

May 29, 2008

To: Bureau of Land Management
Albuquerque District
Rio Puerco Field Office
Albuquerque, NM

From: The San Antonio De Las Huertas
Community Land Grant, Board of
Trustees, Placitas, NM 87043

These comments are made in reply to the Bureau of Land Management Plan Revision (RMP). The comments and concerns are related to the Rio Puerco Resource Management Planning area and more specifically Unit 5 of the area.

The San Antonio De Las Huertas Community Land Grant (SADLH) has been in existence since 1765, and has continuously functioned under three different nations the present being the United States of America (USA). SADLH has existed under the laws of the USA; the international Treaty of Guadalupe Hidalgo was intended to protect the SADLH Community Land Grant. Under the laws and statutes of the State of New Mexico (SNM), the SADLH Community Land Grant is a Political Subdivision of the State. As a unit of government, the SADLH has a responsibility to comment and register concerns on issues that will effect and impact its citizens.

For almost two and one half centuries the original settlers of the Placitas area have struggled for survival. They are a unique people that have roots in the original Spanish Settlers that settled the area since 1598 and the native Indian peoples of the region that have been here since time immemorial. These Indo-Hispano people resulted in a unique cultural blend that is part of the cultural treasure of New Mexico. It is important this unique community cultural resource be preserved and protected. Many of these unique Land Grant Communities have disappeared mainly because of the action or inaction of the State and Federal Governments. Only a handful of the over one hundred such communities now exist.

The land necessary to sustain a mountain village community was in the past much larger. The USA Government shrank down these critical holdings after its arrival in 1846. After the loss of the land and then the loss of the use of lands that were at the time within the historical boundaries of the SADLH Community Grant, the community has been on a steady decline. There is a great danger that with the lack of affordable land for future generations the Indo-Hispano community rooted in hundreds of years of existence will disappear from the area. This is happening in other parts of our State. Just look at Santa Fe and other areas where locals can no longer live.

BLM has disposed of about 6000 acres in the Placitas area. Much of the disposed lands were originally within the historical boundaries of the SADLH Community Grant. Some of this disposal of BLM lands has taken place in the recent years. This has created a large increase in development and population influx. This population influx has placed the original people in a minority status and on the threshold of extinction. Prices and property taxes have greatly increased. The younger generation of the original people finds it more and more difficult to remain in the area.

Many of our State and national leaders recognize the urgency and concern of this valuable, historical and cultural resource. The State government has created laws that will give possible new life to communities that will be longer term and be built with sustainability in mind. These communities will be quality communities that will hopefully endure for a long time. There is presently a State Land Grant Legislative Committee that facilitates the laws and needs that apply to community land Grant citizens.

US Representative Tom Udall, at the time he was Attorney General of New Mexico, stated before the subcommittee on Forest and Public Lands Management of the Senate Energy and Natural Resources Committee in Espanola, New Mexico (September 26, 1998) "I will begin with a historical perspective. The Treaty of Guadalupe Hidalgo was extracted from a fragile, nearly failed Mexican government at the close of nearly two year long Mexican war. The Treaty was signed for the United States by Nicholas Trist. His reaction as later reported to confidants, in response to the expression of humiliation by Mexican officials also signing the Treaty was: 'If those Mexicans had seen into my heart at that moment, they would have known that my feeling of shame as an American was far stronger than theirs could ever be.' In conclusion, there clearly have been wrongs inflicted on New Mexico's Land Grantees and their successors that need to be readdressed." Full text of the Honorable Tom Udall is attached.

From the Congressional records proceedings and debates of the 105th Congress, second session, Washington, Monday, September 21, 1998 – Senate Bill, Guadalupe-Hidalgo Treaty Land Claims Equity Act of 1998. The Honorable Pete D Domenici, “This bill is a very important piece of legislation. It is the opportunity to reverse heritage of ill-will between the Hispanic people and the Federal Government. Hispanic descendants have been waiting for 150 years to get the federal government to fairly look into the land grants.” He concluded, “I am hopeful that this bill can address what has too long been a tale of land loss and denial without creating new problems or injustices.” The full text is attached.

The SADLH Community Land Grant has a long history of trials and tribulations but to make a long story short, SADLH lost most of its land to the USA Federal Governments and some going to others that the USA Federal Government gave too erroneously. An erroneous taking by the USA Government was the Tejon Tract of 12,801.46 acres. New Mexico Historical Review, October 1996 article by Suzanne Sims Forrest, pg 381. “The court (US Court of Private Land Claims) accepted the Arroyo Una de Gato as the eastern boundary of the Las Huertas Grant (SADLH); In effect confirming that Tejon had been patented (given by USA) illegally.” The full article is attached.

All of the above is in the past. The American people have part of a beautiful Forest and Wilderness area that was once SADLH Land. Many people have moved to the Placitas area that now live on land BLM disposed of that was once SADLH land. All that is history, but now the USA Government, BLM, and the American people have an opportunity to do the right thing through Land Tenure Adjustment Feature of the RMP. BLM has disposed of land to schools, tribes, towns, counties, states and many other entities. SADLH Community Land Grant is a qualified unit of government of the State of New Mexico. It would be equitable, just and fair that the SADLH Community receive its own land back. It would be in the interest of preserving a cultural resource and heritage of New Mexican Americana. People are attracted to New Mexico because of its history and the uniqueness of a tri-cultural society. Here is an opportunity to keep valuable tradition alive and well.

To conclude, BLM should provide the SADLH Community with about 500-600 acres which includes a small amount of Section 29, Township 13 North, Range 5 East and the balance of what has not been disposed of Section 20, Township 13 North, Range 5 East. This would be but

a small portion of the 5,000 acres more or less managed by BLM in the Placitas area. This land is to be identified as Tract #1. Said lands will be utilized as a sustainable green built community for the citizens of the SADLH Community and for future generations. Tract #1 is near to the historical site of San Jose De Las Huertas. This site has been recognized by the National Register of Historic Places, United States Department of the Interior and National Park Service. See attached Exhibit "A". The site is managed by the Archaeological Conservancy. See attached Exhibit "B".

Referred to as Tract #2 is land adjacent to the west boundary of SADLH, two hundred acres more or less and identified as a portion of Section 30, Township 13N, Range 5E together with a portion of Section 31, Township 13N, Range 5E. The SADLH would prefer that this Tract remain as open space for wild life and hiking for the public. The SADLH having land adjacent to Tract #2 could possibly provide access for equestrian/pedestrian trails. In the event that BLM may decide to dispose of Tract #2, the SADLH would be interested in acquiring said Tract #2 as part of the BLM Land Tenure Adjustment and disposal procedure.

The lands requested by SADLH were once part of SADLH and are within the historical boundaries of the SADLH Grant.

The balance of the BLM managed land could be held for the public for open space, wild life corridors and possibly some kind of adjustment in the area next to the tribal lands for their benefit.

One of the holdings the BLM has recently acquired is the Crest of Montezuma located within the SADLH Grant. This is a very special and spiritual place and very meaningful to the people of Placitas. It should be preserved.

Please be advised that the SADLH Community has had a long standing existence and presence in the Placitas area. SADLH Community is available, willing and interested in working with BLM and others to reach creative solutions for the greatest benefits of all the citizens of these wonderful assets.

Respectfully Submitted,

The Board of Trustees

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