

TORT NOTICE OF CLAIM No. 4 (13 pages)

41-4-16. Notice of Claims.

A. Every person who claims damages from the state or any local public body under the Tort Claims Act {41-4-1 to 41-4-27 NMSA 1978} shall cause to be presented to the Risk Management Division for claims against the state, the mayor of the municipality for claims against the municipality, the superintendent of the school district for claims against the school district, the county clerk of a county for claims against the county, or to the administrative head of any other local public body for claims such local public body, within ninety days after an occurrence giving rise to a claim for which immunity has been waived under Tort Claims Act, a written notice stating the time, place and circumstances of the loss or injury.

DATE OF INCIDENT: 5/21/2023, 5/24/23, 6/19/23, 7/1/23, and 8/1/23, to present.

TIME OF INCIDENT:

- 1) This illegal Ordinance 5-24-23.10 and its Resolution 5-24-23-11C was voted on and passed on 5/24/23, and its planned collusion with 501(c)(3) application (“Application”) was published on 7/1/23.

STATE AGENCY INVOLVED:

- 1) Sandoval County, et al.: (County Commission, County Manager, Deputy Manager, County Attorney, Sheriff Jessie James Casaus, Deputy Mills, Senator Brenda McKenna, et al.).

CLAIMANT’S NAME & ADDRESS:

- 1) Patience O’Dowd, 39 Llano del Norte, Placitas, NM; for the Wild Horse Observers Association
- 2) Gary Miles, 37 Llano del Norte, Placitas, NM; for the Wild Horse Observers Association
- 3) Liliana Gonzales-Pittman

PHONE #'s: 505-610-7644 Patience O’Dowd
505-867-0004 Gary Miles
505-553-3858 Liliana Gonzales-Pittman

LOCATION OF ACCIDENT:

- 1) At Sandoval County and at the Sandoval County Commission meeting(s) and at public meetings and lack of public meetings.
- 2) On private property of Placitans, La Madera, other private property, etc., enabling and encouraging harassment of citizens.
- 3) Sandoval County, empowering illegal activities toward protected Wild Horses in Sandoval County.
- 4) Retaliation of horse advocates in public meetings and elsewhere in Sandoval County.
- 5) Permit Application, Sandoval County online.

- 6) The La Madera Sandoval County Fire Hall.
- 7) County Attorney Eshleman defamed, discriminated, endangered, and named a WHOA member Liliana Gonzales-Pittman for protected actions via email to approximately 400 people in her vicinity.
- 8) Sandoval County has continued the historical Sandoval County retaliation against WHOA/Patience O'Dowd/Gary Miles and horse advocates for protected activity, and again admits to retaliation against WHOA in public on August 1st at the public meeting at the Placitas Community Center for protected activity of filing previous un-named lawsuits.
- 9) Sandoval County at the Community Center threatened public meeting participants in an arbitrary, capricious, and retaliatory manner at the August 1st public meeting, further scaring, stressing, and making cry elderly participants, which the Ordinance, Resolution, and Application had already been doing. https://www.youtube.com/watch?v=ruEO_JbM-tU
- 10) Sandoval County Attorney Eshleman and Sheriff's department have retaliated against wild horse advocate Liliana Gonzalez-Pittman and her husband issuing an Order disallowing their use of public property.
- 11) Open Meetings Violations by Sandoval County.
- 12) Public Records violations by Sandoval County.
- 13) Draconian and ultra vires Ordinance/Resolution and Application to criminalize horse advocates in irrational Ordinance for which Sandoval County does not have jurisdiction or reason.
- 14) Collusion with Senator McKenna regarding the wipe out of the Placitas Wild Horses as Free Roaming Horses rather than protected and preserved and indigenous wildlife.
- 15) Sandoval County caused dangerous stress to elderly and others living in Placitas, La Madera, Puertecito, and San Pedro Creek Estates (SPCE).
- 16) Private properties in Sandoval County per se taking, against community values, corruption of community morals, an attack on the mental health of the affected communities including Placitas, La Madera, SPCE, and Puertecito.
- 17) Bias, Social Justice issues, non-transparency, lack of communication, lack of transparency of underlying reasons for selective attack on Wild Horses and horse advocates.
- 18) Sandoval County retaliation to the NM Legislature decision to table SB301 (2023).
- 19) Sandoval County endangerment of bio-diversity and protected wildlife in collusion with United States Department of Agriculture Forest Service (USDA FS) and Bureau of Land Management (BLM).

Please describe how the incident occurred and why you feel State Agency is at fault:

Sandoval County does not have jurisdiction to regulate wildlife. There are already nuisance statutes and a fence out laws. The Ordinance is in conflict with and preempted by NMSA 77-18-5:

POINTS SHOWING THE COUNTY CANNOT REGULATE NATURAL RESOURCES/WILDLIFE

- 1) "Article XX, Section 21 of our constitution recognizes the duty to protect the atmosphere and other natural resources, and it delegates the implementation of that **specific duty to the Legislature.**" *Sanders-Reed v. Martinez*, 350 P.3d 1221, 1226 (N.M. Ct. App. 2015),

“public trust principles for implementing the protections set forth in Article XX, Section 21 of the Constitution.” *Sanders-Reed v. Martinez*, 350 P.3d 1221, 1226 (N.M. Ct. App. 2015)

“We agree that Article XX, Section 21 of our state constitution recognizes that a public trust duty exists for the protection of New Mexico's natural resources, including the atmosphere, for the benefit of the people of this state.” *Sanders-Reed v. Martinez*, 350 P.3d 1221, 1225 (N.M. Ct. App. 2015)

- 2) "A county is a political subdivision of the state and possesses only such powers as are expressly granted to it by the legislature, together with those necessarily implied to implement those express powers. *El Dorado at Santa Fe, Inc. v. Board of Cnty. Comm'rs of Santa Fe Cnty.*, 1976-NMSC-029, 89 N.M. 313, 551 P.2d 1360."
- 3) NM Constitution Article XX, Section 21;
Only the NM State Legislature only can legislate regarding natural resources.

New Mexico Constitution, Article XX – Miscellaneous § 21 Pollution control.

Universal Citation: [NM Const art XX § 21](#)

The protection of the state's beautiful and healthful environment is hereby declared to be of fundamental importance to the public interest, health, safety and the general welfare. The legislature shall provide for control of pollution and control of despoilment of the air, water and other natural resources of this state, consistent with the use and development of these resources for the maximum benefit of the people. (As added November 2, 1971.)

<https://www.nmlegis.gov/Sessions/22%20Regular/firs/HJR02.PDF> **Removal of Article XX, Section 21 would cause significant issues because currently the state is the trustee over natural resources.**

SIGNIFICANT ISSUES HJR2 elevates the state's protection of environmental rights in the following manner: "A. The people of the state shall be entitled to clean and healthy air, water, soil and environment; a stable climate; and self-sustaining ecosystems, for the benefit of public health, safety and general welfare." Although the state constitution currently provides for pollution control, it is deemed to be "of fundamental importance to the public interest...", rather than an entitlement. NMAG previously noted that the repeal of New Mexico Constitution Article XX, Section 21 without a replacement delegating pollution control authority to the Legislature could preclude future environmental acts or amendments to existing statutes such as the Environmental Improvement Act, Air Quality Control Act, Hazardous Waste Act and others. **This repeal could also result in legal challenges due to a lack of constitutional authority for existing legislation.** The repeal would likely revert pollution control protection to the common law and the courts under the holding in *Sanders-Reed v. Martinez*, 2015-NMCA-063. The self-executing nature of the proposed amendment could lead to an absence of legislation, citing *Bounds v. State*, N.M. Ct. App. 2010, 149 N.M. 484, 495 [citation omitted]; a private cause of action; no legislative definitions of key terms; and more judicial uncertainty. **NMAG also noted that [prior] Subsection C [now A] could create a conflict between overlapping trustee responsibilities of the state and its political subdivisions as to existing legislation and regulation of natural resources.** NMED previously noted that the repeal of New Mexico Constitution Article XX, Section 21 would remove legislative power over pollution control. NMED also noted that the inclusion of environmental rights within the constitution **would create a trusteeship within each political subdivision of the state,**

thereby causing confusion between the new constitutional provisions and existing environmental laws.

4) (White Sands AG Opine 94-06) excerpts.

The state, as sovereign, holds title to them (wild Horses) not as proprietor, but as trustee "for the purposes of regulation and preservation for the common use." **Id.** In this capacity, the state may, if it chooses, enact statutes regulating or prohibiting the killing, capture, or possession of wild animals and regulating their treatment.

See also, Mountain State Legal Foundation v. Hodel, 799 F.2d 1423 (10th Cir. 1986). There, interpreting the federal Wild Free-Roaming Horses and Burros Act, the court stated, **"wild horses . . . are no less 'wild' than are the grizzly bears that roam our national parks and forests.** Indeed, . . . Congress has explicitly declared "all unbranded and unclaimed horses and burros on public lands' to be " **wild** ' 16 U.S.C. § 1332(b)." 799 F.2d at 1426, emphasis added by the court. Although, as noted in Part 4 below, the Wild and Free-Roaming Horses and Burros Act does not apply to the White Sands wild horses because they are on Defense Department lands, **the court's reasoning with respect to the status of unbranded and unclaimed horses as wild animals applies to the White Sands horses.**

Congress finds and declares that wild free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West . . . and that these horses and burros are fast disappearing from the American scene. It is the policy of Congress that wild free-roaming horses and burros shall be protected from capture, branding, harassment, or death; and to accomplish this they are to be considered in the area where presently found, **as an integral part of the natural system of the public lands.**

The state, as sovereign, holds title to them not as proprietor, but as trustee "for the purposes of regulation and preservation for the common use."

5) The NM State Legislature passed NMSA 77-18-5 in 2007 to regulate the Wild Horses. NM State Senator Komadina MD with WHOA. This statute covers all aspects of management safely in NM until there is an equally fair non-biased Board for wild horses allowed without a conflict of interest toward wild horses in like manner as the Cattle Growers on the NMLB and the Hunters and trappers in the Game Commission.

6) While the legislature has conferred **police powers** to counties through Section 4-37-1 NMSA:

Universal Citation: [NM Stat § 4-37-1 \(2021\)](#) **THERE ARE LIMITATIONS**

All counties are granted the same powers that are granted municipalities **except for those powers that are inconsistent with statutory or constitutional limitations placed on counties.** Included in this grant of powers to the counties are those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of any county or its inhabitants. The board of county commissioners **may make and publish any ordinance to discharge these powers not inconsistent with statutory or constitutional limitations placed on counties.**

CONCLUSION

In short: This Ordinance 5-24-23.10 is inconsistent with: the NM Constitution **Article XX, Section 21**; the limitation placed on counties by **Statute NMSA 3-18-3**; and it is both inconsistent with and preempted by **NMSA 77-18-5**. And worse, there are also NO PRESERVATION mechanisms in the Ordinance while they planned on having 501(c)(3)s remove and transport the horses under color of law as PART OF THE LEGISLATIVE RECORD.

ROGUE RETALIATION

1. This illegal Ordinance 5-24-23.10 and its Resolution 5-24-23-11C voted on and passed on 5/24/23 and its planned collusion with 501(c)(3) Application published on July 1, 2023 (however, discussed in part at the 5/24/23 legislative record) is retaliatory of and in direct opposition to, the New Mexico State Legislature action on March 7, 2023 wherein the Legislature soundly tabled SB301 in the NM State House Agricultural Committee 6 to 2 which illegally renamed wild horses as “Free Roaming horses,” stripping them of their constitutional protections.
<https://whoanm.org/wordpress/?p=1240> .
 - a. Sandoval County, by enacting Ordinance 5-24-23.10 and its Resolution 5-24-23-11C which also renames wild horses as “Free Roaming horses,” illegally stripping them of their constitutional protections/preservations, rebelled against the tabling of SB301 in the 2023 Legislative Session.

Sandoval County disallowed grandfathering requests even for those the farthest from Rt 165.
2. This County Ordinance attempts to make wild horses a nuisance animal and ignores the fence out laws of NM, while ignoring the nuisance laws of NM already in place.
3. In this way, the Ordinance is a rogue, police-state action against the NM State Legislature, the protected Wild Horses, the people of the state of New Mexico, the public trust, and the New Mexico Constitution.

FIFTY-SIXTH LEGISLATURE
FIRST SESSION, 2023

March 7, 2023

Mr. Speaker:

I, Susan K. Herrera, Chair, AGRICULTURE, ACEQUIAS & WATER RESOURCES COMMITTEE, report that a roll call vote was taken on **SENATE BILL 301, as amended** as follows:

Motion to **TABLE PASSED.**

The roll call vote was 8 For 2 Against

Yea: 8
No: Cates, Herrera
Excused: None
Absent: None

Susan K. Herrera, Chair

S:\billtext\comleg\0203013017.rpt

comleg 301

4. New Mexico's Wild Horses are a natural resource and public trust of the state of NM and the State is the conservator for the benefit of the people. The County has no jurisdiction to regulate Wild Horses as it is in conflict with NM Constitution, Article XX, Section 21 and NMSA 77-18-5.
5. This Ordinance directly quotes the would-be illegal and tabled SB301 (2023) sponsored by Senator Mathew McQueen, Senator Brenda McKenna, and as amended by Senator Pat Woods illegally stripping our state's Wild Horses of their wild designation and calling them SB301's catch-all term of "Free Roaming Horses" thus removing their constitutionally required preservation and allowing and causing their extirpation while fraudulently feigning to increase protections against horse slaughter which already exists under NMSA 77-18-5. **The legislative record for this Ordinance documents the County Commission both admitting and bemoaning the fact that SB301 did not pass!**
6. **This Ordinance is in direct opposition to NMSA 77-18-5** which was passed in 2007 unanimously minus 1 and which has been upheld in the Appellate Court in two citizen suits against another rogue entity the New Mexico Livestock Board (NMLB) which has a direct conflict of interest with Wild Horses. In a like-minded, spoiled-rogue manner to that of the NMLB, the Sandoval County Commission refused to acknowledge and follow the rule of law. They have instead taken the law

into their own hands as if New Mexico is an authoritarian police state and passed an Ordinance/Resolution ignoring the NM Constitution, NM State Statutes regarding Wild Horses and regarding Counties, and the will of the people.

7. **SAFETY ISSUE or Highway Issue?** There are 70.65 miles of County roads in Placitas with NOT ONE County Warning Sign regarding Wild Horses. There are 20 miles of County roads in La Madera and Puertecito with NOT ONE County Warning Sign regarding Wild Horses. <https://www.sandovalcountynm.gov/wp-content/uploads/2021/03/Resolution-No.-3-18-21.8A-Corrected-2021-Road-Inventory.pdf>
8. While Sandoval County does not have jurisdiction, this Ordinance is also irrational and not supported by fact or science. Irrational Note: Fraudulent/Staged Accidents/Staged Risks mentioned in the previous Notice Of Tort: <https://whoanm.org/wordpress/?p=1143>, <https://whoanm.org/wordpress/?p=932>
9. New Mexico State Department of Transportation (NMDOT) Wildlife Corridor Action Plan of 2022 did not consider Placitas a Safety Issue or determine that Placitas warranted a hot spot designation or as requiring any further action. There are already Wildlife Corridor Signs (inclusive of Deer, Coyote, Wild Horses, etc.), and Horse Warning Signs on the State roads in Sandoval County.
10. The wild horses in question are already under population management via contraception pursuant to NMSA 77-18-5, and their population is not significantly expanding and can be managed solely by contraception, as agreed by the BLM.
11. New Mexico Legislature has not precluded NMDOT from consideration of Wild Horses with respect to accidents and they are included in the NMDOT annual reports and they have put up Wild Horse warning Signage in Placitas and Alto. However, the accidents with respect to Wild Horses in NM and in Sandoval County are below the number of accidents and human deaths caused by pedestrians, much less Deer, Elk, Alcohol, Cattle. There have been no human deaths caused by **Wild** horses in Sandoval County (or NM for that matter) in any recent history (20 years).
12. While the signers have evidence of the root cause of Sandoval County' underlying reason for their biased attack on Wild Horses and wild horse advocates, the County only admitted to the Highway on August 1, 2023 when John Garcia was specifically asked about it by Liliana Gonzales-Pittman in a Placitas public meeting. She came all the way from La Madera to attend the meeting.
13. To our knowledge:
 - a. There have been no public meetings at a relevant Pueblo or any Government-to-Government contact with a relevant Pueblo about the Ordinance that removes preservation and protections from the Wild Horses that the Honorable a relevant Pueblo declared cultural historic properties in 2004.
 - b. There have been no public meetings at a relevant Pueblo or any Government-to-Government contact with a relevant Pueblo about the Ordinance with respect to its underlying cause being the Highway which was admitted by John Garcia on August 1, 2023 at the public meeting in Placitas.
 - c. There have been no public meetings at a relevant Pueblo or any Government-to-Government contact about the Ordinance with respect to its underlying cause also being the gravel mining on the BLM Buffalo Tract in Placitas, to which a relevant Pueblo has an aboriginal claim.
 - d. There have been no public meetings at a relevant Pueblo or any Government-to-Government contact about the Rio Puerco BLM RMP or its DRAFT EIS with respect to the President Teddy Roosevelt Executive Order which states essentially that the Buffalo Tract belongs to a relevant Pueblo since it was put up for disposal and a relevant Pueblo has a valid aboriginal claim filed

with Sandoval County ~ 40 years ago.

- e. There have been no public meetings or notice of any kind to Placitas, La Madera, Puertecito, or a relevant Pueblo regarding the “ATV” trail/ROAD through the Buffalo Track and through La Madera to create congestion so that Sandoval County can apply for federal dollars for the regional Highway they are planning secretly to connect I-25 to I-40, literally through the Sandia Wildlife Corridor.
 - f. There has been no planning for Wild Horses wildlife corridors in conjunction with the planning of this Highway because there has been NO NEPA process for the Wild Horses.
 - g. There has been no valid NEPA PROCESS for this HIGHWAY since Sandoval County lied to the public about the right of way Michael Springfield wrote and the BLM received.
 - h. There has been no valid NEPA PROCESS for the Rio Puerco RMP, as over 2000 Placitas comments against the Highway and FOR the Wild Horses were kingly deemed OUT OF SCOPE.
14. There is no consideration regarding the SAFETY aspects of the gravel mining (silicosis, incurable lung disease), the increased crime, the decreased water, the mental health aspects of the theft of our community values, our Wild Horses, and having all these health issues thrust on us and our community whose average age is 60.
 15. NM Senator Pat Woods (rancher, funded \$3 million by the Factory Farm Bill, and pays no property taxes on 8200 acres) and Senator Brenda McKenna (side kick of now exposed and derided Deb Haaland which Agency has put out fraudulent videos regarding wild horses) have feigned to increase protections for our indigenous Wild Horses while denying preservation in multiple acts of systemic corruption.
 16. Wild horses were found in every layer from the Pleistocene to the Holocene in the Sandia Man Cave and these are not domesticated horses.
 17. Commissioner Bruch has met with those who are *opposed* to the Wild Horses. Roch Hart’s wild horse management equipment does not deliver the thick hormonal untested sterilant Gonacoon which is opposed by Wild Horse advocates as it is untested and changes wild horse family behavior. It is considered a pass if it delivered only 50% and it still did not pass. He has so far not used it with the preferred trusted PZP, which the wild horses of Placitas are managed with and which has stopped the expansion of the population to under 175, actually well under 175. Many do not believe it is this high, although Sandoval County likes to admit it is 173 but sometimes claims 300 incorrectly, depending on their audience upon information and belief.
 18. In public meetings, Sandoval County has talked of working only with law breakers, the BLM, the NMLB, and citizens that are willing to break the law with respect to Wild Horses to create and establish this Ordinance/Resolution. And the Forest Service has worked diligently killing the Sandia Mountain’s wildlife by fencing in and cementing off springs, including perennial springs, that are IN the CIBOLA FOREST while in other areas they are providing guzzlers.
 19. There are wildlife guzzlers in Sandoval County.
 20. USDA FS allows water hauling which benefits all the wildlife. WHOA has hauled water for them. BLM and Forest Service allow water hauling for cattle and it is required to allow all the wildlife to drink this hauled water. USDA FS allows other political subdivisions of the State to trap and evaporate water that is in the Wildlife Corridor and they allow corporate entities to cement and re-route Tunnel Springs to human use – all with no NEPA notification in the Sandia Mountain Wildlife Corridor.

21. Placitas Area Plan is clearly all about the Wildlife Corridor. That is the morals of the community.
22. All polls show the front and back sides of Sandia Mountain are pro-wild horse and anti-highway. In any case, the stealth moves being made are not legal and not transparent.
23. Elder abuse, Wild Horse advocate abuse is rampant. People cried after this meeting and could barely make themselves go into this meeting.
24. The Sandoval County Sheriff retaliated against Patience O'Dowd after the first public meeting and called her a derogatory name, stating the reason why was because he read the Notice of Tort she had sent in the night before.
25. In contrast the SPCE Meeting was so very kind and respectful. SPCE members were told they can water in the drought and feed as you like away from the road.
26. SB301, the precursor to this Ordinance, wasn't filed in 2023 Legislature until the planned "accident" where a wild horse was intentionally hit in Placitas using a Dually Truck and the Fish and Game and the Sheriff's office lied.
27. John Garcia continued to retaliate against Patience O'Dowd personally from his background in Risk Management and called her out for protected rights while lying about lawsuits she had never filed against the County at the second public meeting in Placitas.
28. At the August 1st meeting, John Garcia literally threatened the audience three times, showing how completely arbitrary and capricious this Ordinance is and showing that they KNOW they have NO Jurisdiction.
29. The legislative record of this Ordinance discussed, planned, and passed the illegal taking of legislatively protected State's Wild Horses using 501(c)(3)s; and which Wild Horse population is controlled by statutorily allowed contraception; while having previously admitted that the County could not legally do so.
30. Arbitrary and Capricious as shown by the lack of data for the whereas statement so the ordinance.
31. Plan to illegally collude with 501(c)(3)s as part of the legislative record, and operate under the newly-created illegal Ordinance 5-24-23.10 and Resolution 5-24-23-11C voted on and passed on 5/24/23.
32. Since the 5-24-23 Sandoval County Commission meeting and to date, the public and especially the Placitas community including the many elderly, have been continuously harassed, stressed, scared, and worried about going against their personal and the community morals and values on their own private property, and as documented in written statements and public statements in public meetings and also pursuant to the community values documented in the Placitas Area Plan.
33. Sandoval County published an Application online on or about 7/1/2023 which attempted to fraudulently create liability for wildlife which does not generally exist for the County, the community, or for 501(c)(3)s while requiring applicants to give up protected rights while taking on this secretive liability which would require a 501(c)(3) (again elderly) to pay the Sandoval County Attorney's fees for the feigned and created liability.
34. Where are the Deer warning signs in Placitas? We used to have them but not on the county roads. We still have plenty of Deer hits all the way to I-25.

2 Watch for Animal Crossing Signs



Animal crossing signs are placed to provide a warning to drivers that they are entering an area of roadway often frequented by wildlife. These signs should cause you to heighten your awareness, slow your speed and enhance your reaction time, should an animal dart into the roadway.

www.sandovalcountynm.gov/elected-officials/scso

35. Sandoval County refuses to work with wild horse activists proactively while defaming wild horse activists.

They conspire to refuse to install standard road safety improvements that are installed across NM for cattle, elk, deer, etc., and refuse to do so for the Wild Horses and Deer in Placitas (although safety improvements are installed in other parts of Sandoval County on Rt. 550, I-25, and La Madera.)

They refuse to refer to these legally Wild Horses as “wild,” while they work to create a humanitarian issue to get rid of them as “Free Roaming Horses” – this showing their utter contempt for the rule of law.

36. Sandoval County lets people off after they have been charged with animal cruelty (he pled guilty to) and multiple serious crimes against the Wild Horses, including perjury to a police officer for car insurance claims.

They cover up for those who hit Wild Horses intentionally, or due to speeding, or reckless driving.

They collaborate with the local and NM media against the wild horse advocates and the Wild Horses.

They don't investigate people who create a dangerous nuisance by placing locally grown apples next to the road – in the same location where the man that was let off was going 70 to 90 mph in a 35 zone that changed to a 45 mph zone right where he hit a young black stallion.

37. They do not answer our IPRA's and we have to file IPRA's to multiple agencies to try and catch them withholding public information and then they lie in their responses.

38. This is a taking of private property rights.

39. They ignore our need for biodiversity in ungulates and the Wild Horse is the only ungulate in NM that is not a ruminant and is not spewing green-house gasses like ruminants.

40. They ignore our need to move forward together in this time of climate change; and this is more unequal protection we receive from Legislature and Senators Pat Woods, Brenda McKenna, and sadly Matthew McQueen.
41. All of this while they conspire together creating a dangerous atmosphere for wild horses, wild horse activists, and Placitans, in Placitas and at legislature; and work to create a humanitarian issue to get rid of our Wild Horses, a public trust and a natural resource.
42. BIAS AGAINST THE LA MADERA AND PUERTECITO COMMUNITY and San Pedro Land Grant Descendants. No public meetings.

Proactive and **Legal use of the Fire Hall was requested by Lilliana for the La Madera, Puertecito and SPCE folks since June 19, 2023** who are also uninformed about community safety issues including the Ordinance and others including those at the Fire Hall itself. All answers were flat “no” with no regulation or policy provided.

The first response from Commissioner Bruch was that she would stop talking any further if this was about a lawsuit.

Rather than allow Lilliana Gonzales who is a Fire Science professional to run a meeting regarding Safety at the La Madera Firehall in her own community, Commissioner Bruch will only allow John Garcia to run her meeting out there; however, he never did.

Up until this date there have been NO PUBLIC Meetings in La Madera community or Puertecito Community or at the Sandoval County Fire Hall on ANY issue including the ATV Trail and the Planned Highway, both still non-transparent.

For asking to use the Fire Hall, Sandoval County Attorney Eshleman defamed Lilliana, endangered her to 400 people and the County then served her and her husband with an unexplained, even by IPRA, “form” stating that she and her husband cannot step foot on the public property of the La Madera Volunteer Fire Station without written permission or they will be charged with criminal trespass. AGAIN, no reason given.

County officials have conducted numerous trips to personal homes of the SPCE community and at the Volunteer Fire Hall and all have been exclusive meetings. However, all Lilliana was asking was to have equal-access in order to help keep her community and Puertecito along with many in SPCE informed together.

43. No public meetings held here in these communities regarding anything including this Ordinance. Only meetings with a certain 10 Board/members of SPCE in their homes.
44. This round trip La Madera to Sandoval County Seat is greater than 2hrs round trip, over 100 miles. This round trip to Bernalillo County Seat is only 1hr 22 min

UNDERLYING NON-TRANSPARENT REASON FOR ATTACK ON WILD HORSES

45. There has also been NO notice or public meeting or information whatsoever of the ATV Trail that Commissioner Bruch is planning and has already started work on as evidenced by the backwards STOP SIGN installed at Faith Road and La Madera Rd. for through the La Madera Community.

46. Sandoval County ALSO installed a new cattle guard where there is no cattle grazing on La Madera, and dug a little less than 4000 ft of the La Madera Road (only 6 homes reside here.) down 9 inches of a perfectly good road and then repaved it costing about \$900,000 with unlimited change orders by the County Manager Wayne Johnson. There was NO REASON provided by the County Commissioners for this expensive and unnecessary project. NMDOT and Sandoval County said it was canceled then completed it during legislature 2023.

Attachments page 13.

Sending to: Risk Management Division

P.O. Box 6850

Santa Fe, NM

87502

Phone #: 827-0442

Fax #: 827-2969

Email pac.claims@gsd.nm.gov

Sandoval County Clerk

Anne Brady-Romero

Sandoval County Clerk

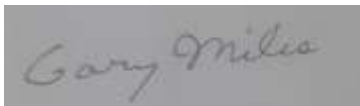
Phone: [505-867-7572](tel:505-867-7572) / Fax: 505-771-8610

email: Clerk@sandovalcountynm.gov

Signed



Patience O'Dowd / WHOA et al.



Gary Miles



Liliana Gonzales-Pittman also Voices for Wild Horses

Attachment 1

Opposition to Sandoval County NM Proposed Ordinance to Ban Feeding or Watering of Wild Horses in Placitas to “improve road safety”. “Cattle” Guards for Safety are prevalent across NM and US, but NONE in Placitas.

Posted on March 17, 2023 by whoa While BULLS ROLL CARS and kill people.

<https://whoanm.org/wordpress/?p=1262>

Attachment 2

Postponement Request of SB301 and SB271 (Scheduled in HAAWC Tues) for Negotiation of NM Wild Equine Board under NM State Parks Dept.

Posted on March 6, 2023 by whoa

<https://whoanm.org/wordpress/?p=1240>

Attachment 3

Meeting with Representative McQueen 2/14/2023

Posted on March 6, 2023 by whoa

<https://whoanm.org/wordpress/?p=1227>

Attachment 4

WHOA’s proactive and respectful road safety suggestions to NMDOT in 2019 and to Sandoval County Manager NM in 2021. (However, neither interested. . . clearly rather risk people, rather than protect wild horses.)

Posted on February 20, 2023 by whoa

<https://whoanm.org/wordpress/?p=1205>

Attachment 5

REQUEST FOR NEGOTIATION

Posted on February 16, 2023 by whoa

<https://whoanm.org/wordpress/?p=1201>

Attachment 6

Upheld by NM Courts – DNA Testing Requirement => Placitas Spanish Horses

Posted on November 5, 2015 by whoa

<https://whoanm.org/wordpress/?p=326>

Attachment 7

Press Release: Poll- Placitans Want Wild Horses to Remain

Posted on August 30, 2014 by whoa

<https://whoanm.org/wordpress/?p=275>