

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2022-34
Supporting Caja del Rio Preservation

Mayor and Members of the City Council:

I propose the following amendment(s) to Resolution No. 2022-34:

1. On page 5, line 15 *insert* the following new paragraphs:

“**WHEREAS**, on the northeast edge of the Caja del Rio there is a heavily used City and County utility corridor along and in the vicinity of the Buckman Road that includes, among other critical infrastructure, thirteen deep water wells, a river diversion, two large water transmission pipelines, and a natural gas pipeline; and”

2. On page 6, line 19 *insert* the following new paragraph:

“**BE IT FURTHER RESOLVED** that while the City opposes additional development in the Caja del Rio, particularly in roadless areas, the existing utility corridor and wellfield near the Buckman Road are critical to City and County resilience, and the City does not intend with this resolution to limit future City and County near and long term utility infrastructure development.”

Respectfully submitted,



Carol Romero-Wirth, Councilor

Approved as to Form:



Erin K. McSherry, City Attorney

ADOPTED: _____ X _____

NOT ADOPTED: _____

DATE: _____ 6/29/2022 _____



Kristine Mihelcic, City Clerk

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2022-34

INTRODUCED BY:

Councilwoman Renee Villarreal

Councilor Chris Rivera

Councilor Amanda Chavez

Councilor Michael J. Garcia

Councilor Jamie Cassutt

A RESOLUTION

**SUPPORTING THE PERMANENT PRESERVATION OF THE CAJA DEL RIO
CULTURAL LANDSCAPE AND WILDLIFE AREA.**

WHEREAS, the City of Santa Fe (“City”) has an incredible array of public lands that encompass a stunning wealth of landscapes that are enjoyed by residents and non-residents alike; and

WHEREAS, the Caja del Rio is located on 106,883 of Bureau of Land Management and U.S. Forest Service public lands in north-central New Mexico and it is considered one of the United States’ most iconic landscapes, an area of profound cultural, historical, archeological, and ecological significance; and

WHEREAS, the Caja del Rio is a landscape of dramatic topography with geological processes that stem from the Rio Grande rift and that has boundaries stretching from the northwestern boundary of the Rio Grande to the southern and western boundaries of the La Bajada Escarpment, Santa Fe River, and Cañada Ancha; and

WHEREAS, the Caja del Rio contains two dynamic watersheds - the Santa Fe River

1 Canyon and the Rio Grande corridor from Buckman to Cochiti Lake - and both watersheds have
2 critical cultural, hydrological, ecological, agricultural, and economic significance; and

3 **WHEREAS**, the Caja del Rio is one of the most remarkable natural landscapes in the
4 American Southwest with cactus forests, birds ranging from burrowing owls to bald eagles, herds
5 of deer and elk, black bears, and cougars; and

6 **WHEREAS**, the Caja del Rio has been a critical habitat to wildlife for millennia and a
7 wide variety of bird and animal species continue to use the area as a migratory corridor, breeding
8 grounds, and an area of relocation during wildfires and changing climates.

9 **WHEREAS**, in connecting various mountain ranges and wildlife habitats, the Caja del Rio
10 acts as a cornerstone for wildlife connectivity and is essential for maintaining wildlife movement
11 throughout the Upper Rio Grande; and;

12 **WHEREAS**, preserving the Caja del Rio is critical for sustaining the City's rich and
13 diverse cultures, traditions, heritage, and the vibrant community we are blessed to collectively
14 share; and

15 **WHEREAS**, the Caja del Rio plateau has been inhabited by Native and Indigenous
16 communities since time immemorial; and

17 **WHEREAS**, the Caja del Rio is recognized by various Pueblos' traditional leadership as
18 a significant region of cultural properties where Pueblo ancestors built housing structures,
19 ceremonial kivas, roads, irrigation infrastructure, petroglyphs, and other cultural resources; and

20 **WHEREAS**, the Caja del Rio contains a dense concentration of thousands of sacred sites,
21 structures, petroglyphs, irrigation systems, and other significant cultural artifacts; and

22 **WHEREAS**, the Pueblos maintain an ongoing connection and use of the Caja del Rio
23 landscape and its cultural resources, and sacred sites through story, song, pilgrimage, and prayer,
24 and preserving the landscape is critical for ongoing cultural religious access and use; and

25 **WHEREAS**, the Caja del Rio also is the key landscape demarcation between what the

1 Spanish colonial world termed the “Rio Abajo” and “Rio Arriba” regions of New Mexico, where
2 the people of Santa Fe’s traditional Hispano villages maintain deep ties and living roots as “Ejido”
3 (communal) through perpetuation and practice of traditional uses of flora and fauna and by
4 pilgrimage and prayer; and

5 **WHEREAS**, the Caja del Rio Hispano communities, including Jacona, Agua Fria, La
6 Cieneguilla, La Cienega, La Bajada, and Santa Fe’s Southside remain deeply connected to the Caja
7 del Rio and act as living repositories of traditional ecological and cultural knowledge of the area;
8 and

9 **WHEREAS**, the City recognizes the importance of traditional livestock production on the
10 Caja del Rio plateau and supports continued responsible range management as has been conducted
11 through the cooperation of cattle growers and livestock permittees, traditional *merced* and acequia
12 communities as political subdivisions of New Mexico, and federal agencies; and

13 **WHEREAS**, the Caja del Rio is still used by the Pueblo Nations and traditional Hispano
14 communities to exercise traditional land use values including the following: hunting, fishing,
15 grazing, wood gathering, piñon harvesting, herb and plant gathering, sacred pilgrimage, and the
16 historic community use of the land in other traditional ways; and

17 **WHEREAS**, the Caja del Rio also contains a major and historically significant travel
18 corridor along the National Historic Trail of El Camino Real de Tierra Adentro, an important trade
19 route that, according to the National Park Service, ran from Mexico City to the Pueblo of Ohkay
20 Owingeh, New Mexico from 1598 to 1881; and

21 **WHEREAS**, various petroglyphs and archeological sites found along El Camino Real de
22 Tierra Adentro and throughout the Caja del Rio speak to the arrival, presence, history, culture, and
23 influence of the Spanish in the area; and

24 **WHEREAS**, residents and spiritual leaders throughout the Santa Fe and the United States
25 recognize the sacred value of the Caja del Rio and utilize the area as a place of prayer, silence,

1 solitude, worship and sacred pilgrimage; and

2 **WHEREAS**, in the early 1900s, the main travel corridor of El Camino Real de Tierra
3 Adentro along the Caja del Rio transformed to become famous for its iconic stretches of New
4 Mexico Highway 1 and ultimately Route 66; and

5 **WHEREAS**, the Caja del Rio also serves as a critical landscape in creating a historical,
6 cultural, ecological, and eco-tourism corridor, connecting Bandelier National Monument and the
7 adjacent sites of Kasha-Katuwe Tent Rocks National Monument, El Rancho de los Golondrinas
8 and the Leonora Curtin Wetland Preserve; and

9 **WHEREAS**, the New Mexico Heritage Preservation Alliance has listed the Caja del Rio
10 as one of the “most endangered places” in New Mexico; and

11 **WHEREAS**, there are many significant threats to the Caja del Rio’s land, water, wildlife
12 and cultural and archeological antiquities including, but not limited to the following: petroglyph
13 defacement, vandalism, and theft; illegal shooting and poaching of wildlife and livestock; illegal
14 dumping; theft of stock tanks; unlawful off-highway vehicle usage; habitat fragmentation from
15 illegal roads; unmanaged/unlawful recreation; and recent sales of federal lands by the BLM for
16 other public purposes; and

17 **WHEREAS**, according to New Mexico Wild, the Caja del Rio’s cultural and wildlife
18 resources remain under significant threat from the Los Alamos National Labs proposals¹ to run a
19 major transmission line and fiber optic line cutting across the Caja del Rio landscape as well as the
20 proposal for the development of a major highway to be created through the area; and

21 **WHEREAS**, the federal agencies with jurisdiction over the area have provided insufficient
22 management and resources to patrol, monitor, and protect the many antiquities within the Caja del
23 Rio; and

24 **WHEREAS**, Pueblo Nations with a deep connection to the Caja del Rio would like for the

¹ <https://www.lanl.gov/environment/epcu/index.shtml>

1 federal government to provide the protections needed to preserve and protect traditional Native
2 sacred sites as well as maintain Pueblo access and co-stewardship of these sites; and

3 **WHEREAS**, in furtherance of this desire, the All Pueblo Council of Governors adopted a
4 Resolution on November 29, 2021 urging the USFS to “fully analyze environmental and cultural
5 impacts of the proposed [transmission line] by conducting a full environmental impact statement”
6 and to comply with statutory obligations under the National Environmental Policy Act and the
7 National Historic Preservation Act; and

8 **WHEREAS**, the Governing Body believes that the Caja del Rio should become an
9 important experiential learning “classroom” for the area’s surrounding youth and a place to teach
10 children the cultural, historical, ecological, geological, hydrological and biological aspects of this
11 remarkable landscape; and

12 **WHEREAS**, portions of the Caja del Rio have tremendous potential for sustainable
13 outdoor recreation to create jobs and enhance local economies, so long as these regulated activities
14 do not adversely impact the cultural, hydrological, and ecological resources of the landscape; and

15 **WHEREAS**, on the northeast edge of the Caja del Rio there is a heavily used City
16 and County utility corridor along and in the vicinity of the Buckman Road that includes,
17 among other critical infrastructure, thirteen deep water wells, a river diversion, two large
18 water transmission pipelines, and a natural gas pipeline; and

19 **WHEREAS**, the permanent protection of the Caja del Rio will help New Mexico reach
20 the 30 by 30 goals of the America the Beautiful initiative and New Mexico’s 30 by 30 Executive
21 Order No. 2021-52, focused on protecting biodiversity and conserving 30% of lands and waters by
22 2030; and

23 **WHEREAS**, the Governing Body unanimously adopted Resolution No. 2021-7 that
24 supports the 30 by 30 campaign in January, 2021; and

25 **WHEREAS**, the America the Beautiful initiative encourages locally led and voluntary

1 efforts to conserve, connect, and restore lands, waters, and wildlife upon which we all depend; and

2 **WHEREAS**, the Caja del Rio protection efforts are locally driven and led, characterized
3 by community collaboration that supports the priorities of Tribal Nations, while also engaging other
4 local stakeholders.

5 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
6 **CITY OF SANTA FE**, that the Governing Body supports the permanent protection, long-term
7 preservation, and responsible stewardship of the Caja del Rio landscape through an appropriate
8 federal land use designation.

9 **BE IT FURTHER RESOLVED** that the Governing Body supports the collaboration, co-
10 management, and co-stewardship of the Caja del Rio among responsible federal agencies, the local
11 governments of traditional Hispano communities, and sovereign Tribal Nations for the permanent
12 protection and preservation of this precious natural and cultural landscape.

13 **BE IT FURTHER RESOLVED** that the Governing Body supports all efforts to empower
14 Pueblo Nations and traditional Hispano communities in performing meaningful cultural
15 interpretation, environmental education, and historical preservation of this treasured landscape.

16 **BE IT FURTHER RESOLVED** that the Governing Body supports co-stewardship and
17 responsible management of wildlife and the wild environs of the Caja del Rio Plateau, for the
18 benefit of the public today, and for future generations.

19 **BE IT FURTHER RESOLVED** that the Governing Body supports the continuation and
20 sustainment of traditional uses of the Caja del Rio including the following: hunting, fishing,
21 grazing, wood gathering, piñon harvesting, herb and plant gathering, sacred pilgrimage, and the
22 historic community use of the land in other traditional ways.

23 **BE IT FURTHER RESOLVED** that while the City opposes additional development in
24 the Caja del Rio, particularly in roadless areas, the existing utility corridor and wellfield near the
25 Buckman Road are critical to City and County resilience, and the City does not intend with this

1 resolution to limit future City and County near- and long-term utility infrastructure development.

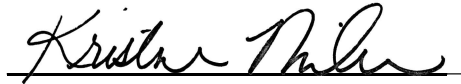
2 **BE IT FURTHER RESOLVED** that the Governing Body directs the City Clerk upon
3 adoption of this resolution, to deliver this resolution to the City of Santa Fe State legislative
4 delegation, New Mexico's congressional delegation, the leadership of the United States Senate and
5 United States House, and the President of the United States.

6 PASSED, APPROVED, and ADOPTED this 29th day of June, 2022.

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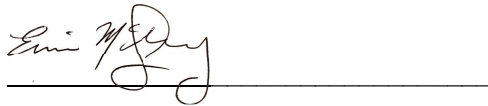
10 ALAN WEBBER, MAYOR

11 ATTEST:

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13 
14 _____

14 KRISTINE MIHELIC, CITY CLERK

15 APPROVED AS TO FORM:

16
17 
18 _____

18 ERIN K. McSHERRY, CITY ATTORNEY



All Pueblo Council of Governors

Officers:
Wilfred Herrera, Jr., Chairman
Governor Phillip A. Perez, Vice-Chair
David M. Toledo, Secretary

RESOLUTION

ALL PUEBLO COUNCIL OF GOVERNORS

RESOLUTION NO. APCG 2021 – 13

SUPPORTING PRESERVATION OF THE CAJA DEL RIO TRADITIONAL CULTURAL LANDSCAPE AND URGING THE UNITED STATES FOREST SERVICE (“USFS”) AND DEPARTMENT OF ENERGY (“DOE”) TO FULLY ASSESS POTENTIAL ENVIRONMENTAL AND CULTURAL RESOURCE IMPACTS OF THE PROPOSED ELECTRICAL POWER CAPACITY UPGRADE PROJECT

WHEREAS, the All Pueblo Council of Governors (APCG) is comprised of the Pueblos of Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh, Picuris, Pojoaque, San Felipe, San Ildefonso, Sandia, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Zia and Zuni, and one pueblo in Texas, Ysleta Del Sur, each having the sovereign authority to govern their own affairs;

WHEREAS, the purpose of the All Pueblo Council of Governors is to advocate, foster, protect, and encourage the social, cultural and traditional well-being of the Pueblo Nations;

WHEREAS, through their inherent and sovereign rights, the All Pueblo Council of Governors will promote the language, health, economic and natural resources, and educational advancement of all Pueblo people;

WHEREAS, the 20 Pueblos possess inherent government authority and sovereignty over their lands;

WHEREAS, the Pueblos possess their own cultural territory and sovereign right to protect their cultural resources, including their traditional cultural properties and sacred sites, whether or not these cultural resources are located within each Pueblo’s current exterior boundaries; and

WHEREAS, in the course of colonization of the American Southwest by Spain, Mexico, and the United States our Pueblo landholdings were unjustly encroached by non-Indians without the expressed consent of the Pueblos to reside or lay claim to Pueblo lands;

Acoma

Cochiti

Isleta

Jemez

Laguna

Nambe

Ohkay Owingeh

Picuris

Pojoaque

Sandia

San Felipe

San Ildefonso

Santa Ana

Santa Clara

Santo Domingo

Taos

Tesuque

Ysleta Del Sur

Zia

Zuni



All Pueblo Council of Governors

Officers:
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WHEREAS, the United States Supreme Court issued United States v. Joseph (1876) ruling Pueblo peoples as New Mexico citizens and not as Indians leaving the Pueblos without the protection of the federal government from land encroachment;

WHEREAS, the Supreme Court reversed prior precedent established in Joseph to declare the Pueblos' and their people as Indians in United States v. Sandoval (1913) and declaring the Pueblos fall under the federal government's authority and guardianship, thus requiring the involvement of Congress to resolve the estimated 3,000 non-Indian claimants of Pueblo lands between 1876 thru 1934;

WHEREAS, the Pueblo Lands Act of 1924 was enacted by the federal government that would establish the Pueblo Lands Board with the authority to determine the exterior boundaries of any land granted or confirmed to the Pueblo Indians of New Mexico and in question between non-Indians and the Pueblos;

WHEREAS, in the history of the United States federal land management policy, Pueblo People have been absent in the decision making and stewardship of our existing cultural resources and landscapes;

WHEREAS, the protection of the Pueblos' cultural resources, landscapes and access to continued use of lands beyond our Pueblos existing landholdings is necessary for our survival;

WHEREAS, our Pueblo peoples are deeply connected to our languages, traditions, and cultural resources, all of which embody the gifts of the Creator, to support our responsibilities to be caretakers and stewards of the present world;

WHEREAS, the Caja del Rio is recognized by our Pueblo's traditional leadership as a significant region of Pueblo cultural properties where our ancestors built housing structures, ceremonial kivas, roads, irrigation infrastructure, petroglyphs and other cultural resources;

WHEREAS, the Caja del Rio contains a dense concentration of thousands of sacred sites, structures, petroglyphs, irrigation systems, and other cultural resources;

WHEREAS, Pueblos maintain an ongoing connection and use of the Caja del Rio landscape and its cultural resources, and sacred sites through story, song, pilgrimage, and prayer, and preserving the landscape's original historic and cultural context and setting is critical for ongoing cultural religious access and use; and

WHEREAS, many of these cultural resources and sacred sites are not documented and the Caja del Rio cultural landscape may be eligible for nomination



All Pueblo Council of Governors

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and inclusion as a traditional cultural property in the National Register of Historic Places;

WHEREAS, the Caja del Rio is a multi-jurisdictional landscape containing federal, state, and private land, and currently managed by the United States Forest Service (USFS), New Mexico State Land Office, and the Bureau of Land Management;

WHEREAS, under the existing multi-jurisdictional landscape, the Caja del Rio continues to suffer longstanding management challenges including the desecration of cultural sites, misuse of off highway vehicles (OHV) beyond authorized law, undeterred dumping of refuse, poaching, and unregulated shooting, all of which continue to result in serious unmitigated, cumulative, and irreversible impacts to cultural resources;

WHEREAS, the DOE's National Nuclear Security Administration ("NNSA") is proposing to construct and operate a 12.5-mile-long, 3-phase, overhead 115-kilovolt power transmission line to begin at the Norton Substation on BLM land spanning approximately 9.7 miles across the USFS section of Caja del Rio and 2.7 miles across White Rock Canyon to terminate at the Los Alamos National Laboratory Substation on Department of Energy land;

WHEREAS, the Santa Fe National Forest Service ("SNFS") and DOE are joint lead agencies for the proposed project with DOE as the project proponent tasked with developing the environmental and cultural resource analysis under the National Environmental Policy Act ("NEPA") and SNFS tasked with evaluating environmental and cultural resource impacts (National Historic Preservation Act, 54 U.S.C. §§ 300101-307108) of the proposed EPCU project, and is in the process of developing a draft environmental assessment; and

WHEREAS, the National Historic Preservation Act ("NHPA") 36 CFR § 800.8(c) requires that during preparation of a NEPA Environmental Assessment the relevant federal agencies must "(1) identify consulting parties; (2) identify historic properties and assess the effects of the undertaking on such properties in a manner consistent with the standards and criteria of §§ 800.4 through 800.5..."; (3) consulting regarding the effects of the undertaking on historic properties with the SHPO/THPO, Indian tribes, and Native Hawaiian organizations that might attach religious and cultural significance to affected historic properties, other consulting parties, and the Council, where appropriate, during NEPA scoping, environmental analysis, and the preparation of NEPA documents; (4) [i]nvolve the public in accordance with the agency's published NEPA procedures..." and (5) [d]evelop in consultation with identified consulting parties alternatives and proposed measures that might avoid,

Acoma

Cochiti

Isleta

Jemez

Laguna

Nambe

Ohkay Owingeh

Picuris

Pojoaque

Sandia

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San Ildefonso

Santa Ana

Santa Clara

Santo Domingo

Taos

Tesuque

Ysleta Del Sur

Zia

Zuni



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minimize or mitigate any adverse effects of the undertaking on historic properties and describe them in the EA or [Draft Environmental Impact Assessment]”;

WHEREAS, the Santa Fe National Forest Service has not initiated a Section 106 Process in accordance with the National Historic Preservation Act to gather requisite cultural resource information informed by tribal cultural experts designated by Federal Indian Tribes for the proposed route and alternatives; and

WHEREAS, on November 15, 2021 the Department of the Interior and the Department of Agriculture issued a joint Secretarial Order on Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Water that enjoins the federal government to the principle of Stewardship and Co-Stewardship of cultural landscapes.

NOW, THEREFORE BE IT RESOLVED, the 20 Pueblo members of the All Pueblo Council of Governors recognizes the Caja Del Rio as a significant cultural landscape important to its member Pueblos and urge the federal government that all federal management designations shall be subject to the direction and guidance of the Pueblos in accordance to the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP) expressed Free, Prior and Informed Consent (FPIC) principle.

BE IT FURTHER RESOLVED THAT, the All Pueblo Council of Governors recognizes ongoing address by Pueblos of concerns and disputes related to unresolved historic reacquisition of land grants in the Caja del Rio cultural landscape; and

BE IT FURTHER RESOLVED THAT, the All Pueblo Council of Governors urges USFS to fully analyze environmental and cultural impacts of the proposed EPCU project by conducting a full environmental impact statement; and

BE IT FURTHER RESOLVED THAT, the 20 Pueblo members of the All Pueblo Council of Governors urges USFS to comply with statutory obligations under the National Environmental Policy Act and National Historic Preservation Act’s Section 106 Tribal Consultation process to fully analyze the historic and cultural impacts of the proposed EPCU project in coordination and in accordance with the UNDRIP’s FPIC principle consistent with the expressed cultural survival of the Pueblos and until such consent is achieved, to be incorporated into the environmental assessment and a full environmental impact statement; and

BE IT FINALLY RESOLVED THAT, the All Pueblo Council of Governors hereby authorizes the All Pueblo Council of Governors Chairman, and his designee(s), to execute all actions and documents necessary to carry out the intent of this Resolution.

Acoma

Cochiti

Isleta

Jemez

Laguna

Nambe

Ohkay Owingeh

Picuris

Pojoaque

Sandia

San Felipe

San Ildefonso

Santa Ana

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Zuni



All Pueblo Council of Governors


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CERTIFICATION

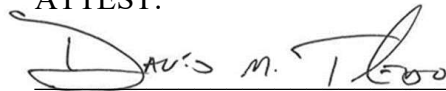
We, the undersigned officials of the All Pueblo Council of Governors hereby certify that the foregoing Resolution No. APCG 2021-13 was considered and adopted at a duly called council meeting held on 29th day of November 2021, and at which time a quorum was present and the same was approved by a vote of 15 in favor, 0 against, 0 abstain, and 5 absent.

ALL PUEBLO COUNCIL OF GOVERNORS

By:


Wilfred Herrera Jr., APCG Chairman

ATTEST:


David M. Toledo, APCG Secretary

Acoma

Cochiti

Isleta

Jemez

Laguna

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