



State of New Mexico Commissioner of Public Lands

Executive Order No. 2024-001 Moratorium on Certain Leasing in Caja del Rio Plateau

WHEREAS, the Commissioner of Public Lands (Commissioner) has broad constitutional authority and statutory jurisdiction over the direction, control, care and disposition of state trust lands, in accordance with the acts of Congress relating thereto and such regulations as may be provided by law (see NM Const., art. XIII, Sec. 2 and NMSA 1978, § 19-1-1);

WHEREAS, the Commissioner is authorized to withhold state trust lands from leasing when she determines that it is in the best interests of the state land trust to do so (see NMSA 1978 §§19-8-33 and 19-10-19; 19.2.100.31 NMAC);

WHEREAS, the Commissioner and the New Mexico State Land Office have a duty to exercise due caution to ensure that cultural properties on state trust lands are not intentionally or inadvertently damaged or destroyed (see NMSA 1978 §18-6A-5 and 19.2.24.3 NMAC);

WHEREAS, the Caja del Rio plateau in Santa Fe County has a rich and diverse history with vibrant wildlife resources and remarkable landscapes, including critical wildlife habitat essential for connectivity, wide-ranging flora and fauna, renowned recreational and equestrian opportunities, and watersheds with hydrological, ecological, agricultural and economic significance;

WHEREAS, the Caja del Rio has been a critical habitat to wildlife for millennia and a wide variety of bird and animal species continue to use the area as a migratory corridor, breeding grounds, and an area of relocation during wildfires and changing climates;

WHEREAS, in connecting various mountain ranges and wildlife habitats, the Caja del Rio acts as a cornerstone for wildlife connectivity and is essential for maintaining wildlife movement throughout the Upper Rio Grande;

WHEREAS, the Caja del Rio is located primarily on Bureau of Land Management (BLM) and United States Forest Service lands, but also includes state trust lands with cultural, historical, archaeological and ecological importance;

WHEREAS, the Caja del Rio plateau has been inhabited by Native and Indigenous communities since time immemorial;

WHEREAS, the Caja del Rio contains a dense concentration of thousands of sacred sites, structures, burial sites, petroglyphs, irrigation systems, and other significant cultural resources;

WHEREAS, various Pueblos and Tribes maintain an ongoing connection and use of the Caja del Rio's traditional cultural landscape and cultural resources through story, song, pilgrimage, medicinal gathering, hunting, and prayer, and preserving the landscape is critical for ongoing cultural religious access and use;

WHEREAS, the Pueblo de Cochiti, the Pueblo of Tesuque, the Pueblo of San Ildefonso maintain a deep and abiding relationship with their ancestral territory within the Caja del Rio, and in this landscape Pueblos from throughout New Mexico have preserved their traditions and ceremonies through the generations;

WHEREAS, many of these cultural resources and sacred sites are not documented, including through a Tribally-led ethnographic study, and the Caja del Rio traditional cultural landscape may be eligible for nomination and inclusion as a traditional cultural property in the National Register of Historic Places;

WHEREAS, the Caja del Rio also is the key landscape demarcation between what the Spanish colonial world termed the "Rio Abajo" and "Rio Arriba" regions of New Mexico, where the people of Santa Fe's traditional Hispano villages maintain deep ties and living roots as "Ejido" (communal) through perpetuation and practice of traditional uses of flora and fauna, hunting and grazing, wood gathering and piñon harvesting and through pilgrimage and prayer;

WHEREAS, the Caja del Rio contains significant portions of the National Historic Trail El Camino Real de Tierra Adentro, the longest North American trade route that ran from Mexico City to Ohkay Owingeh Pueblo;

WHEREAS, the Caja del Rio Hispano communities, including Jacona, Agua Fria, La Cieneguilla, La Cienega, La Bajada, and Santa Fe's Southside remain deeply connected to the Caja del Rio and act as living repositories of traditional ecological and cultural knowledge of the area;

WHEREAS, the New Mexico Heritage Preservation Alliance cited the Caja del Rio as one of the "most endangered places" in New Mexico with threats to land, water, wildlife and cultural resources;

WHEREAS, the Caja de Rio is threatened by petroglyph defacement, theft of cultural and natural resources, poaching and unlawful shooting, illegal dumping, unlawful off-highway vehicle use, mining, and from the potential development of a major transmission line and highway;

WHEREAS, there is broad local support for the long-term protection of the natural and cultural landscape through an appropriate federal land use designation (All Pueblo Council of Governors (Resolution No. APCG 2021-13, Resolution No. APCG 2024-01, Resolution No. APCG 2024-14); City of Santa Fe (Resolution No. 2022-34); Santa Fe County (Resolution 2022-830); Northern Rio Grande National Heritage Area (Resolution No. 2023-02); and San Miguel County (Resolution No. 03-14-23));

WHEREAS, on November 16, 2023, the Department of Energy National Nuclear Security Administration (“DOE NNSA”) published a draft Environmental Assessment (“EA”) for the proposed Los Alamos National Laboratory (“LANL”) Electrical Power Capacity Upgrade Project (“EPCU”) and associated Forest Plan amendment with a finding of potential adverse impact to cultural resources for the 12.5-mile-long, 3-phase, overhead 115-kilovolt power transmission line to begin at the Norton Substation on BLM land spanning approximately 9.7 miles across the U.S. Forest Service section of Caja del Rio and 2.7 miles across White Rock Canyon to terminate at the LANL Substation on Department of Energy land;

WHEREAS, over 20,000 public comments were submitted in response to the draft EA, including those from Tribes, Pueblos, and local communities, with concerns urging greater environmental and cultural analysis, including through a full environmental impact statement;

WHEREAS, the All Pueblo Council of Governors called on the DOE NNSA to pause the planning of the proposed project pending completion of a Tribally-led ethnographic study under the National Historic Preservation Act to assess the EPCU Project’s impact to cultural resources, to determine whether the project is compatible with the prescribed use of these public lands and its historical, cultural and educational value to the public and Tribes, and to help inform federal management of the Caja del Rio as a traditional cultural landscape (Resolution No. APCG 2024-01);

WHEREAS, on September 11, 2024 the U.S. Forest Service released a draft Decision Notice and Finding of No Significant Impact for the Final EA;

WHEREAS, the All Pueblo Council of Governors called on the DOE NNSA to pause the planning of the proposed project to provide time to for a Tribally-led ethnographic study to help inform federal agencies regarding the potential impact of decisions on cultural resources within the plateau (Resolution No. APCG 2024-01);

WHEREAS, the State Land Office promulgated a Cultural Properties Protection Rule (19.2.24 NMAC) in December 2022, and this moratorium in conjunction with a Tribally-led ethnographic study, would help further identify, document and protect significant cultural properties on state trust lands within the Caja del Rio;

WHEREAS, the withdrawal of state trust lands from mineral and other commercial development inconsistent with the sensitive nature of the area would provide the federal government time to consider appropriate administrative and legislative designations to conserve and protect the Caja del Rio on a landscape level;

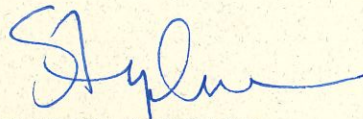
NOW, THEREFORE, I, Stephanie Garcia Richard, Commissioner of Public Lands, do hereby order and direct that the state trust lands described in Appendixes A and B shall be withheld from mineral leasing, and the issuance of right of ways or business leases for new transmission lines (at or above 115 kV) or for major throughfares, shall be prohibited until December 31, 2044, unless the Commissioner determines that the withdrawal shall be extended;

BE IT FURTHER ORDERED that the withdrawal from leasing ordered herein shall be recorded in the State Land Office tract books by means of a land use restriction;

BE IT FURTHER ORDERED that nothing herein shall restrict the State Land Office from authorizing traditional land use communities, such as Pueblo Nations and traditional Hispano communities, from exercising traditional land use activities including but not limited to the following: hunting, fishing, grazing, wood gathering, piñon harvesting, ceremonial and medicinal gathering, sacred pilgrimage and the historic community use of the land in other traditional ways; and

BE IT FURTHER ORDERED that nothing shall restrict the State Land Office from reissuing rights of way or leases already in effect as of this date, or from issuing new permits, rights of way, or leases for purposes other than mineral development, transmission lines (at or above 115 kV) or major thoroughfares.

SIGNED THIS 11 DAY OF Dec 2024.



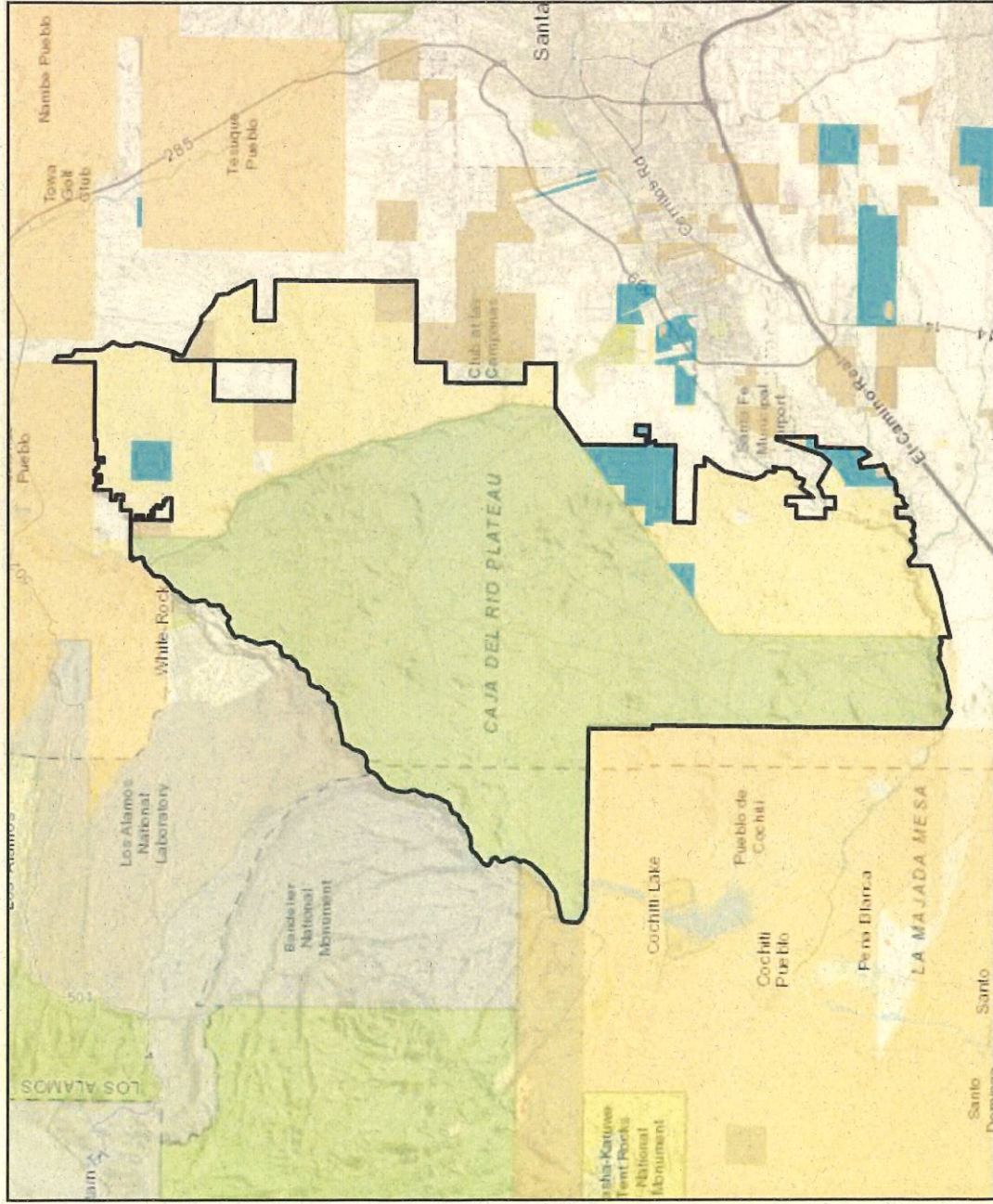
STEPHANIE GARCIA RICHARD
COMMISSIONER OF PUBLIC LANDS



Appendix A: State Trust Land Within Caja del Rio Leasing Moratorium



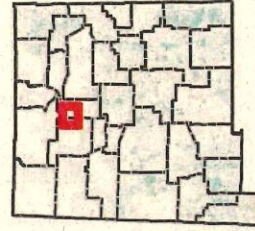
Stephanie Garcia Richard
Commissioner of Public Lands
505-827-5761
www.nmstatelands.org



0 1.25 2.5 5
Miles

The New Mexico State Land Office assumes no responsibility or liability for, or in connection with, the accuracy, reliability or use of the information provided herein, with respect to State Land Office data or data from other sources. Data pertaining to New Mexico State Trust Lands are provisional and subject to revision, and do not constitute an official record of title. Official records may be reviewed at the New Mexico State Land Office in Santa Fe, New Mexico. Compiled, edited and printed by the Land Office Geographic Information Center. V:\LOGIC\IFRONT OFFICE\MXD\CajaDelRio\CajaDelRio_LeasingMoratorium. Save Date: October 22, 2024. Created by: Christian Smith. csmith@sls.state.nm.us 505-827-5854

- Caja del Rio
- State Trust Lands Ownership**
 - Mineral Estate
 - Surface Estate
 - Both Estates
- Other Surface Ownership**
 - Bureau of Land Management
 - Department of Energy
 - USDA Forest Service
 - Tribal Lands
 - National Park Service



Appendix B: State Trust Land Within Caja del Rio Leasing Moratorium

					Parcel Acreage
Township	Range	Section	Aliquot		
Mineral Estate					
	18N	8E	02	NESW	40
	18N	8E	02	NWSW	40
	18N	8E	02	SESE	40
	18N	8E	02	SESW	40
	18N	8E	02	SWSE	40
	18N	8E	02	SWSW	40
	18N	8E	16		640
	18N	8E	36		640
	19N	7E	36	NENE	40
	19N	7E	36	NESE	40
	19N	7E	36	SENE	40
	19N	7E	36	SESE	40
	17N	8E	16	1	23.15
	17N	8E	16	2	6.85
	18N	8E	02	1	27.51
	18N	8E	02	2	39.5
	18N	8E	02	3	25.53
	18N	8E	02	4	5.59
	18N	8E	02	5	22.19
	18N	8E	02	6	38.5
	19N	7E	36	1	27.75
	19N	7E	36	2	7.12
	19N	7E	36	3	6.37
	19N	7E	36	4	25.44
	19N	7E	36	5	25.44
	19N	7E	36	6	25.44
	16N	8E	32	19	49.8
				Total Acres:	2,036.18
Both Estates					
	16N	7E	02	SESE	40
	16N	7E	02	SWSE	40
	17N	8E	29	NESE	40
	17N	8E	29	SESE	40
	17N	8E	29	SESW	40
	17N	8E	29	SWSE	40
	17N	8E	31	NESE	40
	17N	8E	31	NWSE	40
	17N	8E	31	SENE	40
	17N	8E	31	SESE	40
	17N	8E	31	SESW	40
	17N	8E	31	SWSE	40
	17N	8E	31	SWSW	40
	17N	8E	32		640
	17N	8E	33	NESW	40
	19N	8E	32		640
	16N	8E	05	NENE	40
	16N	8E	05	NENW	40
	16N	8E	05	NWNE	40
	16N	8E	05	NWNW	40
	16N	8E	05	SENE	40

		16N	8E	05	SENW	40
		16N	8E	05	SWNE	40
		16N	8E	05	SWNW	40
		16N	8E	06	NENE	40
		16N	8E	06	NENW	40
		16N	8E	06	NWNE	40
		16N	8E	06	SENE	40
		16N	8E	06	SENW	40
		16N	8E	06	SWNE	40
		16N	8E	21	SWSW	40
		16N	8E	29	NESE	40
		16N	8E	29	NWSE	40
		16N	8E	29	SENE	40
		16N	8E	29	SESE	40
		16N	8E	29	SESW	40
		16N	8E	29	SWSE	40
		16N	7E	02	1	13.11
		16N	7E	02	2	39.93
		16N	7E	02	3	23.94
		16N	7E	02	4	37.08
		17N	8E	29	1	38.06
		17N	8E	29	2	49.03
		17N	8E	29	3	20.95
		17N	8E	29	4	30.9
		17N	8E	31	4	39.57
		17N	8E	33	3	14.75
		16N	8E	06	1	23.45
		16N	8E	06	2	23.44
		16N	8E	20	3	16.84
		16N	8E	29	1	31.09
		16N	8E	29	2	26.62
		16N	8E	29	3	31.39
		16N	8E	29	4	41.26
		16N	8E	32	13	45.88
		16N	8E	32	14	24.39
		16N	8E	32	15	38.05
		16N	8E	32	16	40.53
		16N	8E	32	17	40.48
		16N	8E	32	18	39.33
		16N	8E	32	20	43.17
		16N	8E	32	21	34.2
					Total Acres:	3,487.44