

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

RESOLUTION NO. 2009-6

**A RESOLUTION SUPPORTING AMENDMENT OF THE NEW MEXICO
SUBDIVISION ACT TO REQUIRE NOTICE TO NATIVE AMERICAN TRIBES
AND PUEBLOS, AND TO INCLUDE TRIBES, NATIONS AND PUEBLOS
AMONG THE ENTITIES FROM WHOM AN OPINION SHALL BE
REQUESTED WHEN THE BOARD OF COUNTY COMMISSIONERS
CONSIDERS APPROVING A PRELIMINARY PLAT OF A NEWLY PROPOSED
OR MERGED SUBDIVISION**

WHEREAS, the Governor of the State of New Mexico and the State's counties, municipalities, political subdivisions recognize and respect the sovereignty of all of New Mexico's Tribes, Nations, and Pueblos, and their respective tribal governments;

WHEREAS, the State's twenty-two Tribes, Nations, and Pueblos recognize and respect the sovereignty of the State of New Mexico and of its counties, municipalities, and political subdivisions;

WHEREAS, the responsible development of real estate is codified in State statute to consider the essential human and environmental interests that may be impacted by the development of a newly proposed or merged subdivision;

WHEREAS, the New Mexico Subdivision Act currently requires boards of county commissioners to request opinions from State agencies such as the Office of the State Engineer, Department of the Environment, Department of Transportation, Office of Soil Conservation, and other entities as determined may be necessary, when considering the impact of such development;

WHEREAS, the New Mexico Subdivisions Act does not similarly require a board of county commissioners to request opinions from any Tribe, Nation, or Pueblo when considering approval of preliminary plats for newly proposed or merged subdivisions;

WHEREAS, some counties have promulgated local subdivision regulations that do include Tribes, Nations, and Pueblos as among those entities from whom an opinion is be requested; and

WHEREAS, the essential human and environmental interests of Tribes, Nations, and Pueblos should be given consideration when the County determines the impact of subdivisions.

A RESOLUTION SUPPORTING AMENDMENT OF THE NEW MEXICO SUBDIVISION ACT TO REQUIRE NOTICE TO NATIVE AMERICAN TRIBES AND PUEBLOS, AND TO INCLUDE TRIBES, NATIONS AND PUEBLOS AMONG THE ENTITIES FROM WHOM AN OPINION SHALL BE REQUESTED WHEN THE BOARD OF COUNTY COMMISSIONERS CONSIDERS APPROVING A PRELIMINARY PLAT OF A NEWLY PROPOSED OR MERGED SUBDIVISION

IT IS THEREFORE RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, AS FOLLOWS:

1. The Board of County Commissioners of Santa Fe County shares the same concern for the human and environmental interests of Tribes, Nations, and Pueblos regarding subdivision development, and agrees that Tribes, Nations, and Pueblos located within the county of said development should be notified of pending applications, and that opinions concerning pending applications should be solicited from Tribes, Nations, and Pueblos in the manner prescribed for enumerated state agencies.

2. The Board of County Commissioners strongly supports enactment of amendments to the New Mexico Subdivision Act to require notice to Tribes, Nations, and Pueblos within the County concerning pending applications for approval of subdivisions, and to include Tribes, Nations and Pueblos among the entities from whom an opinion shall be requested when the Board of County Commissioners considers approving a preliminary plat of a newly proposed or merged subdivision.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By: 

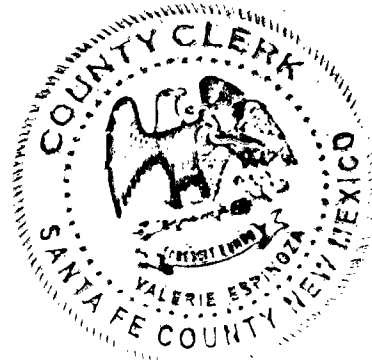
Mike Anaya, Chair

Attest:


Valerie Espinoza, County Clerk

Approved as to form:


Stephen C. Ross, County Attorney



COUNTY OF SANTA FE
STATE OF NEW MEXICO

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I Hereby Certify That This Instrument Was Filed for Record On The 27TH Day Of January, 2009 at 03:20:57 PM And Was Duly Recorded as Instrument # 1550350 Of The Records Of Santa Fe County



Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM

Deputy