

A-9 THE NEW MEXICAN Santa Fe, N.M., Friday, December 18, 1987

## Pueblo objects to passage of monument legislation

WASHINGTON (AP) — The U.S. Senate passed legislation Thursday to create an El Malpais National Monument and Grants Conservation Area, but the measure faces strong opposition from Acuna Pueblo, which led adjacents to the federal area.

Sen. Pete Domenici, R-N.M., and Jeff Bingaman, D-N.M., announced the bill's passage by voice vote. The measure now goes to the House-Senate conference committee to reconcile differences between the versions passed by the two chambers.

Acuna Pueblo Gov. Stanley Paytiano sent a telegram on Wednesday night to President Reagan urging him to veto the bill and "prevent any further injustice America will commit."

The Senate's measure calls for the creation of a 114,000-acre national monument at the lava flows south of Grants and a 263,000-acre conservation area on the western, eastern and southern sides of the monument.

The pueblo wants 11,000 acres of the land east of New Mexico 117 omitted from the conservation area, contending religious ceremonies are conducted there.

Paytiano has said the tract in part of a large section of land west of the pueblo that was "legally stolen" from the tribe by the federal government by a faulty land survey conducted in 1877.

The government later agreed an additional 1.1 million acres should have been included in the parcel set aside for

the tribe and in 1971, paid the tribe \$6.5 million.

Many tribal members have disagreed with the payment.

"We are being treated like insignificant people," Paytiano said.

Domenici said the legislation will protect El Malpais, an area of ancient lava flows near Grants.

Bingaman said the legislation not only preserves the land, but also protects Indian rights.

The senators said that because of opposition from the Acunas, they offered amendments assuring the tribe continued use of El Malpais for cultural and religious activities, directing the Interior secretary to seek the pueblo's recommendations on assuring access

for religious purposes and protecting religious sites, and permitting the secretary to close certain areas of the monument for reasonable periods for Acuna religious and cultural activities.

The legislation also calls for creation of the Mesa Trail, a car-touring route linking various archaeological and historic sites in New Mexico and Arizona.

Tribal Secretary Danny Sanchez said the Acuna Tribal Council will decide later this week whether to return to Washington its historic Abraham Lincoln case, given to various pueblos more than 100 years ago.

The tribe has been threatening to return the case as a symbolic protest of what the Acunas say is the government's inattention to their claims.

Efforts have gone on since the 1820s to create a monument at El Malpais. The current legislation has been in Congress two years.

The bill provides that:

- The monument is under National Park Service administration with no hunting or trapping and no-year phase-out of grants.
- The conservation area is under Bureau of Land Management administration with grazing, hunting, trapping and wood-gathering permitted.
- Directs the Park Service and BLM to adopt regulations preserving archaeological, cultural, natural and wildlife resources.
- And withdraws properties from mining and mineral leasing laws.

## Panel hears industrial park plan

by STEVE TERRELL  
The New Mexican Staff

A city planning panel Thursday heard a proposal for a 30-acre industrial park between Agua Fria and Cerrillos Road west of Mesa Hill.

A partnership comprised of Don Dwyer, Gonzalez, John Mahoney and Sam Caron is asking the Urban Policy Committee to change the city master plan to allow industrial zoning in the area.

The partnership has employed three planning firms for the project, including those owned by City Councilor David Schatz and former Mayor Art Trujillo.

Schatz did not attend Thursday's meeting. Committee Chairwoman Janet Stoker said the city code of ethics prohibits a current councilor from speaking for development projects.

Mahoney said the partnership bought the land from the Contreras Montoya family last September.

Planner Cliff Walbridge said the partnership has sold a five-acre parcel fronting Cerrillos Road — which includes the old Hudson gas station — to the Santa Fe Car Company, which plans to build a new Mercedes-Benz/SAAB/Honda dealership on the site.

He said the developers would extend Camino Carlos Rey northwest into the property, though it would end in a cul-de-



DAVID SCHATZ  
Planning firm owner

sac before reaching Agua Fria.

The city master plan calls for the eventual extension of Camino Carlos Rey to West Alameda, Rufina Street and Poverline Street would be extended eastward into the property, though there would be no intersection with Mesa Road.

The park would be divided into lots ranging from one to three acres. Mahoney said he envisions warehouse-office businesses and auto repair shops purchased lots in the park.

The involvement of Gonzalez apparently concerned Schatz earlier this year when the council was considering a change in the plans for the La Entrada shopping center project on South St. Francis Drive, which had been approved the previous year.

## Senator proposes phone deregulation

SALT LAKE CITY (AP) — A Utah state senator has introduced a proposed bill that would deregulate Mountain Bell and freeze single-line consumer rates for three years.

Mountain Bell has been lobbying for a deregulation measure, arguing it is being hampered competitively.

Sen. Lyle W. Hillyard, R Logan, said the measure, which will go to the Utah Legislature, will place Mountain Bell and other phone carriers on equal ground.

It is designed to modify regulation to accommodate the changes that are taking place in the telecommunications industry," Hillyard said at a news conference Thursday. "The bill includes safeguards for customers regarding the price of service, the quality of service and the availability of service."

He said the measure would give phone carriers the option to abide by existing state regulations, which are more stringent, or choose the new law.

If carriers choose the new law they will be subject to a three-year rate freeze and thereafter be limited to a yearly 3 percent increase on the average, rates to small businesses, residents and single line users have increased 7.38 percent annually.

The companies also would be required to run lines to areas not yet served, continue service in rural areas and maintain essential services to the poor, Hillyard said.

Also, if a company chooses for competitive reasons to lower its rates, the following year it can not increase those rates more than 10 percent, he said.

"This will protect smaller companies from being eliminated in a price war," Hillyard said.

W. Mack Lawrence, Utah vice president and chief executive officer for Mountain Bell, said the utility would choose to be regulated by the new law because it relaxes current barriers to its being competitive.

He said current laws require Mountain Bell to submit bid proposals to large entities 10 days before they can make a bid, unlike their competitors who are allowed to see the proposals and undercut their bids.

If we were to lose the same amount of revenue in the coming years as we have lost in the past two years we would have to increase our rates 18 percent to make up for our losses," Lawrence said.

## Commissioner joins Jackson campaign

By The New Mexican Staff

State Corporation Commissioner Eric Serma said Thursday he supports the Rev. Jesse Jackson for the Democratic nomination for president.

Serma said Jackson called him recently asking for support, and that he has agreed to serve as co-chairman of Jackson's New Mexico campaign.

Eric Serma, 47, is a resident of Santa Fe. He is a former member of the House of Representatives and served in the Senate.

Serma was elected in 1981 to a six-year term on the Corporation Commission. He said he has not yet decided whether to run for Congress from the 3rd Congressional District.

Burke, 51, has been Carruthers' top assistant since the day after he was elected governor. Upon her appointment, she said she was interested in a dollar-per-year job because she was receiving state retirement benefits.

Burke was the chief of staff for the last Republican governor, David Cargo, who left office after four years in 1979. She then joined the Legislative Finance Committee as director and retired in 1982.

## Employee receives annual check for \$1

By The Associated Press

Pursuant to an informal agreement, Gov. Garrey Carruthers on Thursday presented his chief of staff, Marilyn Burke, with her \$1 annual pay check.

The regular State of New Mexico check was made out for one dollar, payable to Burke and signed by Finance and Administration Secretary Willard Lewis.

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