
From: Phoebe Suina (HWM) <phoebe@high-watermark.com>
Sent: Monday, November 13, 2017 2:25 PM
To: Sidney Hill
Cc: Janine Drywater; Gene Ka-hee; Kai-T Blue-Sky
Subject: Letter From the Pueblo de Cochiti for Commissioners Meeting
Attachments: Sandoval County Commission Letter From Governor Herrera.pdf; ATT00001.htm

Good Afternoon,

Attached is a letter regarding the issue associated to hydraulic fracturing on the upcoming agenda this November 16, 2017. This letter was hand-delivered to the County Manager's office this morning. But, we wanted to make sure that it was submitted for the record.

Kindest Regards,

Eugene S. Herrera
Governor



Bernard Suina
Lt. Governor

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November 10, 2017

Sandoval County
P.O. Box 40
1500 Idalia Road
Bernalillo, NM 87004

RE: SECOND REQUEST For Meaningful and Respectful Tribal Consultation Regarding
Proposed Hydraulic Fracturing Activities and Ordinance Development

Dear County Commissioners,

On June 8, 2017, I sent our first request for meaning and respectful tribal consultation regarding proposed fracturing and have not heard a response back on our request. From my understanding, the Oil and Gas Ordinance process has continued even through Sandoval County Commission approval at a recent meeting. Therefore, I am sending a second request for meaningful and respectful tribal consultation to address our concerns regarding the current Oil and Gas Ordinance and the lack of due diligence and process to appropriately develop such an ordinance.

Over the past few months, the Pueblo of Cochiti has received information regarding proposed hydraulic fracturing sites and the proposed ordinance of hydraulic fracturing sites within Sandoval County. Reviewing the information about the proposed activities, we are deeply concerned of these activities within the Sandoval County. In our cultural beliefs, it is our responsibility to care for the air, the land, the water and the people. For this reason the Pueblo de Cochiti continues to diligently steward and protect our natural and cultural resources. In particular, we are currently working to build and develop our Clean Water Act 106 **Treatment as a State** Program for Cochiti Pueblo. For years, the Pueblo de Cochiti has fought for the same protections for the air, land and water with various entities, such as the US Corps of Engineers and Department of Energy. The Pueblo de Cochiti has a long history advocating and fighting for the protection and stewardship of our natural and cultural resources to sustain our way of life for the sake of our people and those yet to be born.

As a Governor, the advice that our elders gave me was to protect our people and lands. Therefore, as the Governor of Cochiti, my main purpose is to protect our people and the environment and it is one of the main reasons I am sending this second request to meet with you to resolve our concerns.

As I stated in my June 2017 letter, I understand that there was a proposed moratorium or request for delay on decisions regarding ordinances, new permits, and development activities. I am writing again to support the request for delay on decisions. In my request for delay or moratorium, I am asking to meet with County Commissioners, County leadership and/or staff to have meaningful discussions and consultation on the proposed hydraulic fracturing activities and concerns. Although the proposed sites are outside of Pueblo de Cochiti lands, there will be potential impacts to surface waters, subsurface waters, air, vegetation, minerals, infrastructure, traditional cultural resources, safety and health of our tribal members because of how hydraulic fracturing operations and activities get implemented.

From my understanding, the federal and state regulations and guidance, regarding hydraulic fracturing operations, do not provide the protections needed to ensure the protection of the people and environment. But, there are federal and state acts (i.e. State-Tribal Collaboration Act), statutes, and orders, such as that require Tribal Consultation items and issues that affect specific tribes. In the past, the Pueblo of Cochiti has worked collaboratively to resolve a variety of issues and challenges with various levels of governments, including Sandoval County. Because there may be potential impacts to essential resources, health and safety of our community and tribal members, the Pueblo of Cochiti would like to work collaboratively to learn, discuss and address our concerns.

Please inform me as soon as possible on when we can discuss my request to meet about the hydraulic fracturing proposals and activities.

Respectfully,

A handwritten signature in blue ink, appearing to read "E. Herrera", with a long, sweeping underline.

Governor Eugene S. Herrera