

**Joint Meeting of the
Indian Affairs Committee
AND
Transportation Infrastructure Revenue SubCommittee**



**Pueblo of Santa Clara
Governor J. Michael Chavarria
October 4, 2018**

JOINT MEETING
INDIAN AFFAIRS COMMITTEE
AND
TRANSPORTATION INFRASTRUCTURE REVENUE SUBCOMMITTEE
THURSDAY OCTOBER 4, 2018
SANTA CLARAN HOTEL – 7TH FLOOR (MOUNTAIN VIEW ROOM)

J. MICHAEL CHAVARRIA, GOVERNOR
SANTA CLARA PUEBLO

Good morning Co-Chairs Pinto and Louis (Indian Affairs Committee) and Chairman Gonzales and Vice Chairman Smith (Transportation Infrastructure Revenue Subcommittee) and members of both Committees. My name is J. Michael Chavarria, I serve as the Governor for Santa Clara Pueblo, serving my eighth one-year term as Governor for my Pueblo. I also currently serve as the Chairman of the Eight Northern Indian Pueblos and Vice-Chairman for the All Pueblo Council of Governors.

Thank you for the invitation and opportunity to come before you today to present the Pueblo of Santa Clara's issues related to the interactions with the State of New Mexico.

It is important to address the challenges, provide solutions and discuss the various relationships that have been created with the various State Agencies. We must work together to build upon the foundations that have been created and at times, compromise on issues for the benefit of building strong partnerships through collaborative efforts.

There is need to strategize and create action plans to share all resources across the board. If we don't build upon the relationships how do we adequately address the challenges impacting our communities? Are we just going to talk the talk or are we going to team up together and walk the walk?

Tax Administration:

The Pueblo of Santa Clara Tax Administration Office was established in 1987 by Tribal Resolution to declare the intent to tax Gross Receipts (GRT) and enforce the Pueblo's Tax Code. In 1997, a Tax Sharing Agreement was signed with the State of New Mexico. The number one priority for Santa Clara Pueblo is preserving the existing tax agreement between the Pueblo and state of New Mexico.

As a result, Santa Clara is a major driver of the economy in the upper Rio Grande Valley and indeed, more broadly, of Northern New Mexico. Santa Clara Pueblo through the current Tax Sharing agreement we have in place, supports the economics of the State of New Mexico.

As an example Santa Clara Pueblo has been able to develop major economic enterprises, lifting our people out of poverty, leveraging state and federal funds to upgrade our aging water and wastewater infrastructure, contributing to the cost match obligations associated with the five Presidential Disaster Declarations, and supporting Tribal Government operations, while also providing employment and other opportunities for the surrounding communities. Being able to diversify our economic portfolio has the greatest potential to address the difficult circumstances that still exist within our region.

Santa Clara has become the second largest employer in Rio Arriba County (second only to the Los Alamos National Laboratory), employing close to 500 people (approximately half of whom are non-tribal members) through our gaming, retail, construction, and services entities under the umbrella of Santa Clara Development Corporation (SCDC) while purchasing numerous goods and services from the surrounding community.

The Santa Clara Development Corporation employs 459 individuals, with 30% being native and 70% being non-native. During the summer when students are provided opportunities for employment, the number of employees goes up to as high as 550 employees, with additional staff at the Santa Clara golf course, Puye Cliffs and Food and Beverage.

The Santa Clara Tribal Government employs 190 employees, with 80% being native and 20% being non-native. The Santa Clara Tribal Government spent \$8.6 million in 2016 on professional and construction services, including materials, supplies, repairs, etc. 90% of those expenditures went to non-tribal vendors and entities.

A loss of these tax revenues to the Pueblo would result in an increased burden on both the Tribal Government and Santa Clara Development Corporation, undercutting our ability to create more jobs for the Pueblo, the region, and the state.

By working with various government, and private entities, the Pueblo seeks to maintain and identify opportunities that provide a secure tax base, imperative to providing and preserving the basic and fundamental services essential to the welfare of the Pueblo membership. Accordingly, the Pueblo will use the Pueblo's Tax Code for the benefit and in the best interest of the Pueblo and shall preserve and protect the inherent sovereign rights of the Pueblo of Santa Clara.

Current tax revenue supports Tribal Government operations, allocated to the following departments: Administration, Animal Control, Canyon, Emergency Management, Inter-Governmental, All Public Works, Recreation, Solid Waste, Tax, Tewa Language, Tribal Courts (Partial), Tribal Facilities, Tribal Government, Tribal Sheriff and Volunteer Fire.

Currently Santa Clara Pueblo has a loan agreement with NMFA where 100 % of the gas and cigarette tax is pledged as collateral over the length of the note which is 7 years, the note is \$3.6 million and we began paying in June 2018.

Thus, the Pueblo's tax revenue and the Tax Sharing Agreement are critical not only to the well-being of the Pueblo and the region, but also to the state. The Tax Sharing Agreement is one example of how the Pueblo and the state can work together to benefit all of our constituents.

Health:

We are faced with inadequate health care services, aging infrastructure and outdated facilities to meet the needs for our growing populations within our communities. Examples include a lack of physicians, pharmacists and specialty care providers.

With growing numbers of youth and fitness participants, our current infrastructure such as buildings, are not sufficient and are overcrowded. It is difficult and challenging to host events, fitness classes, youth fitness camps, and community meetings because we lack the space and capacity to house our community members sufficiently.

We need to create a plan of action as the funding streams through the federal government are dwindling on a yearly basis causing a negative impact on health care delivery, services and providers. Outdated infrastructure and equipment are a hindrance to providing these types of services.

For Santa Clara Pueblo it is important to institute our Core Values of Love/Care/Respect/Helping one another. Our Tewa language is the glue that holds our culture, traditions and religion together. Without our Tewa language, how do we continue to carry on our life styles?

In 2007, Santa Clara Pueblo created a Community Health Profile outlining the various health disparities plaguing our community. Alcohol abuse was high on the list followed by drug use. Incarceration is not the answer -- we must look at Alternative Dispute Resolutions to help an individual, family and community in dealing with these types of challenges. Educational outreach is important to address the dangers of drugs and alcohol use/abuse.

Creating partnerships between the State Department of Health, CYFD, Attorney General, Public Safety, Judicial System and our internal Departments/Programs are essential to begin the healing process. The discussions need to include strategizing on creating a plan of action to identify the various avenues/solutions to address the challenges of substance abuse, behavioral health issues, domestic violence, elder abuse, child abuse, diabetes through prevention and treatment, etc. There is need to strategize and create these plans to share all resources as it is not just a local problem, but now escalates into a regional problem.

As a solution we need to create transitional living facilities, implement the Community of Care model and share resources aiming at creating successful outcomes. If we don't, the financial burden/obligations on all partners are not feasible to single-handedly address these challenges at the local level, they must also be addressed regionally and nationally.

Santa Clara Pueblo has been plagued by substance abuse problems for a number of decades – the heroin problem has been right here in Northern NM for a long, long time and it got worse after Vietnam with the returning veterans. It's no secret and it's good that now it is getting attention, as it doesn't know any boundaries.

The Espanola Valley and Northern New Mexico in general has been known as the #1 place in the nation for heroin overdose. The heroin/opioid epidemic is not just a local problem but a regional and national problem, Alcohol abuse still exist too within our communities. While surrounding communities are experiencing significant impacts from drug/opioid overdose, our tribal communities are now recognizing the initial signs of this epidemic.

RIO ARRIBA COUNTY SUBSTANCE TREATMENT OUTREACH PROGRAM (RAC-STOP)

In 2018, three offenders were placed in the State-funded program located in Espanola. The intensive out-patient program can last up to one year. RAC-STOP provides a comprehensive written overview of the program. The behavioral modification phase program includes the matrix model, cognitive behavioral therapy, motivational interviewing, community reinforcement approach, mindfulness training, and interpersonal psychotherapy. Intake includes psychosocial valuation and treatment center referrals.

MCOs “Centennial Care – Starting on January 1, 2019”

The State awarded contracts through an RFP to 4 MCOs (Blue Cross Blue Shield, Molina, Presbyterian and United Health Care), to provide services to the Medicaid-eligible population. The contracts spell out the federally mandated services to be provided to the MCO enrollee. Yes the MCOs have enrolled individuals but there is a lack of follow through which is a concern. In 2019 there will be 3 MCOs and concerns from our community have come about.

Our CHR Director, Michelle Tafoya has provided some concerns regarding the transition our community members have addressed with her:

- 4 managed care organizations currently (Molina, Presbyterian, Blue Cross Blue Shield and United Healthcare) then January 1 there will be Blue Cross Blue Shield, Presbyterian and Western Sky Community Care. **What is the deadline to choose a new MCO?**
- MCOs receive payment based on members enrolled on a monthly basis, but how well are community members going to be transitioned into new providers. **What is the process?**
- How are MCOs explanations on enrollment detailed to community members for their understanding of what’s offered to them. **The majority of individuals will be seniors and may find it difficult to understand the explanations.**
- Transition of Molina and United Healthcare members to new MCOs and major complications to those who are receiving behavioral health and long-term services. **What will happen to those types of services currently being provided?**
- How smooth will the transition process be when the state also has major transition with leadership at the same time?

With these questions posed, we have made a request to Teresa Belanger with the Human Services Department and the respective MCOs (Western Sky, Presbyterian and Blue Cross/Blue Shield) that will come on board in 2019 to provide a presentation to our community members on this very important subject.

Senior Citizens Program:

Santa Clara Pueblo has partnered and collaborates with the New Mexico Indian Title VI Coalition and meets monthly to discuss the obstacles and barriers encountered in the implementation of program services to our elders. It is important to provide the highest level of advocacy, because we want our elders to remain in our communities, in their homes, and to continue to make valuable contributions as the keepers of our traditions and culture. Elders are valued as a prized treasurer.

Our Senior Program is funded in part by the federal agency called the Administration on Aging/Administration for Community Living.

At the federal level we have been advocating for the re-authorization of the Older Americans Act. The Older Americans Act (OAA), originally enacted in 1965, supports a range of home and community-based services such as meals-on-wheels and other nutrition programs, in-home services, transportation, legal services, elder

abuse prevention and caregivers support. These programs help seniors stay as independent as possible in their homes and communities. In addition, OAA services help seniors avoid hospitalization and nursing home care, and as a result, save federal and state funds that otherwise would be spent on such care.

It is very important to stress to Congress the importance of re-authorization of the Older Americans Act to continue to provide these types of services to our elders. On July 16, 2015 the Senate approved the OAA without amendments and now sits on the House side for consideration. I continue to work with our NM Congressional delegation stressing the importance of the re-authorization in hopes of a successful passage in Congress.

State funding is administered by the New Mexico State Aging and Long Term Services through legislative appropriations and contracts for State funding is managed by the Indian Area Agency on Aging. We continue to have a positive relationship and work on strengthening the foundation to fully support our elder's in the times of their needs.

Santa Clara Pueblo 2018 Capital Outlay:

62417006	15-0147	SANTA CLARA PUEBLO SENIOR CTR IMPROVE CODE	STB	\$72,700	\$72,700	\$72,700	6/30/2019	15-0147
62417006	A5056	SANTA CLARA SENIOR CENTER VEHICLES	GOB	\$128,700	\$128,700	\$128,700	6/30/2021	A5056

SERVICES PROVIDED BY SENIOR CENTER (Native/Non-Native):

On a daily basis our Senior Center provides meals to 10-15 non-native participants and serves close to 40 native elders.

The Senior Center also provides the following:

- Daily planned activities that are designed to actively involve and stimulate the participants
- Supervision is continuous and monitored by trained staff
- Activities are very sensitive to cultural and traditional values
- Provide nutritious hot meals and snacks
- Provide transportation and assisted transportation as needed
- Home Visit – for elders with disparities and limited motility
- Companionship – come in to eat and get the one-on-one interaction with others seniors
- Disease prevention/health promotion activities – CHR and Community Health Nurse visits to provide health education, provide massages, check vitals (blood pressure, sugar levels)
- Recreational activities to promote socialization – Ojo Caliente hot springs – Indian Games (senior Olympics), bowling, and various outdoor activities/field trips

Current Staffing for the Santa Clara Pueblo Senior Center:

- Director, Lyle Lomayma
- Data /Administrative Asst., Judy Cata
- Activities Coordinator, Florence Jorgenson
- Meal site Coordinator, Doris Loretto
- Kitchen Supervisor, Joan Cruz
- Assistant Cook, Evren Martinez
- Cook aid, Candelaria Suazo

- Caregiver, Shirley Suazo
- Meals On wheels, Mark Browning
- Meal on wheels, Valarie Tapia
- NICAO worker, Janice Baca



Adult Day Care Program:

Santa Clara Pueblo Regional Adult Day Care Center (ADC) is committed to providing a caring and secure environment where the elderly and disabled are treated with the upmost dignity and compassion.

The program is set up to care for adults with special needs and those who would benefit from participating in activities that stimulate both the mind and the body.

The Santa Clara Pueblo Regional Adult Day Care Program is available to all eligible individuals from Santa Clara Pueblo, individuals from the surrounding Eight Northern Pueblos and from the local/Espanola community at large.

Mildred Naranjo, has been the director of ADC since March of 2015 and has obtained her Operator's License from the New Mexico Department of Health. Currently ADC requirements for our 2019 State Contract requires ADC to serve 20 unduplicated eligible consumers and provide 7,000 day care services, provide 450 physical fitness/exercise units and provide 1,500 assisted transportation units to a minimum of 20 consumers.

The daily program consists of exercise and activities that stimulate both body and mind. Both structured and unstructured activities are utilized to provide a broad framework where elders with varying needs, including Alzheimer's and dementia, can successfully function.

SERVICES PROVIDED BY ADC:

- Daily planned activities that are designed to actively involve and stimulate the participants
- Supervision is continuous and monitored by trained staff
- Activities are very sensitive to cultural and traditional values
- Assistance with personal care, i.e.; walking, eating, grooming, toileting, bathing and transfer
- Nutritious hot meals and snacks

- Transportation and assisted transportation as needed
- Companionship
- Disease prevention/health promotion activities and
- Recreational activities to promote socialization

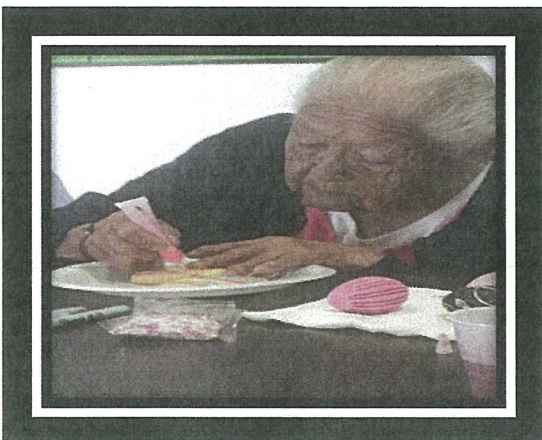
ADC is currently funded by the state by OIEA (Office of Indian Elders Affairs) and supplemental funds are provided by Santa Clara Pueblo, but since this is a regional center, additional funding should be provided by the State.

ADC capital outlay as shown below, project A5054 is the only one that is currently open and renovations will begin this month.

417006	A5054	SANTA CLARA ADULT DAY CARE-IMPROVE CODE	GOB	\$113,800	\$113,800	\$113,800	6/30/2021	A5054
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Current Staffing for the Santa Clara Pueblo Regional Adult Day Care:

- Director, Mildred Naranjo
- Case Manager/Administrative Asst., Pat Cata
- Activities Coordinator, Thea Moquino
- Caregiver, Rose Cata
- Caregiver, Vacant
- Custodian/Caregiver, Stanley Tafoya



New Mexico Environment Department Memorandum of Agreement Updates:

The Pueblo is working with Kathryn Becker, New Mexico Environment Department (NMED) Tribal Liaison, to update the 2010 Memorandum of Agreement between the Pueblo and NMED. The attachments for the agreement are being revised to reflect changes in projects and detail areas of collaboration. The revised agreement is expected to be completed in the next couple months.

The current agreement is utilized on an annual basis with the ongoing work by NMED Ground Water Bureau to remediate the North Railroad Avenue Plume Superfund site, which is located within the exterior boundaries of Santa Clara Pueblo. Staff from the Pueblo assist in yearly sampling and review results and other documents pertaining to the cleanup throughout the year.

Pueblo Environmental Staff have worked in the past with NMED Cabinet Secretary Butch Tongate. Discussions with Secretary Tongate at the New Mexico Tribal Summit resulted in Solid Waste Bureau Chief Auralie Ashley-Marx attending and presenting on illegal dumping enforcement at a meeting of the North Central Solid Waste Authority, which is comprised of government representatives from Ohkay Owingeh, Country of Rio Arriba, City of Espanola and Santa Clara Pueblo.

Water and Waste Water projects:

Water quality is probably the single most important component for the health and well-being of our residents. Clean, potable water sustains life and is the basis for our community's sustainability. We have been successful in receiving state and, federal, supplemented by tribal funding to replace our aging water and wastewater infrastructure. Aging infrastructure, poor quality of materials used in the past and growth of our community caused the immediate need along with lack of adequate fire protection for most areas.

Below is an example of the tasks associated in accomplishing upgrades to both the wastewater and water.

WASTEWATER SYSTEM IMPROVEMENTS

Phase	Task	Cost
Phase I	IA – Sewer Replacement – Construction Cost	\$2,675,000.00
	IB – Sewer Replacement – Construction Cost	\$4,933,250.00
Phase II	Main Village & I.H.S. Clinic Collection	\$2,069,965.00
	South Housing Connection	\$1,000,000.00
Phase III	Guachupangue Service	\$1,500,000.00
Phase IV	MBR Facility	\$4,750,000.00
		\$16,928,215.00

WATER SYSTEM IMPROVEMENTS

Phase	Task	Cost
Phase I	Main Village & East Housing Trunk Lines	\$1,159,975.56
Phase II	Main Village & East Housing Distribution Lines	\$1,950,700.36
Phase II A	Flower Road Waterline	\$650,316.10

Phase III A	New Well	\$1,098,761.32
Phase III B	South Tank Rehabilitation	\$162,490.96
Phase III C	West Housing Waterline Replacement	\$3,681,224.49
Phase III D	Well 7 to South Tank	\$248,395.61
Phase IV	Waterline Replacement and Metering	\$740,272.25
Phase V	New Tank	\$568,786.13
Phase VI	C-Store Waterline	\$443,862.13
Phase VII	Guachupange Water System	\$2,715,319.50
		\$14,321,443.00

TIF has been a prime financial resource for many tribes as we seek to improve our existing infrastructure from planning to project implementation. The funds through TIF give the Pueblo the opportunity to leverage these funds with federal grants and private resources through the philanthropic community.

The following is a list of projects that Santa Clara Pueblo was fortunate to receive through the TIF:

- 2010 TIF \$300,000 for Wastewater Project
- 2012 TIF \$1,675,000 for Wastewater Project
- 2012 TIF \$120,000 for Water Planning Grant
- 2013 TIF \$1,300,000 for Water Project
- 2013 TIF \$75,000 for Health Clinic Planning
- 2015 TIF \$250,000 for Wastewater Project
- 2015 TIF \$1,650,000 for Wastewater Project
- 2017 TIF \$711,245.15 for Water Project
- 2018 TIF \$770,000 for Water & Wastewater Project

TOTAL FUNDS RECEIVED: \$6,851,245.15

Summary of Santa Clara Pueblo’s past and current WTB awards:

- 2008 WTB \$978,780 for Water Project
- 2010 WTB \$1,625,591 for Water Project
- 2013 WTB \$666,000 for Water Project
- 2015 WTB \$1,000,000 for Watershed Restoration

TOTAL FUNDS RECEIVED \$4,270,371.00

Additionally, the state is requiring more information from tribes to access capital outlay, TIF, and WTB awards. This includes completing a planning document, Infrastructure Capital Improvement Plan (ICIP), and providing answers to questionnaires provided by the Department of Finance Administration, along with the long process to authorize the use of funds from TIF and to close out the WTB grant funding. Both the IGA (Inter-governmental Grant Agreement) and the WTB closing processes has led to delays often in getting funding to the Pueblo as well negatively impacting the performance periods for the TIF and WTB

IGA Processing – The time to process an IGA (inter-governmental agreement) has negatively impacted the performance period. In other words it has taken far too long to fully execute the IGAs and this has resulted in the Pueblo’s needing to require extensions unnecessarily. There is a variance and discrepancy in the requirements in the bond sale requirements for performance in spending the funds versus the TIF (and IGA) performance periods. As of this date, IGAs have not been processed for 2015 Capital Outlay nor TIF. **We request that the performance period not start until the IGA is fully executed by both parties.**

Forestry Projects:

Funding from the state for forestry related projects is inconsistent and typically not geared specifically for tribal entities. Though funding may be limited the Pueblo was fortunate in receiving funds from the Water Trust Board in that amount of \$1 million for erosion control and channel restoration/stabilization, for post Las Conchas Fire impacts.

Other funding avenues the department anticipates collaborating with NM Forestry Division are:

- 1. Project Title: *Invasive/Noxious Weeds Grant*: Will submit an application for \$15k to use toward noxious weed abatement in the upper portion of Santa Clara Creek.**

Deliverables: Treatment of invasive/noxious weeds (primarily thistle species) within a 2-year timeframe consistent with grant funds. Final project report is required with periodic site visits from the grant manager.

Outcome: Anticipate a reduction of target weeds within the project area by 60%. Also anticipate an increase in native grass and vegetation, while reducing the ability for target weed species to spread downstream.

Challenge: Grant requires a 50/50 cost match, this can be in the form of “in-kind services”, however still puts a burden on the department due to a cost burden still involved and the department does not have the ability to match hard dollars. We are not entering into this application with any outside partners. This may cause the application to be scored lower, however the proposed project was deemed favorable during a site visit conducted with the grant manager.

Solutions: Potential use of San Manuel funds as hard match or use of “In-kind” match which will be in the form of: vehicles, herbicide and equipment use and administrative services.

- 2. Project Title: *Non-Federal Lands Grant*: Anticipate submitting an application for funding when applications become available. This grant allows for Hazardous Fuel Reduction projects within tribal boundaries that abut federal land. Grant funding is usually capped at \$150k and comes with a 50/50 cost match.**

Deliverables: Completion of work as described in the approved scope of work for grant application. Several sub-alpine and woodland areas are being looked at as potential projects. Additional proposals may include the Pueblo’s Northside area and recently acquired lands.

Outcome: The priority will be the protection of reservation resources from off-site wildland fire, insects, pathogens and other natural disasters. Whichever project that is propose will tie into previous project areas creating a landscape scale treatment effectively allowing for great protection of tribal resources. This approach should also rank applications higher.

Challenges: 50/50 cost share for this and other state grants. The department do not have the funding to be able to match hard dollars and would rely on “in-kind”, however this would require a project funded through BIA in the same area to utilize those funds as match. Another challenge to this specific grant is that it has a condition requiring a similar project be underway, or is planned, on federal land near the proposed project area. This may result in an unsuccessful application if there are no projects currently in placed or planned on federal lands. Lastly, proposed projects need to be shovel ready, which means having the NEPA process complete with a CAT-X issued. Grant funding does not cover the costs for NEPA and the department will be required to solicit

assistance from BIA or find other funds sources to accomplish these requirements. State funding does not cover NEPA associated costs and most state agencies are unable to assist with NEPA surveys for clearance. Careful coordination with BIA will be required to complete the NEPA process, coordinating assistance with BIA is difficult and typically won't happen during the time proposals are submitted. This will cause our proposal to be thrown out or rank very low because it is not shovel ready. Lastly, the department is unable to match hard dollars for proposed projects as cost match, in-kind is not a viable option for a high cost grant, unless similar projects are nearby and these projects are 638 contracted.

Solutions: Work with Bureau of Indian Affairs (BIA) for assistance to NEPA and adequate scheduling. Other project proposals to BIA can include planned Non-Federal Lands (NFL) areas covering survey costs of both projects. Utilize Forestry Operational Budget (FOB) to cover these costs if FOB is generated. Solicit financial assistance from outside entities to cover costs of both NEPA and required cost match. Select project areas that have existing clearances and work with other agencies to formulate cost match dollars or in-kind.

Recently the Pueblo was recognized and awarded 1st place by EPA Region VI for “A naturalistic approach to watershed restoration and flood mitigation”. See attached Poster for more info.

The Forestry Department was also recognized by Jack Dangermond, the President/CEO of ESRI this year for their work in utilizing GIS for restoration work. Contained in the media release is a link to the Story Map.

Emergency Management/ Post Las Conchas Fire Mitigation Efforts:

Santa Clara Pueblo has been able to demonstrate the ability to successfully manage our recovery efforts and most importantly, has been an active participant in helping FEMA through a variety of activities.

As the first tribe to seek a Tribal Disaster Declaration in FEMA Region VI, it was important for Santa Clara Pueblo to demonstrate the tribe’s ability to not only manage their own recovery and mitigation efforts, but also provide some “best practice” approaches. It is in this experience that we have come to prove that we truly have the capabilities in managing our direct disaster declarations, even better than most states. On May 1, 2018, we received official notification from FEMA Region VI that our first Tribal Disaster Declaration, DR4147 was officially closed.

Public Assistance

Santa Clara Pueblo has been impacted by five subsequent disaster declarations beginning in 2011. Below is a table that illustrates Santa Clara Pueblo’s Public Assistance Program and the status of projects:

Santa Clara Pueblo Public Assistance Program

Disaster Declaration	Total Projects	Active Projects	Projects Closed
DR 4047	12	1	0
DR 4079	19	2	0
* DR 4147	4	0	4
* DR 4151	30	0	16
DR 4197	1	0	0
TOTAL	66	10	20

* Direct Disaster Declaration

We have been able to display best practices in how well we not only manage our FEMA projects, but also in our efficiency to close out projects. Santa Clara Pueblo is expected to close-out all projects in DR 4151 (PA) by December 2018, which will be three years ahead of our period of performance.

Santa Clara Pueblo has submitted a couple Sub-recipient projects for close out since 12/22/2016 and 8/29/2017 to NM Department of Homeland Security & Emergency Management (NM DHSEM) and is still waiting for these projects to be officially closed out. With the lack of efficiency with NM DHSEM and with the lack of 324 Management Costs passed through to Tribes, it is rather difficult to obtain the necessary financial resources to support this large task and delays with NM DHSEM.

Discussions with NM DHSEM and Pueblo leadership have begun about the possibility of transferring our sub-recipient declarations, DR4047, DR4079 and DR4197, directly to Santa Clara Pueblo. Although this may be able to provide the Pueblo with sufficient resources to support the Administration and Close-out of these disasters, there are other factors that the Pueblo is more concerned about. It is the State’s intent to pass through all of the 324 Management Costs associated with the disasters to support the Tribe. However, it eliminates the 12.5% Cost-Match that the State shares with Tribes as the non-federal cost-match, which is a much greater financial burden for the Pueblo. We will be requesting assistance from FEMA Region VI Tribal Administrator to see if this is even a possibility, but also if the tribe will be allowed to request a 90/10 cost-share.

It is important to note that Santa Clara Pueblo has a project in DR4047 (Permanent Road) and DR4079 (Construction of 4 dams) that are currently pending. These two projects have noted “cost placeholders” that are substantially well below the estimated costs, which the Pueblo must take into consideration as we do not have the financial resources to support the State’s portion of the 12.5%, which totals \$9.7M with the current placeholders. Once we obtain the Incremental Damage Assessment from DR 4079 PW 94, we will be able to obtain the true cost estimates, causing these “placeholders” to increase substantially. These are the only noted “active” projects remaining for Santa Clara Pueblo.

Hazard Mitigation

Santa Clara Pueblo has been able to take the lead on incorporating bioengineered approaches in their hazard mitigation efforts.

Santa Clara Pueblo Hazard Mitigation Program

Disaster Declaration	Total Projects	Active Projects	Projects Closed
4147 (HM)	1	0	1
4151 (HM)	4	1	0
4199 HMGP	1	1	0
TOTAL	6	2	1

* Direct Disaster Declaration

Santa Clara Pueblo is expected to have 4151 HMGP closed out by 12/2019.

Santa Clara Pueblo receives EPA Region VI Green Infrastructure Award (4199 HMGP Project)

The U.S. Environmental Protection Agency (EPA) Region 6 awarded Santa Clara Pueblo with the 2018 Outstanding Green Infrastructure/Low Impact Development Award at the 20th Annual Region 6 Stormwater Conference on August 22, 2018. Santa Clara earned the award for their abstract and poster submission, “A Naturalistic Approach to Watershed Restoration and Flood Mitigation.”

Santa Clara Pueblo received the 1st Place award for its unique and collaborative approach in emphasizing natural system function in its watershed restoration and flood mitigation design. The winning abstract and poster was developed and presented by Garrett Altmann, of the Forestry Department, and Paula Gutierrez from the Department of Emergency Management.

The GI/LID Awards are meant to show appreciation for organizations that are using Green Infrastructure and Low Impact Design to manage storm water. By incorporating these techniques, the users honored with these awards are demonstrating the most groundbreaking and transformative possibilities of Green Infrastructure in storm water management.

Santa Clara Pueblo has applied bioengineering and GI/LID to manage the post-fire landscape in a cost-effective manner while utilizing natural materials whenever possible. The application of these techniques enables the Forestry and Emergency Management Departments to maximize their effectiveness by enabling a landscape-scale approach to manage Santa Clara lands. This strategy ensures resiliency to future disturbances, while enhancing ecosystem function and increasing recreational, cultural, and economic value for future tribal and public generations to enjoy.

Collaborations and Partnerships

HMA External Shareholder’s Work Group (HMA ESWG)

Santa Clara Pueblo is pleased to have our Disaster Recovery Manager representing 1 of 3 Tribal Representatives on FEMA’s HMA External Shareholder’s Work Group (HMA ESWG). This national working group serves as a bridge between FEMA and its stakeholders by increasing engagement and transparency among the mitigation community. The ESWG provides external perspectives on HMA priorities, issues and program resources. This has provided Santa Clara Pueblo an opportunity to utilize our experiences to help others.

HMA Tribal Engagement & Communications Assistance

Santa Clara Pueblo sent their Disaster Recovery Manager to attend a session with HMA Headquarters to develop a strategy and action plan on how HMA will fulfill its responsibilities under FEMA Tribal Policy, particularly in its consideration of the unique circumstances that affect tribal governments and its commitment to building tribal capacity.

Presentations

Santa Clara Pueblo has been requested to develop and participate in many conferences/ presentations with FEMA Region VI, Inter-Tribal Emergency Management Coalition out of Oklahoma (I-TEMC) and NM DHSEM. Santa Clara Pueblo has demonstrated a commitment to utilize and share our experiences with others.

FEMA Bioengineering Wildfire Job Aid, Case Study

Santa Clara Pueblo is currently assisting FEMA HQ on the use of Santa Clara Pueblo as a Case Study in the Bioengineering Wildfire Job Aid. This will be able to highlight our naturalistic approaches to watershed restoration and flood mitigation. It is our hopes that Santa Clara Pueblo will be able to help others understand the value and positive impacts of utilizing this method.

FEMA Region VI appreciation

Santa Clara Pueblo is grateful to the support that FEMA Region VI staff has been able to provide us. Their support is valuable, as it has allowed us to obtain the needed technical support to help us in our abilities to take full advantage of the programs that exist within FEMA. The relationships that we have been able to establish with Regional Staff have been instrumental to our successes as a tribe.

Santa Clara Pueblo Office of Rights Protection

Staff:

- Director - Ben Chavarria
- Administrative Assistant - Vida Baca
- Land and Water Technician - Jesse Gutierrez
- Land and Cultural Resources - Danny Naranjo
- Contract Field Technician - Isaac Gutierrez

Youth Conservation Corps (1997 - Present) multiyear grants also occurred beginning in 2014 occurring in early spring throughout the summer until the youth return back to school.

State of New Mexico Funded Project on Preservation of Ancestral Village of PUYE. The Santa Clara Pueblo hired 28 youth from the Pueblo and local area of NM with two funded grants. We were able to train in Prehistoric Masonry, leadership skills, GIS and GPS, first aid, situational awareness, language, life skills, and team building.

Youth Conservation Corps members contribute to the quality of life for all people in the State of New Mexico by:

- Preservation of healthy natural resources and lasting community benefits
- Instilling core values of hard work and accomplishments.
- Promotion of education and training
- Becoming responsible stewards of the state's resources
- Becoming positive role models for New Mexico's youth

To date we have restored walls, cliff house dwellings, stabilized original walls, constructed check dams to prevent erosion, trail stabilization, graffiti mitigation, and documentation of sites on the Santa Clara Pueblo Indian Reservation, this state funded grant also gives returning YCC crew members the opportunity to also apply for scholarships to further education, the NM YCC Commission offers a \$1,500 Tuition Voucher or a

\$500 Cash Bonus to YCC members who have worked in a YCC project for 12 months (52 weeks) in a 48 month period (4 years).



Santa Clara Pueblo Tribal Historic Preservation Officer (THPO)

Tribal Historic Preservation Officers are officially designated by a federally-recognized Indian tribe to direct a program approved by the National Park Service and the THPO must have assumed some or all of the functions of State Historic Preservation Officers (SHPO) on Tribal lands. This program was made possible by the provisions of Section 101(d)(2) of the National Historic Preservation Act.

In 2014 the Santa Clara Pueblo submitted a formal plan to the National Park Service describing how the proposed Tribal Historic Preservation Officer functions will be carried out within the exterior boundaries of the Santa Clara Pueblo and became the 154th tribe to assume historic preservation duties that were previously the responsibility of the State.

All THPOs believe that their work is an active expression of tribal sovereignty as they assume the state historic preservation responsibilities for their respective tribal lands.

Many of the lands within the boundaries of Santa Clara are private claim and checker boarded within the city of Española.

The THPO works diligently to assist federal, state, and local, agencies comply with the National Historic Preservation Act and other federal laws to deliver needed services to tribal communities on large projects, such as new community water projects, cellular and radio tower planning, highway repaving, and small projects, such as individual home and business site development.

THPOs are involved in the planning and compliance needed for forestry, road, school, housing, emergency management and economic development construction. The expertise of the THPO is relied heavily upon to protect cultural and historical sites within a planned project area.

Most work regarding Phase I investigations consist of the assistance from the State Historic Preservation Department in providing information to Santa Clara THPO in Archaeological Site filing system to research and evaluate specific projects.

THPOs work with local, state, and federal law enforcement to stop and prosecute looters of Indian remains and sacred objects. Almost all THPOs work directly with law enforcement to stop illegal activity. The Santa Clara Pueblo THPO has currently worked with New Mexico Historic Preservation Division (NMHPD) Site Watch a mission-based volunteer steward program responsible for monitoring cultural resources and ensuring protection for all resources. To date Santa Clara has also trained its Cultural Advisory Committee members and are planning to create our own Site Watch chapter for the Santa Clara Pueblo.

Issues and Concerns:

Funding for THPOs has not kept pace with the number of new THPOs added each year – therefore, with the addition of each new THPO, there is actually less funding for each program every year. THPO funding is not tax revenue but rather from the Historic Preservation Fund (HPF), funded by Outer Continental Shelf Oil Leases. Every year \$150 million in lease revenue is deposited into the HPF. It is crucial that these revenues be used for their intended purpose and not sacrificed as a budget-balancing tool.

KhapoKidz Initiative/Department of Youth and Learning:

The KhapoKidz Initiative has been an impeccable example of a government responding to the needs of its citizens, and has garnered the support of all generations. This came at a time when the Tribe was suffering from several consecutive states of emergency; a natural gas/heating outage during a very cold winter (2011), New Mexico's second largest wildfire in recorded history (2011), and the effects of flooding caused by the fire scar that returns every summer with monsoon rains and is a threat expected to last decades.

The forestlands and spiritual center of the Santa Clara Pueblo was reduced 75% by the Los Conchas Fire, and damage to SCP's ecological and connected social-cultural systems resulted in a multifaceted psychological impact on the entire community. The results of a 2012 substance abuse survey the tribe conducted in coordination with the State of New Mexico's Health & Human Services Dept. Office of Substance Abuse Prevention, highlighted several key concerns and supports community concerns and beliefs related to causal factors. Based on 149 total respondents, 45.1% of the community members surveyed reported mental health episodes/problems in the past 30 days compared with the New Mexico tribal average of 37.1%; and 23.0% reported mental health or drug/alcohol episodes/problems in the past year compared with the New Mexico tribal average of 13.6%. These cross-sections reflected significantly higher rates than combined average rates from all New Mexico tribes, and inferentially attributed to an existing "State of Emergency" that the tribe had sustained since 2011. This community level psychological burden was a key underlying factor for intervention, and prompted Santa Clara Pueblo to lay the groundwork towards building holistic, positive youth development programming. Action was needed immediately, yet needed infrastructural avenues for sustainability, as the ecological recovery time of tribal lands destroyed was estimated at over 100 years, or take five generations of recovery.

Looking to intertwine collective and historical core values of tribe's environmentally based culture into appealing community programming, culturally-centered and evidence-based interventions were either non-existent or not applicable in this case. Thus, in moving forward with KhapoKidz programming the rationale for culture-centering of what was a promising approach and program, along with developing/refining evaluation program plans, identifying appropriate metrics that captured immediate, intermediate and long term outcomes required a team representing various tribal programs/departments, as well as cultural proficiency to pilot programs for feasibility, and therefore effectiveness.

The approach to alleviating these troubles came through the development of the Department of Youth (2012), then the Department of Youth and Learning (DYL; 2014). A pilot project to create a specialized division of the Tribal Government intended to overcome span of control challenges, utilize various skill sets, and promote collaboration in programming – promoting known tribal strengths and cultural protective factors as a part of a solution to a complex problem. The DYL continues to invoke challenges to participants and the overall community based in traditional and historical roles around service to community, protection of community members, particularly youth & elders, and challenges that involve natural settings and elements.

Operating with the mission statement, “Cultivate lifelong learning and holistic health, through education, mentoring, and play” successes and weakness of the DYL have been measured in a variety of ways. The tribe has made great efforts to establish and align educational systems, initiate and control research through community based participatory models (CBPR) making great strides in academically accepted qualitative and quantitative data. However, the greatest success that the management and staff utilize to measure success has been the engagement of the community, mainly participant, parent and grandparent involvement. The DYL now has the great problem of having greater demand for programming than physical and logistical limits allow, particularly with vehicles, as the programs must travel off-reservation for outdoor activities due to the current state of the forestlands.

Since its inception, the Department has grown beyond the possibilities that anyone thought was possible, and still flies under the original KhapoKidz graffiti logo. The DYL now manages and coordinates the operations of six previously siloed departments and programs; Education, Recreation, Community Library, Tewa Language Program, Domestic Violence Prevention Initiative, and the Head Start/Early Head Start. The team has also lead the development of the tribally controlled Kha’p’o Community School, a K-6 elementary, with the goal of being a 50/50 English/Tewa dual language school within 7 years.

The DYL currently utilizes federal, state, tribal, and philanthropic funds to provide services to the community.

State resources and partners include:

- NMPED – Indian Education Division Strengthening Tribal Languages Grant
- CYFD – Summer Lunch Program
- Department of Health, Office of Substance Abuse
 - 2012 Substance Abuse/Mental Health Research Project
- Department of Cultural Affairs
 - Tribal Libraries Program
 - State Grants in Aid
 - GO Bonds
- University of New Mexico
 - Center for Participatory Research
 - Dr. Nina Wallerstein
 - Native American Budget and Policy Institute
 - Dr. Gabriel Sanchez

Tribal Courts:

Santa Clara Pueblo would like to publicly thank New Mexico and its Supreme Court. The Tribal Council has allowed the Tribal Court to use state hardware and software for Tribal video arraignments. This is an example of the State and the Pueblo working together for everyone's benefit."

Law Enforcement:

Over the course of the past year, we have been called to assist Espanola city police 102 times. This is by far the most of any requests for assistance from surrounding agencies. A major contributing factor to that is the large geographical area that encompasses the city of Espanola and Santa Clara tribal land. Rio Arriba County Sheriff's Office and New Mexico State Police have called to request assistance but far less frequently and the majority of those calls for assistance is during traffic stops involving Native Americans.

Conclusion:

I would like to thank the Indian Affairs and Transportation Infrastructure Revenue Subcommittee for the opportunity to host the Joint Committee meeting. We look forward to build upon the government to government relationship for a brighter future for all of New Mexico.

Kunda Wo' Ha' – Thank you very much.

Santa Clara Pueblo receives EPA Green Infrastructure Award

EPA Region 6 Awards Santa Clara Pueblo at 20th Annual Stormwater Conference

ALBUQUERQUE, NM—August 22, 2018—The U.S. Environmental Protection Agency (EPA) Region 6 awarded Santa Clara Pueblo with the 2018 Outstanding Green Infrastructure/Low Impact Development Award at the 20th Annual Region 6 Stormwater Conference on August 22, 2018. Santa Clara earned the award for their abstract and poster submission, “*A Naturalistic Approach to Watershed Restoration and Flood Mitigation.*” The competition included seven entries from Region 6, including a waterfront improvement plan in the City of Fort Worth, Texas, and a rainwater catchment and irrigation system at Toyota North American Headquarters.

Santa Clara Pueblo received the 1st Place award for its unique and collaborative approach in emphasizing natural system function in its watershed restoration and flood mitigation design. The winning abstract and poster was developed and presented by Garrett Altmann, of the Forestry Department, and Paula Gutierrez from the Department of Emergency Management. The 2nd place award recipient was the Santa Fe Cathedral Place Rain Garden.



The EPA GI/LID Award (left); Garrett Altmann and Paula Gutierrez accepting the Award during the conference luncheon and awards ceremony (photo right).

The GI/LID Awards are meant to show appreciation for organizations that are using Green Infrastructure and Low Impact Design to manage storm water. By incorporating these techniques—the users honored with these awards are demonstrating the most groundbreaking and transformative possibilities of Green Infrastructure in storm water management.