

Indian Affairs Committee



**Santa Clara Pueblo
Governor J. Michael Chavarria**

**October 19, 2023
Santa Clara Pueblo
Casino/Hotel 7th Floor**

Umbi Agindi, Ung Sengi Thamu,

Good morning Madam Chair Johnson and Members of the Committee. My name is J. Michael Chavarria, I serve as the Governor for Santa Clara Pueblo, serving my thirteenth one-year term as Governor for my Pueblo. I also serve as the Chairman for the Eight Northern Indian Pueblos Council as well..

Thank you for the invitation and opportunity to come before you today to present many state related issues on behalf of Santa Clara Pueblo.

It is important to address the challenges, provide solutions and discuss the various relationships that have been created with the various State Agencies, legislature and the Administration.

We must work together to build upon the foundations that have been created and at times must compromise on issues for the benefit of building strong partnerships through collaborative efforts.

Creation of Action Plans/Strategizes and/or metrics hold all of us accountable and making sure we are transparent in the work we do for all our constituents. 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?

Yes there are many challenges at all levels of governments. At the Federal level over the years through sequestration and budget cuts has had a detrimental impact on the direct services and opportunities to fully fund programs of need for tribal governments.

As Governor I have lobbied Congress and have stressed the financial hardships/burdens the sequestration, budget cuts, limited or no appropriations have had on our people, resources and day to day functions of our Tribal Government. I have also lobbied Congress for future exemptions from future budget cuts/sequestrations as this is their fiduciary and trust responsibility/obligations for Native Americans (mandatory funding)..

This includes lobbying for "Establishing a blanket cost match waiver (which has a national benefit). Cost match requirements imposed on federal grants pose a significant financial barrier to many tribal nations and prevent federal funding from going to those tribal communities where it is desperately needed.

Tribal Governments poses finite resources and limited revenue-generating capabilities stemming from federal law and policy. Cost match requirements force tribal governments to choose between pursuing desperately needed grant opportunities and providing vital governmental services to tribal citizens which does not honor the federal government's trust and treaty obligations to tribal nations.

The Federal Government has a solemn trust responsibility to protect the interests and welfare of Pueblos, Tribal Nations and Tribal Communities. The Trust Responsibility is based upon the political status of us as sovereign tribal governments involved and engaged in a government-to-government relationship with the United States of America. The Administration, Congress, federal agencies and federal officials all serve as trustees of the federal trust responsibility. So again, the relationship is not based on Race but rather on the government to government relationship with is a Political Sovereign Tribal Governments.

Therefore, I continue to advocate, that the federal government should eliminate any and all cost matching requirements applicable to tribal nations, specifically Santa Clara Pueblo.

Congress has established precedent for statutorily waiving match or cost share requirements in the context of “insular areas/territories” (American Samoa, Guam, the Virgin Islands and the Northern Mariana Islands). See 48 U.S.C subsection 1469 a (editorial note).

This provision mandates that the Department of the Interior “waive any requirements for matching funds otherwise required by law to be provided be the Insular Area.....” Further, it provides that “any department or agency shall waive any requirement for local Match funds under \$200,000 (including in-kind contributions)” and may waive the balance of matching funds, as well. Congress enacted the language in Section 1469a to minimize the administrative and financial burdens of federal funding on insular areas...

The request I have is for the Indian Affairs Committee to consider creating a separate state fund account to assist the Pueblos, Tribes and Nations with state funds to serve as cost matching obligations to federal grant funding opportunities. Potential of up to \$1 million to each Pueblo, Tribe or Nation on an annual recurring basis. I do understand that state funds currently through TIF and Capitol Outlay can be used for matching and leveraging of similar types of federal projects, which is much appreciated – this request would be for other specific federal grant funding opportunities and allow the Pueblos, Tribes and Nations to make that determination, as we know best how to meet that financial need....

Santa Clara Pueblo – Special Projects – Daniel Tafoya, Director:

Challenges:

IGA's - This year we have had a delay in receiving our IGA's. Typically, they would be signed by July. This year we did not receive them till September. We had an IGA received in January 2023 but not completed till May 2023. The delay in receiving and executing IGA's delays the Pueblo in starting projects.

NOO's (Notice of Obligation) - in prior years we would receive NOO approvals within 24-48 hours. Now, it takes anywhere from 1-4 weeks. We are not able to complete any work until the NOO's are approved, most times projects must be stopped till. The new process delays the project.

Payments - We have also seen a delay in reimbursement payments for projects. Requests for payments were sent in July and some but not all were received in October. This places a financial burden on the Pueblo having to carry these funds beyond 60 days.

Advanced Notice - IAD tends to send information out the week of or with very little ample notice for meetings and trainings to tribal staff. Most times, we receive notice the week of the event. This becomes difficult in scheduling and attending.

Current Projects:

- Capital Outlay 21 Water and Sewer F2466- \$1,200,000 (52% complete, pending construction)
- TIF- Southern Area Expansion- \$2,174,802 (Construction to begin November 2023, completed May 2024)
- TIF- Design Canyon Road- \$66,583.13 (In design, completion December 2023.)
- Emergency Radio Upgrades- \$2,424,273 (In construction, completion May 2024)
- Tribal Administration Building- \$1,336,500 (In final design, completion January 2024)
- Capital Outlay Water System Improvements- \$80,400 (Pending construction)

Intergovernmental Agreements (IGA's) received:

- Capital Outlay Tribal Administration- \$1,500,000
- Capital Outlay Cultural Center-\$1,000,000
- Capital Outlay Wellness Center- \$1,000,000

Pending IGA's

- TIF Emergency Radio Upgrades Phase II- \$2,991,994.51
- TIF Village Rehabilitation Evaluation- \$259,260
- TIF Guachupangeh Sewer Design- \$707,720.13

Projects Recently completed:

- ❖ TIF- PER Updates and AMP- \$178,529 (Complete July 2023)
 - ❖ Capital Outlay Water Rehabilitation- \$855,000 (Completed June 2023)
 - ❖ Capital Outlay Wastewater Rehabilitation- \$720,000 (Completed June 2023)
 - ❖ TIF Upper West Housing Water & Wastewater- \$1,858,393 (Completed September 2022)
 - ❖ Capital Outlay CHR Building- \$1,019,700 (Completed June 2020)
 - ❖ Puye Powerline Improvements- \$370,000 (Completed June 2020)
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Adult Day Care Program – Mildred Naranjo, Director:

ADC is serving 20 clients from the surrounding areas of Rio Arriba and Santa Fe County.

Daily activities are planned that are designed to actively involve and stimulate the participants. Activities are sensitive to cultural and traditional values.

ADC also provides assistance with personal care, i.e., walking, eating, grooming, toileting, bathing and transportation.

Intergeneration activities with Kha'Po Community students are provided, where the students learn to make the traditional regalia and food.

ADC's hours of operation are from 7:00 a.m. to 3:00 p.m.

- ADC currently has been awarded \$495,00.00 to upgrade the lighting in our center and re-do our floors
- we have also been awarded \$115,075.00 to stucco our building.

- **Challenge:**

- Although all paperwork has been submitted, we have not received our IGA's. These are the only two projects that ADC currently has opened. On the OIEA side, we get our contracts in the later part of August or in September, when the fiscal year begins July 1. If we could get our contracts on July 1, that would be great.

- Storage addition \$150,00
- Sunroom \$40,000

This upcoming year's capital outlay, Mildred will apply for the following:

- **Interior renovations \$430,500**
- **HVAC Unit \$100,000**

Santa Clara Pueblo – Senior Citizen Program – Judy Cata, Director

The Senior Center currently serves 243 elders of the community

The age groups served are 50 years and older

Homebound food deliveries include 3 specific routes on a daily basis:

- Mark delivers to 66 elders
- Stephen delivers to 72 elders
- Rena delivers to 60

The Santa Clara Senior Center is funded through State, Federal and Tribal. Our Senior Center has applied for Capital Outlay project every year and has been awarded some funding to purchase new Kitchen equipment and get a new front door installed within the past two years that I have been director.

I currently have applied for the following projects:

- Bathroom renovations
- Renovation/repair of our flooring and painting
- Plastering of our center and for solar panels.

The next funding cycle I would like to seek for is a new meal on wheels vehicle due to program growth to three routes. I would also like to purchase new furniture (Chairs), and also for a bigger parking lot for our center.

I would hope to see that more funding be given to our center so that we could plan for the betterment of our senior center, and to seek future employment of meals on wheels driver(s), and other staffing like a chore person, nutritionist and to maybe to contract an individual to come and teach our community about the increase of diabetes, dementia and Alzheimer's about caring for these individuals.

I think that the need for continual funding of these mentioned programs or projects is crucial or vital to our program(s) and also for the community of Santa Clara.

Santa Clara Pueblo – Office of Environmental Affairs – Dino Chavarria, Director:

Santa Clara Pueblo Summary to Support NM Environment Department Ground Water Bureau Funding for Planned Work at the North Railroad Avenue Plume Superfund Site and Calle Chavez Contaminated Area.

- The North Railroad Avenue Plume (NRAP) Superfund site is a site of contaminated ground water created by a dry cleaner business. The contaminants of concern are PCE – Tetrachloroethene and TCE – Trichloroethene. The site was listed in 1999 and was turned over to NMED in 2018. The NRAP site is within the exterior boundaries of Santa Clara Pueblo.
 - At the shallow plume in the Source Area, five new injection wells (SAI-11, SAI-12, SAI-13, SAI-14, and SAI-15) were drilled in June 2023. Source Area injections are planned for late 2023 or Spring 2024 with new treatment using specialized treatment materials to speed up Source Area and Deep Zone bioremediation. Both EVO and the new treatment mixture increase microbial activity to destroy contaminants
 - Other upcoming work will be continuation of annual groundwater monitoring (November 2023), additional Deep Zone injections (Winter 2023-Spring 2024), additional Source Area injections (Winter 2023-Spring 2024), continue vapor intrusion monitoring (2024), installation of additional monitoring and injection wells (as needed) and US EPA to complete fourth Five-Year Review in 2025.
 - Santa Clara Pueblo supports funding to the New Mexico Environment Department that provides support to state personnel to complete these necessary tasks to mitigate the NRAP Superfund site.
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Addressing Disparities: It's important to acknowledge that educational disparities often reflect larger social and economic inequalities. We must be committed to equitable approaches that ensure all students have access to quality education, regardless of their background or circumstances.

The Yazzie/Martinez case has been eye opening particularly in the face of the COVID-19 pandemic. The 2006 LFC report on the Indian Education Act brought to light many disparities for legislators on the pitfalls this state was facing after the passage of the Indian Education Act in 2003. Almost 20 years later, a 2021 progress report from the LFC on “Indian Education Act Implementation” disclosed things were not the same, they were worse.

In the world of education, it is imperative that we stop condemning each other for the misfortunes that we are dealing with today. We live as neighbors, sitting side by side. We must work together to forge a path into the future. While all communities in New Mexico are unique, what is good for my neighbor’s child, is more often than not, good for my own child.

The State Administration, Legislature, and LEAs cannot blame each other for the lack of improvement during the Yazzie/Martinez case. The strategy of placing blame on the each other for lack of compliance with the Judge Sarah Singleton’s 2018 court decision and order benefit no one.

To paraphrase and quote the shared responsibility of Judge Singleton’s, decision and order, School districts are —an area of land established as a political subdivision of the state for the administration of public schools. The State is responsible for assuring that students receive an adequate education. This responsibility extends to assuring that all its political subdivisions are meeting this constitutional goal." (D&O, p. 53, n.33.)

PED has a statutory obligation to —supervise all schools and school officials coming under its jurisdiction, including taking over the control and management of a public school or school district that has failed to meet requirements of law or department rules or standards, and to —determine policy for the operation of all public schools and vocational education programs in the state.

LFC Deputy Director, now Director, Charles Sallee testified that PED has budgetary authority under the SEG to withhold approval of a district's SEG allocation if the PED determined that the district was not spending its money in accordance with the State Constitution.

The Courts have attested, the responsibility is shared.

Locally, we have seen the ups and downs of the relationship with our Local Education Agency, Espanola Public Schools. Throughout the years we have seen numerous changes in the EPS Superintendent, many times, quicker than our own changes in Tribal Leadership. It was not

until we sat with the Board to tell them, our interest was bigger than the 30 Santa Clara Pueblo students they saw in the district. We are along with Ohkay Owingeh are the biggest employers in Rio Arriba County. We as tribal communities need good schools, public, tribally controlled or private. We need this for our Indigenous students, but also because we want the graduates to work for us. We need them to be highly skilled, whether they enter the workforce, return home after college or military, or enter the trades. We need CEO's, teachers, plumbers, doctor's and custodians.

Currently, we are pleased to have amicable working relationships with Espanola Public Schools, McCurdy Charter School, Santa Fe Indian School, Pojoaque Valley Schools, Los Alamos Public School, La Tierra Montessori School, Santa Fe Public Schools, Albuquerque Public Schools, and so on. This has come through years of relationship building and constant communication. These relationships have the Executive Support of my Office and the working arms of the Santa Clara Pueblo Department of Youth and Learning.

Santa Clara Pueblo students and families are fortunate to have numerous options for their schooling and educational endeavors. As Governor, I am elated to say that in my tenure we have had either a Valedictorian or Salutatorian, in almost all of these districts or charter schools. I will also tell you most of these students get their start in our two tribally controlled schools, the Santa Clara Pueblo Head Start, then the K-6 Kha'p'o Community School before entering the Public School System. Their education will combine the efforts of Tribal, Federal, and State supported education systems.

Culturally Relevant Curriculum: At all levels of education from Pre-K to College, we must continue to advocate for a curriculum that seamlessly integrates our language, culture, and history. It's vital to ensure that education is a natural extension of our community's existence.

Community Involvement: The power of tribal decision-making in education cannot be overstated. It's essential to secure equitable access to the necessary tools and resources, enabling our Native students to thrive.

Holistic Education: Community-based out-of-school programs are the heart of our language and cultural preservation efforts. These programs foster deep connections to our heritage and community, enriching our educational journey. Meaningful, recurring, multi-year investments must be continued for Tribal Education Departments and Tribal Libraries to enhance students learning all year round.

Supporting Native American Language and Culture

Native languages are far more than just a means of communication. They encapsulate the history, worldview, and wisdom of Indigenous peoples, passed down through generations. When a language is lost, a unique cultural lens through which to view the world is extinguished. This loss is immeasurable, impacting not only Indigenous communities but society at large, as it diminishes our collective human heritage.

The state of preservation efforts across the state is a mixed bag. While there have been significant strides made in recent years to support Native language revitalization, all Indigenous languages in New Mexico remain endangered. Organizations like the NMPED and ECECD have played a crucial role in funding language preservation programs, but the challenges are vast. These challenges include limited resources, the need for qualified language teachers and speakers, and the intergenerational trauma stemming from historical attempts to suppress Native languages.

Early Childhood Opportunities:

1. **Foundation for Success:** Early childhood education is the cornerstone of better student outcomes. Research consistently shows that children who participate in quality early education programs perform better academically, socially, and emotionally throughout their lives.
2. **Retaining Authority:** It's crucial that we retain full authority to establish the criteria, standards, and assessment tools for early childhood programs within our tribal communities. Our culture, values, and traditions should be integrated into these programs to ensure they align with our unique identity.
3. **Access to State Resources:** While maintaining our authority, we must also access state resources to support our early childhood education initiatives. Collaboration with state agencies can provide funding, training, and resources to enhance the quality of our programs.
4. **Cultural Preservation:** Early childhood education is a prime opportunity to instill our cultural values, languages, and traditions in the younger generation. It ensures the preservation of our heritage and strengthens our identity as a community.
5. **Long-Term Impact:** Investments in early childhood education pay off in the long term. They reduce the need for special education services, improve graduation rates, and lead to a more skilled and empowered workforce, benefiting our entire community.

Broadband Connectivity:

1. **Bridging the Digital Divide:** Bridging the digital divide in our tribal communities is not just a preference; it's an absolute necessity. Access to broadband internet is no longer a luxury but a fundamental requirement for education, work, and healthcare. The digital divide affects not only our students but our entire community, and it demands our unwavering focus.
2. **Education Beyond the Classroom:** Broadband access goes far beyond education. It enables our students to access online resources, conduct research, and participate in remote learning. It prepares them for a future where digital literacy is paramount in securing opportunities.
3. **Work Opportunities:** In today's interconnected world, job opportunities increasingly depend on digital skills. By addressing the broadband gap, we open doors to employment and economic growth for our community members. It's about creating sustainable livelihoods for our people.
4. **Telehealth and Healthcare:** Access to healthcare is a basic human right. Broadband connectivity allows us to access telehealth services, connect with medical professionals, and receive timely care. It's a matter of health equity for our communities, particularly in remote areas.
5. **Community Resilience:** Reliable broadband connectivity is essential for communication during emergencies, disaster management, and community resilience. It ensures that we can stay connected, informed, and safe in times of crisis.

Post-Secondary Opportunities:

1. **Empowering Future Leaders:** Post-secondary education is the bridge to empowering our future leaders. It equips our youth with the skills, knowledge, and experiences they need to contribute to the growth and prosperity of our tribal nations.
2. **Barriers to Overcome:** Despite the importance of post-secondary education, significant barriers persist for Native students. These barriers include financial challenges, lack of access to support services, and cultural disconnect in higher education institutions.
3. **Removing Obstacles:** It's our duty to remove these obstacles and ensure that our students have equitable access to post-secondary opportunities. This means advocating for financial aid, scholarships, and support programs tailored to the unique needs of Native American students.
4. **Cultural Relevance:** Post-secondary education programs must also be culturally relevant. They should acknowledge and celebrate our cultural heritage, ensuring that our students can maintain their identity while pursuing higher education.
5. **Investment in Our Future:** When we invest in the post-secondary education of our youth, we're investing in the future strength and resilience of our tribal nations. It's a pathway to economic self-sufficiency, leadership, and self-determination for our communities.

By addressing these areas—broadband connectivity, early childhood opportunities, and post-secondary education—we're not only securing a brighter future for our students but also strengthening the overall well-being and prosperity of our tribal communities. These efforts are essential in preserving our heritage and ensuring that our people have the opportunities they deserve to thrive.

Santa Clara Pueblo Police Department – Eduardo Martinez, Chief of Police:

The Santa Clara Pueblo Police Department has experienced a manpower shortage of certified police officers for the past two years. Very few employment applications have been received and the applicants who have been offered a position has declined it for one reason or another, but mostly due to the starting pay scale. The Department applied for and received a New Mexico State Funded Recruitment grant that will assist in covering a portion of the starting pay for 4 vacant positions within the Department. The grant will cover some certified officer's salary costs for three years. The total amount of the grant was \$393,750.00 which was broken down into the following disbursement by year:

Year 1-Up to \$225,000.00

Year 2-Up to \$112,500.00

Year 3-Up to \$ 56,250.00

The Department Patrol vehicles will need to be replaced with in the next two years, as the current police vehicles are 2017 Ford Explorers approaching over 100,000 mile each. The cost to keep them in running condition is on the rise as some police vehicles have had major and costly repairs.

The Department will apply for a COPS grant to assist with the purchase of new patrol vehicles to include all emergency and recording equipment.

Santa Clara Pueblo Rights Protection Office – Ben Chavarria, Director:

The New Mexico Youth Conservation Corps (YCC) is a State funded program through the New Mexico Energy, Minerals, and Natural Resources, Department (ENMRD) which offers proposals for competitive grant opportunities for the youth of New Mexico. While conserving New Mexico's natural resources and providing community benefits of lasting value.

The Rights Protection Office, has applied and been awarded the New Mexico Youth Conservation Corps Grant since 2007, with the exception of 2 summers. Each summer, we have

seen great results among selected youth that participate within the program where our primary focus is on the youth of the pueblo, and surrounding communities, the primary goal is to instill core values in stewardship and incorporating shared pueblo land ethics and values to protect all resources. The Rights Protection Office continues to view reoccurring applications from previous youth workers each summer with ages ranging from 14 to 25. Additionally, the Staff of the Rights Protection Office notices the significant improvement of professional skills and cultural awareness. The YCC program offers youth the opportunity to become prepared for the adult workforce. Not only in preparation of future employment, but provides a connection with their ancestral culture. The need for the continuation of funding of this program is crucial to provide the necessary tools for youth to be successful in regaining cultural connection, professionalism, team efforts and engagement to their community.

With the continuance of funding for this program, we will have the ability to acquire the essential needs for youth to develop their professionalism skills and experience with conservancy. This program assists 24 youth with summer employment salaries, teaching them financial responsibility and offering them an income to utilize towards their educational needs. The Youth Conservation Corp does give youth working under their program for a minimum of 48 weeks the opportunity to receive a \$1500 scholarship of a \$500 stipend. This program offers encouragement, support and guidance for youth to achieve their professional goals and develop a healthy relationship amongst their peers.

Santa Clara Pueblo Judicial Matters – Frank Demolli, Chief Judge:

AFTERMATH OF NM SENATE BILL 33 AND CROSS-COMMISSIONING

Santa Clara Pueblo is opposed to any reintroduction of SB 33 without fixing the provisions that the Pueblos pay for law enforcement that is the duty of the State.

Any “opt-in” options force Pueblos who cannot pay for enforcing State laws to go without law enforcement.

1. During the 2023 legislative session, NM Senate Bill 33, An Act Relating to Law Enforcement, was introduced and then recalled by its sponsors.
2. SB 33 was a suggested modification of NMSA § 29-1-11.
3. NMSA § 29-1-11 allowed the New Mexico State Police to commission New Mexico Pueblo and Tribal law enforcement officers to act as NM peace officers.
4. NMSA § 29-1-11 enhanced the State’s ability to enforce State laws without costing the State a penny.

5. NMSA § 29-1-11 did not include any provisions or reimbursements for:
 - Training curriculum in enforcement of State laws.
 - Initial training in enforcement of State laws.
 - Continuing legal education.
 - Supervision of Tribal Officers enforcing State laws.
 - Time spent on criminal complaints and investigations.
 - Tribal Officers' preparation for appearance in State Courts, including consultation with district attorneys and mileage.
 - Travel or pay of Pueblo and Tribal officers.
6. SB 33 deletes the requirement that the State Police commissions the Pueblo and Tribal Officers.
7. SB 33 only requires that, in order to be commissioned, the Pueblo or Tribal police are "certified by the New Mexico law enforcement academy or a basic law enforcement training program approved by the academy."
8. SB 33 states that each Pueblo or Tribal or BIA officer "shall be liable for any acts of that officer acting within the scope of the officer's employment or authority when acting as a New Mexico peace officer. **Neither the state nor any political subdivision shall be liable for acts or failures to act by such peace officer.**" The Pueblo or Tribe and the Bureau of Indian Affairs must carry vehicle and professional liability insurance.
9. SB33 would ignore the NM Supreme Court decision in Loya v. Gutierrez, 2015-MNSC-017, and remove the commissioned officers from the tort liability protection of NMSA § 41-4-4: Granting immunity from tort liability. "A governmental entity and any public employee while acting within the scope of duty are granted immunity from liability for any tort... Waiver of this immunity shall be limited to and governed by the provisions of Sections 41-4-13 through 41-4-25 NMSA 1978, but the waiver of immunity provided in those sections does not waive immunity granted pursuant to the Governmental Immunity Act [41-13-1 NMSA 1978]."
10. The Pueblo Land Act Amendments of 2005 was enacted to clarify criminal jurisdiction within the Pueblos and was partially a result of the confusing provisions within NMSA § 29-1-11. It is the State and Federal government, not the Tribes, who are responsible for protecting the Tribes from crimes committed by non-Indians.

Conclusion:

- 1. NMSA § 29-1-11 and SB 33 are a win-win for the State. The Pueblo pays for their own protection, the State gets free law enforcement with all criminal traffic citation revenues going to the State.**
- 2. The solution for the Pueblos is obtaining Federal Special Law Enforcement Commissions, enacting civil traffic codes and supporting enforcement of PLA 2005 by the State or for the State to fix the provisions in SB 33.**
- 3. SB 33 is a slippery slope. If passed, the State will continue to have the Pueblos pay for services the State is legally obligated to provide.**

Santa Clara Pueblo Forestry – Daniel Denipah, Director

Forestry would like to mention the continued State funding such as;

- (FAWRA) Forest and Watershed Restoration associated with planting, in-stream structures, wetland enhancement and water conservation projects. FAWRA, activities include riparian restoration, revegetation, and fencing. Amounts range \$20k to 200k.
- The continued (NFL) Non-Federal Lands funds which contribute to the Hazardous Fuels Treatments. Includes both planning and implementation funds. Non-federal lands, activities include HFR, planting, fencing and restoration. Amounts range from \$20k-150k
- The Pueblo currently has a MOU with State.
- Funds vary from \$50,000.00 to \$250,000.00 at a time.
- We submit a SOW when funds become available, sometimes there is left over funds at the end of State FY. State will make those available to us.
- Challenge: Potential funding are provided at the end of State FY and make it difficult to expend such funds quickly and can be problematic with a quick turnaround time to expense those funds.
- Does not allow very much time for implementation of project.
- NM River Stewards, creek restoration, Amount of \$1M

Land & Water Conservation Fund (LWCF)- Applied in 2020, selected for ~\$200k in 2021 funding but RFI review exceeded 18 months and became administratively burdensome to continue through to final award. National Park Service administers the grant and needs to modify program guidelines to be more respectful of tribal sovereignty, review timelines and applicant capacity limitations. NM provided application assistance, which is what ultimately persuaded us to apply.

Infrastructure Capital Improvement Plan FY 2025-2029

Santa Clara Pueblo Project Summary

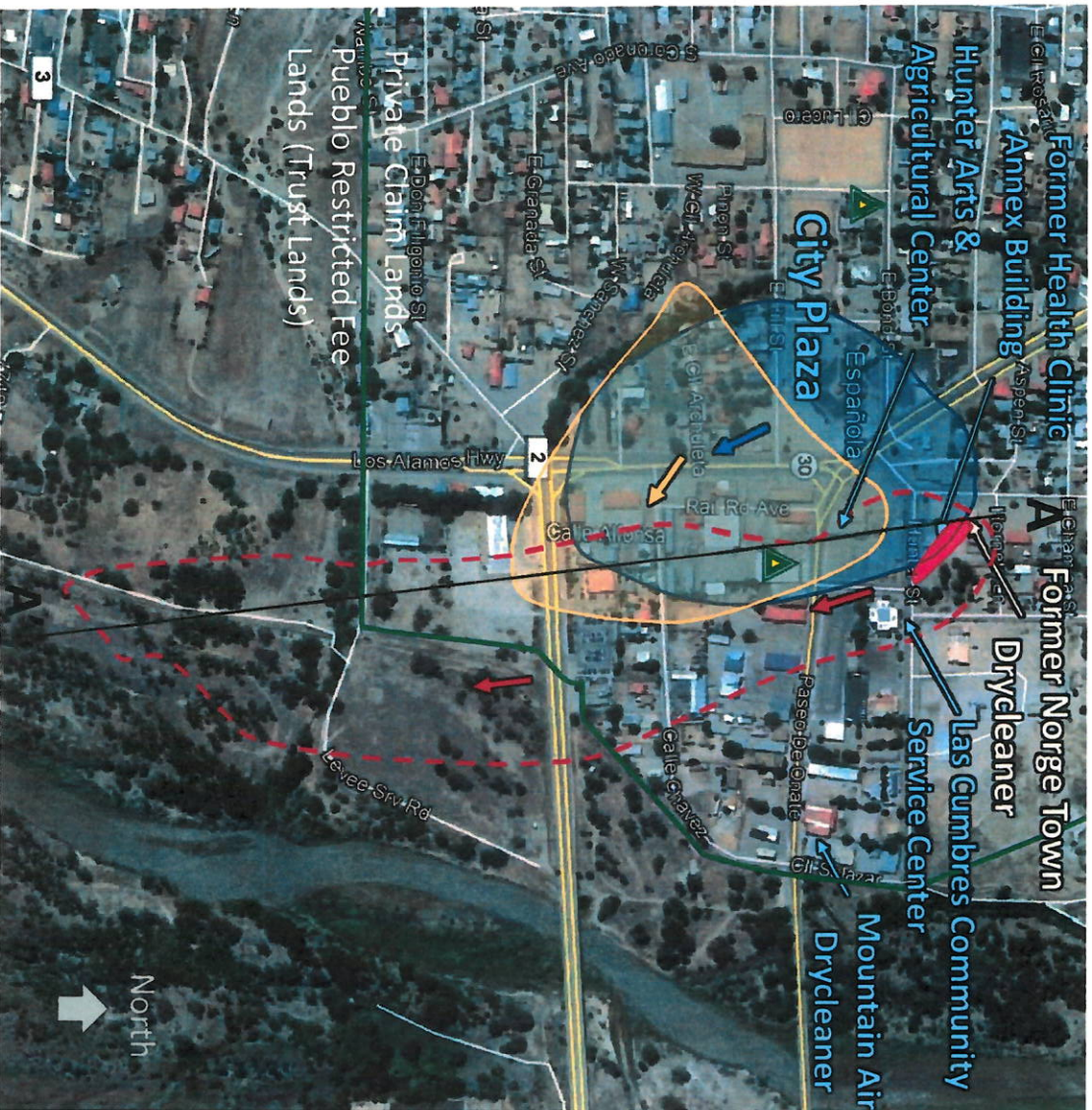
ID	Year	Rank	Project Title	Category	Funded					Total Project Cost	Amount Not Yet Funded	Phases?	
					to date	2025	2026	2027	2028				2029
18371	2025	001	Tribal Administration Complex	Facilities - Administrative Facilities	1,950,000	6,000,000	6,000,000	6,000,000	0	0	19,950,000	18,000,000	Yes
26866	2025	002	New Santa Clara Clinic	Facilities - Housing-Related Cap Infrastructure	200,000	520,000	20,000	2,000,000	3,000,000	1,500,000	7,240,000	7,040,000	Yes
18317	2025	003	Upgrade Tribal Water System	Water - Water Supply	9,395,409	3,204,900	2,700,000	2,700,000	2,650,000	2,700,000	23,350,308	13,954,900	Yes
22218	2025	004	Upgrade Tribal Wastewater System	Water - Wastewater	6,365,000	2,600,000	2,600,000	2,850,000	2,850,000	4,250,000	21,515,000	15,150,000	Yes
29723	2025	005	Wellness Facility	Facilities - Housing-Related Cap Infrastructure	0	1,400,000	3,000,000	3,000,000	3,000,000	3,000,000	13,400,000	13,400,000	Yes
37422	2025	006	Tribal Equipment Compound	Facilities - Other	595,054.75	4,000,000	4,000,000	4,000,000	0	0	12,595,055	12,000,000	Yes
38833	2025	007	Riverside Water System	Water - Water Supply	650,000	3,000,000	3,000,000	2,000,000	0	0	8,650,000	8,000,000	Yes
40273	2025	008	Santa Clara Head Start Facility	Facilities - Administrative Facilities	45,000	1,500,000	5,000,000	5,000,000	3,000,000	0	14,545,000	14,500,000	Yes
38722	2025	009	Police Station	Facilities - Administrative Facilities	0	610,000	2,000,000	2,000,000	1,390,000	0	6,000,000	6,000,000	Yes
36046	2025	010	Fire Station Renovation	Facilities - Fire Facilities	500,000	1,000,000	1,500,000	500,000	0	0	3,500,000	3,000,000	Yes
32432	2025	011	Community Library Renovation	Facilities - Libraries	500,000	1,200,000	1,900,000	1,500,000	1,400,000	0	6,500,000	6,000,000	Yes
18359	2025	012	Irrigation System Repair	Water - Other	1,200,000	3,000,000	3,000,000	3,000,000	2,000,000	0	12,200,000	11,000,000	Yes
38809	2025	013	Four Corner's Water & Wastewater Treatment	Water - Wastewater	11,673,260	2,250,000	2,250,000	0	0	0	16,173,260	4,500,000	Yes
33807	2025	014	Agriculture Compound	Facilities - Administrative Facilities	0	1,000,000	1,000,000	0	0	0	2,000,000	2,000,000	Yes
38721	2025	015	Broadband Connections	Facilities - Other	400,000	1,000,000	0	0	0	0	1,400,000	1,000,000	No

Infrastructure Capital Improvement Plan FY 2025-2029

38723	2025	016	Emergency Communication Upgrades	Equipment - Public Safety Equipment	400,000	8,000,000	500,000	0	0	0	0	8,900,000	8,500,000	Yes
37421	2025	017	Puye Road Repair	Transportation - Highways/Roads/Bridges	500,000	1,000,000	0	0	0	0	0	1,500,000	1,000,000	Yes
26851	2025	018	Master Planning	Other - Other	0	400,000	400,000	0	0	0	0	800,000	800,000	Yes
26864	2025	019	Road Safety Improvements	Transportation - Highways/Roads/Bridges	0	750,000	500,000	500,000	250,000	0	0	2,000,000	2,000,000	No
32431	2025	020	Greenhouse	Facilities - Administrative Facilities	0	150,000	200,000	1,000,000	800,000	0	0	2,150,000	2,150,000	Yes
26904	2025	021	Water Control System Water Storage	Water - Other	0	150,000	1,300,000	2,000,000	2,000,000	2,000,000	0	7,450,000	7,450,000	Yes
26868	2025	022	Replace Public Safety Vehicles	Vehicles - Public Safety Vehicle	267,405	90,000	90,000	90,000	90,000	90,000	0	717,405	450,000	Yes
36036	2025	023	Santa Clara Pueblo Cultural Heritage Center	Facilities - Cultural Facilities	872,000	2,500,000	2,000,000	2,500,000	0	0	0	7,872,000	7,000,000	No
33811	2025	024	Wild Rose Road	Transportation - Highways/Roads/Bridges	0	50,000	900,000	0	0	0	0	950,000	950,000	Yes
33810	2025	025	Frontage Road Alignment Study	Transportation - Highways/Roads/Bridges	0	250,000	0	0	0	0	0	250,000	250,000	No

Number of projects: 25

	Funded to date:	Year 1:	Year 2:	Year 3:	Year 4:	Year 5:	Total Project Cost:	Total Not Yet Funded:
Grand Totals	35,513,124	45,624,900	43,860,000	40,640,000	22,430,000	13,540,000	201,608,048	166,094,896



SITE MAP

CITY OF ESPAÑOLA, RIO ARRIBA COUNTY, NM AND PUEBLO OF SANTA CLARA

- Original Shallow Plume
- Current Shallow Plume
- Intermediate Zone Plumes
- Deep Zone Plumes
- Former Municipal Supply Well
- Groundwater Flow Direction

SOURCE AREA CLEANUP STATUS

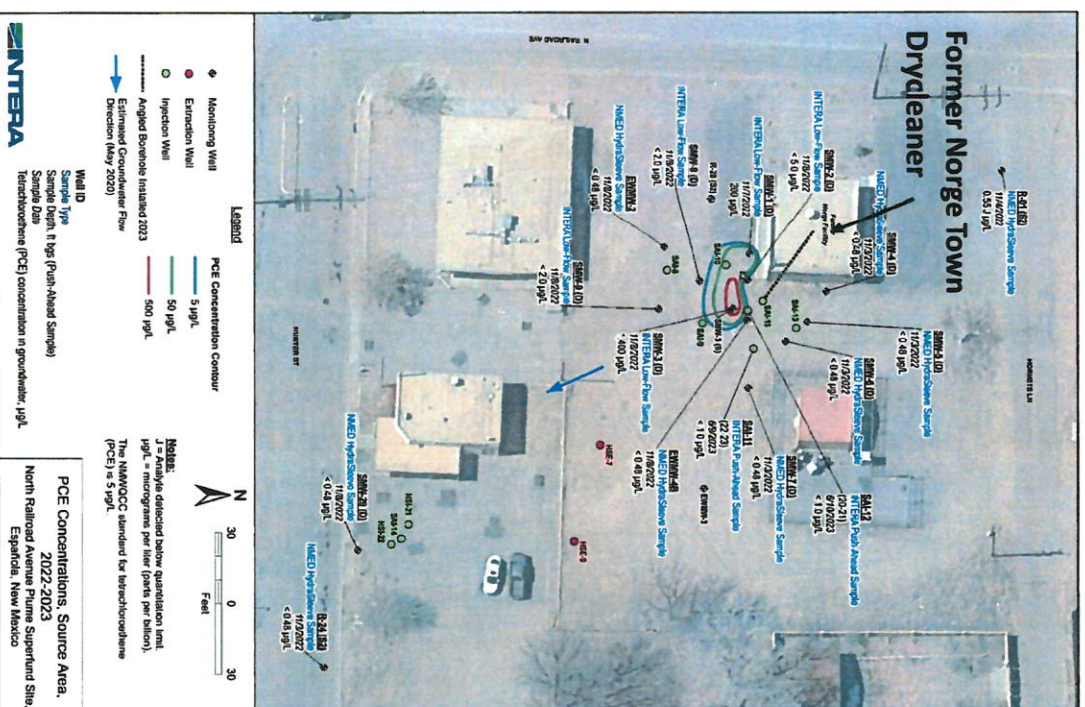
Source Area tetrachloroethylene (PCE) concentrations reduced from over 40,000 µg/L to less than 1400 µg/L

Only two (2) monitoring wells exceeded PCE cleanup goals in 2022

Last injections were in March 2020 as a pilot test for the new treatment injections

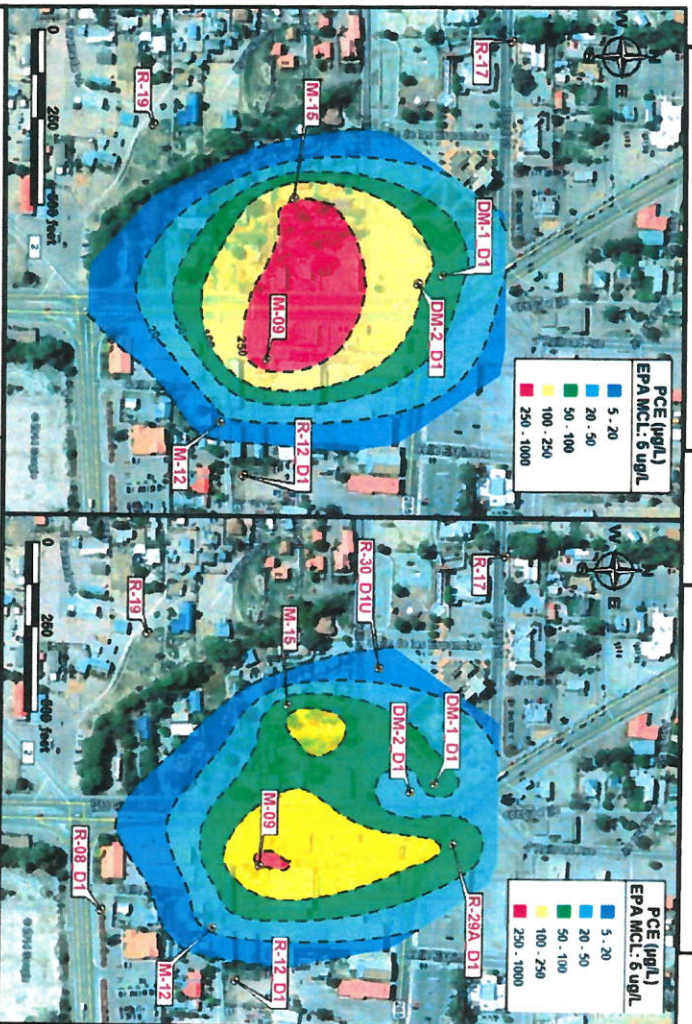
Five new injection wells (SAI-11, SAI-12, SAI-13, SAI-14, and SAI-15) were drilled in June 2023

Source Area injections are planned for late 2023 or Spring 2024 with new treatment



DEEP ZONE CLEANUP STATUS

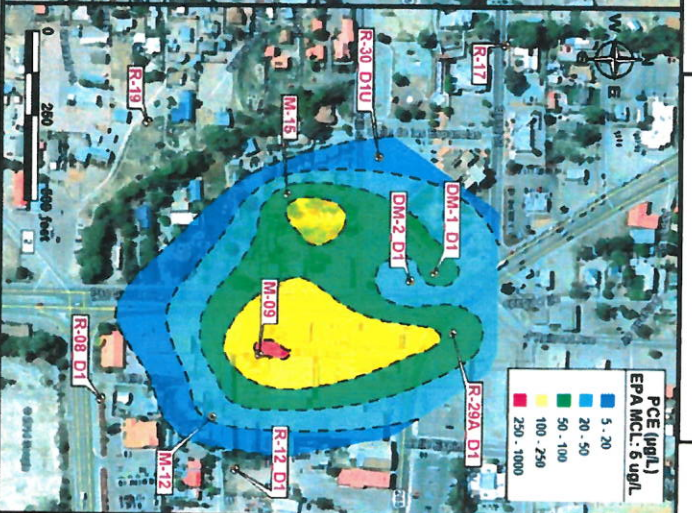
PCE in D1 Zone - 2009



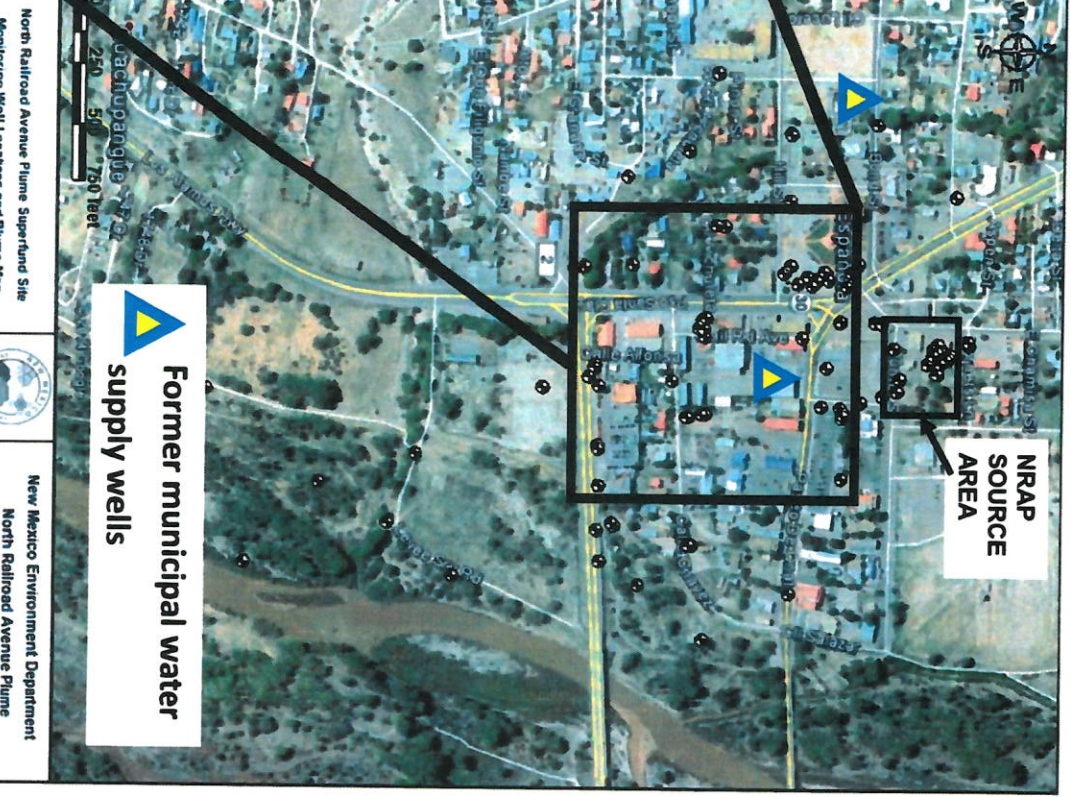
Deep Zone (D1) Aquifer
PCE Isocentration Contours
2009-2020



PCE in D1 Zone - 2020




New Mexico Environment Department
North Railroad Avenue Plume
Española, New Mexico



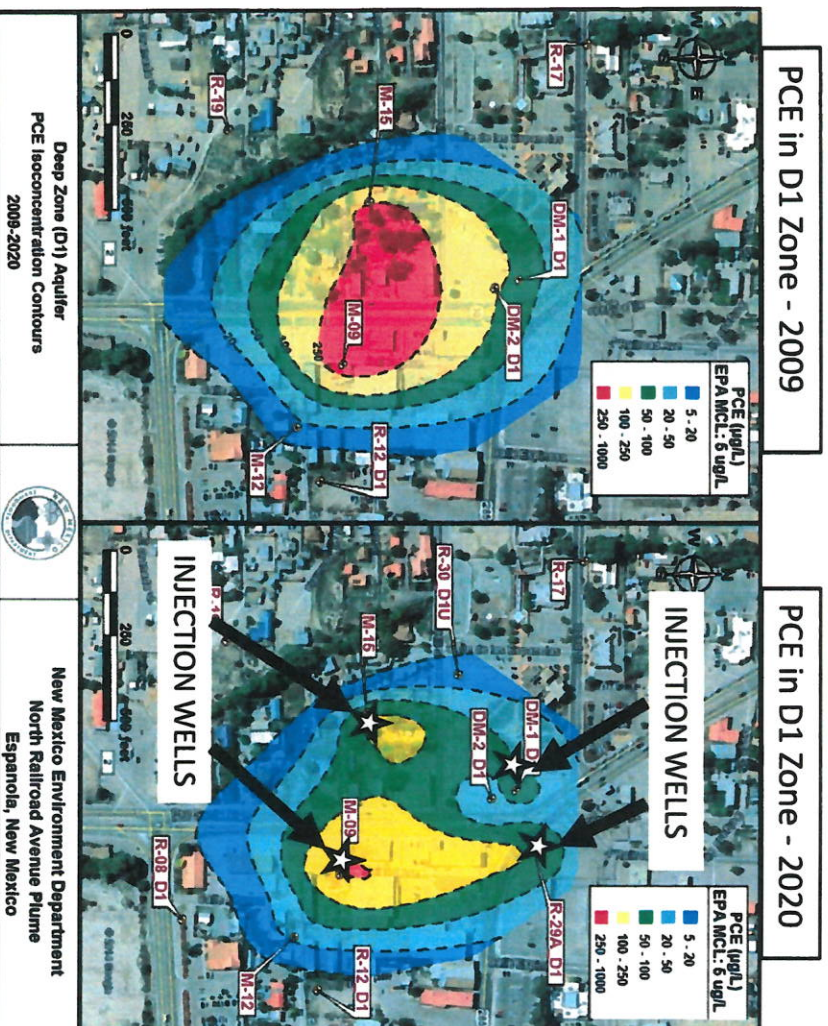
North Railroad Avenue Superfund Site
Monitoring Well Locations and Plume Map



New Mexico Environment Department
North Railroad Avenue Plume
Española, New Mexico

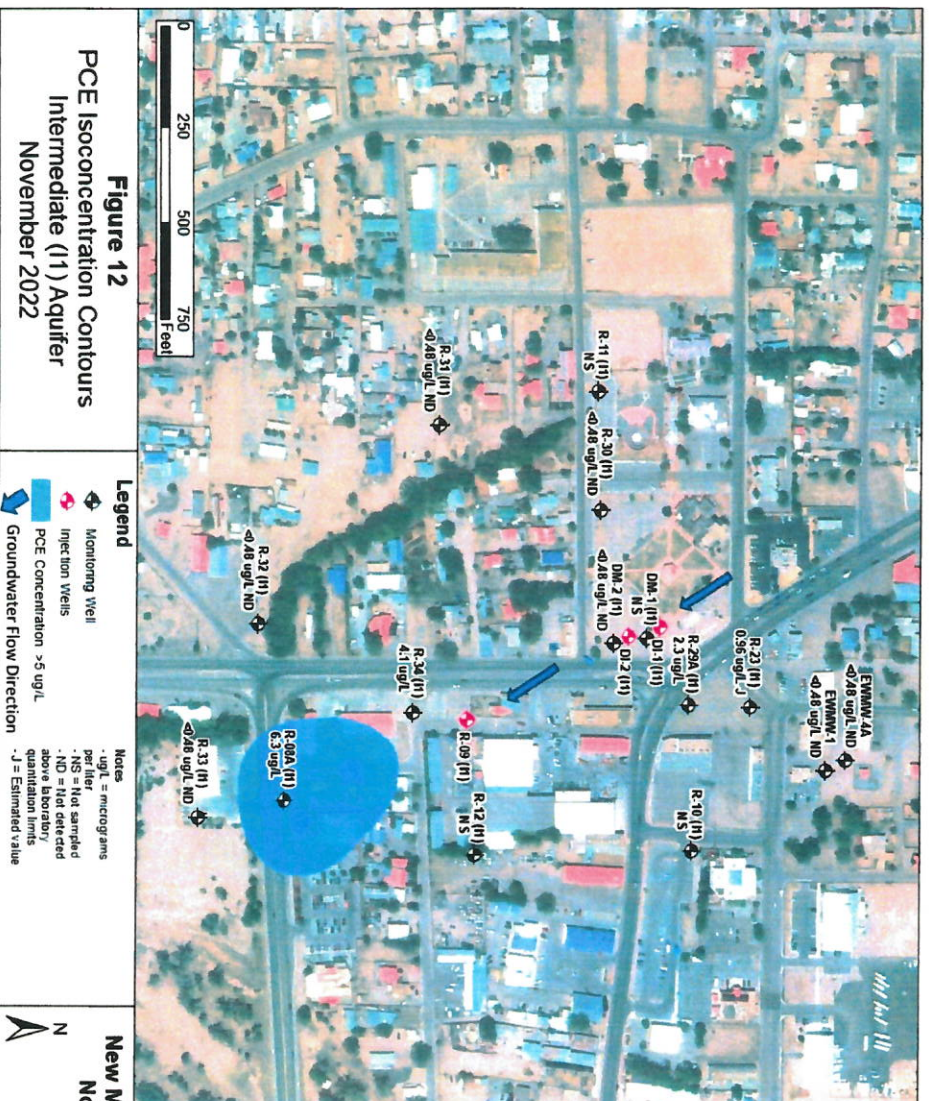
 Former municipal water supply wells

DEEP ZONE CLEANUP STATUS



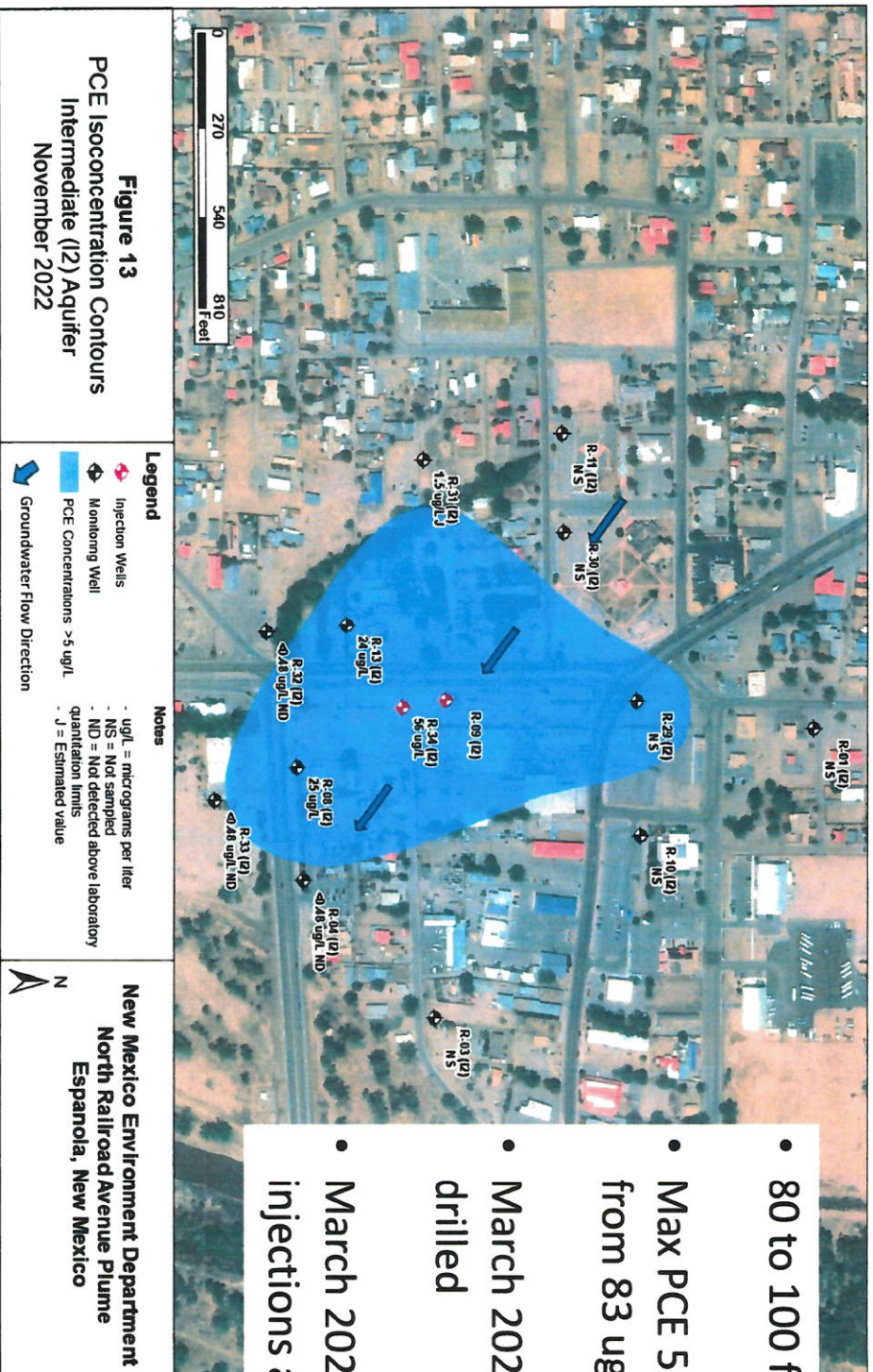
- Deep Zone injections between 2008 and 2012 using EVO
- Significant decrease in contaminant concentrations in Deep Zone, but slower progress than Shallow Zone
- Injected the new treatment mixture in March 2020, Feb/March 2021, and March 2023 – injection wells at the Plaza de Española, the old Hunter Ford parking lot, and behind Cook’s Home Center Hardware Store.
- Tetrachloroethylene (PCE) in monitoring well DM-1(D1) – on the Plaza – reduced by 93% by November 2022

INTERMEDIATE ZONE (I1) AQUIFER: 2022 PCE CONCENTRATIONS



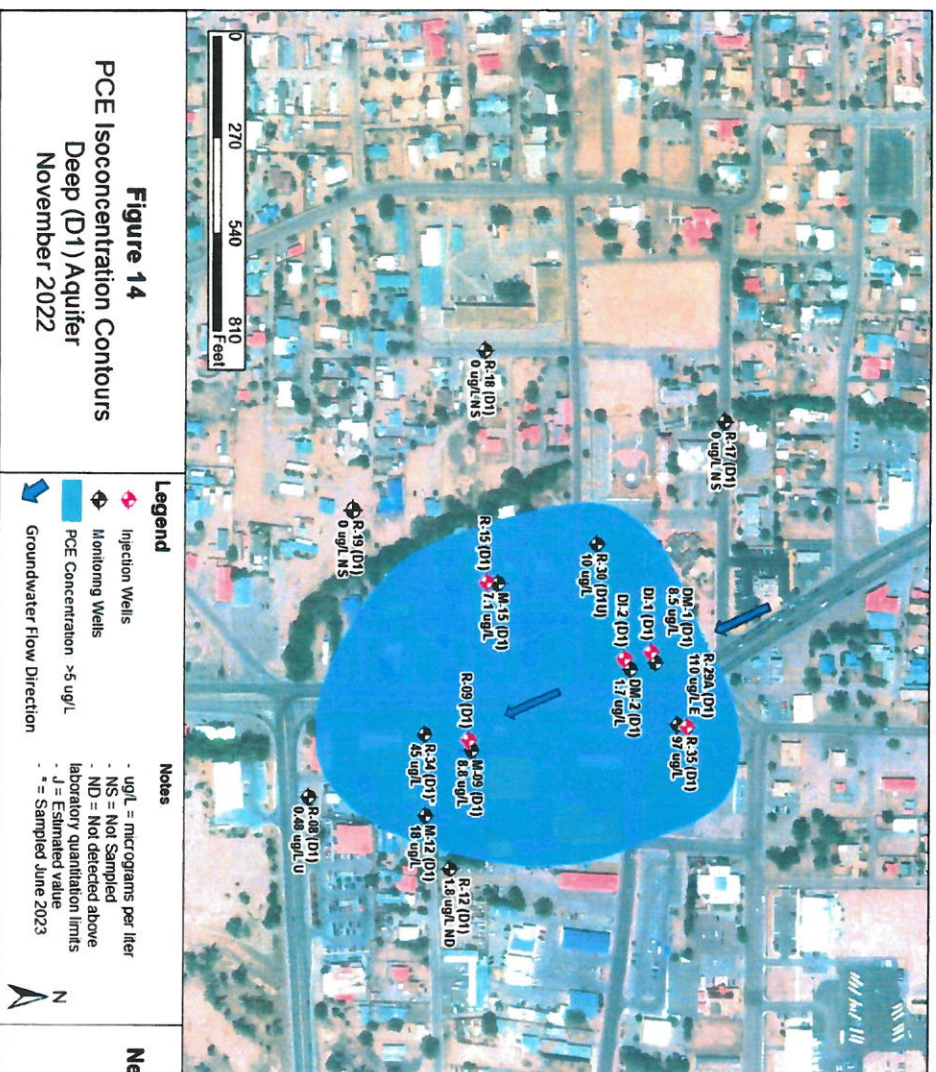
- 45 to 70 feet deep
- Max PCE 6.3 ug/L at R-08A (I1) is the only location in I1 that exceeds PCE cleanup goals
- EVO injections at Plaza between 2008 and 2012
- February 2021 – Injected new treatment mixture at R-09(I1)
- December 2021 – Installed monitoring well R-34(I1)

INTERMEDIATE ZONE (I2) AQUIFER: 2022 PCE CONCENTRATIONS



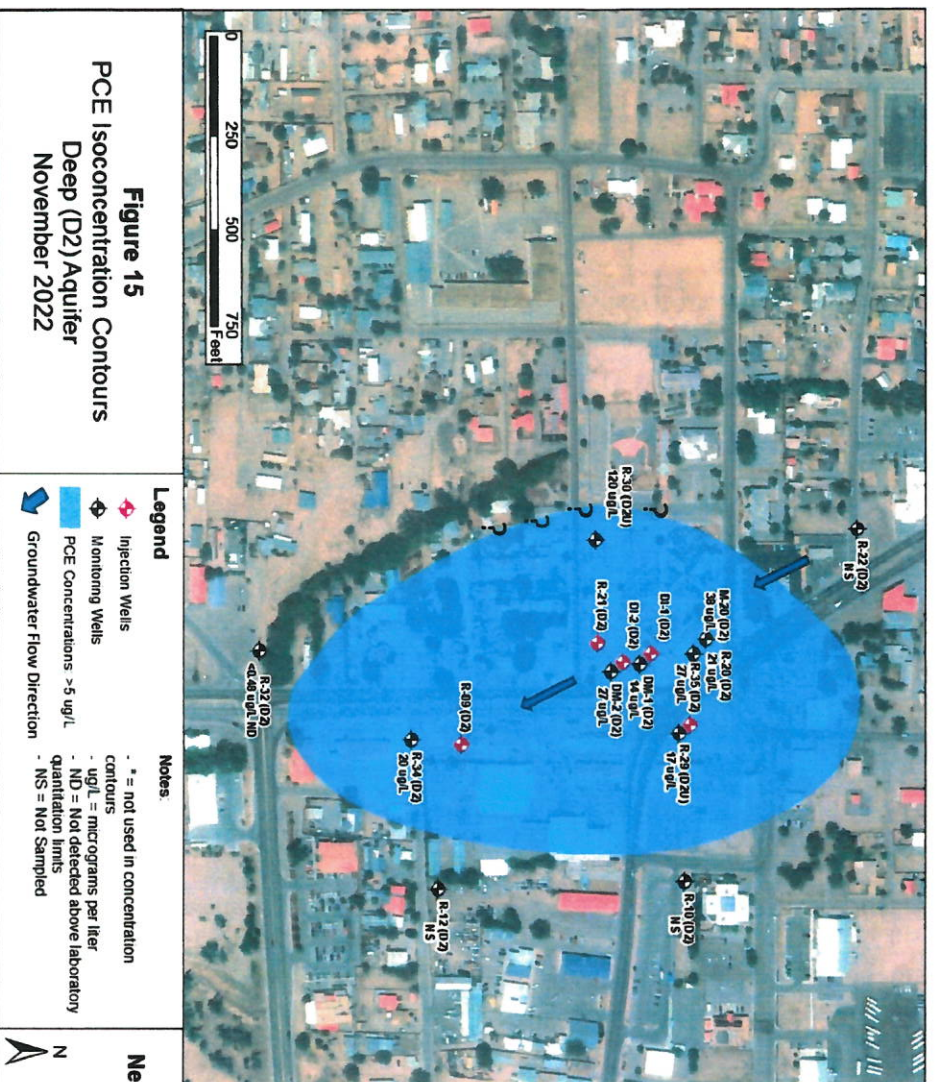
- 80 to 100 feet deep
- Max PCE 56 at R-34 (I2) down from 83 ug/L in June 2021
- March 2021 – R-34 (I2) was drilled
- March 2023 – Treatment injections at new well R-34(I2)

DEEP ZONE (D1) AQUIFER: 2022 PCE CONCENTRATIONS



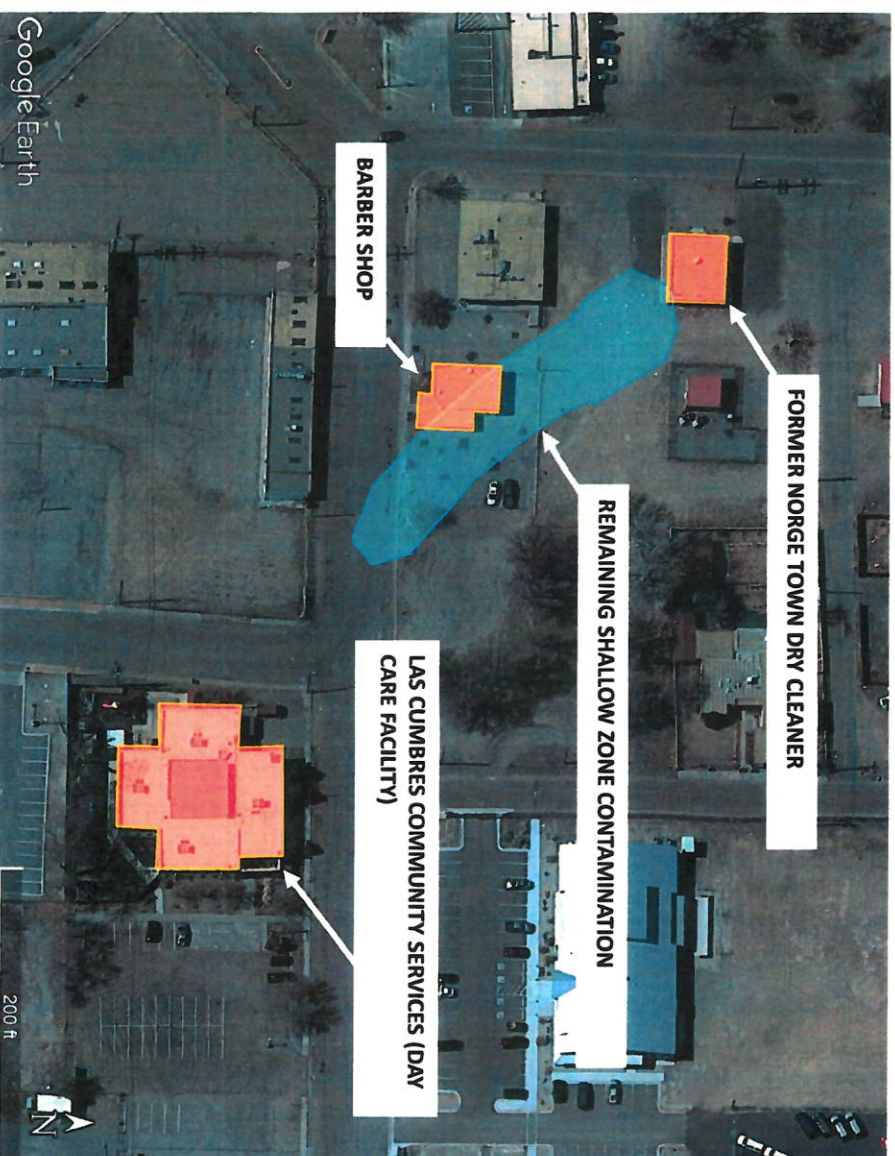
- 155 to 200 feet deep
- Max PCE 110 ug/L at R-29A(D1)
- EVO injections at Plaza, R-15(D1), and R-09(D1) between 2008 and 2012
- March 2020 – Pilot test injections at Plaza
- February 2021 – Injected new treatment mixture at R-09(D1) and DI-2(D1)
- November 2022 – R-35(D1) was drilled
- March 2023 – Injected new treatment mixture at R-15(D1) and R-35(D1)
- June 2023 – R-34(D1) was drilled

DEEP ZONE (D2) AQUIFER: 2022 PCE CONCENTRATIONS



- 225 to 265 feet deep
- Max PCE 120 ug/L at R-30(D2U)
- EVO injections at Plaza between 2008 and 2012
- March 2020 – Pilot test injections at Plaza
- February 2021 – Injected new treatment mixture at R-09(D2)
- March 2021 – new monitoring well R-34(D2)
- November 2022 – R-35(D2) was drilled
- March 2023 – Injected new treatment mixture at R-35(D2)

INDOOR AIR VAPOR INTRUSION MONITORING



- *NMED has monitored occupied structures near the Source Area for potential vapor intrusion since 2008.*
- *No response action has been necessary to mitigate vapor intrusion.*
- *NMED continues to monitor the buildings annually.*



NORTH RAILROAD AVENUE PLUME SUPERFUND SITE AND CALLE CHAVEZ PLUME

City of Española, Rio Arriba County, NM
and
Pueblo of Santa Clara

- Calle Chavez Plume
- Original NRAP Shallow Plume
- Current NRAP Shallow Plume
- NRAP Intermediate Zone Plumes
- NRAP Deep Zone Plumes
- Former Municipal Supply Well
- Groundwater Flow Direction

Infrastructure Capital Improvement Plan FY 2025-2029

Santa Clara Pueblo Senior Centers Project Summary

ID	Year	Rank	Project Title	Category	Funded to date					Total Project Cost	Amount Not Yet Funded	Phases?	
					2025	2026	2027	2028	2029				
41507	2025	001	ADC Interior Renovations	Facilities - Daycare Facilities	0	430,500	0	0	0	430,500	430,500	No	
41605	2025	002	HVAC UNIT	Facilities - Daycare Facilities	0	100,000	0	0	0	100,000	100,000	No	
36731	2025	003	Storage Addition Project	Facilities - Daycare Facilities	0	150,000	0	0	0	150,000	150,000	No	
39339	2025	004	Bathroom Renovations	Facilities - Senior Facilities	0	214,000	0	0	0	214,000	214,000	No	
39337	2025	005	Renovate/Repair Flooring	Facilities - Senior Facilities	0	200,000	0	0	0	200,000	200,000	No	
39336	2025	006	Sun Room	Facilities - Daycare Facilities	0	40,000	0	0	0	40,000	40,000	No	
39342	2025	007	Painting/Plaster	Facilities - Senior Facilities	0	100,000	0	0	0	100,000	100,000	No	
34335	2025	008	Senior Center Solar Panels	Facilities - Senior Facilities	0	100,000	0	0	0	100,000	100,000	No	
37836	2025	009	Exterior Stucco	Facilities - Daycare Facilities	0	260,000	0	0	0	260,000	260,000	No	
37837	2025	010	Light Fixture Replacement	Facilities - Daycare Facilities	0	106,000	0	0	0	106,000	106,000	No	
Number of projects:					10								
Grand Totals					0	1,700,500	0	0	0	0	1,700,500	1,700,500	