
From: Alan Hatch <Alan.Hatch@santaana-nsn.gov>
Sent: Monday, November 13, 2017 1:10 PM
To: Sidney Hill
Cc: Veronique Richardson; governors
Subject: Comments on the Proposed Sandoval County Oil and Gas Ordinance
Attachments: Santa Ana letter regarding Sandoval County Oil and Gas.pdf

Please find attached a letter from the Pueblo of Santa Ana regarding Proposed Oil and Gas Ordinance No. 11-16-17.9.

Alan M. Hatch

Director, Department of Natural Resources

Pueblo of Santa Ana

2 Dove Rd.

Santa Ana Pueblo, NM 87004

Office: 505.771.6771

Mobile: 505.401.4248

Fax: 505.771.6571

<http://www.facebook.com/SantaAnaDNR>

Email: alan.hatch@santaana-nsn.gov

Pueblo of Santa Ana Confidentiality Notice: This communication and any files attached may contain confidential or privileged information. If this email message concerns legal matters, this communication and any attachments are attorney client privileged and confidential and are intended only for the use of the individual(s) or entity to which the message is addressed. If this email message and/or its attachments contains information about Santa Ana Pueblo or its subdivisions that is not generally available to the public, it is confidential, and intended only for the use of the individual(s) or entity to which the message is addressed. If you are not the intended recipient, reading, disclosure, distribution, copying or the taking of any action in reliance upon this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by reply e mail or forward this email to postmaster@santaana-nsn.gov and destroy the original communication, including any attachments. Thank you.

PUEBLO OF SANTA ANA

OFFICE OF THE GOVERNOR

November 13, 2017

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

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

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

On behalf of the Pueblo of Santa Ana (the "Pueblo"), I write to express my deep concern regarding the proposed Sandoval County Oil and Gas Ordinance No. 11-16-17.9 ("Ordinance") and urge the Commission to table its decision on the proposed Ordinance until further analysis, consultation and inclusion of tribal protections are established in the Ordinance.

It is the Pueblo's understanding that since 2015, when an Oklahoma based company, now bankrupt, was approved to drill an exploratory well on the west side of Rio Rancho, this issue has been fast-tracked without proper and due considerations. As you are aware, Rio Rancho and the Pueblo are bordering neighbors, thus, any activities involving oil and gas exploration and production including the development of structures and facilities utilized to facilitate such exploration and production will have a direct impact on the Pueblo. Accordingly, the same is likely to impact our sister Pueblos and tribes and all communities within Sandoval County and neighboring counties.

The Pueblo of Santa Ana has used the waters of the Rio Jemez and Middle Rio Grande since time immemorial, and we have an enduring obligation to our people to protect our water and other natural resources for future generations. To that end, the Pueblo strongly opposes the proposed Ordinance and request that the Commission table its vote to approve the Ordinance until: 1) there has been full and considered consultation with Santa Ana and other Indian tribes and pueblos in Sandoval County to ensure that language that adequately protects our sovereign interests is incorporated into the Ordinance; and 2) it has considered the guidance from the New Mexico Institute of Mining and Technology ("New Mexico Tech") which is proposed to be complete in spring 2018.

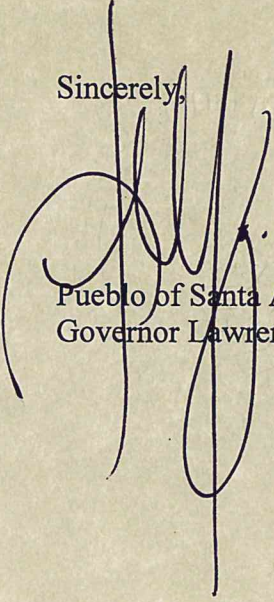
As you know, water resources have no political boundaries. This means that one county's actions will affect another in this basin. Thus, it is everyone's duty, including the Pueblos and Sandoval County to ensure that there is proper consultation and coordination in place to keep our

communities and natural resources safe. As it stands, the proposed Ordinance makes no mention of Indian pueblos and tribes despite being sovereign governments within Sandoval County. Additionally, entirely absent is language that would require any inter-governmental coordination for addressing issues involving emergency response, integration of tribal water quality standards – which the Pueblo of Santa Ana has enacted – and lacks provisions for the protection of sacred sites and cultural properties.

Furthermore, the Pueblo understands that the County has commissioned a very important study currently being conducted by New Mexico Tech. The study is expected to be complete in spring 2018 and is expected to provide guidance in assessing the effects of oil and gas production on aquifers within Sandoval County. Also expected from the study is a detailed analysis of the potential impacts of modern drilling and well completion technologies (e.g. horizontal drilling and hydraulic fracturing) on our shared aquifers. This study is critical in the sense that aquifer protection is of utmost importance when it comes to oil and gas development planning or permitting. It would appear to be both premature and a waste of our County's monetary resources to spend County dollars on a study and move so hastily to approve the Ordinance without completing the study or considering the results of the study. Again, the Pueblo strongly requests and urges the Commission table its action on the proposed Ordinance until it has received and considered the New Mexico Tech study.

While the Pueblo understands the County's desire for economic development, such development must be in concert with the sustainability of communities and its limited water resources and not threaten the sovereign interests of the pueblos and tribes within its boundaries. For the sake of our communities, the Pueblo sincerely hopes the Commission will take our concerns seriously and table its approval of the Ordinance at its November 16, 2017 Commission Meeting.

Sincerely,



Pueblo of Santa Ana
Governor Lawrence Montoya, Governor