

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Rudy N. Garcia
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Hank Hughes
Commissioner, District 5

Katherine Miller
County Manager

December 1, 2020

Dear Property Owner Within Nambe Pueblo:

Our records reflect that you own property within the exterior boundaries of the Pueblo of Nambe (Pueblo). I am writing you concerning the implementation of the Settlement Agreement between the Pueblo, Santa Fe County (County), and the U.S. Department of the Interior (DOI), a historic achievement that provides a path for all private property owners within the Pueblo to have documented, legally recognized access to their property.

The County and Pueblo are finalizing the survey and right-of-way (ROW) applications necessary to implement the Settlement Agreement. We are writing so that you have the opportunity to review the survey map before ROW applications are submitted to the DOI and to provide you with information about what you can do if a Gap exists between a County-Maintained Road and your property.¹ Information is presented below in question and answer format.

What does the Settlement Agreement do? The Settlement Agreement will resolve the status of County-Maintained Roads for 198 years, during which time the roads will remain public roads and continue to be maintained by the County. In essence, existing County-Maintained Roads will become Bureau of Indian Affairs (BIA) Roads, with the Pueblo consenting to the issuance of ROWs to the BIA where the roads cross Pueblo land and the County assigning its ROWs across private land to BIA.

How wide are the Pueblo ROWs? Generally, 25 feet on either side of the road centerline or to the boundary of Private Land, whichever is less.

Once the ROWs are approved by DOI, property owners whose property line is within 25 feet of the centerline of a County-Maintained Road will be able to access their property from their designated Access Point without further action on their part.

If my property line is within 25 feet of the centerline of a County-Maintained Road, do I need to do anything? No, though you should review the survey map to confirm the accuracy of the Access Point associated with your property.

What is an Access Point or Common Access Point? The Settlement Agreement defines Access Point as “the point identified on the County’s survey . . . at which lawful ingress and egress to Private Land can occur. Access Points that serve two or more subdivided lots on Private Land are called ‘Common Access Points.’”

In simple terms, the Access Point is the driveway or other private road you will use to access your private property off of a County-Maintained Road. As part of the ROW development process, each property was paired with an Access Point. Access Points are designated on the survey map with an asterisk (*).

¹ Section 1(E) of the Settlement Agreement defines “Gap” as “a gap of Pueblo Land located directly between Private Land and a Public Road that prevents lawful ingress and egress from the Private Land to the Public Road.”

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What if there is a Gap between the ROW and my property line? You can work with the Pueblo to obtain a Gap ROW.

Section 10(B) of the Settlement Agreement provides that, “[f]or any Gaps, if any, that extend beyond twenty-five (25) feet on either side of the centerline of the CMR, the Pueblo will provide a process for private residents to obtain a ROW pursuant to 25 CFR Part 169. The Pueblo agrees that such Gap ROWs shall be for a term of up to thirty five (35) years for a nominal fee.”

How can I view the survey map? The survey map is available as follows:

1. On the County’s website. The first page of the ROW pdf file contains a Sheet Index that shows which map sheets correspond to each road within the Pueblo. This should help you find the sheets of interest to you.
2. Beginning December 3, 2020, by appointment at the County’s Pojoaque Satellite Office, located at 5 West Gutierrez, Suite 9, Pojoaque, NM. Appointments are available Tuesday, Wednesday, and Thursday from 10:00 a.m. to 2:00 p.m. Please call 505-455-2775 to schedule an appointment.
3. For those without Internet access or the ability to go to the County’s Pojoaque Satellite Office, you may request a copy of the map sheet(s) relevant to your property by calling 505-986-2426. Copies of relevant sheets will be mailed to you free of charge.

How are Access Points designated on the survey map? With an asterisk (*).

How can I tell if I might need a Gap ROW? On the survey map, Gaps are indicated as follows: *G, where the * indicates an Access Point and the G indicates a Gap.

Will there be virtual office hours at which questions about the survey map may be asked?

Yes, virtual office hours will be held on the following dates and times: Monday (12/7) – 3:00 p.m. to 5:00 p.m.; Tuesday (12/8) – 2:00 p.m. to 6:30 p.m.; Wednesday (12/9) – 9:00 a.m. to 11:00 a.m.; Thursday (12/10) – 4:00 p.m. to 6:30 p.m.; and Friday (12/11) – 1:00 p.m. to 3:00 p.m.

Virtual office hours will be held via WebEx. The public can join the virtual office hours by phone or the internet. To join by phone, call 1-408-418-9388, using meeting number (access code) 146 663 3600 and password gpE2NNz93Jf. To join by the internet, use the hyperlink on the County’s website.

The goal of these virtual office hours is to answer specific questions about specific property. They will be most productive if people have reviewed the survey map before the virtual office hours. Appointments are not necessary for virtual office hours. Questions will be answered on a first-come, first-served basis.

Where can I find a copy of the Settlement Agreement, survey map, and WebEx link for virtual office hours? At the County’s website, https://www.santafecountynm.gov/public_works/road_settlement_agreements.

Who should I contact if I have questions but cannot attend the virtual office hours? Gary L. J. Giron, Public Works Department Director, at 505-986-6279 or ggiron@santafecountynm.gov.

Thank you for your patience as the Settlement Agreement is being implemented. We look forward to seeing its final implementation.

Sincerely,



Gary L.J. Giron

Public Works Department Director