

State of New Mexico
ENVIRONMENT DEPARTMENT

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Tribal Environmental Director Cody Crumbo for the Kewa Pueblo, formerly Santo Domingo Pueblo, addressing the state, federal, and tribal audience on the amount of work, planning, and dedication necessary to receive funds for the Pueblo’s Wastewater System upgrades and replacements with Governor Nieto.

I. Executive Summary

Every day the New Mexico Environment Department (NMED or the Department) works to protect, restore, and foster a healthy and prosperous environment for all New Mexicans. The Department's work is broad and includes the regulation and oversight of air, solid and hazardous waste, surface and groundwater quality, environmental and public health, drinking water, petroleum storage tank systems, radiation sources, public food establishments, edible cannabis and hemp products, and occupational health and safety. Through its statutory and regulatory programs and operations under both state and federal law, NMED's mission is to protect the environment and human health across the State. NMED's extensive regulatory and enforcement authority over state, federal, and private sector entities impact all New Mexicans, directly and indirectly.

In FY24, the agency advanced its mission and focusing on protecting communities from emerging public health concerns (e.g. drafting an OSHA employer heat illness standard for rulemaking) and mitigating environmental contaminants (e.g. per and polyfluoroalkyl substances [PFAS]); protecting the public health and environment through innovative and traditional compliance assurance activities and assessing civil penalties for violations, including federal government installations as well as the private sector; and creating and supporting economic development opportunities stemming from the Bipartisan Infrastructure Law and Inflation Reduction Act, like clean hydrogen, uranium mining clean-up, and waster infrastructure improvements.

A significant milestone was the signing of House Bill 41 (HB41) by Governor Michelle Lujan Grisham, introducing New Mexico's clean transportation fuel standards. This legislation is poised to positively impact public health, the economy, and greenhouse gas emissions for decades. The agency also successfully petitioned to update air quality permit fees, addressing a 2,235% increase in oil and gas industry permits since 2012. This adjustment aims to enhance permitting efficiency, technical support, and compliance assurance in response to New Mexico's rapid economic growth.

II. Agency Overview & Background

A. Mission Statement

NMED's mission is to protect and restore the environment and to foster a healthy and prosperous New Mexico for present and future generations. NMED's mission is guided by Secretary James C. Kenney's leadership through four values:

- **Science:** Using the best available science to inform our decision-making.
- **Innovation:** Employing creative engineering and technological solutions to address environmental problems.
- **Collaboration:** Engaging communities and interested stakeholders in decision-making.
- **Compliance:** Ensuring meaningful compliance with state regulations and permits.

B. Agency Overview

NMED was created by the 40th state Legislature in 1991 under the “Department of Environment Act” (NMSA 1978, §9-7A-1 (1991)). As a single, cabinet-level department, NMED is to administer and oversee the State's environmental laws and to exercise the functions relating to environmental protection, natural resources, and public health and safety. At the conclusion of FY24, NMED employed 559 staff across five divisions. The Resource Management Division, which includes the Office of the Secretary, Office of Information Technology, Office of General Counsel and Administrative Services Division, is the backbone of the Department, supporting the mission programs through essential functions and services. NMED’s environmental and public health protection activities are implemented by four divisions: the Environmental Health Division (EHD), the Environmental Protection Division (EPD), the Resource Protection Division (RPD), and the Water Protection Division (WPD).

The purpose of EHD is to provide public outreach, education, and regulatory oversight for worker safety; regulate food service and food processing facilities; regulate liquid waste treatment and disposal; and regulate public swimming pools, baths, and spas. In FY24, EHD included the Environmental Health Bureau, the Occupational Health and Safety Bureau and the Cannabis and Hemp Bureau.

The purpose of EPD is to protect public health and the environment through programs that regulate air emissions and radiation-producing materials and equipment. In FY24, EPD included the Air Quality Bureau, the Radiation Control Bureau, and the Climate Change Bureau.

RPD is responsible for overseeing hazardous and solid waste throughout the state; providing technical assistance to support these programs; conducting environmental monitoring at U.S. Department of Energy (DOE) facilities for the purposes of supporting other NMED regulatory programs and keeping the public informed; implementing storage tank regulations; and conducting environmental remediation activities to clean-up contaminated sites in a manner that is protective of human health and the environment. RPD includes the DOE Oversight Bureau, Hazardous Waste Bureau, Petroleum Storage Tank Bureau, and Solid Waste Bureau.

The purpose of WPD is to ensure clean and safe water supplies for New Mexicans today and into the future through the protection of surface water, groundwater, and drinking water supplies. This includes providing financing for and oversight of drinking water and wastewater infrastructure systems. WPD includes the Construction Programs Bureau, Drinking Water Bureau, Groundwater Quality Bureau and Surface Water Quality Bureau.

C. NMED Tribal Consultation and Collaboration Policy (NMSA 1978, § 11-18-4.C(1))

NMED’s Tribal Collaboration and Consultation Policy (NMED Policy 07-16) was signed by Secretary Kenney on January 20, 2020, and is available at

<https://www.env.nm.gov/general/wp-content/uploads/sites/10/2016/08/2020-01-27-NMED-Tribal-Policy-2020-final-signed.pdf>.

The current policy builds upon the original policy adopted pursuant to the State Tribal Collaboration Act (STCA) on December 17, 2009. This and other NMED policies aid NMED employees in their determination of whether expanded public outreach is needed, if diverse means of public outreach are warranted, if Limited English Proficiency services are necessary, and how to provide such services. NMED staff are trained to use NMED's online interactive mapping tool to identify tribal lands (checkerboard and exterior boundaries) and use the New Mexico Indian Affairs Department's (IAD) contact information for Tribes, Nations and Pueblos in New Mexico. Additionally, NMED employees are to give courtesy notifications to tribal and pueblo environmental directors and Navajo Nation Chapter Government officials, in addition to required notices to leadership, to ensure notice is directed to those most interested and potentially affected by NMED activities.

III. Goals and Accomplishments

NMED's efforts in FY24 advanced the following strategic goals:

1. Implementing the Governor's Executive Order on Climate, E.O. 2019 –003, to decarbonize New Mexico's economy including passage of House Bill 41 which creates a clean transportation fuel standard. This program will reduce the carbon intensity of transportation fuels while attracting businesses which manufacture or promote low emission vehicles and fuels. Taken along with the Department led passage of Advanced Clean Cars 2/Clean Trucks rulemaking which increases the availability of low emissions vehicles to New Mexicans, NMED's transportation decarbonization efforts are poised to positively impact public health, the economy, and greenhouse gas emissions for decades.
2. Successfully advocating for increased funding to address workforce compensation, recruitment, and retention issues in the Department.
3. Protecting and sustaining our drinking water supplies by addressing emerging contaminants, creating a strategic plan to support uranium mine clean up, and proposing new rules to encourage greater water reuse for industry and manufacturing.

IV. Agency Efforts to Implement Policy (NMSA 1978, § 11-18-4.C(3)-(5))

All NMED employees that have any outreach or opportunity to interface with the public are to take the STCA-mandated training administered by the State Personnel Office and developed by IAD, titled "Building Cultural Equity with Native Nations" (formerly called "Cultural Competency"). During FY24, only three NMED employees took the course.

Drawing upon the STCA and NMED's Tribal Consultation and Collaboration Policy, NMED summarizes its FY24 interactions with Tribes, Nations, and Pueblos into four categories:

- 1. Communication and Outreach** (i.e., verbal or written interactions between governments)
- 2. Technical and Financial Assistance** (i.e., sharing technical expertise, providing training and awarding or allocating available funds)
- 3. Collaboration** (i.e., the process in which two or more parties work together to achieve a common goal)
- 4. Consultation** (i.e., the process of government-to-government dialogue between NMED and tribal governments regarding NMED's programmatic actions or proposed actions that affect or may affect the tribal government's interest, to resolve concerns)

Each category reflects important and purposeful NMED activities related to sharing resources, providing formal or informal notice, working together in partnership to tackle environmental and public health problems, and government-to-government coordination about activities that impact or have the potential to impact one another. In this section of the Annual Report, we use these four categories to summarize each NMED division's FY24 interactions in Indian Country.

Communication and Outreach

- The Surface Water Quality Bureau (SWQB) communicated with the Pueblo of Tesuque's Department of Environment and Natural Resources beginning in November of 2023 regarding road construction activities in the Santa Fe National Forest (SFNF) by the Jemez Mountain Electric Cooperative (JMEC). NMED conducted a site visit on November 17, 2023, with the Pueblo of Tesuque and the SFNF. SWQB worked to ensure that road construction activities complied with Clean Water Act (CWA) Sections 402 and 404 by conducting site visits, notifying the U.S. Army Corps of Engineers (USACE), and meeting with the SFNF.
- The Pueblo of Tesuque's Department of Environment and Natural Resources contacted the Surface Water Quality Bureau (SWQB) on February 2, 2024, with issues regarding culvert maintenance in the Rio Tesuque where it flows underneath Bishops Lodge Road. SWQB contacted the USACE and Santa Fe County Public Works to ensure the activity complied with CWA Section 404 and that the maintenance activity was conducted with Best Management Practices (BMPs) to protect water quality of Rio Tesuque. NMED facilitated meetings held on site and Tribal Environmental Director and staff for the Pueblo were included and participated.
- The Navajo Nation Environmental Protection Agency's (Navajo Nation EPA) Water Quality Program contacted the Surface Water Quality Bureau (SWQB) on May 3, 2024, to discuss Clean Water Act Section 401 procedures. SWQB shared

information about the Reasonable Period of Time that that has been established between SWQB and the USACE.

- The Surface Water Quality Bureau (SWQB) funded the “*Restoring the Rio Quemado Riverine Wetland on Los Potreros Open Space, in Chimayo, NM*” project. Goals of this project include raising the channel elevation, improving wetland functionality, and restoring riparian vegetation in the Open Space area of Santa Fe County. A task of this project is to update the Wetland Action Plan (WAP). A WAP is a collaborative and community-based plan that describes voluntary actions that may be taken by public land management agencies or private landowners at their own discretion. SWQB and its contractor kept the five Pueblos located within Santa Fe County updated on the status of WAP. This project, including the WAP update, was successfully completed on December 31, 2023.
- The Surface Water Quality Bureau (SWQB) funded the “*Rio Ruidoso Watershed Improvement Project – Planning Phase*” project for the Village of Ruidoso to develop a Watershed-Based Plan for the Upper Rio Ruidoso. Inclusion of the Mescalero Apache Tribe as an active participant in the Watershed Based Planning process is a task specified in the contract work plan. The watershed planning process involves a series of cooperative, iterative steps to characterize existing conditions, identify and prioritize problems, define management objectives, develop protection or remediation strategies, and implement and adapt selected actions as necessary. This requires extensive collaboration with local stakeholders and tribal government to produce a successful Plan.
- The Surface Water Quality Bureau (SWQB) funded the “*San Juan Watershed-Based Planning Project,*” which has a planning area that includes tribal lands of both with the Navajo Nation and Ute Mountain Ute Tribe. During the life of the project, SWQB will support the sub-grantee, the San Juan Soil and Water Conservation District, in outreach and participation of the Navajo Nation EPA, local Navajo Nation Chapter Houses, Diné College, and Ute Mountain Ute Tribe Environmental Programs.
- The Surface Water Quality Bureau (SWQB) continues to administer the “*Restoring Springs and Wetlands on State Trust Lands in the Lower Embudo Valley,*” and “*Stream and Wetland Restoration along the Arroyo la Mina in the Lower Embudo Valley*” projects, which include restoration work on culturally significant spring-fed wetlands on land managed by the New Mexico State Land Office, 11 miles west of Picuris Pueblo near Dixon, NM. In 2022, the Pueblo’s Governor authorized NMED staff to work directly with the Pueblo’s Environment Department Director on project details, and requested future engagements that will involve a field visit with the Boys and Girls Club of the Picuris Pueblo to present different restoration structures that will improve wetland functionality and restore riparian vegetation. Unfortunately, the youth program experienced some turnover and did not participate in field events during the reporting period. NMED and its sub-grantee continued

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working with the Pueblo's staff and cultural resources contractors on project coordination, including offers to engage the Pueblo's youth program in field events.

- The SWQB Wetlands Program conducted virtual Wetlands Roundtables on November 29, 2023, and March 26, 2024, for Northern New Mexico and December 14, 2023, and April 3, 2024, for Southern New Mexico. The NM Wetlands Roundtables feature presentations on water resources relevant to the northern and southern parts of New Mexico. This year, the roundtables covered a spectrum of topics, including funding opportunities for restoration efforts, the potential impacts of the Supreme Court's decision in *Sackett v. EPA* including regulatory updates, inspiring restoration success stories, and information on wetland mapping, restoration, and monitoring projects. Over 530 partners, including tribal partners, participated in the virtual events.
- In the State's Clean Water Act Section 401 certification of the National Pollutant Discharge Elimination System (NPDES) individual permit for the Village of Taos Ski Valley Wastewater Treatment Plant, SWQB included requirements for the Village of Taos Ski Valley to notify and report exceedances and spills to Taos Pueblo.
- SWQB shared its antidegradation review of the proposed Bishop's Lodge Resort Wastewater Filtration Plant discharge with the Pueblo of Tesuque. Antidegradation reviews are necessary for new discharges and evaluate the proposed discharge's impact on water quality in the receiving water (e.g., Little Tesuque Creek). If pollutants exceed certain levels, then EPA establishes permit limitations for those pollutants to protect water quality and designated uses (e.g., recreation, aquatic life, irrigation, etc.). SWQB considered pollutants, specifically metals, identified in the Pueblo of Tesuque Water Quality Standards in the antidegradation review to ensure downstream tribal water quality is also protected.
- SWQB certified the draft NPDES permit for the Navajo Tribal Utility Authority Navajo Gallup Water Supply Project Cutter Lateral in November 2023. The Cutter Lateral Water Treatment discharges to Blanco Wash, a water of New Mexico.
- SWQB provided notification to the Pueblo de Cochiti of the NMED Administrative Compliance Order (ACO) issued to the City of Santa Fe Paseo Real WWTP on May 16, 2024, for water quality standard violations.
- SWQB provided several Tribes, Nations, and Pueblos with copies of NPDES Compliance Evaluation Inspection reports:
 - Pueblo de San Ildefonso on Los Alamos County Wastewater Treatment Facility inspection report on April 26, 2024, and
 - Pueblo of Jemez, Pueblo of Zia, and Pueblo of Santa Ana on the Jemez Valley Public Schools WWTP inspection report on June 6, 2024.

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- SWQB updated tribal environmental directors in an email on March 15, 2024, about the development of the surface water quality state permitting program. SWQB briefed tribal leadership about the program, including the opportunity to serve on the advisory panel, at the New Mexico Indian Affairs Department Weekly Tribal Leader Call on June 4, 2024. The NMED Cabinet Secretary formally invited tribal leaders to nominate representatives to the advisory panel in a letter sent to them on Monday, June 17, 2024. More tribal targeted information and coordination will follow in 2024 as the program develops.
- The Ground Water Quality Bureau (GWQB) communicated with Pueblo of San Ildefonso about Brownfields assessment funding for the Totavi Gas Station.
- GWQB communicated with Pueblo of Tesuque about Brownfields assessment funding for a legacy dump site.
- GWQB communicated with Pueblo of Zuni Main Street Program about Brownfields assessment funding for the former Chu Chu's/Napa Auto Part property.
- GWQB communicated with Pueblo of Pojoaque about Brownfields assessment funding for the former Santa Fe Downs property.
- GWQB communicated with Pueblo of Acoma about Brownfields assessment and cleanup funding for the former Acomita Day School property.
- GWQB Brownfields Program staff and environmental services contractors communicated with Alamo Navajo Chapter regarding the future of the former Bureau of Indian Affairs Dormitory property in Magdalena.
- GWQB Staff continued to invite tribal government participation in the ongoing Toxic Pollutants Working Group meetings.
- GWQB staff from the Superfund Oversight Section and Remediation Oversight Section, in conjunction with representatives from EPA Region 6 and the Agency for Toxic Substances and Disease Registry, held a public meeting for Santa Clara Pueblo Leadership and residents to provide an update on the North Railroad Avenue Plume Superfund Site and the Calle Chavez groundwater contamination plume.
- GWQB staff from the Pollution Prevention Section met with the Pueblo of Acoma to discuss the City of Grants draft discharge permit and possible revisions to the draft permit to incorporate requirements that address the Pueblo's concerns.
- The Air Quality Bureau (AQB) Regional Haze planning team performed outreach to all tribal governments in New Mexico regarding the availability of a draft Regional Haze State Implementation Plan (SIP) revision for review and comment and upcoming opportunities to engage on Regional Haze. The team also held two

informational webinars for tribal representatives to provide an overview of the draft plan and answer questions. Attendees on the webinars included: Pueblo of Acoma, San Felipe Pueblo, Santa Ana Pueblo, and the Ute Mountain Ute Tribe. Santa Ana Pueblo asked clarifying questions on the draft plan overview including questions on source selection and timing of implementation. The Ute Mountain Ute Tribe representative expressed desire to be meaningfully involved in programs and initiatives affecting tribes in New Mexico. The NMED draft Regional Haze SIP revision is still in a pre-hearing phase. NMED's Regional Haze planning homepage is located at: <https://www.env.nm.gov/air-quality/reg-haze/>.

- Consistent with the Public Involvement Plan, the AQB provided public notices to the Tribes, Nations, and Pueblos through the email contact list that is maintained on the department intranet on the incorporation by reference project that involved amendments to the through by dates for Parts 77, 78 and 82 that became effective January 2024.
- The Four Corners Air Quality Group hosted its annual meeting on November 7 and 8, 2023 at La Plata County Fairgrounds and Event Center in Durango, Colorado. The meeting was in-person with the option of participating virtually online. The meeting offered updates on climate and air quality issues affecting the region. Overall attendance was approximately 135 participants, which included representatives from the Navajo Nation EPA; Pueblo of Picuris Environmental Program; Pueblo de San Ildefonso; Ute Mountain Ute Tribe Air Program; and the Southern Ute Indian Tribe of the Southern Ute Reservation's Air Quality Division. The Navajo Nation EPA and Ute Mountain Ute Tribe Air Program actively participated in the meeting, giving presentations on tribal environmental programs.
- On February 15, 2024, AQB permitting managers met online with EPA Region 9, two consultants, and two Navajo Nation EPA representatives. The meeting concerned the Lupton Petroleum Products – Lupton Petroleum, a facility straddling the Arizona and New Mexico border, and how to permit it. Topics of discussion included regulations, and problems associated with it. On March 15, 2024, the company's notified the Department via email that they had decided to remove the equipment on the New Mexico side of the border. This resolved the concerns.
- On May 2, 2024, AQB Planning Section Managers met with a wildlife biologist with the US Department of Fish and Wildlife (DFW), Navajo Nation-Climate Change Program and representative of Navajo Nation EPA. DFW requested information regarding NMED's greenhouse gases and criteria air pollutants emission inventory program. In the meeting we discussed our regulations, policies and tools to collect emissions inventories from oil and gas and other industry sectors. The purpose of the meeting was to solicit information to assist Navajo Nation in developing a greenhouse gas program.

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- In June 2024 AQB supported the South Fork & Salt Fire response in response to a request from the United States Forest Service, the Air Quality Bureau placed 3 temporary EBAM and telemetry units in areas within the active fire region to monitor smoke impacts. Link to the WRCC site: Smoke USFS R3-28 - Info frame (dri.edu)Those areas are the following:
 - Telemetry Unit T-1: Smokey Bear Ranger Station 901 Mechem Drive, Ruidoso - Will be listed on the site as AQB Smoke EBAM T-1
 - Telemetry Unit T-2: USDA Forest Service - Smokey Bear RD - Capitan Administrative Site, 512 Smokey Bear Blvd, Capitan - Will be listed on the site as AQB Smoke EBAM T-2
 - Telemetry Unit T-3: Mescalero Apache Division of Resource Management, 264 Pine St, Mescalero- Will be listed on the site as AQB Smoke EBAM T-3

- The Pueblo of Isleta invited the Radiation Control Bureau (RCB) Radon Outreach Program to participate in the 2023 Pueblo of Isleta Environmental Fair. The fair once again brought together several environmental and health entities from all over the state, including the University of New Mexico, the Pueblo of Laguna, the US Department of Agriculture, the Pueblo Action Alliance, and the US Bureau of Indian Affairs. Staff engaged in Indoor Radon Outreach; our campaign was highly successful in achieving its objectives of raising awareness and encouraging radon testing. Our distribution of 200 free test kits at the Environmental Fair contributed to increased testing uptake and empowered residents to take proactive steps towards mitigating the risks associated with radon gas. Staff enjoyed the opportunity to be involved in this outreach and will continue our educational efforts through various channels to sustain awareness about radon gas, and how we focus on making New Mexico a clean and healthy state.

- As a routine practice, NMED includes the Pueblo de San Ildefonso and Santa Clara Pueblo on the carbon copy list on all correspondence related to the 2016 Compliance Order on Consent, including those regarding the hexavalent chromium contamination plume. The Pueblos of Santa Domingo, Cochiti, Jemez, Pojoaque, and Taos are on the list for public notices concerning other sites at Los Alamos National Laboratory (LANL) to keep them apprised of NMED's regulatory decisions and the progress of the projects. NMED also includes the Pueblos on correspondence related to annual groundwater monitoring performed under the Interim Facility Wide Groundwater Monitoring Plan at LANL. In FY23, after hearing the need for better visual and accessible data about LANL, NMED created and posted online a mapping dashboard that allows visitors to search for permits and facilities for all NMED regulatory activities at LANL. NMED has continued through FY24 to update and keep the dashboard current, adding several solid waste management units (SWMUs) and areas of concern (AOCs) as searchable map layers. The dashboard can be found on NMED's data website (<https://www.env.nm.gov/data/>).

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- In FY 2024 the Uranium Reclamation Coordinator at NMED published an online dashboard that provides information on legacy uranium mine and mill operations. The dashboard will be updated regularly as new information on each site is received by NMED, and includes information from EMNRD, federal data, and is searchable based on mine names, county locations, and detailed information is shown by clicking on the interactive map. Check it out at: <https://nmenv.maps.arcgis.com/apps/dashboards/690621694d4e4906b2ae2886f528e1>.
- The Hazardous Waste Bureau (HWB) continues to provide an overview on performance of the hexavalent chromium plume Interim Measure (IM) at the Los Alamos National Laboratory (LANL). The hexavalent chromium plume is located near the exterior boundary of the Pueblo de San Ildefonso and the potential transport of chromium contamination to the Pueblo is of concern to NMED and the Pueblo. NMED maintains holding three party meetings between NMED, the Pueblo de San Ildefonso, and DOE to discuss the path forward for IM, which continues to allow for Pueblo leadership input in decision making. Santa Clara Pueblo is also informed of these project related decisions and is copied on related correspondence.
- The Climate Change Bureau (CCB) gave a presentation on October 19, 2023, on the proposed Advanced Clean Cars II (ACC II), Advanced Clean Trucks (ACT), and Heavy-Duty Omnibus (HDO) regulations, also known as the New Motor Vehicle Emissions Standards (NMVES) regulations, to the Inter-Tribal Resource Advisory Committee of the Eight Northern Indian Pueblos Council, Inc. The presentation covered the health benefits of the rules, the CO2 emissions reductions, the delivery requirements for zero-emission vehicles (ZEVs), and the emission and reporting requirements for heavy-duty vehicles. CCB also offered for NMED to meet with tribal governments to elaborate on the proposed rules and their benefits and outlined the opportunities for public comments to the Environmental Improvement Board on the proposed regulations.
- CCB sent an email on October 17, 2023, to all Tribal Environmental Directors in New Mexico to inform them of the proposed ACC II, ACT, and HDO (NMVES) regulations and their environmental, health and economic benefits, along with the reduction in greenhouse gas emissions, which would lessen the threat of drought, fire, and other environmental damage. Deputy Director Bahar offered the opportunity to meet with tribal leadership and environmental directors to describe the proposed rules and their potential effects on tribal communities in greater detail.
- CCB emailed and mailed letters on October 30, 2023, to Tribal Governors from NMED Secretary James Kenney about the proposed ACC II, ACT, and HDO (NMVES) regulations and the need to adopt them to prevent the vehicle emissions standards adopted in 2022 from no longer applying. These letters also outlined the health, economic, and climate change benefits the Tribes, Nations, and Pueblos in New Mexico might see from these rules. This letter also described how to learn

more about the hearing and the rule, support the rulemaking, and submit comments.

- CCB presented an overview of the proposed ACC II, ACT, and HDO (NMVES) regulations at the Indian Affairs Department Tribal leaders' briefings on November 7, 2023. This overview outlined the requirements for increasing deliveries of ZEVs of all classes (light to heavy-duty), the types of ZEVs allowed, and the requirements of the Heavy-Duty Omnibus (HDO) regulations. It also covered the key benefits of the proposed rules and listed contact information for further engagement.
- CCB presented to the Inter-Tribal Resource Advisory Council (IRAC) on Phase 1 and Phase 2 Climate Pollution Reduction Grant (CPRG) opportunities on October 19, 2023. This discussion prompted initial feedback and interest levels, and initiated relationships necessary with the participating IRAC Tribes to conduct meaningful engagement throughout the CPRG process.
- CCB held 5 monthly virtual meetings with the tribes in NM that received Phase 1 CPRG funding from December 6, 2023 – April 4, 2024. Participating tribes included the Pueblo of Sandia, Pueblo of Santa Ana, Pueblo of Tesuque, Pueblo of Pojoaque, Pueblo of Nambe, San Ildefonso Pueblo, Picuris Pueblo, and the Navajo Nation. These meetings provided the space for the CCB and the tribal CPRG recipients to discuss the CPRG requirements, process, challenges, and potential collaboration. The first meeting, held December 6, 2023, was followed by a survey requesting more detailed input on the measures to be included in the state's priority climate action plan. The responses to this survey, as well as the conversations in the subsequent meetings, were used to inform the development of the Priority Climate Action Plan.
- CCB held a virtual meeting for all Tribes, Nations, and Pueblos within NM on December 15, 2023, to introduce the state's current progress and opportunities offered by the CPRG program. CCB received initial feedback on the state's draft priority climate action list and offered to meet individually with interested tribes for further discussion. This meeting was followed by a survey requesting more detailed input on the measures to be included in the state's priority climate action plan. The responses to this survey were used to inform the development of the Priority Climate Action Plan.
- CCB notified executive leadership for all of the Tribes, Nations, and Pueblos (as well as the Speaker of the Legislative Council for the Navajo Nation) about the formation and convening of an Advisory Council and associated upcoming rulemaking for New Mexico's Clean Transportation Fuel Standard (CTFS). With assistance from New Mexico Environment Department (NMED) and Indian Affairs Department (IAD) leadership and staff, CCB notified elected leaders and environmental directors for all tribes via email and hard copy mailing letters on May 21 and May 22, 2024. The emails and letters informed New Mexico's Tribes, Nations, and Pueblos of NMED's duty to promulgate rules that will lower the

carbon intensity (or carbon footprint) of transportation fuels consumed in New Mexico, as directed by House Bill 41 passed by the 2024 New Mexico Legislature and signed into law by Governor Michelle Lujan Grisham:

(<https://www.nmlegis.gov/Sessions/24%20Regular/final/HB0041.pdf>). This outreach extended to Tribes, Nations, and Pueblos the opportunity to apply to participate on the Advisory Committee, which is tasked with providing input to NMED on rules to implement the CTFS.



*Meeting held 7/13/23 at NTU
between NMED Senior Leadership and NTUA and NTU faculty
to identify partnership opportunities in workforce development.*

Technical and Financial Assistance

- The Climate Change Bureau (CCB) offered technical assistance to all tribal Climate Pollution Reduction Grant (CPRG) recipients. CCB met with representatives of the Navajo Nation on December 6, 2023, and the Pueblo of Tesuque on December 12, 2023, to address technical questions and provide general technical assistance with the required analyses and Quality Assurance Project Plan for the CPRG Priority Climate Action Plan (PCAP) deliverable. Since the state CPRG PCAP submission deadline was March 1, 2024, and the tribal PCAP submission deadline was April 1, 2024, CCB was able to share their submission documents as examples for the tribal CPRG recipients to assist in their application processes. Specifically, CCB shared workplans, budget narratives, and technical appendices for both CPRG Implementation applications NMED submitted, as well as the budget calculation and Greenhouse Gas reduction calculation spreadsheets associated with each workplan.
- The Surface Water Quality Bureau's (SWQB) River Stewardship Program continues to fund "Riparian Restoration in Torreon Wash Watershed, Phase 2." The Phase 1 project was also previously funded by the River Stewardship Program. Through these projects, the Rio Puerco Alliance, River Source, Ojo Encino Farmers and Ranchers Committee, Hasbídító, and the Navajo Summer Youth Program are

improving riparian and ecological conditions along the Torreon Wash within the eastern checkerboarded area of Navajo Nation by planting riparian vegetation and building erosion control structures. The Phase 1 project was successfully completed on June 30, 2023, and the Phase 2 project is on schedule to be completed on June 30, 2024.

- SWQB funded the “*Adapting and Improving River Stewardship in the Torreon Wash Watershed in the Face of Climate Change*” project under the River Stewardship Program in April 2023. This project, Phase 3 of the Torreon Wash projects, will continue to restore riparian areas by planting in ephemeral and intermittent channels and constructing erosion control structures to mitigate sediment inputs to the Rio Puerco. The contractors performing the work include the Rio Puerco Alliance, River Source, West Construction, and work with the Navajo Summer Youth Corps. This project is on schedule and is expected to be completed on June 30, 2025.
- SWQB funded the “*Santa Clara Creek Restoration Project*” under the River Stewardship Program in April 2023. This project is on approximately 4.5-miles of Santa Clara Creek and 68 acres of riparian areas within the Santa Clara Pueblo. Project goals include improving stream channel function by reducing bank erosion, increasing floodplain connectivity and productivity, improving aquatic and riparian habitat, and enhancing wetlands by improving and restoring wetland function. Santa Clara Pueblo is working with contractors to complete the work by June 2025.
- SWQB funded the “*Taos Pueblo Ecological Restoration of Buffalo Pasture and the Rio Lucero Project*” under the River Stewardship Program in April 2023. This project will restore approximately 200 acres of slope wetlands and 2-miles of the Rio Lucero within Taos Pueblo. Project goals include improving stream channel function by increasing channel stability and floodplain access, raising the water table through increased meandering and raising the channel grade, and enhancing the Buffalo Pasture Wetland by restoring the wetland hydrology and connection to the Rio Lucero. Taos Pueblo is a project partner working with contractors to complete the work by June 2025.
- During a July 2023 meeting between the Pueblo of Acoma, SWQB, and the Ground Water Quality Bureau (GWQB), the Pueblo of Acoma asked for technical assistance with their surface water quality monitoring program and SWQB agreed to help. SWQB met with Pueblo of Acoma water quality staff on August 25, 2023, as an introduction to SWQB’s water quality monitoring program and to hear their surface water quality sampling needs. SWQB offered to provide additional technical assistance if requested.
- SWQB processed fish tissue samples, prepared chain of custody forms, and obtained quotations for analytical services for polychlorinated biphenyls (PCBs), methylmercury, and organochlorine pesticide analyses for fish samples collected by

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the Pueblo of Isleta, EPA Region 6, and the University of New Mexico in the middle Rio Grande. Fish tissue analysis was requested by the Pueblo of Isleta.

- SWQB provided low flow analysis and ambient water quality data to EPA Region 6 to perform reasonable potential analysis for the Dulce WWTP, which discharges to Amargo Creek in Jicarilla Apache waters; San Felipe Pueblo WWTP, which discharges to the Rio Grande in Pueblo de San Felipe waters; and Pojoaque Terraces Mobile Home Park, which discharges to Arroyo Destierro in Pueblo of Pojoaque waters. SWQB also discussed the low-flow analysis and ambient water quality data with the U.S. Bureau of Reclamation (USBOR) and EPA Region 6 for the proposed Pojoaque Basin Regional Water Treatment Plant, which discharges to San Ildefonso Pueblo waters.
- SWQB staff provided technical assistance by teaching break-out sessions dedicated to NPDES sampling and reporting requirements at the New Mexico Water and Wastewater Association Central School on September 14, 2023, in Albuquerque; at the Annual Meeting on January 24-25, 2024, in Las Cruces; and at the Northern School on May 16, 2024, in Española. All three (3) training courses were attended by several tribal wastewater utility operators.
- The Ground Water Quality Bureau (GWQB) Brownfields Program funded a Phase I Environmental Site Assessment for the Totavi Gas Station at the request of the Pueblo of San Ildefonso (\$11,866.58, Bipartisan Infrastructure Law funds).
- EPA Region 6 Brownfields Program funded a Phase I Environmental Site Assessment for a legacy dump site at the request of the Pueblo of Tesuque (\$15,277.00).
- GWQB Brownfields Program funded a Phase I Environmental Site Assessment for the Santa Fe Downs property at the request of the Pueblo of Pojoaque (\$10,217.30, Bipartisan Infrastructure Law funds).
- GWQB Brownfields Program funded Cleanup Planning Reports for the Acomita Day School property at the request of the Pueblo of Acoma (\$21,291.41, Bipartisan Infrastructure Law funds).
- GWQB Brownfields Program staff funded the asbestos abatement at three buildings with the former Bureau of Indian Affairs Dormitory in Magdalena (\$174,140.33, Bipartisan Infrastructure Law funds).
- The Solid Waste Bureau (SWB) hosted two Transfer Station and one Recycling Operator Certification and Training Courses in FY24, in November 2023, March 2024 and April 2024. A total of Fifteen tribal operators attended these three-day courses with the aim of improving operational best management practices for tribally operated collection center facilities; operators attended from the Pueblo of

Acoma, Pueblo of Isleta, Pueblo of Laguna, and the Pueblo of Zuni. The courses included presentations from SWB Outreach staff, SWB Enforcement staff, the Solid Waste Association of North America (SWANA) Roadrunner Chapter and the New Mexico Recycling Coalition (NMRC) representatives. The following site visits were conducted for the following courses: November 2023 Transfer Station-the Greentree Transfer Station Facility in Ruidoso; March 2024 Recycling-BARCO Recycling Facility in Albuquerque and April 2024 Transfer Station-Buckman Transfer Station in Santa Fe.

- NMED awarded a total of \$71,775.00 in FY24 Recycling and Illegal Dumping (RAID) grant funding to two Tribal Governments: Pueblo of San Pojoaque and Pueblo of San Felipe. The purpose of the RAID grant is for the prevention and abatement of illegal dumpsites as well as the promotion of environmentally sound methods for reuse and recycling.
- The Pueblo of Pojoaque was awarded \$50,990.00 in FY24 RAID grant funding to develop the infrastructure and outreach program required to conduct recycling collection events within Pueblo lands as well as promote residents to recycle more. The project centered around the purchase of a portable, segregated recycling trailer that would have the ability to be used at public events. The project also included the development of an outreach campaign designed to have residents utilize the local recycling facility at the Jacona Facility near Pojoaque, NM.
- The Pueblo of San Felipe was awarded \$20,785.00 in FY24 RAID grant funding to clean up a one-acre illegal dumpsite located near the tribal solid waste collection center to remove scrap tires and municipal solid wastes. The project included an outreach drive that was designed to educate residents on illegal dump prevention using traditional outreach materials as well as the posting of new signs at the tribal solid waste collection center. The tribe also implemented a simple monitoring program to prevent future illegal dumping as part of this grant.
- The State Indoor Radon Program provided the Pueblo of Isleta with 100 prepaid indoor radon test kits to use in their community testing program.

Collaboration

- The Construction Programs Bureau (CPB) reaches out to tribes through the environmental review process for Clean Water State Revolving Fund (CWSRF) projects. The CWSRF funds are federal and, therefore, require compliance with the National Environmental Policy Act (NEPA), including consultation with any tribal entities in the area of the project, pursuant to Section 106 of the National Historic Preservation Act, to determine whether a proposed project has the potential to disturb areas considered important or culturally significant. NMED offers consultation to all tribes, nations, and pueblos with current land ownership in New Mexico and provides notice to those tribes with historical use and occupancy that

request it. In addition, CPB attended numerous community events for outreach on the CWSRF program. CPB presented funding opportunities under the CWSRF at the annual Infrastructure Finance Conference in Las Cruces, NM where tribes are part of the attendees and eligible for CWSRF funding. CPB also attended the Tribal Water Infrastructure Workshop in Albuquerque, NM and presented on the panel to display funding opportunities under the CWSRF for tribes in their infrastructure needs.

- The following activities occurred during FY24:
 - CPB is administering \$300,000 in SAP 23-H2480-GF for the Pueblo of Jemez to purchase and equip a sewer jetter.
 - CPB outreach staff met with Laguna Pueblo on wastewater project funding for future improvement to their plant, the Pueblo will be applying for CWSRF funding for this project.

- The Drinking Water Bureau (DWB) staff has continued to coordinate with the Navajo Nation EPA and the Navajo Tribal Utility Authority (NTUA) on the regulatory aspects of operating the Cutter Lateral of the Navajo-Gallup Water Supply Project (NGWSP). DWB played a leading role over the last ten years to help develop a regulatory framework for all the agencies to regulate water from the Navajo Gallup Water Supply Project (NGWSP) and assist in implementation. The NGWSP is designed to provide water to approximately a quarter million people in the Four Corners of New Mexico within the next 50 years, most of whom live on the Navajo Nation, the Jicarilla Apache Nation, and the City of Gallup. Due to the complex land status in the area of the project, four regulatory agencies have jurisdiction over portions of the project.

- The Drinking Water Bureau (DWB) staff has also begun collaborative efforts with the Pojoaque Basin Regional Water System. The Pojoaque Basin Regional Water System is a Congressionally approved regional water supply system located in northern New Mexico that will provide potable water to customers in the Pojoaque Basin. When complete, the system will provide drinking water to approximately 10,000 people living on tribal and non-tribal land. Because the Regional System spans both tribal and non-tribal land, NMED is collaborating with the various governments to determine regulatory oversight, ensure engineering reviews and aid in identifying jurisdictional issues.

- The Surface Water Quality Bureau (SWQB) continues to partner with tribes and states adjoining the San Juan-Animas Watershed—the Navajo Nation, the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado, to implement a long-term water quality monitoring program in the watershed. A component of the long-term monitoring program was an EPA-led water and sediment quality monitoring plan, developed with input from the states and tribes. After EPA ceased its monitoring efforts in the Fall of 2021, SWQB collaborated with the states and tribes in the watershed to develop and implement a new cooperative and coordinated monitoring plan as detailed in the *Sampling and Analysis Plan: Multijurisdictional Coordinated Monitoring of the Animas and San Juan Rivers*. This plan leverages the individual

strengths of each jurisdiction program to provide better geographic and temporal coverage of water quality sampling. This past year, the Navajo Nation and Southern Ute Indian Tribe collected water quality samples for dissolved metals, total metals, nutrients, *E. coli* bacteria, and minerals at seven water quality stations on the Animas and San Juan rivers in New Mexico, while SWQB provided sampling supplies and analytical analysis of the samples. This collaborative monitoring effort included three sampling events this reporting period (October 2023, April 2024, and June 2024). SWQB uploaded the data to a multi-jurisdictional project name on EPA's Water Quality Exchange (WQX) shared by all project partners. By collaborating and sharing resources, NM and the tribes can continue collecting vital information on the health of these important waterbodies.

- SWQB staff collaborated with the Navajo Nation and the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado, other San Juan River multi-jurisdictional partners, and New Mexico State University's Water Resources Research Institute to plan and execute the 2024 Animas and San Juan Watersheds Conference June 12-13, 2024, in a hybrid format at the San Juan College Henderson Fine Arts Center in Farmington, New Mexico. The conference is designed to share, learn, and showcase recent and ongoing research, monitoring, restoration, and public outreach projects to better understand and address the pressing water resource needs of the Animas and San Juan rivers. This year's conference was titled *Water Without Borders - Four Corners, Three Rivers* and, like previous years, the program included both oral and poster presentations, as well as field trip presentations.
- EPA and the U.S. Geological Survey (USGS) are implementing two projects on behalf of SWQB: "Nutrient and metal source investigation in the Lower Animas Watershed" and "Baseline (Non-Routine) Sediment-Metal Sampling Study – Animas River." The projects' survey areas include or are relevant to portions of the Southern Ute Indian Tribe and the Navajo Nation. SWQB and EPA have kept the Southern Ute Indian Tribe Environmental Programs Department and Navajo Nation EPA apprised of data collection activities, data analysis, and draft reporting. USGS presented updates on both projects at the 2024 Animas and San Juan Watersheds Conference on June 12-13, 2024, in Farmington, NM.
- SWQB reached out to Pueblo de Cochiti environmental staff to engage their participation in the New Mexico Harmful Algal Blooms (HABs) Collaborative Workgroup. Cochiti Reservoir is located within the boundaries of the Pueblo de Cochiti and is managed by the U.S. Army Corps of Engineers (USACE). HABs in Cochiti Reservoir have become a more frequent occurrence including in 2019 when USACE implemented a lake closure. Pueblo de Cochiti environmental staff have attended the workgroup meetings along with the USACE Cochiti Lake & Dam Natural Resource Specialist. SWQB looks forward to collaborating with the workgroup to increase HABs monitoring and improve communication to the public about HABs at Cochiti Reservoir and other waterbodies in New Mexico.

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- The Ground Water Quality Bureau (GWQB) staff Superfund Oversight Section staff continue ongoing coordination with the Pueblo of Santa Clara for access to Pueblo Lands for sampling and other cleanup activities at the North Railroad Avenue Plume Superfund Site in Española.
- GWQB – Mining Environmental Compliance Section (MECS) virtually attended an Abandoned Uranium Mine Waste Workshop held by the EPA-Office of Mountains, Desert and Plains on October 21, 2022. Numerous participants, including representatives from the Navajo Nation EPA, Pueblo of Laguna, Ute Mountain Ute Tribe, Navajo Nation Abandoned Mine Lands, Bureau of Indian Affairs, EPA Region 6, EPA Region 9, Nuclear Regulatory Commission, Department of Energy – Legacy Management, Department of the Interior- Bureau of Land Management, U.S. Department of Agriculture – U.S. Forest Service, State of Colorado, State of Utah, State of Arizona, and the State of New Mexico, Energy, Minerals and Natural Resources Department, met to discuss approaches to clean up abandoned uranium mines across the west.
- EPA Region 9 virtually held a meeting to discuss alternatives to be evaluated in an Engineering Evaluation/Cost Analysis for the Quivira Mine. The participants included EPA Region 9, EPA Region 6, Navajo Nation EPA and the State of New Mexico – GWQB-Mining and Environmental Compliance Section (MECS) and the Energy, Minerals and Natural Resources Department. The purpose of the call was to discuss how to address uranium mine waste at the Quivira Mine and options to cap the waste in place or create a repository on land owned by the Red Rocks Landfill outside of Thoreau, NM.
- GWQB – MECS attended an Abandoned Uranium Mine Waste Workshop held by the EPA-Office of Mountains, Desert and Plains in Albuquerque on June 21st and 22nd, 2023. This was a two-day event that included a meeting at the Bureau of Indian Affairs office and a site tour to various locations within the Grants Mining District. Numerous participants, including representatives from the Navajo Nation EPA, Pueblo of Laguna, Ute Mountain Ute Tribe, Navajo Nation Abandoned Mine Lands, Bureau of Indian Affairs, EPA Region 6, EPA Region 9, Nuclear Regulatory Commission, Department of Energy – Legacy Management, Department of the Interior- Bureau of Land Management, U.S. Department of Agriculture – U.S. Forest Service, State of Colorado, State of Utah, State of Arizona, and the State of New Mexico, Energy, Minerals and Natural Resources Department, met to discuss approaches to clean up abandoned uranium mines across the west. GWQB-MECS staff sat down with Pueblo of Laguna staff, Navajo Nation EPA staff, and Navajo Nation Abandoned Mine Lands staff.
- GWQB-MECS had a call with the Environmental Program Coordinator from the Pueblo of Acoma and the Department of Energy-Legacy Management on June 27, 2023, to discuss opportunities to provide the Pueblo of Acoma with technical assistance within their Environmental Program including surface water sampling

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within the Rio San Jose. GWQB-MECS staff is working with the SWQB to determine pathways to provide technical assistance.

- At the request of the Energy, Minerals and Natural Resources Department – Mining and Minerals Division, Uranium Mine Reclamation Coordinator, GWQB-MECS staff attended a site visit at Section 32/33 mine and Quivira mine sites. The sites are primarily overseen by EPA Region 9 as they are on Navajo Nation lands. GWQB-MECS and MMD attended as clean up options located in New Mexico are being considered. Navajo Nation representatives also attended the site visits.
- GWQB-MECS attended a site visit to the UNC Church Rock mine site on April 11, 2023. The site is primarily overseen by EPA Region 9 as the site is location on Navajo Nation lands. GWQB-MECS, NMED-SOS, and EPA Region 9 attended since the approved remedy involves disposal in New Mexico. Navajo Nation representatives also attended the site visit.
- United Nuclear Corporation – General Electric (UNC-GE) public noticed a Modified Stage 2 Abatement Plan for the St. Anthony Mine on November 16, 2022. Certified letters were sent to the surrounding tribes on November 14, 2022. GWQB-MECS staff met with the Pueblo of Laguna technical staff, EMNRD-MMD staff and representatives from the Cebolleta Land Grant on January 10, 2023, to inspect the St. Anthony Mine and discuss the Modified Stage 2 Abatement Plan submittal.
- The Solid Waste Bureau (SWB) outreach staff provided information on the Recycling and Illegal Dumping (RAID) grant program at the Fall 2023 Intertribal Resource Advisory Committee (IRAC) meeting held via Zoom to answer questions and assist interested Tribes, Nations, and Pueblos to prepare applications.
- The Solid Waste Bureau (SWB) outreach section attended the February 22, 2024, Intertribal Resource Advisory Committee (IRAC) meeting held via Zoom to provide information on the FY2024 Recycling and Illegal Dumping (RAID) grant funding and to recruit potential candidates for the Tribal Seat in the New Mexico Recycling and Illegal Dumping (RAID) Alliance.
- The Solid Waste Bureau (SWB) outreach section assisted the Eight Northern Indian Pueblos Council-Office of Environmental Technical Assistance (ENIPC-OETA) by providing “Safer Alternatives to Hazardous Household Products” outreach materials for a planned ENIPC Child Care program outreach event for approximately 60 residents.
- SWB is working cooperatively with the Pueblo of Pojoaque to abate 135 truckloads of sludge illegally dumped on tribal lands by a Santa Fe hotel that was renovating its wastewater treatment system. The administrative compliance order NMED issued to Bishop's Lodge in February 2020 requires the hotel to remove the sludge and properly dispose of it at a permitted facility and assume all associated costs. Prior to

removal, NMED will require Bishop's Lodge to submit a plan in compliance with all regulatory requirements for testing, hauling and disposal at a permitted solid waste facility. NMED issued a Final Order upholding the requirements of the administrative compliance order on May 31, 2022. The responsible party appealed the decision to the New Mexico Court of Appeals on June 30, 2022, and on February 26, 2024, NMED's Order was affirmed!

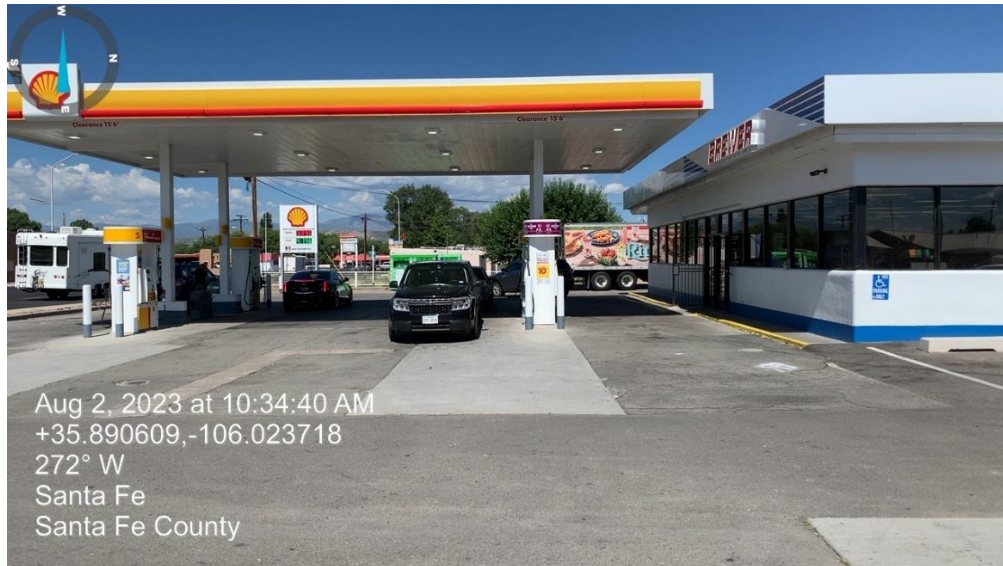
- SWB appointed a representative of the Pueblo of Santa Ana to serve a two-year term on the RAID Alliance. The 12-member RAID Alliance sets priorities for RAID grant funding and recommends awards each year.
- The Department of Energy Oversight Bureau (DOEOB) sampled water, fish and biofilm at Pueblo de San Ildefonso with permission. As defined in the Memorandum of Agreement, NMED releases sampling results to Pueblo staff for review then uploads the results to Intellus database. Data is publicly available at www.IntellusNM.com. This work provides an independent assessment of contamination impacts from LANL to the Rio Grande. All monitoring is approved and carried out through a quarterly renewable access permit in accordance with the Department-wide Memorandum of Agreement with the Pueblo de San Ildefonso and DOE-OB specific access permits.
- DOE-OB continued their ongoing monitoring of stormwater on the Pueblo de San Ildefonso at site E110-Los Alamos Canyon above Otowi Bridge. This is the last monitoring point before potentially contaminated stormwater runoff and sediment from legacy LANL activities in Los Alamos and Pueblo Canyon enter the Rio Grande. The DOE-OB is the only State Government entity monitoring stormwater at this location, which is an important location for both the Pueblo as well as the City of Santa Fe and the Buckman Direct Diversion project. Runoff from one storm event (8/28/23) was collected and sampled for metals, PCBs dioxins/furans, a full radionuclide suite, and suspended sediment concentration. Data is publicly available at www.IntellusNM.com. Stormwater monitoring is approved and carried out through a quarterly renewable access permit under the Department-wide Memorandum of Agreement with the Pueblo de San Ildefonso.
- DOE-OB conducted their annual Sediment Sampling campaign at three locations on the Pueblo de San Ildefonso. The primary objective of this investigation is to provide an assessment of the potential constituents of concern present in canyon-bottom sediments throughout LANL and the possible migration of such constituents offsite. Sediment samples were collected from the lower Los Alamos Canyon stream channel and the banks of the Rio Grande downstream of Sandia and Mortandad Canyons. Samples were analyzed for metals, PCBs, dioxins/furans, a full radionuclide suite, and particle size. Data is publicly available at www.IntellusNM.com. Sediment monitoring is approved and carried out through a quarterly renewable access permit under the Department-wide Memorandum of Agreement with the Pueblo de San Ildefonso.

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- DOE-OB was able to sample two groundwater monitoring wells located within San Ildefonso Pueblo. SFY 2024 included two sampling events of SIMR-2 Monitoring Well and R-10a Monitoring Well. Both wells are within the Mortandad/Sandia Canyon watershed, situated downgradient from the chromium plume. The DOEOB groundwater program monitors metals, PFAS, pharmaceuticals, perchlorate, tritium, and general chemistry. Analytical data is reviewed by the Pueblo then uploaded and made available to the public on <https://www.intellusnm.com>. DOE-OB Environmental monitoring on Pueblo property is approved and carried out through a quarterly renewable access permit under the Department-wide Memorandum of Agreement with the Pueblo de San Ildefonso.
- Pursuant to a Department-wide Memorandum of Agreement with the Pueblo of Santa Clara, the Petroleum Storage Tank Bureau (PSTB) collaborated by:
 - Conducting groundwater monitoring in April 2023 at the Big Rock state lead release site and the Big Rock 66 release site. The reports provide the latest groundwater data on petroleum hydrocarbon contamination in the area. PSTB provides all data to the Pueblo of Santa Clara environmental staff.
 - Conducting groundwater monitoring and approving groundwater monitoring report in August 2023 at the Big Rock state lead release site.
 - Approval and oversight of groundwater monitoring at the Giant DBA Gasamat 7555 petroleum release site in December 2023.
 - Approval and oversight of groundwater monitoring and non-aqueous phase liquid recovery at the Roy Honstein Oil Bulk Plant during December 2023.
 - All reports and data are provided to the Pueblo of Santa Clara environmental staff.
- Pursuant to a Cooperative Agreement between NMED and the Pueblo of Laguna the Petroleum Storage Tank Bureau (PSTB) collaborated by:
 - Approving semi-annual groundwater monitoring in March 2023 at the School Maintenance Yard in Paraje;
 - Approving an addendum to the Final Remediation Plan of the existing air sparge/soil vapor extraction system at the Laguna Mart release site. This modification includes installation of a horizontal sparge well to target recalcitrant contamination in the deep zone beneath State Road 124. Work has also been approved to decommission the pump and treat system at the site.
- Pursuant to a Cooperative Agreement between NMED and the Jicarilla Apache Tribe, the Petroleum Storage Tank Bureau (PSTB) collaborated by:
 - Approving and conducting a groundwater monitoring event at the Gomez Stop N Go petroleum release site in Dulce, NM in January 2024.

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- The Petroleum Storage Tank Bureau conducted compliance inspections at facilities with underground storage tank systems in collaboration with US EPA Region 6 and Eight Northern Indian Pueblos Council as follows:
 - San Pedro Food Mart Shell located at 509 South Riverside Drive in Espanola which is a privately owned gas station within the external boundaries of the Pueblo of Santa Clara on August 2, 2023.



- Allsup's 102314 located at 444 North Riverside Drive in Espanola which is a privately owned gas station within the external boundaries of the Pueblo of Santa Clara on August 2, 2023.



- Triple S Grocery located at 525 North Paseo de Onate in Espanola which is a privately owned gas station within the external boundaries of Ohkay

Owning on August 2, 2023.



- Lowe's #93 located at 930 North Riverside Drive in Espanola which is a privately owned gas station within the external boundaries of the Pueblo of Santa Clara on November 21, 2023.
- The Petroleum Storage Tank Bureau conducted an inspection on May 24, 2024, to verify that UST systems had been emptied of regulated substances while being placed temporarily out of use. The facility was Pacheco 66 located at 15066 Hwy 75 in Peñasco, which is a privately owned gas station within the external boundaries of the Pueblo of Picuris.
- The Air Quality Bureau (AQB) has continued to help facilitate the annual Four Corners Air Quality Group (4CAQG), <https://www.env.nm.gov/air-quality/four-corners-air-quality-group/>, and the Interagency Four Corners Policy Oversight Group. The Navajo Nation EPA and Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado, have participated in the 4CAQG since 2008 and have assisted some with coordination for annual meetings. The Ute Mountain Ute Tribe has also participated regularly in the 4CAQB. The Four Corners Air Quality Group is convened by the states of Colorado and New Mexico, with the support of a range of state, tribal and federal agencies.

Consultation

NMED has not yet received any government-to-government consultations in FY24; however, Secretary Kenney has written numerous letters to tribal leadership regarding planned actions and rulemakings to solicit consultation if desired. NMED maintains diverse and ongoing peer-to-peer relationships with tribal environmental directors and staff to coordinate and implement agency sampling, assessments, and remediation work throughout the year.

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V. Contacts (NMSA 1978, § 11-18-4.C(2))

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Tribal Liaison attending the SFIS College and Career Day!



*Rock your Mocs!
Tribal Liaison and Sage Mountainflower,
Environmental Director for the Pueblo of Tesuque*

VI. Statutes and Mandates

Governing statutes generally:

NMSA 1978 §9-7A-1 to -15	Executive Department, Department of Environment;
NMSA 1978 §§ 25-1-1 to -15	Food Service Sanitation Act;
NMSA 1978 §§ 25-2-1 to -20	Adulterated or Misbranded Food Act;
NMSA 1978 §§ 26-2C-1 to -42	Cannabis Regulation Act;
NMSA 1978 §§50-9-1 to -25	Occupational Health and Safety Act;
NMSA 1978 §§ 61-33-1 to -10	Utility Operators Act;
NMSA 1978 §§74-1-1 to -17	Environmental Improvement Act;
NMSA 1978 §74-1-6	Department Powers;
NMSA 1978 §§74-2-1 to -22	Air Quality Control Act;
NMSA 1978 §§74-3-1 to -16	Radiation Protection Act;
NMSA 1978 §§74-4-1 to -14	Hazardous Waste Act;
NMSA 1978 §§74-4A-1 to -16	Radioactive and Hazardous Materials Act;
NMSA 1978 §§74-4B-1 to -14	Emergency Management Act;
NMSA 1978 §§74-4C-1 to -4	Hazardous Waste Feasibility Study Act;
NMSA 1978 §§74-4E-1 to -9	Hazardous Chemicals Information Act;
NMSA 1978 §§ 74-4G-1 to -12	Voluntary Remediation Act;
NMSA 1978 §§74-6-1 to -17	Water Quality Act;
NMSA 1978 §§74-6A-1 to -15	Wastewater Facility Construction Loan Act;
NMSA 1978 §§74-6B-1 to -14	Ground Water Protection Act;
NMSA 1978 §§74-6-2 to -17	Environmental Improvement Act;
NMSA 1978 §§74-7-1 to -8	Environmental Compliance Act;
NMSA 1978 §§74-8-1 to -3	Solid Waste Incineration;
NMSA 1978 §74-9-1 to -43	Solid Waste Act;
NMSA 1978 §§74-10-1 to -100	Solid Waste Authority Act;
NMSA 1978 §§74-13-1 to -20	Recycling and Illegal Dumping Act;
NMSA 1978 §§74-13A-1	Petroleum Products Loading Fee Act;
NMSA 1978 §§75-1-1 to -6	Rural Infrastructure Act;
NMSA 1978 §§ 70-13-1 to -5	Produced Water Act;
NMSA 1978 §§ 76, Article 24	Hemp Manufacturing Act;

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VII. Agreements

Tribe/Pueblo/Nation Government	Agency	Activity	Agreement Name	Current Status	Contact/Phone
Pueblo of Pojoaque Environment Department	NMED	Abatement of soil and water pollution	Cooperative Agreement	In effect, effective since 5-1-01	GWQB Chief (505) 827-2919
Pueblo of Zuni	NMED	Underground Storage Tank Cleanup, at Mustang Store 7256	Cooperative Agreement	In effect, effective since 3-20-02	PSTB Chief (505) 476-4377
Pueblo of Laguna	NMED	Underground Storage Tank Cleanup at Laguna Mart	Cooperative Agreement	In effect, effective since 6-21-00	PSTB Chief (505) 476-4377
Pueblo of Laguna	NMED, U.S. EPA, the Grants/Cibola County School Board	Underground Storage Tank Cleanup for a former Grants/Cibola County Schools Maintenance Yard, Paraje	Memorandum of Agreement (MOA)	Effective 5-31-16	PSTB Chief (505) 476-4377
Jicarilla Apache Tribe Environmental Protection Office	NMED	Underground Storage Tank Cleanup at the Lodge at Chama, amended to include the Gomez Stop & Go Site	Cooperative Agreement	In effect signed 6-15-00 Amended 8-16-02	PSTB Chief (505) 476-4377
Pueblo of Picuris	NMED	Underground Storage Tank Cleanup and Petroleum Remediation	Consent for Access to Property	Effective 6-14-07	PSTB Chief (505) 476-4377
Ohkay Owingeh	NMED	Underground Storage Tank Cleanup and Petroleum Remediation	Consent for Access to Property	Effective 9-10-08	PSTB Chief (505) 476-4377
Pueblo de San Ildefonso	NMED	Soil, water, air, and plant monitoring as well as sampling to evaluate LANL activities	MOU	In effect, effective since 2-7-14	DOE Oversight Bureau Chief (505) 383-2074
Navajo Nation and Southern Ute Indian Tribe of the Southern Ute Reservation, CO	NMED	Four Corners Air Quality Group Cooperation	MOU	In effect, effective since 12-03-15	Air Quality Bureau, Mark Jones (505) 566-9746
Pueblo of Santa Clara	NMED	Comprehensive description of all regulatory activities w/in exterior boundary	MOA	In effect, effective since 12-20-10, Amended 11-19-19	Kathryn S. Becker (505)231-9983