A JOINT MEMORIAL

REQUESTING THE FEDERAL BUREAU OF LAND MANAGEMENT TO CONSIDER
ISSUING A TEMPORARY MORATORIUM ON ALL FRACKING-RELATED LEASE
SALES AND PERMIT APPROVALS IN THE MANCOS SHALE/GALLUP FORMATION
IN THE GREATER CHACO AREA UNTIL THE RESOURCE MANAGEMENT PLAN
AMENDMENT IS COMPLETED.

WHEREAS, the federal bureau of land management has to date
leased ninety-one percent of public lands in the Farmington
area to oil and gas interests; and

WHEREAS, advances in oil and gas technology have generated
new industry interest in the Mancos shale/Gallup formation in
the greater Chaco area of northwestern New Mexico for combined
multi-stage hydraulic fracturing and horizontal drilling, known
as fracking; and

WHEREAS, the Farmington field office of the federal bureau
of land management has been leasing federal lands in New Mexico and approving permits to drill by relying on a 2003 resource management plan that does not analyze the impacts of fracking in the Mancos shale/Gallup formation; and

WHEREAS, on October 21, 2016, the bureau of land management published in the federal register its notice of intent to amend the 2003 resource management plan for the Farmington field office and to prepare an associated environmental impact statement in cooperation with the federal bureau of Indian affairs; and

WHEREAS, the bureau of land management and the bureau of Indian affairs have held scoping meetings to gather public input on the resource management plan amendment; and

WHEREAS, the resource management plan amendment and environmental impact statement are expected to be completed in 2018; and

WHEREAS, with over four hundred fracking wells approved since 2013 in the greater Chaco area, increased fracking development is already encroaching on the landscape near cultural assets, such as Chaco culture national historical park and other tribal cultural properties; and

WHEREAS, the bureau of land management continues to lease public lands in New Mexico for oil and gas activities, including an expected eight hundred forty-three acres of federal land in the greater Chaco area to be auctioned on
January 25, 2017; and

WHEREAS, Chaco culture national historical park is a local, national and international treasure that could experience decreased tourism due to increased oil and gas activities; and

WHEREAS, new fracking development in the greater Chaco area disproportionally affects Navajo communities, specifically those in the Counselor, Nageezí, Ojo Encino and Torreon chapter areas; and

WHEREAS, the United Nations declaration on the rights of indigenous peoples affirms that states shall provide effective mechanisms for prevention of, and redress for, any action that has the aim or effect of dispossessing indigenous peoples of their lands, territories or resources; and

WHEREAS, the Ojo Encino chapter of the Navajo Nation has stated in its comment letter regarding the January 2017 lease sale that oil and gas development with current stipulations effectively constitutes dispossession of tribal lands; and

WHEREAS, fifteen Navajo chapter governments, including all eastern agency chapters within the planning boundaries of the Farmington field office, have passed resolutions against additional oil and gas leasing until the resource management plan amendment is completed; and

WHEREAS, the United Nations declaration on the rights of indigenous peoples also states that indigenous people shall not
be forcibly removed from their lands or territories and that no
relocation shall take place without the free, prior and
informed consent of the indigenous people concerned and after
agreement on just and fair compensation and, when possible,
with the option of return; and

WHEREAS, oil and gas development in the greater Chaco area
could lead to the reduction of developable land for tribal
community purposes and could effectively force Navajo residents
to leave the area, not inhabit it or otherwise endure a
diminished quality of life; and

WHEREAS, the department of environment at times approves
waivers from compliance with air quality standards, and the
energy, minerals and natural resources department manages oil
and gas permitting approvals without consulting with affected
Navajo chapter houses; and

WHEREAS, the state of New Mexico and residents of the
state may incur additional costs associated with oil and gas
activities, including public health costs, stress on public
infrastructure, stress to the environment and climate, air
quality degradation, water quality and quantity impacts,
impacts to state tourism and degradation of tribal cultural
properties, as well as related costs associated with oil and
gas leaks, spills and explosions; and

WHEREAS, on July 11, 2016, thirty-six fracking storage
tanks managed by WPX energy exploded in the Nageezi chapter
area of the Navajo Nation in a fire that burned for five days, forcing fifty-five residents to evacuate; and

WHEREAS, the national aeronautics and space administration discovered the nation's largest atmospheric methane plume above the four corners region, and the methane plume has been linked to oil and gas production sites; and

WHEREAS, air emissions from methane and fracking can be highly detrimental to the health of residents in local communities;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the federal bureau of land management be requested to consider issuing a temporary moratorium on all fracking-related lease sales and permit approvals in the Mancos shale/Gallup formation in the greater Chaco area until the resource management plan amendment is completed; and

BE IT FURTHER RESOLVED that the bureau of land management be requested to include in its amended resource management plan a complete public health and social impact report, including an analysis of transitions to renewable energy sources for the area and an analysis of environmental justice issues; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the secretary of energy, minerals and natural resources; the director of the oil conservation division of the energy, minerals and natural resources department; the secretary of environment; the secretary of finance and
administration; and the members of the New Mexico congressional delegation.

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