
From: Steffani Cochran <scochran@sandiapueblo.nsn.us>
Sent: Monday, November 13, 2017 4:41 PM
To: Commission
Cc: Michael Springfield; Dianne Maes; Sidney Hill; Jane Marx; Dave Mielke; Jessica Aberly; Susan Jordan; Veronique Richardson; Jessica Tracy; Shannon Montoya
Subject: Letter from Six Rio Grande Basin Pueblos - Proposed Oil and Gas Ordinance
Attachments: 2018-11-13 Letter from Six Rio Grande Basin Pueblos to Sandoval County Bd of Commissioners re Proposed Oil and Gas Ordinance.pdf

Mr. Chairman and Members of the Commission,

Attached is a letter from the Governors of the Six Rio Grande Basin Pueblos regarding the Proposed Oil and Gas Ordinance No. 11-16-17.9 which is scheduled to come before the Commission for consideration this week.

Sincerely,

Steffani A. Cochran
General Counsel
Pueblo of Sandia
Office: (505) 771-7967
scochran@sandiapueblo.nsn.us

Coalition of Six Middle Rio Grande Basin Pueblos
c/o Stuart Paisano, Chairman
Pueblo of Sandia, 481 Sandia Loop, Bernalillo, New Mexico 87004
(505) 867-3317, Fax (505) 867-9235

November 13, 2017

VIA email delivery

Sandoval County Board of Commissioners
P.O. Box 40
1500 Idalia Road
Bernalillo, New Mexico 87004
comm@sandovalcountynm.gov

Re: Proposed Oil and Gas Ordinance No. 11-16-17.9

Dear Chairman Chapman, Vice-Chairman Heil and Commissioners Holden-Rhodes, Block, and Eichwald:

We, the undersigned Governors of the Coalition of Six Middle Rio Grande Pueblos, comprised of the Pueblos of Cochiti, Santo Domingo, San Felipe, Santa Ana, Sandia and Isleta, are deeply concerned about the proposed Sandoval County Oil and Gas Ordinance. We ask that this letter be made part of the record. We urge the Commission to table its vote on the proposed ordinance until further analysis and meaningful consultation has occurred. It imperative that any such ordinance includes recognition and protection of tribal interests, as tribal lands comprise a majority of the lands within the County's exterior boundaries.

As sovereign governments ourselves, we recognize the importance of economic development; however, we submit that premature action on this proposed ordinance poses environmental threats not only to our tribal communities, but to all communities within Sandoval and neighboring counties. Specifically, we urge the Commission to defer decision on the proposed ordinance until: 1) it has considered guidance from the study presently being undertaken by New Mexico Institute of Mining and Technology ("New Mexico Tech"); and 2) there has been meaningful consultation with the Indian tribes and pueblos in Sandoval County to assure any potential ordinance incorporates language that adequately protects our sovereign interests.

There are twelve pueblos and tribes within Sandoval County, comprising upwards of fifty percent of the County's land base and fifteen percent of its population. Tribal and pueblo communities use waters from both the San Juan Basin and the Rio Grande Basin within Sandoval County. To date, there has been almost no consultation with tribal governments on the proposed ordinance, and the ordinance makes no mention of Indian pueblos and tribes. The ordinance also does not contain any process for inter-governmental coordination for addressing issues such as emergency response, compliance with tribal water quality standards, or even


protection of cultural sites. We note that, even if horizontal drilling associated with oil and gas production occurs off of tribal land, such horizontal drilling can extend more than one mile from where a vertical well bore would be and can cause land subsidence, all of which could impact tribal resources, including cultural sites on and off of tribal lands. This is a significant oversight and one with enormous potentially negative consequences for our communities.

The Coalition Pueblos have used the waters of the Middle Rio Grande since time immemorial, and we have an enduring obligation to our people to protect our surface waters and groundwater into the future. As you well know, water resources have no political boundaries; one entity's actions have the potential to affect others in our basin. Thus, our limited, connected water resources must be protected and prudently managed. Failing to provide for coordination is a recipe for disaster. We strongly request the Commission take the appropriate time to meet with tribal governments within the County to identify ways that the proposed ordinance can adequately address our cultural and resource protection concerns, and we ask that you do so before the Commission votes on the ordinance.

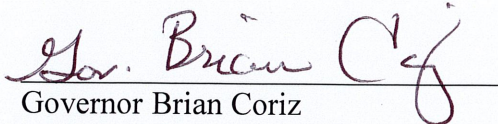
Additionally, we understand the County has commissioned a study by New Mexico Tech, expected to be complete in the spring 2018, to provide guidance in assessing the effect of oil and gas production on aquifers within the County. We understand that one focus of the study is to evaluate impacts of modern drilling and well completion technologies, such as horizontal drilling and hydraulic fracturing (also known as "fracking") on oil and gas production and the aquifers. Aquifer protection is among the most critical components of any oil and gas development planning or permitting, and the County has prudently contracted with a well-qualified state educational institution for much-needed information and guidance. It makes no sense to spend County dollars on such a study but then to move forward on enacting an ordinance that provides for issuance of oil and gas development permits without the benefit of that study. We therefore strongly urge the County to defer action on its proposed ordinance until it has received and considered the New Mexico Tech study and has discussed those findings, and issues related to oil and gas development, with the Coalition Pueblos.

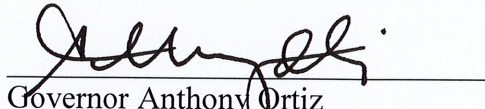
The six Middle Rio Grande Pueblos understand the County's desire for economic development, but any development such as extraction of natural resources must be in concert with the sustainability of the valley and its limited water resources, and must take into account the sovereign rights and interests of the Tribes and Pueblos within its boundaries. The future of all of our communities is at stake.

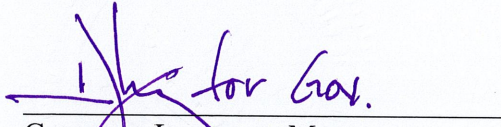
Sincerely,

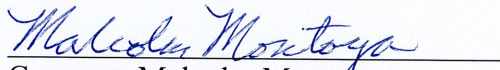


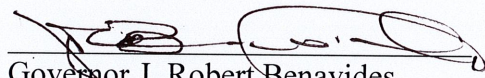
Governor Eugene Herrera
Pueblo of Cochiti


Governor Brian Coriz
Pueblo of Santo Domingo


Governor Anthony Ortiz
Pueblo of San Felipe


Governor Lawrence Montoya
Pueblo of Santa Ana


Governor Malcolm Montoya
Pueblo of Sandia


Governor J. Robert Benavides
Pueblo of Isleta

cc: Michael Springfield, Director
Sandoval County Planning and Zoning Division
Diane Maes, Sandoval County Manager
Sidney Hill, Sandoval County Public Information Officer