

DCA and the Ethnographic Study identified a Traditional Cultural Property (TCP), TCP1, within the Area IV North lease area. Ethnographic interviews were conducted with the individuals and their families familiar with the TCPs.

BNCC has and will comply with the American Indian Religious Freedom Act (AIRFA), the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA), and the adopted 1996 Navajo Nation Policy for the Protection of Jishchaa': Gravesites, Human Remains, and Funerary Items, to the extent it is consistent with NAGPRA. A copy of policy is located in Permit NM-0003F, Chapter 3, Appendix 3-1. A confidential exhibit of possible human burial locations within and adjacent to Navajo Mine Permit Area is kept on file at Navajo Mine and the Office of Surface Mining/Western Regional Coordinating Center (OSM/WRCC). As stated above, the PA contains several on-going commitments which BNCC will also comply with, such as, Stipulations 7 and 11 of the PA. Stipulation 7 provides for the review of plans and reports by the parties to the PA. Stipulation 11 addresses the treatment of unanticipated discoveries encountered during project implementation. The original Area IV North Cultural Resources Programmatic Agreement (PA) was amended to note modifications to the Area of Potential Effects, clarify the mitigation status, and bring in additional participating agencies. The revised Amended PA contains the ongoing requirements of the original PA.

3.3 PROTECTION OF PUBLIC PARKS AND HISTORIC PLACES

No existing public parks will require measures to be taken at Navajo Mine to minimize or prevent impacts due to mining and reclamation operations.