



TEMPORARY PUBLIC ROAD PERMIT
SANTA FE COUNTY
SI-P20-

1. **ISSUANCE OF PERMIT:** Pursuant to the *Interim Road Access Authorization Act of 2018*, the Pueblo de San Ildefonso hereby issues this Temporary Public Road Permit (“Permit”) to:

Santa Fe County
P.O. Box 276
Santa Fe, NM 87504

hereinafter called “Permittee.” Permittee includes the departments, employees, contractors, and agents of Santa Fe County.

2. **PURPOSE:** The purpose of this Permit is to authorize the continued public use of County Maintained Roads (“CMRs”) **CMR 84C, CMR 84D, and Sandy Way** (collectively, “Temporary CMRs”) and the maintenance of the Temporary CMRs by Permittee within the Pueblo de San Ildefonso lands in accordance with the terms of the April 12, 2018 Settlement Agreement between the Pueblo de San Ildefonso, Santa Fe County and U.S. Department of Interior (“*Settlement Agreement*”) regarding roads and road issues.

3. **SCOPE OF PERMIT:** This Permit temporarily authorizes (a) continued public use of the Temporary CMRs, (b) access by private landowners from the Temporary CMRs in accordance with Paragraph 5 below, and (c) continued maintenance of these CMRs by Permittee, at its sole expense, within the boundaries of the Pueblo de San Ildefonso.

4. **TERM:** This Permit shall be for a term of five (5) years from the Settlement Agreement effective date of April 12, 2018, and shall expire on April 12, 2023. In the event that Yellowbird Loop Road is not constructed and opened to the public at the end of the initial permit term, the Governor is authorized to issue successive one (1) year extensions until Yellowbird Loop Road is constructed and opened to the public, subject to the same road maintenance requirements; *provided* that such extensions must be requested by the Permittee and issued in writing by the Governor.

5. **ACCESS AND LIMITATIONS:**

- a. This Permit authorizes the use of the Temporary CMRs by the Permittee as public roads, which shall remain open to public travel during the term of this Permit.
- b. Private landowners who access their property from the Temporary CMRs are deemed authorized to hold temporary access to those roads over Pueblo lands; *provided* this authorization does not allow a private landowner to change their existing Access Point to these CMRs during the time the Permittee holds this Permit without the Pueblo’s and County’s prior approval. Such authorization is temporary pending the final construction and opening of Yellowbird Loop Road.

- c. This Permit, and the use of the Temporary CMRs, does not confer, grant or recognize any property right or property interest to any entity, including the Permittee, or private landowner, or other individual.

6. ADDITIONAL TERMS: The Permittee agrees to the following:

- a. Permittee shall comply with all applicable Tribal and Federal laws and regulations.
- b. Permittee shall be responsible for any damage to roads, persons and property caused by, or arising from Permittee's operations or activities relating to this Permit.
- c. Permittee shall remain within designated areas for the identified roads. Road maintenance activities shall not enlarge the existing roadways or change the locations.
- d. Permittee shall immediately notify the Pueblo in the event of discovery or disturbance of any cultural matter and shall not remove any cultural matter.
- e. Permittee shall notify the Realty Office of scheduled maintenance activities in a timely manner: contact either Stephen Martinez at (505) 670-2606 or stmartinez@sanipueblo.org OR Daniel Baca at (505) 455-4124 or realtyasst@sanipueblo.org.
- f. All construction and related work for the construction of Yellowbird Loop Road shall require a separate Pueblo Land Access Permit prior to beginning any work.
- g. Permittee acknowledges that there may be occasions where the Pueblo may temporarily close portions of the identified roads for cultural purposes. The Pueblo will provide as much advance notice to Permittee as possible of such temporary closures.
- h. The Governor is authorized to revoke this Permit, or in the case of a private landowner, the revocation of the temporary access granted pursuant to Section 5.b of this Permit, if the Governor determines that the Permittee, or the private landowner, has not complied with or is not in compliance with any terms of the *Interim Road Access Authorization Act of 2018*, the Settlement Agreement, or this Permit.
- i. The Permit is not intended to modify or amend the Settlement Agreement.

SANTA FE COUNTY

PUEBLO DE SAN ILDEFONSO

By: _____

Henry P. Roybal, Chair
Board of County Commissioners

By: _____

Perry M. Martinez, Governor

Date: _____

Date: _____