

Office of Governor
James R. Mountain



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To: Section 1813 ROW Study

From: James R. Mountain, Governor
Pueblo de San Ildefonso

Cc: Leon Roybal
Neil Weber
Peter Chestnut

Date: January 20, 2006

Subject: Comments on Section 1813 ROW Study

As Governor of the Pueblo de San Ildefonso (“Pueblo”), I represent the interests of the Pueblo’s members. Our Pueblo is located in northern New Mexico and shares a boundary with Los Alamos National Laboratory. We currently have rights-of-way (“ROW”) agreements for both electric power lines and gas lines that cross our lands. We are concerned that any decisions made by the Departments of Energy and Interior as a result of the Row study required by Section 1813 of the Energy Policy Act of 2005 may have a significant impact on our Pueblo’s lands, economy and sovereignty. We ask that you consider the following comments in conducting this study.

1. **As a sovereign Indian nation, recognized as such by the Federal government, we ask that we be involved in the pre-scoping and scoping meetings and phone calls in January and February of this year, and in the workshops to be held from February to May, 2006.** We also want to be involved in any working groups established as part of the process required to comply with Section 1813. Please contact me by phone at 505-455-2273, by fax at 505-455-7351 or by mail at Pueblo de San Ildefonso, Route 5, Box 315-A, Santa Fe, N.M. 87506. The Pueblo will designate representatives to participate in any and all consultations and meetings. Please provide the dates, places and times of any meetings as soon as they are scheduled.

2. **The Pueblo is concerned that its sovereignty not be further restricted as an outcome of this study.** How our lands are used should be determined by us as an exercise of that sovereignty. Tribal self-determination and sovereignty interests will be significantly impacted by any decision to allow the federal government to make such decisions for us, without tribal consent.

3. **The Pueblo needs to agree to any decisions affecting the amount of compensation paid to us for the use of our lands for energy rights-of-way.** Compensation paid to tribes for ROWs on tribal land has historically been low.

4. **The Protection of our Pueblo's sacred sites and our ability to determine use of our tribal lands requires that the Pueblo be the ultimate decision-maker in choosing where to locate ROWs on tribal land.** The Pueblo members' right to practice its traditional religion is protected by Federal law. This right is not always protected in practice when sacred lands are located outside our boundaries. We should not have to fight such battles within our boundaries.

5. **The Pueblo de San Ildefonso fully supports Resolution #TUL-05-110 sent to you by the National Congress of American Indians.** The Resolution was signed on November 4, 2005 at the 2005 Annual Session of the National Congress of American Indians, and represents the policy of that organization on the ROW study.

The Pueblo de San Ildefonso looks forward to full participation in the Section 1813 ROW Study. Please contact me as soon as possible.

Pueblo de San Ildefonso

James R. Mountain
Governor