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SENATE MEMORIAL 27

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

Benny Shendo, Jr. And Shannon D. Pinto and
Antoinette Sedillo Lopez

A MEMORIAL

AFFIRMING NEW MEXICO'S COMMITMENT TO ADDRESSING CULTURAL,
ENVIRONMENTAL AND HEALTH IMPACTS IN THE GREATER CHACO CANYON
LANDSCAPE.

WHEREAS, the greater Chaco canyon landscape, located in
the San Juan basin in northwestern New Mexico, is an important
ancestral landscape of the twenty pueblos of New Mexico and
Texas and is an important ancestral landscape and current place
of residence of the Navajo Nation; and

WHEREAS, portions of the greater Chaco canyon landscape
are considered in the United States department of the interior
bureau of land management's and bureau of Indian affairs'
decision area for the Farmington Mancos-Gallup resource
management plan amendment and its associated environmental
impact statement and National Historic Preservation Act Section

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1 106 process; and

2 WHEREAS, the Farmington Mancos-Gallup resource management
3 plan amendment is being prepared due to changing oil and gas
4 development patterns, including horizontal drilling technology
5 and multistage hydraulic fracturing, resulting in more oil and
6 gas wells and surface disturbances and impacts than were
7 analyzed in the 2003 resource management plan; and

8 WHEREAS, one million eight hundred thousand acres of land
9 have already been leased for oil and gas development within the
10 Farmington Mancos-Gallup resource management plan amendment's
11 decision area; and

12 WHEREAS, as of February 8, 2020, the draft Farmington
13 Mancos-Gallup resource management plan amendment counts an
14 existing twenty-seven thousand seventy-four vertical and
15 horizontal wells, with an additional estimated two thousand two
16 hundred wells projected over the life of the resource
17 management plan amendment; and

18 WHEREAS, the potential impacts to the environment, human
19 health, air quality, water quality and traditional cultural
20 ways of life from oil and gas leasing and development are
21 experienced by Indian nations, tribes and pueblos that interact
22 with the greater Chaco canyon landscape by virtue of their
23 residence, ancestry, customs, traditions and cultural
24 practices; and

25 WHEREAS, the Navajo Nation chapter residents of Counselor,
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1 Torreon and Ojo Encino who reside in the greater Chaco canyon
2 landscape and in the Farmington Mancos-Gallup resource
3 management plan amendment's decision area have been impacted by
4 ongoing health and environmental effects as well as cultural
5 impacts caused by extensive oil and gas development; and

6 WHEREAS, the Counselor health impact assessment
7 committee's July 20, 2021 report, titled *A Cultural, Spiritual,*
8 *and Health Impact Assessment of Oil Drilling Operations in the*
9 *Navajo Nation area of Counselor, Torreon, and Ojo Encino*
10 *Chapters*, determined that significant increases in emissions
11 from over four hundred oil and gas wells contributed
12 significantly to respiratory health impacts of residents; and

13 WHEREAS, the all pueblo council of governors, representing
14 the twenty governors of the sovereign nations of New Mexico and
15 Texas, in comments provided on the draft Farmington Mancos-
16 Gallup resource management plan amendment and its environmental
17 impact statement, said that oil and gas development impacts on
18 cultural resources and traditional practices directly impact
19 the physical and mental health of pueblo members; and

20 WHEREAS, the New Mexico legislature has recognized and
21 called for the protection and preservation of the greater Chaco
22 canyon landscape's cultural sites and resources through House
23 Memorial 70, titled "a memorial reaffirming New Mexico's
24 commitment to protecting and preserving tribal, cultural and
25 historical sites and resources in the greater Chaco canyon

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1 landscape", passed during the 2017 regular legislative session;
2 and

3 WHEREAS, many federal laws, including the federal National
4 Environmental Policy Act of 1969 and the federal Clean Air Act,
5 are designed to require consideration of the environmental and
6 health effects of federal actions; and

7 WHEREAS, Article 20, Section 21 of the constitution of New
8 Mexico declares "protection of the state's healthful
9 environment" to be of "fundamental importance to the public
10 interest, health, safety and the general welfare"; and

11 WHEREAS, President Joe Biden's Executive Order 14008
12 formalized the president's and vice president's commitment to
13 ensuring that all federal agencies develop programs, policies
14 and activities to address the disproportionately high and
15 adverse health, environmental, climate and other cumulative
16 impacts on communities that are marginalized, underserved and
17 overburdened by pollution; and

18 WHEREAS, the department of environment's environmental
19 justice policy promotes fair treatment as meaning no group of
20 people should bear a disproportionate share of the negative
21 environmental consequences resulting from industrial,
22 governmental or commercial operations or policies; and

23 WHEREAS, greater action is needed in New Mexico from the
24 United States department of the interior to better regulate oil
25 and gas leasing and development to ensure environmental and

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1 health impacts to New Mexico's Indian nations, tribes and
2 pueblos are minimized in the greater Chaco canyon landscape;

3 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
4 OF NEW MEXICO that New Mexico's commitment to addressing
5 cultural, environmental and health impacts in the greater Chaco
6 canyon landscape be affirmed; and

7 BE IT FURTHER RESOLVED that the United States department
8 of the interior's bureau of land management and the oil, gas
9 and minerals division of the state land office be requested to
10 comply with federal law by fully considering and addressing the
11 effects of oil and gas development on the environment and
12 health concerns of frontline communities described in the
13 Farmington Mancos-Gallup resource management plan amendment and
14 the accompanying environmental impact statement; and

15 BE IT FURTHER RESOLVED that the United States department
16 of the interior bureau of land management and the oil, gas and
17 minerals division of the state land office be requested to
18 refrain from any oil and gas leasing, issuance of drilling
19 permits or development without adequate environmental and human
20 health protections in place that are created in consultation
21 with potentially impacted communities, including the Navajo
22 Nation chapters of Torreon, Counselor and Ojo Encino; and

23 BE IT FURTHER RESOLVED that copies of this memorial be
24 transmitted to the United States department of the interior
25 bureau of land management and the bureau of Indian affairs, the

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1 secretary of cultural affairs, the secretary of Indian affairs,
2 the secretary of environment, the governor and the New Mexico
3 congressional delegation.

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