

Be it remembered that at the Regular Meeting of the Luna County Board of County Commissioners in Deming New Mexico, on the 13th day of February, 2025, the following proceedings were had and entered of record.

PROCLAMATION 25-02

OPPOSING MISUSE OF THE ANTIQUITIES ACT

WHEREAS, the Luna County Commission met in a meeting on February 13, , 2025 at 10:00 A.M. in the Commissioner Chambers at the Luna County Courthouse, 700 S. Silver Ave., Deming, New Mexico; and,

WHEREAS, pursuant to §Section 4-38-1, NMSA 1978 the powers of a county as a body politic and corporate are exercised by its Board of County Commissioners; and,

WHEREAS, §§Section 4-37-1, NMSA 1978 provides that Counties have the power 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”; and,

WHEREAS, under the 1906 Act for the Preservation of American Antiquities (54 U.S.C. §§320301-320303), the President is authorized to proclaim national monuments on federal lands that contain historic landmarks, historic and prehistoric structures and other objects of historic or scientific interest but should reserve the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS, the President, when unilaterally designating a national monuments, need not accept or consider without taking input from or directly involving of the citizens and community leaders and elected officials of the communities in which the monuments will be located; and,

WHEREAS, the Antiquities Act was enacted before the creation of other federal land management laws, and was in response to concerns over theft from and destruction of archaeological sites and designed as an expeditious means to protect federal lands and resources.

WHEREAS, since its establishment 118 years ago, the Antiquities Act has been used by Presidents from both parties a total of 163 times, often for political purposes with large scale designations intended to limit specific uses, activities, or access to vast areas of public lands; increasing governmental control over federal lands and often hindering the development or productive use of those lands; and,

WHEREAS, creating additional federal lands and placing more public lands into permanent conservation status can cause dramatic and irreversible harm to the economies of many states; and,

WHEREAS, many businesses and citizens are involved in or otherwise depend on industries that utilize federal lands and their resources, including the oil and gas industry, livestock grazing, mining and mineral development, recreational industries, hunting, fishing, and other outdoor recreation all of which are allowed on Federal lands, subject to regulation; and,

WHEREAS, these industries are important components of the National economy and are major contributors to the economic and social wellbeing of citizens.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Luna that:

1. A majority of the Board of County Commissioners of Luna County opposes the designation of lands as national monuments, wilderness, wilderness study areas, wildlife preserves, open space, or other conservation land, thereby restricting public access to such lands and preventing the development and productive use of the resources on or within such lands; and,
2. A majority of the Board of County Commissioners of Luna County calls on Congress to repeal the Preservation of American Antiquities Act or, alternatively place legislative restrictions on such designations and require that designation proposals have the approval of affected local governments; and,
3. Notwithstanding the foregoing, a majority of the Board of County Commissioners of Luna County requests that that legislation be adopted by that will the President, by executive order, or Congress by legislation to decommission lands as national monuments if the decommissioning has the approval of affected local government.

Done at Deming, New Mexico this 13th day of February, 2025

Luna County Board of County Commissioners

ATTEST:

**Colette M. Chandler, Chair
Commissioner, District 2**

Barbara De Laney, County Clerk

**Ray J. Trejo,
Commissioner, District 1**

**Christie Ann Harvey,
Commissioner, District 3**

