RESOLUTION REQUIRING THE REGIONAL COLLABORATION FOR A TWO YEAR PLAN WITH SANDOVAL COUNTY, BERNALILLO COUNTY, SANTA FE COUNTY, AND ALL TRIBES AND PUEBLOS AND THE UNITED STATES TO PROTECT WATER RESOURCES AND RIGHTS OF ALL PARTIES WITHIN AND NEAR SANDOVAL COUNTY RELATIVE TO OIL AND GAS INFRASTRUCTURE AND ACTIVITIES FROM THE INDUSTRY.

WHEREAS, The United Nations Human Rights Act, Article 17.1, states that everyone has the right to own property alone and with others and no one shall be arbitrarily deprived of his property, and Article 27.1. Which states that everyone has the right to freely participate in the cultural life of the community; and

WHEREAS, Sandoval County shall enter into a formal Tribal Consultation process with the tribes and pueblos located within the boundaries of Sandoval County; that Indigenous peoples have sovereignty over developments affecting them and their lands, territories and resources, which will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs;

WHEREAS, the Organization of American States (OAS) American Declaration on the Rights of Indigenous Peoples AG/RES. 2888 (XLVI-0/16) adopted June of 2016, Federal Executive Order 13175, states and mandate a process be formed to consult with Indian tribes and respect tribal sovereignty as they develop policy on issues that impact Indian communities, as well as in the State of New Mexico Tribal Collaboration Act; in the United Nations Declaration of the Rights of Indigenous People (UNDRIP) passed in 2007, Article 19, states shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them; Article 28, Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent, of said tribes and pueblos;

WHEREAS, Sandoval County needs to have safe waters and a safe living environment and this must collaborate efforts with all stakeholders to address the dangers of antiquated pipeline infrastructure, including compressor stations, pipelines, oil and gas drilling operations, and unconventional hydraulic drilling activities in the direct line of contaminating due to emissions, leakage and/or eruption of the antiquated pipelines coming through the State of New Mexico; and

WHEREAS, There is no state or federal requirement that mandates a state of emergency preventive measures relating to issues pertaining to Title 49 US CODES that Department of Transportation is required to follow in the case of emissions, leakage or explosion. The aquifers and Albuquerque and Jemez water basin(s) that will effect numerous citizens the deprivation of water from their lands; and

WHEREAS, Sandoval County welcomes the Town of Bernalillo, Village of Corrales, City of Rio Rancho, Santa Fe County, Bernalillo County, the City of Albuquerque, and all Tribes and Pueblos and the Citizens Advisory Board (CAB) Committees (Stakeholders), due to the fact that there is no boundary of water based on flow and use; the geologic boundary is the Sandia Mountains, the Albuquerque Basin of the Rio Grande rift, and the Jemez Mountains, and there are major rift-margin faults, including the San Francisco-Placitas fault zone and many others,

that cut through million year old Paleozoic and Mesozoic sedimentary rocks rotating them downward to the north, the Santa Fe Group basin fill, and into the Las Huertas Creek based on the comprehensive hydrologic study in 1997-99 (Johnson, 2000); and

WHEREAS, the importance of preservation of the surface and groundwater of the Albuquerque water basin and the aquifers involved is the responsibility of these counties to protect the lands where these waters are based, which is a surface issue pertaining to health, safety and water; and

WHEREAS, Sandoval County (Town of Bernalillo and Village of Corrales, City of Rio Rancho) with Santa Fe County, Bernalillo County, City of Albuquerque, and tribes and pueblos along with Citizens Advisory Board (CAB) Committees (A.K.A Stakeholders) are able to maintain a community involvement for its citizens' protection and join together stakeholders, holding meetings once a month or as needed; and through its procedures, policies and best practices, to conduct meetings but to not have a boundary on water issue with stakeholders, but to collaborate for a quality of water for its citizens which includes a healthy and safe environment.

WHEREAS, that the stakeholders group create separate sub-committees to address archaic and unsafe infrastructure of the 5 interstate and/or intrastate pipelines and the Oil and Gas Ordinance with the adoption of a regional stakeholder plan on both issues before this body;

NOW, THEREFORE, BE IT RESOLVED that Sandoval County (Town of Bernalillo, Village of Corrales, City of Rio Rancho) and Bernalillo County, City of Albuquerque, County of Santa Fe and all tribes and pueblos along with Citizens Advisory Board (CAB) Committees A.K.A Stakeholders, incorporate a partnership to increase protections of the Albuquerque and Jemez water basins and aquifers via meeting times and agendas to support the best efforts; and

BE IT FURTHER RESOLVED, that there be no deprivation but to uphold the Human Rights Act that is a mandate to public officials and state agencies (institutions) to not deprive its citizens and all tribes and pueblos;

BE IT FURTHER RESOLVED, that under United Nations & American -DRIP, the New Mexico Collaboration Act, Indigenous peoples have sovereignty over developments affecting them and their lands, territories and resources, which will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs; Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without the free, prior and informed consent of said tribes and pueblos;

BE IT FURTHER RESOLVED, that in its continued commitment to the protection of its citizens via the water issues; and

BE IT FURTHER RESOLVED, that Sandoval County Commissioners abide by collaborations of water issues that affect Bernalillo County, the City of Albuquerque, Santa Fe County, and all tribes and pueblos along with Citizens Advisory Board (CAB) Committees A.K.A Stakeholders, via invitations, communications and support; and

BE IT FURTHER RESOLVED, that Sandoval County Commissioners ask that Bernalillo County and city officials and all tribes and pueblos along with Citizens Advisory Board (CAB) Committees A.K.A Stakeholders, also any invitations, communications and support; and

BE IT FURTHER RESOLVED, that the stakeholders group create separate sub-committees to address archaic and unsafe infrastructure of the 5 interstate and/or intrastate pipelines and infrastructure and the Oil and Gas Ordinance with the adoption of a regional stakeholder plan on these issues before this body;

BE IT FURTHER RESOLVED, that this Resolution shall be posted on the Sandoval County website and distribute it using usual means of communication and respectively all entities of this resolution, notice of meetings, agenda pursuant to open meeting act and shall post; and

BE IT FURTHER RESOLVED, that the Commission authorizes county and United States employees to discuss this Resolution with the citizens, counties and cities involved and all tribes and pueblos; and

BE IT FURTHER RESOLVED, that any third party providing services on behalf of the counties, cities, and all tribes and pueblos involved through contractual or other arrangements, shall be notified of this Resolution and required to abide by it.

Adopted this _____day of_____ 2018, Bernalillo, New Mexico.

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Don Chapman
Commissioner District 3
Sandoval County

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David J. Heil, Chairman
Commissioner, District 4
Sandoval County

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F. Kenneth Eichwald
Commissioner, District 5
Sandoval County

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Jay C. Block
Commissioner, District 2
Sandoval County

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Dr. James F. Holden-Rhodes
Commissioner, District 1 Sandoval County