**THROGH A TAOS INDIAN PUEBLO LENS: COMPARING TRIBAL WILDERNESS VALUES**

*Certain things catch your eye, but pursue only those that capture the heart”*

 *-- Ancient Indian proverb from Taos Pueblo War Chief Richard Archuleta*

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ABSTRACT

*This case raises questions about how communities make choices through their governance systems about what institutions and actions best help them achieve goals to restore culture and traditional lifeways. The emphasis here is on non-economic relationships to wilderness, water and culture. The return of Blue Lake to Taos Pueblo years after it was incorporated into public lands as part of a National Forest is an extraordinary event that was accompanied by an extraordinary strategic process carried out by Taos Pueblo. Historically, especially after the infusion of funds for HUD and other social programs occurred during the 1960’s, people looked to tribal governments to provide for them, opening the valves for these monetary infusions and solving a great range of problems. But could money solve all the problems? This case raises a number of questions for critical thinking about cultural preservation, monetary, and non-monetary values.*

**TRIBAL WILDERNESS: TIME, PLACE AND VALUES**

Exploring the diversity of tribal values associated with tribal wild land protection reveals a history of change and evolving opportunities for collaboration. Several studies discuss the unique land values demonstrated by Tribes (Watson, et al 2003, Watson, et al 2012, Watson, et al 2014, Krahe, 1995). While wilderness values are expressed in strategies distinct to individual Tribes, some common themes emerge. Many of the 567 federally recognized American Indian and Alaska Native Tribes hold diverse cultural preferences, perspectives and applied uses that reflect their values through tribal policies and management of wild lands and waters on American Indian trust lands. The scope of this case study is designed to explore those values through tribal relationships with wild lands and wilderness so that specific tribal examples illuminate indigenous values related to wilderness. A more detailed discussion of the Taos Pueblo values as expressed in their long struggle to gain control over their sacred Blue lake provides a framework for understanding the emergence of tribal values in the policy process and finally in tribal wilderness management. Two other examples of different tribal wild land protection policies illustrate the diversity of tribal values and management regimes that are framed by the historical legal and political relationships of Tribes and the federal government.

The historic and current struggles of Taos Pueblo (1) in Northern New Mexico to protect its sacred wilderness values in the Blue Lake Wilderness are the main subject of this study. The case study method is used to encompass the context for deep cultural meanings and values that are embedded in place (Basso, 2011; Yin, 2013). It is foremost a study of a wild place and of the values attached to it expressed through a historic struggle that began in the 1600s. These wilderness values are symbolic of the deep concerns for the quality of water and watersheds expressed by American Indian Tribes across the country from Standing Rock to Hopi, from the Skokomish to the Nisqually Tribes on the Northwest Coast (Stumpff, 2013). The enormous strength of Taos Pueblo wilderness values is evident the actions, strategies and wilderness policy positions when the more than 400 year battle to protect Blue Lake Wilderness is examined. Truly, it shows that the Blue Lake Wilderness was the thing that long ago captured the peoples’ hearts. The tenacity with which they held to these values over the decades long effort captures how deeply their religious and cultural non-economic values were held. A discussion of a small slice of the cultural expressions that express Taos values in narratives, ceremonies and statements from leaders reflects the source of these values in cultural expressions.

1) The names Taos, the Pueblo and Taos Pueblo all refer to Taos Indian Pueblo in this paper as distinct from the city or county of Taos.

The paper continues to unfold the holistic nature of tribal wilderness values, which can be understood as similar in some ways to ecosystem service values. Sacred sites in the wilderness not only provide for religious functions and wild habitat, they are also valued downstream for their contributions to traditional agriculture, grazing, drinking water, view sheds and other services with high value in sustaining the culture. These values interconnect in a web of relationships that reaches from the past to future generations through indigenous knowledge and sustainable actions.

The Taos wilderness regime with its pristine values contrasts with the federal wilderness regime. Wilderness values can be unique to each tribal area and further research is needed to explore the wilderness values of other American Indian and Alaska Native Tribes and those of indigenous people across the globe. This work seeks to contribute to greater cooperation and understanding as new wilderness and protected wild land areas are established to increase opportunities for co-management that and other expressions that protections over larger land and watershed areas. The area of direct economic value from indigenous wilderness is beyond the scope of this research, but there is a need for further research to support collaboration. Not all Tribes wish to enter this discussion. But for some, clean water for drinking and traditional organic agriculture, not to mention external and internal pressures for city water and business, are factors in their decision strategies.

Place

Tiller’s “Guide to Indian Country “ notes that today Taos Pueblo has 242 acres of lakes and 175 miles of streams (Tiller, 2005 p. 65). Of the Taos land holdings, 54,000 acres are in wilderness, 6,150 acres are assigned to religious and ceremonial use, 10,938 are for housing and crops, 6500 acres to recreation and 16,957 acres for range management. The total Taos Pueblo land acreage is around 99,000 acres. The 2010 census showed a population of 4,384. The Pueblo plaza area has shops, restaurants and vendors. Traditional economic activities include farming and ranching. Part of the economy is based on tourism, especially around the historic landmark and world heritage site of the Pueblo itself. The necklace of Sangre de Christo wilderness peaks forms the backdrop to the ancient Pueblo. The presence of the amazing view shed adds to the tourism experience, just as the Mission Mountains do at Salish Kootenai.

From the Native viewpoint, the high values placed on sacred pristine forests and sacred waters do not necessarily conflict or need to be held separate from their ecosystem values. The sacred sites in the wilderness not only provide for religious functions and wild habitat, they are also valued downstream for their contributions to traditional agriculture, grazing, drinking water and other uses with high value in sustaining the culture. These values interconnect in a web of relationships that reaches from the past to future generations through indigenous knowledge and sustainable actions.

Some wilderness resources hold economic value for clean water for drinking and traditional organic agriculture. Waters fed by wilderness hold increased economic value today particularly in the arid West. The recent settlements of water rights place Tribes in a position to enter these water markets. For some, this may be integrated into the whole value system for these waters that issue from wilderness. Others may hold different views and question the policy of selling the water from the on-going tribal water settlements like those at Taos that are coming out of the federal courts. Outdoor and cultural tourism creates another area for wilderness valuation and water values. Taos Pueblo is ideally situated for managing cultural tourism programs and they actively participate in tourism development (Tiller, 2005).

**A Brief History of Taos Pueblo’s Blue Lake Wilderness: Values Expressed Through Conflict**

The Northern Rio Grande and Taos Pueblo

The Taos rift valley rises in Northern New Mexico encircled by lakes, streams, rivers and that pour from mountain wildernesses that support wildlife, agricultural, cultural activities and tourism. The Rio Grande originates as a small waterway in Colorado fed by the web of tributaries from the Sangre de Christo Mountains in New Mexico. It runs all the way to Mexico to pour what is left of its much-used waters into the Pacific. Taos Pueblo is located within the Northern watershed of the Rio Grande. It sits at the base of Taos Mountain with access to clean water that flows from the wilderness lands in the high country above. Blue Lake, hidden in a basin behind Taos Mountain above Taos Pueblo, is the Pueblo’s great treasure and its source of water. The Pueblo landscape opens to mountain and sagebrush vistas, mostly in the hands of federal agencies. Wheeler Peak, the 13,161-foot mountain and the highest point in New Mexico, towers in the background. Forested watersheds surround it creating a unique, productive and beautiful setting for the Pueblo. Wild waters support local agriculture and diverse wildlife that enrich Taos and Northern New Mexico. Three federal wilderness areas—the Pecos, the Wheeler Peak, and the recent Columbine-Hondo protect the headwaters. The Rio Pueblo, a tributary of the Rio Grande, runs through Taos Pueblo along with other key tributaries like the Rio Lucero and Rio Hondo. To the west, they flow into the Rio Grande Gorge, now designated as the 235,000-acre Northern Rio Grande National Monument. Within the Monument, Ute Mountain and San Antonio Mountain have strong wilderness characteristics and may eventually be designated. Near the ancient Pueblo, the Rio Pueblo sources drinking water for Taos Pueblo from time immemorial. The Pueblo itself contains the oldest inhabited community in the United States; The North House and South House were constructed in 1000 and 1450 AD, considerably before Spanish contact occurred in 1540 (Tiller 2005).

The oldest continuously inhabited community in the United States, Taos Pueblo received World Heritage Site status in 1992. The Pueblo maintains a long history of sustainable agriculture and inter-tribal trade. Apache and Ute camps were interspersed across the lands of the Northern Rio Grande watersheds, Picuris Pueblo sits to the east of Taos in the mountains and a string of Indian Pueblos follows the Rio Grande to the south. The cultural landscape of Taos includes the natural features surrounding it and the Pueblo defended these with determination. In 1689, the Spanish assumed they could claim sovereignty when King Charles I of Spain pronounced New Mexico a Spanish province. He “granted” tracts of land to Indian Pueblos in the Southwest including Taos. After the Mexican Revolution in 1821 Mexico took over administration of the former Spanish-claimed lands in Northern New Mexico. They recognized the original Pueblo Grant of 17,000 acres plus much of the land that Taos exclusively used and occupied including Blue Lake, just as the Spanish had done (Gordon-McCutchan 1991). The Pueblo kept the forested Blue Lake watershed in pristine condition, protecting the deepest cultural and religious values. Blue Lake sits in a glacial cirque at 11,000 feet, 20 miles from the Pueblo behind Taos Mountain. It is the main source of the Rio Pueblo, a vital source for drinking and traditional agricultural water. The entire watershed is considered a sacred site by the Pueblo (Ebright 2014). The area is dotted with shrines and the sites for religious activities like sacred closed ceremonies and pilgrimages that take place within the watershed.

As Spanish settlement expanded and encroached on the ancient cultures of the Northern Rio Grande, religious oppression, taxation and forms of forced labor led to a revolt. Fierce defenders of their lands and waters, Taos spearheaded the Pueblo Indian Revolt of 1680 against the Spanish and a revolt against Mexican rule in 1836 and again against the US in 1847. In the years to come, the town of San Fernando de Taos was built up on Taos Indian land by Spanish and US citizens.

Although there were losses from the original 300,000 acres of pre-Hispanic Pueblo use, throughout the ensuing battles for sovereignty, Taos maintained control of the Blue Lake area through Spanish and Mexican regimes. After the US war with Mexico ended in 1848 with the Treaty of Guadalupe Hidalgo, the US recognized only the original 17,000 acres of the Spanish land grant as patented. Blue Lake was considered to be unclaimed territory by the US. This would soon threaten the Pueblo’s ability to manage Blue Lake as pristine wilderness. Despite the changing regimes and claims, the Pueblo people maintained strong cultural traditions and kept up an active ceremonial calendar.

The struggle deepened when Blue Lake plus 48,000 acres surrounding it was incorporated into Carson National Forest. Before this, the Pueblo held the 17,350 acres contained in Pueblo League patent of 1864 and other smaller tracts it had purchased, while it maintained exclusive use of the Blue Lake area. The transfer of lands from the Spanish to the Mexican governments, and then to the US in 1848 under the Treaty of Guadalupe Hidalgo, failed to clarify Spanish land tenure systems such as leaving fairly extensive lands near the land grants, especially wildland, to local and indigenous use. The United States took the position that these were unclaimed public lands. This would soon threaten the Pueblo’s ability to manage Blue Lake as pristine wilderness.

Pristine Values: Changing Ownership, Changing Values

The US government decided to make the Taos wilderness and watershed a forest reserve due to the “excellent stewardship of the Taos Pueblo” (Ebright 2014 p. 294). Relationships with the Forest Service came early to Taos as they did with other Indian Tribes (Catton, 2016). After the Blue Lake watershed became part of the Forest Reserves under management of the Forest Service in 1906, Taos responded immediately with a letter asking for an exclusive use permit for the pristine Blue Lake watershed. The Forest Service’s concept of stewardship in the early 1900s fit under the progressive concepts of multiple use and highest public good that contrasted sharply with the Pueblo’s notion of pristine wilderness connected to deep cultural and religious values (Pinchot, 1998). Gifford Pinchot and Elliot Barker wanted Indian land to be treated as public land open to multiple uses. Though the Taos thought the permit gave them exclusive use, this was all but ignored in action. Elliot Barker, as Carson National Forest Supervisor, pushed grazing in the Blue Lake area and ended the Pueblo's unfettered access. Miners, loggers, tourists and Forest Service personnel intruded on Pueblo ideas of pristine wilderness stewardship and privacy for ceremonies. Taos was supposed to have the right of concurrence with any Forest Service- issued recreation permits. Forest Service personnel basically ignored the concurrence part of the agreement. Camping near Blue Lake occurred all summer with the cabin for a Forest Ranger in residence, in full violation of the agreed-on need for privacy during ceremonies. The annual ceremonial pilgrimage to Blue Lake was unprotected. The Forest Service agreed to a 50 year special use permit for Taos Pueblo in 1933: it granted protection for religious and cultural uses for 32,000 acres around Blue Lake, but this fared no better than earlier agreements. The move to Forest Service management initiated a long-term conflict between recreation and indigenous religious values. Inherent sovereignty from hundreds of years of exclusive ceremonial use was violated. It was not feasible to ensure the privacy for ceremonies under federal management and the conflict was amplified by the fact that the time and date of ceremonies was also secret.

In 1921, Commissioner of Indian Affairs Charles Burke began his attack on Indian religions. He intruded on tribal councils, calling Taos elders “half-human” (Ebright 2014 p. 295). When they refused to renounce their religion or bar youth from ceremonies, he had them jailed in Santa Fe. The Pueblo Lands Act of 1924 initiated further actions to remove Pueblo lands. The Pueblo offered to relinquish claims in the town of Taos in return for Blue Lake watershed. Government actions that followed ranged from outright dishonesty to feeble excuses. The government took action only on the willingness to give up rights to the town of Taos and ignored the agreed- on exchange for Blue Lake. Despite this, the Pueblo kept negotiating with its bad-faith partners. At last President Coolidge took a positive action and withdrew 300,000 acres from mining. Years of one-sided agreements with the Forest Service ensued, sometimes seemingly cooperative, other times hostile (Ebright, 2014). The worst violations of the agreement occurred when tourist permits were issued without Pueblo foreknowledge during times that disrupted religious rites. These setbacks would lead the Pueblo to pursue reclaiming the land and putting it into trust rather than making agreements. The past had forged an iron determination that continued without abatement even through the 1950’s when the federal government was pursuing a policy of termination of Indian Tribes and their lands.

In 1946 the Congress created the Indian Claims Commission (ICC). After years of wrangling and delays, the Taos question finally came before it in 1964. The authority of the ICC was limited to the award of monetary claims, but Taos pressed on for the land. After stunning testimony from tribal religious leaders and religious officials, followed by anthropologists and historians supporting their cause and by positive comments from across the political spectrum from Ted Kennedy to Barry Goldwater, the ICC gave an interlocutory judgment that the Pueblo’s claim for Blue Lake was valid. In this case, the Pueblo conceded to submit detailed maps. Meanwhile, Taos Pueblo continued to work to build local support, developed relationships among other kinds of religious and conservation groups and employed attorneys to keep the pressure up for legislative efforts in Washington DC. They refused monetary compensation, although a small portion of one determination was paid at one point. All the usual accusations were flung about by the opponents to the return of Blue Lake: it would set a precedent for the loss of public lands and the Pueblo would not be able to conserve the lands or the watershed. Ironically, it was the Pueblo conservation, framed by Taos religious values that kept the lands and water in pristine condition for hundreds of years.

The political battle went on for a few more years before congressional legislation resolved it. Taos became the first Indian Nation to receive lands back rather than money through an Indian Claims Commission determination. Although the ICC did not have authority to return the lands, they could make the recommendation. Finally, Taos Pueblo agreed to take the 48,000 acres of the original 50,000 acres into trust if the government agreed that the remaining 2,000 acres would fall into wilderness designation. The 2,000 acres became a critical component of the 5000 acres needed for the Wheeler Peak Wilderness. President Nixon joined the Blue Lake issue to the new self-determination policy initiated by his administration. Tribes around the country were watching to see if the new policy was going to benefit them. Like Taos, they were looking for a statement of good faith for religious and cultural self-determination (Gordon-Mc Cutchan 1991). Taos became the turnkey. The Pueblo’s actions created a foundation for future returns to other Indian Nations by getting PL 91-550 through congress. Bear Lake and 700 acres to protect access to the sacred site were added later. Finally, the disputed Bottleneck tracts of 764 acres that were needed for the pilgrimage and access to ceremonies were added to the Pueblo’s trust lands.

The Pueblo’s effort to regain the Blue Lake watershed stretched over nearly 65 years. Over this long time, its worst enemies fell away while the Taos built new partnerships. Although they continued to negotiate, the Pueblo never gave up pushing the three point foundation of its strategy: 1) they had a legal right for time immemorial through consistent use and the highest level of preservation management, 2) they held a claim for religious use, and 3) they maintained the critical functions of the watershed for the continuance of Pueblo life and the well-being of their neighbors. These values were unique when compared to the main values articulated for lands administered under the federal Wilderness Act.

Tribal Wilderness Values Emerge in Conflict

The revered beauty and ecological functions of the forested watershed connected it to ancient rights to hunt and fish. The Pueblo held to a religious requirement to “preserve the trees in their primordial state” (Ebright 2014 et all p.312). Most every multiple use activity allowed by the Forest Service after 1906 impacted the Pueblo values and rights. The clear-cut timber operations of the time brought erosion and pollution. While foresters thought the forest was full of “overripe timber” the Taos saw the existence of this forest for time immemorial as an integral part of a functioning ecosystem. The protection of the cultural landscape and the ecological relationships within it was critical.(Watson, et al 2011)..

Though the Forest Service later implemented wilderness policy under the Wilderness Act of 1964, it was still not enough to meet the pristine standard of the Taos. Pueblo values conflicted with western ideas about wilderness in that the exercise of the Taos religion required the protection of the entire watershed system, not just a bounded space. Second, casual recreational use that might be considered acceptable under wilderness policy was not compatible with Pueblo cultural and religious use. The Pueblo executed closures on their lands whenever negative alterations to the watershed that might seem minor to outsiders occurred. Finally, full closure occurred when actions like littering and over- stocking fish could not be tolerated due to the sacred nature of the area. Relationships with animals, the ritual of hunting, religious activities and the high levels of water quality were not compatible with the range of recreational activities permitted in designed wilderness areas. Finally, complete privacy during ceremonies was required. Honoring sacred land and waters through prayer and ceremony and keeping parts of the land inviolate as sacred areas both overlapped and exceeded wilderness management as implemented by the federal agencies. The wilderness itself held direct connection to subsistence and cultural lifeways maintained through traditional knowledge: this required a unique management regime.

The major Pueblo values emerging from this intergenerational struggle included the need for privacy in carrying out religious ceremonies and the responsibility to carry out stewardship rooted in a pristine preservation ethic that included the land, waters, forest, and animals present in the watershed. This ethic excluded recreational use due to the potential damage from visitor use. These non-economic values connected with the ecosystem benefits of clean water for drinking and agriculture, and the ability to hunt, fish, and to gather food, wood and medicines--things that made sustainable Pueblo life possible. Thus sacred values were intimately connected to sustainable use

CONTRASTS IN WILDERNESS REGIMES AND VALUES

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| --- | --- | --- | --- |
| REGIME/LEVEL | VALUES | VALUE EXPRESSION | ECOSYSTEM/ECONOMIC VALUES |
| Taos Pueblo trust landsWatershedTribal Blue Lake Wilderness | Pristine: sacredReligious: privacyNatural resource systems protection combined with cultural resource protectionUnpolluted, clear water quality at drinking level standard No binary distinction between humans and nature/wilderness | Full ClosureReligious: shrines, pilgrimages, ritual hunting, sacred lake and forests protected at pristine levelRestoration actions including fire prevention activities: flexible alternatives to support values | Watershed: ecosystem values for sustainable cultural practices, trade, water flowsCultural landscape: support traditional agriculture below, hunting, gathering and grassland needs within wilderness  |
| Lands under federal Wilderness Act designation National system level with components of various sizes over 5,000 acres | Preservation values for defined wilderness characteristics: non-industrial, natural systems Binary distinction between humans and wildernessLegally determined values for science and non-motorized recreation | Regulated wilderness recreation Protection of natural and cultural resources separate: various legal and discretionary regulation for cultural/religious valuesScientific activitiesViewshedSpecific rules and limitations on fire prevention (no chain saw use, etc.) | Watershed functions preserved for recreation and ecological functionNon-motorized recreation experienceProtection of natural landscape and systems Fees for outfitter and permittee systems Outfitter and guide businesses  |

Early on, the Pueblo people created water protection and delivery systems and governance systems to manage them. Spanish settlers brought adapted old technologies and combined them with theirs. Today, there are 55 acequias, or ditch systems, in the Taos Valley (Dennison, 2016), all of them dependent on snowmelt from the high country. A highly structured mayordomo system established the distribution of water according to old laws and customs requiring apportionment in relation to the size of land base and certain equitable apportionments for all. The mayordomo judged the depth of the snowpack in the mountains and how quickly it would flow in the stream by traditional observation. For example, nearby Picuris Pueblo waits for an outcropping on the shoulder of Jicarita Peak to become exposed as a signal for the start of the spring runoff (Dennison, 2016).

Taos Pueblo persisted in claiming its water rights---water that flowed from the wilderness above it. (Johnson and Speidle 2014). In 2010 legislation to settle the water rights claims of Taos Pueblo was signed into law, resolving claims that were in the courts for more than four decades. The Taos Pueblo Indian Water Rights Settlement Act of 2011 included all water rights owners in the Taos area to participate in the work of quantifying Taos Pueblo’s water rights and the interests of local acequia associations. The Act provided money to implement the settlement with projects to improve water use efficiency, groundwater management and water quality. The subsequent Aamodt Water Settlements for Indian water rights includes other Northern Pueblo of Nambe, Pojoaque, San Ildefonso and Tesuque: these signal further examples of the legal strength of Indian water rights for high-country wilderness water.

**WATER IS LIFE : CULTURAL NARRATIVES, WATER AND WILDERNESS VALUES**

Blue Lake, Ma-wha-lo in the Tiwa language, sits within the bowl of a primeval forest. Its multiple meanings and functions include forming the spiritual center of Taos Pueblo, providing water for drinking and ceremonial use, and supplying the multiple valued resources that sustain the culture. As a spiritual center, the Lake itself is regarded as the place of emergence and the center for ceremony and spiritual life. It is regarded as the source of all life for them and the final resting place for their souls after death. (Keegan 1991 p.14)

 “Blue Lake for our life is living. Blue Lake is where the spirit of Indian God is still living today.

 We go over there to pray, and we go over there to worship. The stars and the moon and

 the sun and the sky and the clouds and the air and whatever nature has provided for us, we

 do believe in this” (Quinino Romero in Keegan, 1991 p. 14)

The watershed holds many shrines that receive active use. Essential values are embedded in the bond between people and the lands through the shrines. They give a place for homage through ceremony and prayers for the gifts of Blue Lake. In return, the Pueblo concept of stewardship requires taking action against any alteration of the land that might threaten the bond. Preservation and restoration are sacred duties for the Taos Pueblo people and in return they receive the life-giving benefits of the waters, forests, soils and wildlife. Essential values included the secrecy of religious knowledge and practices to ensure that Blue Lake continued as the center of spiritual being.

The battle for the return of Blue Lake to the Pueblo literally maps out the conflict of Taos values with the progressive use policies of the government agencies, particularly the emphasis on general public recreation use of the Lake. In addition, the turn-of-the-century forestry idea that preserving a pristine old-growth forest was wasteful and should be harvested was in direct conflict with Pueblo values and traditional knowledge. At the heart of the Pueblo’s claim was the sanctity of their religious use of the area and the need for complete privacy to conduct ceremonies. Leaders tied ceremonial and religious use with provision of clear water for drinking and agriculture as the Lake fed the streams below that entered the Pueblo and Spanish settlements. The continued efforts of Taos leaders such as Seferino Martinez, Paul J. Bernal, John Rayna and the cacique Juan de Jesus Romero all of whom asserted Pueblo cultural and religious values formed the foundation for the successful return of Blue Lake to Taos Puebl.

Water is Life: Cultural Narratives Reflect Indigenous Wilderness Values

 “Our Blue Lake wilderness keeps our water holy, and by the water we are baptized. If

 our land is not returned to us, if it is turned over to the government for its use, then that

 will be the end of Indian life. Our people will scatter as the people of other nations have

 scattered. It is our religion that holds use together.” (Juan de Jesus Romero in Keegan 1991 p. 61).

The essential nature of cultural and religious values associated with Blue Lake captured in the cacique’s statement were clearly illustrated in the historical and policy records from the Blue Lake Wilderness. This thread of interwoven indigenous values shoots through cultural narratives, stories and expressions of the Taos people. Taos Pueblo is rich in cultural narratives that reflect values for sacred lands and waters. Wintertime was regarded as the time for telling stories that carried important values through the generations.

Some of the stories collected by anthropologist Elsie Clew Parsons who worked in the region from the 1920’s to 1940 included stories of Blue Corn Maiden and Yellow Corn maiden. For different reasons, the maidens journeyed to the Blue Lake, to the “Big House” where the mothers and fathers were, where they might enter into the lake and reappear on the surface as cobs of blue or yellow corn (Clew Parsons, 1996). In other narrative journeys, Blue Lake figures as a magical source of corn and fruit even in wintertime. It reveals the sustainable as well as the magical, spiritual nature of this water source. Some stories feature animal beings that illustrate awareness of the nature of water resources. A large bird, possibly a goose, finds the river dry. He flies for several days and finally finds water that is iced over. He pecks at a frozen water and witnesses the breaking of the ice that releases water into the river (Clew Parsons, 1996) exemplifying the importance of the seasonal cycle for water and concerns about drought. In this and other narratives, happiness is associated with flowing water. Relationships that occur in each season of the land and water cycles are built into the cultural narratives; Blue Lake emerges at the center as the place of origin.

Many stories are concerned with relationships to animals in wilderness areas and the rituals of hunting. Apache and Plains Tribes sometimes contributed to the narratives (Clew Parsons, 1996). The stories usually begin with the names of the animal personages and the places where they live. The locational identification helps identify places where uses occurred and where the relationships underlying ceremonial events took place. Other stories cover hunting and relationships with animals, where animals communicate and hunters learn protocols and prayers to give them good fortune in their hunting (Clew Parsons 1996). Sometimes prey gets even with the hunter. Happiness is often associated with flowing waters. The element of the trickster is present in many Pueblo stories. The Coyote trickster breaks taboos but brings the buffalo to Taos from east on the Plains.

These cultural narratives record, transform and share knowledge and values through inter-generational story telling. The stories illustrate the importance of honoring the land and waters through prayer and ceremony, and keeping the components of the ecosystem inviolate including relationships with animals and Blue Lake itself. Failure to do so results in dire consequences. The narratives illustrate the importance of the law of interdependence to the Taos in governing relations between humans, natural forces, animals, forests and higher powers (Clew Parsons 1996).

Ceremonies and feast days express tribal values. San Geronimo Feast Day is held in September. Vespers, dances, pole climbing and other activities celebrate the Pueblo’s values on this day. Clowns move through the crowd exhibiting behaviors that illustrate values by doing the opposite, from helping themselves to the vendor’s wares to grabbing children and running about. People are seen letting their children wade in the Rio Pueblo, a normally prohibited activity. The clowns stand by the Rio Pueblo enforcing a dip in the cold water for the passerby. Taos young people tend to gather around waiting for a chance to experience this kind of ritual baptism in the river. (Stumpff, 2017)

**CULTURAL VALUES, WILDERNESS AND THE POLITICAL STRUCTURE OF TAOS PUEBLO GOVERNANCE**

Cultural values are also expressed through the political structure of Taos Pueblo (Anonymous interview, 2016). The position of Taos Pueblo at the headwaters gives the governance structures important land and water responsibilities. This system of self-governance was maintained since time immemorial. An annual election selects the Governor, Lieutenant Governor and Tribal Council who hold overall authority over the different administrative divisions that carry out the administration of government services. Fifty or more religious officers and elders participate in the Council. The Governor of Taos heads up the administrative functions for delivering programs and services. Each year a War Chief is elected whose primary responsibilities include internal affairs, especially forest and water protection, forest management, boundary issues and relations with external governments like the Forest Service and the Bureau of Land Management. Twelve people serve in the War Chief’s office. The cacique is the spiritual and religious officer responsible for ceremony and it is a lifetime position. He sits above the kiva chiefs who preside over the secret areas where initiation and private ritual occur. The War Chief speaks to the relationships with outside agencies. The War Chief, the Council and the Cacique may all make statements about wilderness and protected lands surrounding the Pueblo. The amazing consistency of the speeches of all of these bodies and officers over the years regarding Blue Lake makes a strong case for the depth of the pristine values they attach to wilderness.

Current Expressions of Wilderness Values: Taos Pueblo Advocacy for Federal Wilderness Expansion and Concern for Climate Change Impacts

Climate change affects both water and forest resources for Taos. Protecting wilderness and wilderness water even outside the boundaries of trust lands is now critical. Fire does not respect political boundaries. The most recent expansion of wilderness within the aboriginal sphere of Taos was the designation of the Columbine-Hondo Wilderness on the Carson National Forest in 2014. It encompassed 45,000 acres of wilderness protecting wildlife habitat, water and hunting and fishing and added 650 acres to the Wheeler Peak Wilderness. Support came from a broad coalition including Taos Pueblo and other Northern Pueblos. The Taos War Chief Sam Gomez was among the supporters making statements about the importance of wilderness designation to protect the lands and waters and the Tribal Council passed a resolution in support (Gomez, 10/25/11). The new wilderness designation protected additional water resources including the Rio Hondo and the Red River and placed areas adjacent to Blue Lake in wilderness designation.

Carson National Forest and Santa Fe National Forest began the process of identifying and finalizing a proposal for wilderness study areas as part of their overall land management planning process in 2016. A significant expansion of the Pecos Wilderness high country is under consideration. Taos Pueblo supports the expansion, as does the neighboring Pueblo of Picuris. Governor Pyne of Picuris Pueblo stated key Pueblo values: “This land is precious to the people of Picuris Pueblo. By adding the area to the Pecos Wilderness, it will protect the Pueblo resources, preserve our water shed, our clean water, and our unique landscape and will enhance our economy” (Black, 2016).

A broad coalition including Taos and other Pueblos with environmental groups and businesses supported the proposal to establish the initial wilderness study areas that expand existing wilderness areas. The studies may lead to future inclusion into the wilderness system, although some local residents in the Penasco area oppose it. Discussions of special management areas as wilderness buffers and identification of historic uses by Penasco residents are ongoing. The Sipapu Ski Resort opposes the wilderness study areas: the resort is connected to the Snowbowl in Northern Arizona’s San Francisco Peaks through its major investor where deep conflict with Arizona Tribes continues after increased ski development and the use of recycled sewage water for snow-making are issues. Additional areas are under consideration as wilderness study areas in the Taos area include further expansions on the Questa District of the Carson NF near the Blue Lake Wilderness, additions to Wheeler Peak Wilderness and consideration of the Valle Vidal district on Carson NF. In the meantime, the Questa District of the Carson NF assists Taos Pueblo by patrolling the boundary areas during the Pueblo ceremonies at Blue Lake to assure their valued privacy. The dedication of these understaffed wilderness area rangers in high season is surely appreciated by the Pueblo. Backcountry skiing is on the increase on the Questa District, adding to increasing responsibilities of the limited wilderness staff.

Responses to climate change impacts reveal differences between federal wilderness management and tribal values as responsible stewards for sacred lands that incorporate traditional knowledge. This includes activities that are either difficult to accomplish or prohibited under federal wilderness designation. This only adds to the dilemma for managing and restoring natural fire and fuels Parsons, et al 2000) Climate change represents a serious threat to Southwestern forests through drought and tree mortality (Park Williams, 2013. Wildfire has twice raced across the acreage across federal borders onto Taos lands: fire on federal lands is now considered a significant threat to tribal lands (Corrao 2016). The Encebado Fire of 2003 was a wakeup call. Natural lightning started the fire, but the fire was hotter and larger than previous fires that followed the natural fire regime due to drought and warmer temperatures. This time about 5400 acres burned in a stand-replacing fire, much of it in the Blue Lake Wilderness directly behind the Pueblo. The fire created an emergency threat to the Pueblo itself and impacted the cultural view shed. Ash and debris entered the water supply and millions of gallons of fire retardant made up of fertilizer, adherent and dye was dumped on the fire.



 Photo: Isaac Peralta USFS

Although the Pueblo requested that the aviation fire teams use only water on the sacred areas, no means were evident to keep the retardant from entering the watershed once it was applied. Rene Romero, Natural Resource Director for Taos Pueblo has stated concerns about difficulty and delays in relation to management activities like prescribed burning or thinning due to the designated wilderness policies (Romero, 2015). The Pueblo agreed to operate under a lot of designated wilderness regulations in the negotiations for the Blue Lake Wilderness that could controvert indigenous knowledge on how to reduce fire risk. He stated that actual implementation of current wilderness fire policies creates a “hurdle that adds to planning completely and can delay needed forest thinning and prescribed fire” (Romero, 2015). This may delay or controvert the inclusion of indigenous knowledge into fire planning. Traditional knowledge is not only relevant to understanding the past, but expands to various threats (Watson et al 2011; Watson, et al 2009). In this case, tribal values rooted in responsibility and indigenous knowledge suggest strategies that include restoration, reducing risk through wisdom learned from place, wildlife reintroduction and other actions that contribute to watershed health in wilderness.

**Wilderness Water and the Circle of Resilience: The Value of Traditional Lifeways**

 “Water is a blessing that is part of creation and part of life itself. …..indeed for

 all living things” Gilbert Suazo

 (Water Resource Specialist/Interim Director of Government Services, Taos Pueblo)

Blue Lake secured the flow of clean, clear water for the Rio Pueblo and other streams that supported sustainable agriculture and cultural ways. Wilderness water values connect directly with subsistence, culture, heal and food sovereignty. In many ways, the idea of ecosystem services comes closest to the indigenous Taos concept of the sacred and connected functions of valuing both non-economic and sustainable ecosystem values for components like water flows, health, and food sovereignty that flow from wilderness. After the fight for Blue Lake, the use of the water for traditional agriculture diminished. The struggle had drained Pueblo resources and water rights were not yet settled. After the legal water settlement, some of the settlement money went to repair and maintain the ditches and head gates of the acequia system that channels water to the fields. The Pueblo maintains a yard with tractors and field equipment, but high fees mean use of the equipment is limited. Today a revival of traditional agriculture is taking place. Pueblo support for the expansion of wilderness designation in the high country on public lands contributes to securing additional adjacent high elevation watersheds that feed tributaries like the Rio Lucero and Rio Hondo that increase water flows above and below ground to the Pueblo. These tributaries are important to the expansion of Pueblo fields far below their source in wilderness.

Native cultural understandings do not make the same kinds of distinctions between cultural and natural values as government agencies. Sometimes, economic and non-economic values can be conflated from this perspective, especially with regard to water. The species, the forest, the water sources, in fact, the whole interdependent ecosystem holds both kinds of values. The snowmelt from the mountainous Sangre de Christo wilderness areas flows to the valley floor where additional sustainable cultural practices take place. Both the Pueblo and the Spanish towns use acequia systems to deliver water. Though much has changed and agricultural acreage has declined, the tradition of the acequia has remained strong. It is possible that the growth of farmers’ markets and the local food movement may increase the economic value of small farm rural agriculture. Local products - medicinal plants for health, lean meats from hunting --all have indirect and direct economic effects while the desire to access them continues to grow while producing them supports traditional values.

The final Taos Pueblo Water Settlement added a layer of economic value to wilderness water in the water markets of the West (Abeyta, 12/12/12). The major streams that were adjudicated - the Rio Hondo, Arroyo Seco, Rio Lucero The Rio Pueblo de Taos, Rio Fernando de Taos and Rio Grande del Ranchos. Ground water levels in the valley are also dependent on the wilderness water. In the complex waterscape of Northern New Mexico, legal rights are intertwined with water rights and physical forms. In November of 2010 Congress passed the Indian Claims Resolution Act that was signed into law in December to incorporate the settlement terms. Final water adjudication in 2013 initiated the final phase on Pueblo water rights. (Final Abeyta Judgment, 2013) This quantifies Taos Pueblo’s water rights and protects the interests of other water users. Like other Tribes, the Pueblo held strong aboriginal rights. As they had done before, Pueblo leaders negotiated with local acequia users, the Town of Taos and others. The Pueblo retained water rights of somewhere around 8000 acre-feet per year plus additional development opportunities and ground water resources. Meanwhile, the nearby town of Taos continued to show growth in tourism (Taos County Plan Update, 2004; Logan 2016, O’Donnel 2016), while water resources were increasingly expensive and limited due to drought (Brown, 2007; Brown and Froemke, 2009: Cook, 2015).

Pueblo water rights depend not only on static right to the source, but also on use. Traditional agriculture connects with ceremony, spiritual life, healthy foods and access to the water that preserves these rights. Restoring traditional agriculture connects with non-economic values like access to healthy activities. It carries the practical benefits of providing traditional food needed for the kivas for ceremonial life and providing an improved local and healthy food source for those who do plant gardens. It represents a specific example of cultural preferences with regard to water (Armatas, 2017). Native agriculture may have economic value, but it represents cultural value here. Although the traditional basis for much of Pueblo agriculture is dry farming, climate change, drought and the lack of access to local traditional drought-resistant seeds adapted through hundreds of years makes irrigation essential.

The principle of interdependence with the watershed affects the capacity for resilience. The return of agriculture is key to preserving the water rights and culture just as cultural preservation and water is key to the return of native agriculture. Corn planting at Taos Pueblo represents a return to a cycle of access to water traditional seeds and equipment. It implies knowledge of seasonal planting and harvest, technical knowledge of growing corn, and support by mechanical means for plowing due to the rocky nature of the lands (Zink, 2016). Traditional technical knowledge is necessary for growing corn in the northernmost Pueblo. There is much to know---blue corn can be grown in the same patch as the white corn because they do not pollinate at the same time. Planting, harvest times and irrigation schedules must be coordinated with the native seed (Zink, 2016). Leadership exists by example and through providing educational opportunities.

The Po’pay Institute is a non-profit organization that exists to support the return of corn planting that depends on the flows of water from wilderness. The Institute provides tractors and equipment: they plow fields for residents of the Pueblo who want to plant and provide organization and knowledge. Seven years ago few people were planting corn, but alfalfa was planted for horses. Now, a number people have corn patches and gardens. The Institute supports the home processing of corn by providing corn-shellers. The Pueblo lacked the piki stones used to make traditional piki bread. After some research on the traditional piki stones, it was discovered that they could be recreated out of soapstone counter-top material. Renewal and resilience appeared, starting with individuals who care, who plants, and who loves to do the work of traditional agriculture planting native seeds (Mirabel, 2016). At the end of the day, an individual planting the seeds and working in the garden is the first step in leadership and connecting with the values of wilderness water. The next steps involve ways of engaging the community. The challenge is to actually live by the traditional perspective that time is unified and that stepping back to the values of living the life of free-flowing waters and growing corn is not stepping backward, but stepping forward into the future. A special youth program led by Marie Reyna where children learn to create art, work in vegetable gardens and grow corn gives hope for the future that the water originating high in the mountains will continue to find its way to traditional agriculture. This vision is not possible without wilderness water.

Many issues remain before a sustainable future can be assured. The concern for wilderness waters as they flow above and below ground is the hinge on which sustainable Taos cultural lifestyles rest. Underground waters from wilderness runoff support another sacred area below the wilderness. Taos Pueblo’s Buffalo Pasture was formed from unique geological structures and runoff and underground waters that originate as wilderness waters. It is an extensive sacred wetland that functions as the source of culturally significant plants and provides grazing for the Pueblo’s buffalo herd—and it is dependent on water that originates in wilderness. Nearby, the Town of Taos and El Prado facilities pumped water from the underground source, damaging the Buffalo Pasture. The role of the wilderness water was so important to the Pueblo that it spurred a nearly fifty year struggle to settle water rights and rein in damaging external appropriations. Their main concern was the protection of the wetland (Suazo, 2016). Careful monitoring of this sacred wilderness-water dependent environment is ongoing with a five-year plan to assure the current agreements are meeting objectives.

Though the cultural value of preserving wilderness water sources produces benefits, issues remain. Climate change drives new impacts and water flows can be affected by the receding snowpack and by neighboring uses. Global warming increases the incidence and impacts of forest fires that create erosion that pollutes the waters and impairs natural flows. Fire can create erosion, floods and disruption of seasonal water flows. Aboveground water is connected to ground water. Groundwater and springs contribute to the water flow in the tributaries (Mirabel, 2016), and drawing down ground water with wells that serve other Pueblo uses may affect flows elsewhere. Like other Southwest areas, the mountain snowpack is critical to recharging groundwater. The new water settlement, gives the Pueblo, like many other Tribes, great leverage (Nyberg, 2014: Walton, 2015) and allows Taos Pueblo to sell or lease a certain amount of water, but this remains controversial and possibly in conflict with traditional values. It is reasonable to have a concern that it may be difficult to turn off the spigot and end leases to external municipalities in the future (Mirabel, 2016).

TODAY’S CHALLENGES

Like many Tribes, there is concern for loss of language, life ways and culture at Taos. These need significant support. Although the Tribe has a small casino and derives significant revenue from tourism, the federal government’s support for infrastructure continues to wane. Off-season unemployment climbs and the Taos Valley offers few moderate to high paid jobs. Funding is needed to improve educational opportunities for youth and integrate culture and language into the schools and after-school programs. More could be done to revive traditional agriculture if funding was available. Strategies to engage the community in traditional agriculture need support.

The threat of fire under conditions of climate change grows, yet some of the measures that the Taos might take under traditional practices are prohibited by their agreement to observe wilderness restrictions under their settlement with the federal government. The Blue Lake Wilderness must be protected by Taos, but it produces no recreation fee revenue.

Distinct characteristics of water markets in the West shape the potential economic benefits to Tribes. The range of market prices for leased water is wide. Indian water leases are voluntary and market driven: they can be structured with flexible provisions. In New Mexico and the West, water markets are measures of water scarcity. (Brown, 2007) Water is a renewable resource so leasing allows for economic gain of a natural resource that is replaced on an annual basis---providing the effects of global warming do not shift the balance. Even if less water was available, scarcity means that the price would go up. In some states like New Mexico, price information is proprietary, so the exact accuracy of the prices reported by F. Lee Brown (Brown 2007) cannot be confirmed. The sale of water rights brings a higher price than “bulk water” prices from leasing and water rights may be measured in different systems but here it is discussed in terms of acre-feet of consumptive use per annum. (Brown, 2007) Tribes cannot sell water rights, but leasing prices are substantial today.

Markets are driven by price, so areas that can pay the highest prices are more likely to obtain the scarce water and drain water resources away from rural areas to urban areas. It is likely that the market value of water in Santa Fe New Mexico has increased as the town and surrounding areas continues to experience increases in population and high-end tourism investment. Taos County population is increasing more slowly, but it is expanding along with other New Mexico and Arizona tourism businesses are expanding, requiring the maintenance and expansion of access to water resources under conditions of scarcity that are fueled by long-term drought. As Albuquerque in Sandoval County grows in the south, and pecan farming increases, more pressure on the Rio Grande water resources is likely in the Middle Rio Grande. Water is also at a premium for conservation purposes. Several Rio Grande Pueblos and a Santa Fe suburban development donated water purchased from the Jicarilla Tribe to the Rio Grande for conservation purposes. It is likely the market price of water will go up in these areas with the increases in building permits and other indicators in recent years. In addition, the New Mexico State Engineer required rights to be purchased in most of the Rio Grande basin before pumping in 2004. Increasing regulation like this by states under conditions of scarcity may also cause further prices increases (Footnote 2). This has already driven prices up in Sandoval County. Finally, speculation is a factor. Tourism investment is on the rise and Taos entertains construction of a new destination airport for larger plains. Tourism requires more water. Climate change means less water available, and so market prices for water are likely to continue to rise.

**COMPARING REGIMES: COMPARING WILDERNESS VALUES**

Today, Tribes are actively developing ways to protect their values through a variety of special tribal land designations. Many of these tribal designations differ from designations under the Wilderness Act. In the case of wilderness resources like water that provide ecosystem services, water flows emanating from wilderness may be attached to multiple kinds of valuation ranging from non-economic spiritual values to economic values in water markets. Taos Pueblo faces tough choices. How can they find revenue to meet their needs and retain their traditional values? Is the current Taos pristine wilderness regime the best course? Should they continue with their pristine wilderness regime, or is some level of revenue-producing respectful recreation possible, perhaps limited high value guided tours?

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WILDERNESS RESOURCE MAPS

National Wilderness System Maps [www.mso.umt.edu](http://www.mso.umt.edu)

Santa Fe NF Forest Plan Revision: Interactive wilderness expansion map [www.fs.usda.gov/goto/santafeforestplan](http://www.fs.usda.gov/goto/santafeforestplan)

New Mexico Wilderness Maps; Wilderness maps showing potential extensions of wilderness designation. http://www.nmwild.org/resources/map

APPENDIX A ADDITIONAL RESOURCES

<http://fireadaptednetwork.org/learning-in-taos-new-mexico-part-1-a-passionate-and-motivated-cwpp-core-team> 10/08/2015 2015

<http://www.nmwild/images/our-work/columbia-hondo-wilderness/Final/statements-doc>

http://taospueblo.com/wp-content/uploads/2015/05/Proposed-Taos-Pueblo-Partial-Final-Judgment.pdf



**TEACHING NOTES**

**Learning Objectives**

1. Learn about the significance of the return of Blue Lake to Taos Pueblo
2. Understand the legal and policy processes surrounding the return of these pristine lands to Taos Pueblo and the strategy pursued by the Taos leadership
3. Learn about how tribal cultural ways are supported at Taos through governance.
4. Understand the Taos approach to wilderness values and clean water that is connected to their religious values
5. Understand the basic context of Indian water settlements, especially the Abeyta Settlement.

 6. Learn about the economic and noneconomic values of water.

 7. Gain a deeper understanding of the trade-offs and potentials for managing natural

 resources that are also cultural resources.

**Audience:** Suitable to college students, upper division through graduate studies. This case is especially useful for study in environmental studies, natural resource policy, American Indian studies, wilderness policy, water policy, anthropology, political science, fire science, history, and law.

**Implementation**

Option One: General Class Discussion

The case can be taught in a variety of ways including a general class discussion, small group discussions with or without a written assignment and role-playing on the questions around how the Taos should manage and protect their resource of clean water from wilderness. Participants should read the case before class. After completing the reading, the case can be taught through a full class discussion. This is particularly useful if time is limited to one hour or less. If students do not have a background in American Indian affairs, an introduction to basic history and context should be provided in a previous class. The National Congress of American Indians has a free publication online named “XXXXXXX” that is a good pre-read. Two sets of discussion questions are available. The basic questions set is most useful for undergraduates and those with less familiarity with American Indian issues. The advanced set is most appropriate for advanced undergraduates, graduate students, or a professional group. Faculty selects two questions for each group.

**Basic Questions**

1. What were the main values expressed by Taos Pueblo throughout its long battle to regain Blue Lake Wilderness?
2. What were the three foundational points of the Taos strategy to regain Blue Lake Wilderness?
3. Is the Taos definition of pristine different than the federally designated wilderness definition that says wilderness must be “untrammelled” and humans are only visitors? How do you think Taos Pueblo would react to the term “untrammeled” and the ideas that humans are only “visitors” in the wilderness?

4. Why is recreational use incompatible with Taos Pueblo wilderness management?

 5. What cultural institutions inform tribal government on how to achieve the Taos goals for Blue Lake?

 6. What role should traditional institutions like kiva leaders, the War Chief or a council of elders play in deciding the strategy? Who is accountable to the people?

 7. Why do the Taos complete the 20 miles pilgrimage on horseback rather than motorized transportation? Do you think that cultural values affect the choice to use technology in wilderness?

 8. What about using mechanical devices for traditional agriculture today at Taos? What about seed? Why do they want to use native seeds? Would GMO seeds might produce more corn….why are they not using them?

 9. Neighboring villages and the town of Taos are hungry for water. After the Abeyta settlement, Taos Pueblo owns the dominant water rights. Should they lease some of their water to the surrounding communities? Why would they not want to sell or lease the water?

 10. If they decide not to sell or lease water, what other alternatives could Taos generate to increase revenues?

**Advanced Questions**

1. Why do you think that the earlier agreements between the Forest Service and Taos Pueblo failed?

2. Climate change is here and it is affecting everything from Native agriculture to increasing controversy over water rights. What effects might climate change have on Pueblo strategies to protect their water rights and the forested Blue Lake Wilderness?

3. Taos Pueblo remained of one mind over a long period of time on the Blue Lake issue. How did they stay so engaged in their tribal community? What do you think works for developing a long-term strategy necessary to attain the return of indigenous lands?

4. What elements of the Taos Pueblo strategy helped the build a strong external support coalition for its goals?

5. Where do you start when you are trying to restore a tribal cycle of resilience and sustainability on a wilderness area managed by the federal government? Do you think that the full return of lands and waters is always necessary to exert tribal influence? Why or why not.

6. Did Taos make the right choice in devoting major governmental and financial resources over a period of nearly 100 years to regain and protect Blue Lake?

7. Taos Pueblo holds the rights to a large amount of water, while the tourist-based town of Taos and the surrounding ranch and farm communities worry about limited water resources as tourism and population continues to grow. If Taos Pueblo does not want to lease water, could they create mutually beneficial arrangements to share water?

Option Two: Small Group Discussions

A. Three hour option. Small group discussions are particularly useful for addressing the key questions in the case. A three hour class session would work in the following way. It is best if students read the case before class.

First, faculty or a speaker should provide a brief overview of the case. Depending on the size of the class, divide the students into small groups (four to a maximum of seven students each is ideal) to facilitate discussion. Random assignment can be accomplished quickly through counting off. If the class is larger, create two sets of groups doing each set of two questions. It is assumed that they have already read the case and can engage in a brief discussion to identify the main points before attempting to answer the questions.

After everyone has read over and participated in a brief discussion of the case, each group is given their questions. Two questions per group is recommended. The students record their conclusions on butcher paper.

In the final part of the class, each small group presents their topics and conclusions to the larger group. This is followed by a general discussion about the case in which the teacher emphasizes the key points.

B. One hour option with written assignment. Participants are given the case and two questions before class. Faculty can count of numbers to form groups in a previous class. They each write a one-page paper before class to share with their group in class and to post on a class site online if that is available. In class, they break up into small groups matching their questions and discuss their findings for about twenty minutes. Each group has five minutes to report out their findings to the class.

Option Three: Role-play approach

Role-play can engage participants directly with the context and the major issues of the case. Participants can approach it as an actual role play, going into character. Or they can work as a group to chart the likely approach of this interest group. In this case, the issues are sensitive and charting the approach may be preferable. None of the groups or roles described in this case represents any individual person, but are set up and named to identify and present the different positions. Assume that Taos is in the final ten years of their battle to recover control of the Blue Lake Wilderness and their water supply and they are developing their final strategies for regaining their wilderness lands and waters. Each group should record their answers on butcher paper to share with the group.

**Group #1 Traditional Taos tribal governance group. In terms of recovering Taos Blue Lake, what does success look like?**

1. How long should it take, considering the time and money that must be invested from limited tribal resources?
2. How much of the original 350,000 acres of aboriginal use needs to be recovered at a minimum?
3. Should all recreationists be barred from the area?
4. Should the process happen with the assistance of environmental groups who may have some of their own objectives?
5. Is it important to include state and local institutions as well as federal institutions in the process?
6. Is it more important to prioritize getting the Taos Blue Lake Wilderness land back or getting tribal water rights secured?

**Group #2 Congressional group: US Senators and Representatives from New Mexico. What do you believe success is for Taos Pueblo, the federal government and the State of New Mexico in terms of federal programs.**

 **1.** What are the historic legal rights of Taos in this case? What is necessary to implement

 the federal trust responsibility to assure those rights?

 2. Has the Tribe been able to exercise its treaty right to maintain its culture and to assure the rights guaranteed by the Treaty of Guadalupe Hidalgo are protected in the current state?

3. What does it mean for the Forest Service to give up lands that they have claimed and provided opportunities for timber and recreation to the local communities?

4.Would it be better to press for continued Forest Service control and sign a new permit review process for any recreational use, with the idea that this time it could be enforced?

 5. Discuss the likelihood that the Tribe will sue and continue to fight.

6. What kind of federal process is needed to restore Blue Lake to Taos and is it feasible?

1. What are the political consequences of supporting the Taos desire to regain control of at least 50,000 acres? Explain your reasons for your answer.

**Group #3 The Forest Service. How might loss of the Blue Lake Wilderness affect the Forest Service?**

1. The Forest Service already invites active economic and recreational uses on lands they have claimed as public lands. How will these communities of use react to the loss of recreational and educational opportunities if Taos regains Blue Lake and closes it to the public?
2. Will the return of Blue Lake create a precedent that will lead to further losses of public lands?
3. If Blue Lake is returned to Taos, who will pay for enforcing the closure of these lands? Who will explain the loss to the affected publics?
4. What about fire policy? Wildlife policy? Will federal policies harmonize with Pueblo policies?
5. Would it be better to press for continued Forest Service control and sign a new permit review agreement with Taos for any recreational use, with the idea that this time it could be honored and enforced?

**Group #4 Environmental Groups. What is the position of environmental groups?**

1. Does this constitute a loss of public lands and a precedent for further losses?
2. What factors would limit this transfer of land to the unique legal and cultural context of the Taos Pueblo?
3. Is it better to have this Blue Lake area established as tribal wilderness rather than to continue it as general multiple use lands?
4. What historical and cultural reasons are apparent that supports environmental groups in the belief that Taos would provide good stewardship over pristine lands?
5. What role could environmental groups play in supporting or fighting the return of Blue Lake to the Pueblo. What would be their best strategy

**Group #5 Local Interests. What are some possible local effects of the return of Blue Lake?**

1. Should local Hispanic communities support the Pueblo’s bid for the return of Blue Lake, especially since they have also suffered from government ignorance of their grants and rights under the Treaty of Guadalupe Hidalgo?
2. Is the return likely to affect local tourism and thus employment?
3. Can Taos management of the Blue Lake Wilderness benefit local communities by assuring the supply of clean water and local groundwater discharge?
4. Will Taos be reasonable when the final Abeyta water settlement comes? Will they negotiate a reasonable amount of water to be left for local community use for ranching and farming?
5. Can Taos and local communities work together and respect each other’s rights and protect their communities?

**Group #6 Development Interests.** Given what we know abouthow the tourism and the upscale housing industry impacts water resources and land distribution by creating amenities and gentrification, what positions will they take? What kind of pressures will they plan to exert to encourage subdivision and development with promises of revenue for education and cultural preservation?

1. Is Blue Lake better off in the hands of the Forest Service, a multiple use agency that allows certain kinds of development (recreation, ski-runs, camping stays, hunting) that benefit the tourist industry and allows amenities that may accelerate the local housing market?
2. Is Taos Pueblo likely to approve such uses?
3. Is the culture and beauty of the Taos landscape and appreciation of their unique culture a greater draw for tourism and a better benefit for the surrounding communities than further development?
4. What kind of pressures will this group exert to encourage development, while offering promises of revenue to Taos Pueblo for much needed cultural and educational enhancements and infrastructure even as they gain control of Blue Lake and the

Each group shares their position and strategy in answer to their questions and presents it to the class. This is followed by a general discussion of the different strategies, positions and possible solutions.

1. What were the main values expressed by Taos Pueblo throughout its long battle to regain Blue Lake Wilderness?
2. What were the three foundational points of the Taos strategy to regain Blue Lake Wilderness?
3. Is the Taos definition of pristine different than the federally designated wilderness definition that says wilderness must be “untrammelled” and humans are only visitors? How do you think Taos Pueblo would react to the term “untrammeled” and the ideas that humans are only “visitors” in the wilderness?

3. Why is recreational use incompatible with Taos Pueblo wilderness management?

1. What do you think that Taos Pueblo people would think of the idea that humans must be banned in a natural area to keep it “untrammeled?” How do you think Taos Pueblo would react to the term “untrammeled” and the ideas that humans are only “visitors” in the wilderness?

5. What cultural institutions inform tribal government on how to achieve the Taos goals for Blue Lake?

6. What role should traditional institutions like kiva leaders or councils of elders play? Who is accountable to the people?

7.
 Why do the Taos complete the 20 miles pilgrimage on horseback rather than motorized transportation? How do cultural values affect the choice to use technology in wilderness?

8. What about using mechanical devices for traditional agriculture today at Taos? What about seed? Why do they want to use native seeds? Would GMO seeds might produce more corn….why are they not using them?

9. Neighboring villages and the town of Taos are hungry for water. After the Abeyta settlement, Taos Pueblo owns the dominant water rights. Should they lease some of their water to the surrounding communities?

ADVANCED QUESTIONS

1. Why do you think that the earlier agreements between the Forest Service and Taos Pueblo failed?

2. Climate change is here and it is affecting everything from Native agriculture to increasing controversy

 over water rights. What actions should Pueblos and Tribes take in the context of climate change?

3. How do you engage the tribal community? What do you think works?

4. What elements of the Taos Pueblo strategy helped the build a strong external support coalition for its goals?

5. Where do you start when you are trying to restore a tribal cycle of resilience and sustainability in a wilderness area managed by the federal government?

6. Did Taos make the right choice in devoting major governmental and financial resources over a period of nearly 100 years to regain and protect Blue Lake?

7. Taos Pueblo holds the rights to a large amount of water, while the tourist-based town of Taos and the surrounding ranch communities worry about limited water resources. If Taos Pueblo does not want to lease water, could they create mutually beneficial arrangements to share water?

1. [↑](#footnote-ref-1)