



# TEWA WOMEN UNITED

P.O. Box 397  
Santa Cruz, NM 87567  
505 747 3259 phone  
505 747 4067 fax

BLM New Mexico State Office  
Attention: State Director  
301 Dinosaur Trail  
Santa Fe, NM 87508

Feb. 18, 2019

Dear Director Tim Spisak and to Whom It May Concern,

We represent a non-profit in Española, NM, called Tewa Women United. Our mission is to provide brave spaces for Indigenous women to uncover the power, skills, and strengths they possess to become positive forces for social change in their families and communities. This is part of our greater vision to end all forms of violence against Native women, girls, and Mother Earth, and to promote peace in New Mexico.

Please accept these formal comments protesting the 2019 March lease sale. Please consider your obligations to be compliant with the new administrations directives regarding Executive Order 2019-003, Addressing Climate Change and Energy Waste Prevention. This order states its background and purpose: "To further New Mexico's responsibility and opportunity to build a clean energy future for our people, limit adverse climate change impacts that harm our natural and cultural heritage, prevent the waste of New Mexico's energy resources and reduce pollution that threatens human health..."

As a member organization of Frack Off Greater Chaco, we protest the lease sale of 37 nominated parcels of public lands in New Mexico managed by the Bureau of Land Management (BLM) at the March 2019 lease sale:

Farmington Field Office parcels: - NM-201903-010, NM-201903-011, NM-201903-012, NM-201903-013, NM-201903-014, NM-201903-015, NM-201903-016, NM-201903-017, NM-201903-024, NM-201903-025, NM-201903-026, NM-201903-033, NM-201903-037, NM-201903-038, NM-201903-039, NM-201903-040, NM-201903-041, NM-201903-042, NM-201903-043, NM-201903-044, NM-201903-045, NM-201903-046  
Rio Puerco Field Office parcels: - NM-201903-009, NM-201903-018, NM-201903-019, NM-201903-020, NM-201903-021, NM-201903-022, NM-201903-023  
Pecos District Carlsbad Office parcels: - NM-201903-001, NM-201903-002, NM-201903-003, NM-201903-004, NM-201903-005, NM-201903-006, NM-201903-007, NM-201903-008

The Farmington Field Office Resource Management Plan amendment and the Rio Puerco Resource Management Plan revision processes are still ongoing. Full analysis of the impacts of horizontal drilling and multistage hydraulic fracturing

have yet to be addressed. These processes are meant to ensure that community health and environmental protections are in place before any more drilling occurs.

Interior Secretary Zinke deferred the March 2018 lease sale calling for more cultural consultation and admitted that the Greater Chaco region needs more cultural study. To date, there has not been a single attempt by the BLM to survey over 5,400 cultural resources in the region. Therefore, the BLM is violating the National Environmental Protection Act (NEPA) and the National Historic Preservation Act (NHPA) and is breaking its commitment to consult with tribal governments and impacted communities before these sensitive areas are offered for lease.

Individuals living in the Greater Chaco region experience myriad impacts from existing oil and gas exploitation, including increased levels of asthma and cancer, air contamination due to venting, flaring and leaks of toxic air emissions, destroyed roads and unsafe traveling conditions, dust pollution, the desecration of sacred landscapes, and much more. Continued oil and gas development exacerbates these impacts and undermines the precepts of indigenous rights and consultation as laid out by the United Nations Declarations on the Rights of Indigenous Peoples (UNDRIP) Article 32 and Free, Prior, and Informed Consent (FPIC). The Navajo Nation, All Pueblo Council of Governors, New Mexico Congressional delegation, New Mexico state legislature, and many NGOs and concerned citizens have called for a moratorium on all new leasing until the Bureau of Land Management has completed management plans that comprehensively address the impacts of horizontal drilling and multistage hydraulic fracturing.

Furthermore, in southeastern New Mexico, oil and gas companies in the Permian Basin are completing wells in the region at an astounding rate, contaminating the air and fueling climate change. The current Carlsbad RMP fails to account for the impacts from this scale of development. And, although, the BLM is currently developing a new plan, this plan would be even worse, ultimately opening up 97% of all public lands in this area for oil and gas development. Moreover, up to 50,000 acres of public lands would be sold and privatized.

When the consequences of further leasing across the Carlsbad, Farmington, and Rio Puerco is considered both within the context of individual field offices and in particular as an aggregate whole, it becomes crystal clear that BLM's oil and gas program in New Mexico contributes significant greenhouse gas pollution exacerbating our climate crisis. This pollution must be accounted for. Yet BLM has never taken a hard look at the aggregate climate impacts of the agency's oil and gas program on a statewide basis let alone national basis and existing lease-specific analyses are simply inadequate. Rather than meaningfully account for climate change, these analyses paper over the problem and, in the process, worsen it. It is imperative that BLM reduce climate pollution consistent with the agency's statutory obligations to protect public lands, consider cumulative impacts, and take action that protects, restores, and enhances our public lands and environment in the face of a warming climate.

By going forward with this lease sale, the BLM is failing in its obligation to fulfill the agency's multiple-use mandate, which requires for the BLM to manage public lands and their numerous natural resources so that they can be used for economic, recreational, and scientific purposes without the infliction of permanent damage. Over 93% of public lands in the San Juan Basin are already leased for oil and gas, and the Permian Basin is already experiencing the negative consequences of intensive oil and gas extraction. It is impossible for BLM to satisfy its multiple use obligations or create balance with nearby communities and the environment where oil and gas is prioritized in this manner.

In offering to sell the proposed lease parcels, the BLM has also inappropriately and without any public notice rolled back opportunities for public involvement. Not only has the agency completely eliminated comment periods for draft NEPA analyses, it has stopped allowing people to fax protests and rolled back

the protest period from 30 to 10 days, an inordinately short amount of time to meaningfully participate. Forcing us to rush to document our concerns undermines our right to due process.

As Tewa/Pueblo/Native women, we are deeply concerned with the lack of intelligence and practice of “allowable harm” of regulating agencies when it comes to protecting future generations from physical, spiritual, and cultural impacts, and ensuring our inter-generational health, well-being, and sustainability as land-based Peoples. We ask that the BLM immediately invoke a preventative approach as responsible gatekeepers to our shared lands and resources. In the case of fracking, the establishment of “man camps” and an influx of temporary workers into unwilling and ill prepared communities has directly contributed to the high rate of cases of Missing and Murdered Indigenous Women. We know that environmental violence, which is gender based and disproportionately impacts women, whether it is toxic environmental releases, or rape through drilling into our Earth without free, informed, and prior consent, ultimately leads to violence and harm enacted upon Native women and girls and our families. In 2016, the Women’s Earth Alliance and Native Youth Sexual Health Network released a “Violence on Our Land, Violence On Our Bodies” report, and in it they describe this as:

[Prior and Informed Consent: An internationally accepted principle that recognizes Indigenous peoples’ inherent and prior rights to their lands and resources, and respects their legitimate authority to require that third parties enter into an equal and respectful relationship with them, based on the principle of informed consent.

Free: Consent is freely given without intimidation, coercion, etc.

Prior: Consent is given prior to a project/procedure/action, etc. Informed: Information about the project/procedure/action, including options/ alternatives, are shared in a way that is culturally safe.

Consent: Consensual ongoing agreement about a project/procedure/action on the land or your body.]

This same report describes how the International Indian Treaty Council has helped to define environmental violence as “*the disproportionate and often devastating impacts that the conscious and deliberate proliferation of environmental toxins and industrial development (including extraction, production, export and release) have on Indigenous women, children and future generations, without regard from States or corporations for their severe and ongoing harm* (“Violence on the Land, Violence On Our Bodies”, Building an Indigenous Response to Environmental Violence, Women’s Earth Alliance and Native Youth Sexual Health Network, 2016).”

It is environmental racism that does not allow for the BLM to take into serious consideration our unique worldview, and only prioritize the viewpoint of those enacting the violence and harm. This racism is unjust, and we need your help to put an end to exploitation of public lands at the cost of the health of people, our lands, and our living waters and ecologies. There is no separation from the health of our environment and the health of Native Peoples. Our spiritual and Indigenous worldview can no longer be considered “outside the scope” of industry if the human race is to survive the urgency that is climate change. The people who exist outside of Chaco, have been disproportionately impacted for generations from multiple harms.

It must be recognized that women are the carriers of cultural, spiritual, ancestral, and physical life-ways, passed on through generations. The fracking of our lands is not life affirming and as Tewa women we advocate for an end to the constant barrage of environmental violence on our lands and bodies. These intersections are real and must be taken into consideration when determining land use. It is time to listen and trust the wisdom of Indigenous women in their role as life-givers. TWU’s campaign to Protect Those Most Vulnerable promotes, Nava To I Jiya/Mother Who Works the Land, as a new model of reference in determining environmental impacts. When Indigenous pregnant women are protected and put at the center of policy, all of us are. This builds off midwife, Katsi Cook’s, teachings,

“Woman is the first environment. In pregnancy our bodies sustain life. At the breast of women, the generations are nourished. From the bodies of women flows the relationship of those generations

both to society and the natural world. In this way, the earth is our mother, the old people said. In this way, we as women are earth.” – Katsi Cook, Mohawk Midwife.

The health of Indigenous Peoples and their quality of life has been under constant attack since “our land was seized under a set of values that separated the Peoples from the land (Las Mujeres Hablan, Community Summary, CDC, LAHDRA, 2012).” Already, close to all of our public lands in northwest NM are leased to the oil and gas industry. This is gross mismanagement and is contrary to the BLM’s own directive and first mission priority, which calls for a reminder in all seriousness: “The BLM’s mission is **to sustain the health**, diversity, and productivity of America’s public lands for the use and enjoyment of present and future generations.” Given that the majority of our lands are being destroyed for future generations, this imbalance is unconscionable. The remaining lands are worth protecting and the remainder is worth designating for clean up, remediation and existing lease retirement. The southwest was designated as a “sacrifice zone” for the nuclear and energy industry by past administrations, and it is this same attitude that perpetuates the culture of violence by upholding the three pillars of racism, militarism, and materialism. It is not too late to admit mistakes, and begin to heal what has been done. First and foremost, by enacting an immediate moratorium on all lease sales within the San Juan and Permian Basins and Greater Chaco region and requiring an EIS statement, an HIA on all leases as well as the immediate implementation of cultural studies for all designated parcels. The Greater Chaco region includes the ancient Chacoan roadway system that extends outside of national park boundaries, and is very much a part of our cultural connection to the region.

The people who exist outside of Chaco, and those who are descended as having ancestral lineage as caregivers to these lands have been disproportionately impacted for generations from multiple harms, and are due this moratorium on any upcoming lease sales.

Tewa Women United is reiterating our opposition to the leasing of our public lands to oil and gas industries for the following reasons:

- The Bureau of Land Management didn’t appropriately contact and consult with Indigenous People-led non-profit organizations.
- Bureau of Land Management didn’t engage in government-to-government consultation for all federal undertakings affecting *each pueblo’s traditional cultural properties and sacred sites*, as mandated by the National Historic Preservation Act, the Archaeological Resources Protection Act, the Native American Graves Protection and Repatriation Act, the Federal Land Policy and Management Act, the National Environmental Policy Act and Executive Orders 12898 and 13007.
- Bureau of Land Management didn’t respect the Pueblo Council of Governors Resolution APCG 2014-04 that supports the protection of Chaco Canyon system and all traditional cultural properties and sacred sites affiliated with Chaco Canyon. See attached resolution.

In addition, we propose to Bureau of Land Management (BLM) -

- Impose a moratorium on approving new leases and drilling permits until BLM updates its Resource Management Plan to ensure that it has appropriate health and environmental safeguards in place as federal law requires. The BLM FFO must withdraw all remaining un-leased mineral resources from leasing eligibility in the new RMP. The BLM must retire existing leases to begin the process of land restoration and reclamation to its original health.

Fracking and drilling wells require about 1.3 million gallons of water. Water is precious to the Pueblos. Water used in oil and gas development is so contaminated that it can’t be returned to

rivers and streams; it must ultimately be disposed of in deep underground injection wells. We oppose contamination of our underground aquifers by reinjection. The current leasing to oil and gas companies threatens to permanently contaminate and deplete hundreds of millions of gallons of precious freshwater that wildlife and people depend upon.

- Require an Environmental Impact Statement for all oil and gas leases in the San Juan, and Permian Basin if you continue on this track; and
- Ensure that the final Resource Management Plan is updated to protect Navajo communities and their life ways; protect Chaco Culture National Historical Park and the Greater Chaco Region that is safeguarding our ancestor's history and cultural sites; and address climate change in San Juan Basin.

The 2003 Resource Management Plan is described by your agency as inadequate in managing permit, assessment and monitoring drilling. A moratorium on any new drilling is critical for instituting these precautions.

- Impose a moratorium on all fracking in San Juan, Rio Arriba, Lea, Eddy, McKinley, and Sandoval Counties, as well as those in Oklahoma, given the discriminatory policies that are exploiting the multiple land use mandate, which has created an imbalance in how lands are actually being used.
- The Implementation of a Health Impact Assessment needs to be completed for each parcel being leased for the health, safety and well- being of all Peoples living adjacent or with an impacted radius to these fracking sites.

Thank you for taking these comments opposing the March 2019 lease sale to heart, it is time to begin the healing our lands and peoples so desperately need. It begins with the moral and ethical authority that needs to be integrated into the decisions you face as director as well as others. You have the authority to cancel these sales, and move into decision making that reflects the health of the land, and not the sale of our lands, it is imperative that this is done.

Sincerely,  
Elder Kathy Sanchez and Beata Tsosie  
Environmental Health and Justice Program  
Tewa Women United  
[beata@tewawomenunited.org](mailto:beata@tewawomenunited.org)  
[kathy@tewawomenunited.org](mailto:kathy@tewawomenunited.org)





# All Pueblo Council of Governors

Officers  
Governor E. Paul Torres, *Chairman*  
Governor Val Panteah Sr, *Vice Chairman*  
Governor J. Michael Chavarria, *Secretary*

2401 12th Street NW Suite 200 N Albuquerque NM 87104

Acoma

Cochiti

Isleta

Jemez

Laguna

Nambe

Ohkay

Owingeh

Picuris

Pojoaque

Sandia

San

Felipe

San

Ildfonso

Santa Ana

Santa Clara

Santo

Domingo

Taos

Tesuque

Ysleta Del Sur

Zia

Zuni

## RESOLUTION

### ALL PUEBLO COUNCIL OF GOVERNORS

#### RESOLUTION NO. APCG 2016-17

#### SUPPORT FOR THE PROTECTION AND PRESEVATION OF CHACO CANYON NATIONAL HISTORIC PARK FROM ENERGY DEVELOPMENT

**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 Ildfonso, 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 & traditional well-being of the Pueblo Nations; and

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

**WHEREAS**, the 20 Pueblos possess government authority and sovereignty over our lands and which include the protection of our language, culture, and tradition; and

**WHEREAS**, the APCG recognizes the outstanding cultural and historical resources in the Chaco Canyon National Historic Park as direct descendants of the Chacoan cultures, each and every Pueblo maintains a strong cultural affinity to Chaco Canyon sites as primary ancestral homelands since time immemorial; and

**WHEREAS**, the All Pueblo Council of Governors Council desires to preserve all valuable tribal and cultural resources that originated on these lands not only for human but also the four-legged, finned and winged beings, and

**WHEREAS**, the All Pueblo Council of Governors believes these cultural and historical resources have special importance to all Native Americans in New Mexico; and

**WHEREAS**, the All Pueblo Council of Governors appreciates the Government to Government Relationship that was founded upon a unique Trust Responsibility from the Federal Government to Indian Country; and

**WHEREAS**, the All Pueblo Council of Governors understand that the Government to Government relationship is based upon strong and on-going communication that requires constant and consistent communication and a physical "sign-off" to assure that silence cannot be taken as consent as part of defensible communication; and

**WHEREAS**, the All Pueblo Council of Governors appreciates the opportunity to comment on the Bureau of Land Management Resource Management Plan; and

**WHEREAS**, the All Pueblo Council of Governors believes the fact that access to reliable and affordable energy resources as part of building strong stable Tribal communities is essential to keep up with the more than four percent population growth of our Native Nations; and

**WHEREAS**, the All Pueblo Council of Governors require energy, proclaim that the development of that energy should not be in our ancestral graveyards, scared sites or water resources, and

**WHEREAS**, the All Pueblo Council of Governors understand that with the advent of newer technologies such as Hydraulic Fracturing inside the Mancos Shale Horizons, water storage and reinjection of "spent water" bring efficiencies to the Oil & Gas sector for energy development, and

**WHEREAS**, the All Pueblo Council of Governors have considered the "Cost Benefit Analysis" of energy development weighed against the risks to the Cultural Resources, and

**WHEREAS**, the All Pueblo Council of Governors believes Native Tribes should participate in the management of the Chaco Canyon National Historic Park based on their cultural, historical and modern day connection to the Cultural Resources and surrounding former Tribal lands;

**NOW THEREFORE IT BE RESOLVED**, that the All Pueblo Council of Governors supports the All Pueblo Council of Governors Council support and approve the following measures to protect the Greater Chaco Landscape:

Continue to support the Master Leasing Plan (MLP) approach, from the July 2015 resolution;

Urge BLM to defer all oil-gas leasing in the remaining 9% of BLM surface-controlled lands in the Farmington Field Office;

If no. 2 is not possible, then BLM and BIA are urged to make permanent the current, temporary 10-mile cultural protection or buffer zone that is in place surrounding Chaco Culture National Historic Park.

Support expansion of protected, no-lease areas around significant Chacoan Outlier communities in the Greater Chaco Landscape, and

**BE IT FURTHER RESOLVED**, that the All Pueblo Council of Governors request to become Co-Lead Agency and Cooperating Agencies under 40 CFR 1500 to assure on-going participation in future activities, and

**BE IT FURTHER RESOLVED**, that the All Pueblo Council of Governors advocate the utilization of Tribal and Native professionals to participate as leaders in the preservation, management and monitoring of cultural, air and water resources at the expense of the energy industry, and



**BE IT FURTHER RESOLVED**, that the All Pueblo Council of Governors welcomes the permanent protection of these historical and cultural resources to be preserved now and for all future generations; and

**BE IT FINALLY RESOLVED**, that a copy of this resolution shall be forwarded to the President of the United States Barack Obama, the United States Secretary of the Interior Sally Jewell, the Governor of New Mexico Susana Martinez, and the entire New Mexico Congressional Delegation to show support for the protection and preservation of the Chaco Canyon National Historic Park Complex.

#### **CERTIFICATION**

We, the undersigned officials of the All Pueblo Council of Governors hereby certify that the foregoing Resolution No. APCG 2016-17 was considered and adopted at a duly called council meeting held on the 17<sup>th</sup> day of November 2016, and at which time a quorum was present and the same was approved by a vote of 11 in favor, against, 0 abstain, and 9 absent.

#### **ALL PUEBLO COUNCIL OF GOVERNORS**

By: E. Paul Torres  
Governor E. Paul Torres, APCG Chairman

ATTEST:

J. Michael Chavarria  
Governor J. Michael Chavarria, APCG Secretary

