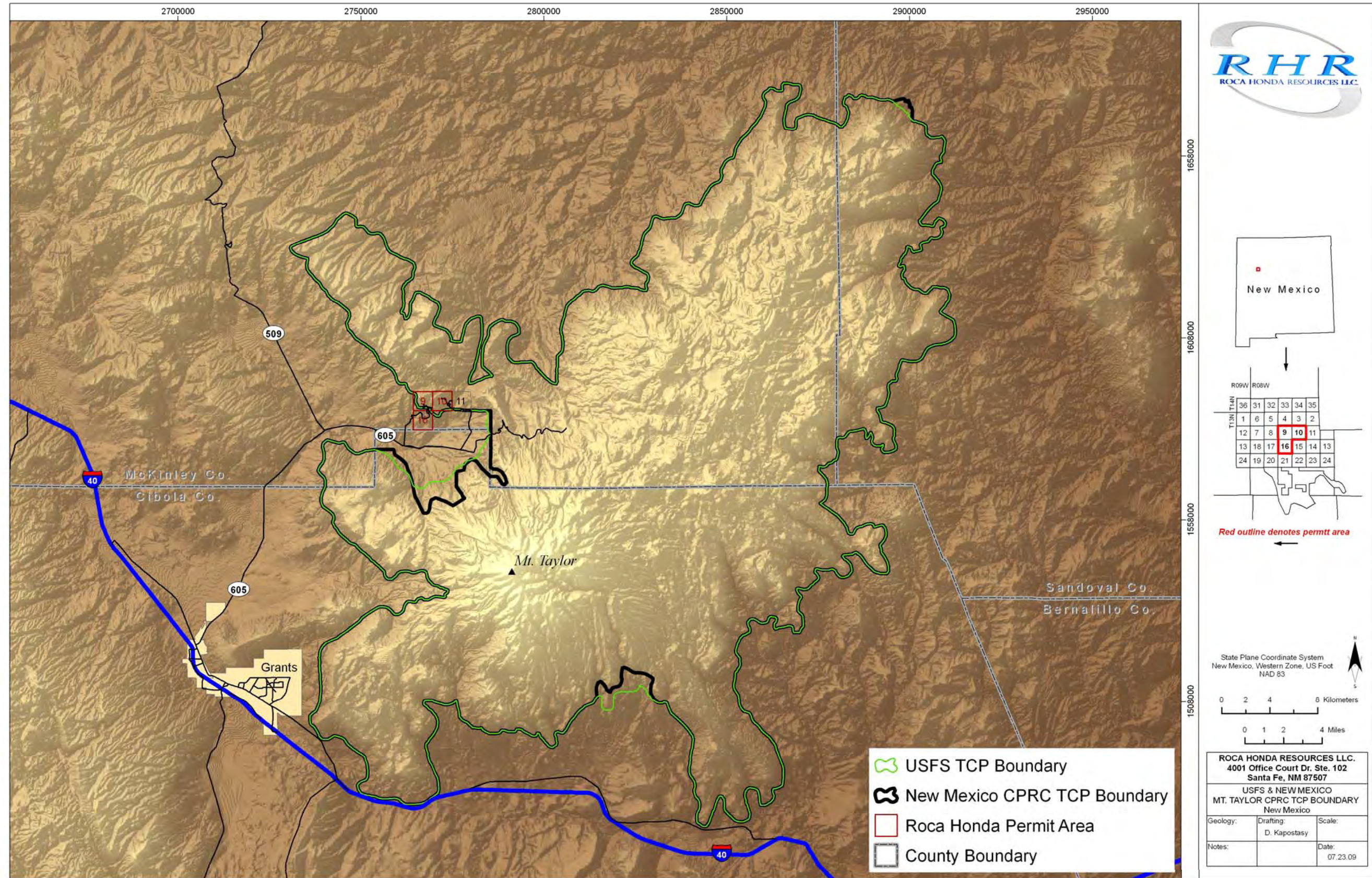


Figure 11-1. USFS TCP and New Mexico CPRC TCP Boundaries



minerals beneath the surface of Sections 9 and 10, the status of these sections with respect to the TCP with regard to the state designation remains unclear. Figure 11-1 shows the State of New Mexico TCP boundary.

#### 11.2.5 Known Cemeteries and Human Burials

No known cemeteries or human burials exist within the proposed permit area.

### 11.3 Effects and Proposed Mitigation Measures

#### 11.3.1 Archeological Resources

The archeological and cultural surveys performed identified a total of 150 archeological sites. Seventy five (75) of these sites have been recommended to be eligible for listing on the NRHP and/or the State Register of Cultural Properties. Sixty two (62) are of undetermined status and the remainder, eleven (11) are recommended to be ineligible.

The surveys were performed prior to conducting any invasive activities on the permit area. The purpose of the survey was to identify cultural resources in the field so that appropriate mitigation measures could be implemented in advance of any construction and operations, therefore, minimizing any potential affects.

RHR has used the survey results to plan as much of its anticipated surface activities around these known locations to avoid all sites to the extent possible. The “footprint” of proposed surface disturbances, including all mine-site construction, was located on a map and provided to LMASI for their review and field checks to determine potential impacts. Figures 11-2 thru 11-7 which are included in the “CONFIDENTIAL” package submitted separately, show the location of each site relative to the disturbance footprint. Of the 150 sites identified, only two could not be avoided, LA-1030-123 and LA-1030-211. The former is a recommended eligible site that is located in the midst of the Section 16 mine shaft/surface facilities. The latter is a recommended ineligible site that is within the designated stock pile area.

LMASI identified several sites that could be affected by construction or operations. Appendix 11-B contains RHR’s proposed mitigation for these sites as recommended by LMASI. The proposed mitigation measures include, first and foremost, avoidance wherever possible. RHR will implement the actions proposed by LMASI for the sites identified in Appendix 11-B and will continue to work with them to ensure that the cultural resources in the permit area are protected to the maximum extent possible. For example, prior to conducting any surface disturbance, either during the construction phase of the project, or during operations, an archeologist will be retained to monitor site activities. No disturbance activities will begin without first having the archeologist further clear the area. The archeologist will monitor surface disturbance activities. If, during conduct of the disturbance activity, previously unknown cultural resources are uncovered, the archeologist will evaluate the activity to determine appropriate mitigation measures.

### 11.3.2 Mt. Taylor TCP

Because the RHR permit area is located within and adjacent to the USFS and CPRC designated TCP boundary for the Mt. Taylor TCP, consultation with various Native American tribes and pueblos will be conducted. The potential effect of the proposed RHR mine and the resulting proposed mitigation measures will be identified from these consultations. RHR will work with the agencies and respective Indian communities to address this issue.

## 11.4 References

Koczan, S.A., and W.H. Doleman, 1976. "An Archaeological Inventory of a Five Section Tract Northwest of San Mateo, New Mexico, for Kerr-McGee Corporation," Museum of New Mexico Division of Anthropology, Project No. 64.15.

LMASI (Lone Mountain Archaeological Services, Inc.), 1030a, 2006. "Cultural Resource Survey for Proposed Uranium Prospecting in Township 13N, Range 8W, Sections 9 and 10, on the Cibola National Forest, McKinley County, New Mexico," prepared by S. Walley, S.D. Daras, and D.H.M. Boggess, and submitted by D.H.M. Boggess, Principal Investigator, Lone Mountain Archaeological Services, Inc., Albuquerque, New Mexico.

LMASI, 1030b, 2006. "Cultural Resource Survey for Proposed Uranium Prospecting in Township 13N, Range 8W, Section 16 near San Mateo, New Mexico," prepared by S. Walley, and submitted by D.H.M. Boggess, Principal Investigator, Lone Mountain Archaeological Services, Inc., Albuquerque, New Mexico.

LMASI, 1233, 2009. "Cultural Resources Survey for Improvements to Forest Road 192 and an Unnamed Forest Service Road In Township 13 N, Range 8 W, Section 11, On Cibola National Forest McKinley County, New Mexico", prepared by P. Allison and submitted by D.H.M. Boggess, Principal Investigator, Lone Mountain Archaeological Services, Inc., Albuquerque, New Mexico.