

FY 2025

New Mexico Environment Department  
State-Tribal Collaboration Act Report





## State of New Mexico ENVIRONMENT DEPARTMENT

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## I. Executive Summary

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

In FY25, the agency advanced its mission and focus on protecting communities from emerging public health concerns (e.g. drafting an OSHA employer heat illness standard for rulemaking) and mitigating environmental contaminants (e.g. per- and polyfluoroalkyl substances [PFAS]); protecting the public health and environment through innovative and traditional compliance assurance activities and assessing civil penalties for violations, including federal government installations as well as the private sector; and creating and supporting economic development opportunities stemming from the Bipartisan Infrastructure Law and Inflation Reduction Act, like clean hydrogen, uranium mine clean-up, and water infrastructure improvements.

The agency also plans to petition the Environmental Improvement Board again to update air quality permit fees, addressing an increase of more than 2,000% in oil and gas industry permits since 2012. This adjustment aims to enhance permitting efficiency, technical support, and compliance assurance in response to New Mexico's rapid economic growth.

## II. Agency Overview & Background

### A. Mission Statement

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

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



## B. Agency Overview

NMED was created by the 40th state legislature in 1991 under the “Department of Environment Act” (NMSA 1978, §9-7A-1 (1991)). As a single, cabinet-level department, NMED is to administer and oversee the State's environmental laws and to exercise the functions relating to environmental protection, natural resources, and public health and safety. At the conclusion of FY25, NMED employed 640 staff across five divisions. The Resource Management Division, which includes the Office of the Secretary, Office of Information Technology, Office of General Counsel and Administrative Services Division, is the backbone of the Department, supporting the mission programs through essential functions and services. NMED’s environmental and public health protection activities are implemented by four divisions: the Environmental Health Division, the Environmental Protection Division, the Resource Protection Division, and the Water Protection Division.

The purpose of the Environmental Health Division (EHD) is to provide public outreach, education, and regulatory oversight for worker safety; regulate food service and food processing facilities; regulate liquid waste treatment and disposal; and regulate public swimming pools, baths, and spas. In FY25, EHD included the Environmental Health Bureau, the Occupational Health and Safety Bureau, and the Cannabis and Hemp Bureau.

The purpose of the Environmental Protection Division (EPD) is to protect public health and the environment through programs that regulate air climate pollution and radioactive material and radiation producing machines. In FY25, EPD included the Air Quality Bureau, the Radiation Control Bureau, and the Climate Change Bureau.

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

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



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

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

[NMED Policy and Procedure 07-16 – Tribal Consultation and Collaboration](#)

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

### III. Goals and Accomplishments

NMED's efforts in FY25 advanced the following strategic goals:

1. Implementing the Governor's Executive Order on Climate, E.O. 2019–003, to decarbonize New Mexico's economy including visits to seven communities throughout New Mexico to gather input for the state's climate action plan; releasing the 2021 New Mexico greenhouse gas emissions inventory; developing the Clean Transportation Fuel Program (CTFP) rule; and convening an advisory committee on the Clean Transportation Fuel Program - the statute enacted with the passage of House Bill 41 during the 2024 Legislative session. The CTFP along with the New Motor Vehicle Emission Standard (Advanced Clean Cars 2/Advanced Clean Trucks) will reduce the carbon footprint of transportation fuels while attracting businesses that manufacture or promote low-emission vehicles and cleaner fuel, decarbonization transportation and bring more clean car and clean fuel alternatives positively impacting the public health, economy, and greenhouse gas emissions for decades for New Mexico and its Nations, Pueblos, and Tribes.
2. Protecting and sustaining our drinking water supplies by addressing emerging contaminants, creating a strategic plan to support uranium mine clean up, and proposing new rules to encourage greater water reuse for industry and manufacturing.



3. Successfully advanced and secured legislative support for the creation of a new Compliance & Enforcement Division, effective in Fiscal Year 2026. This milestone reflects a strategic organizational improvement that separates the agency's licensing, permitting, and inspection responsibilities from its compliance and enforcement functions. By establishing clear lines of responsibility and reducing potential conflicts of interest, this structural enhancement is designed to strengthen the integrity, consistency, and effectiveness of regulatory actions. The result is improved accountability, more efficient operations, and better environmental and public health outcomes for all New Mexicans.
4. Successfully advocating for and implementing increased funding to address workforce compensation, recruitment, and retention issues in the Department —strengthening the agency's ability to attract and retain highly specialized scientific and technical professionals, reduce vacancies, and ensure service delivery that leads to better outcomes for New Mexico and its Nations, Pueblos, and Tribes.

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

All NMED employees that have any outreach or opportunity to interface with the public are to take the STCA-mandated training administered by the State Personnel Office and developed by IAD, titled "Building Cultural Equity with Native Nations" (formerly called "Cultural Competency"). During FY25, 119 NMED employees took the course.

Drawing upon the STCA and NMED's Tribal Consultation and Collaboration Policy, NMED summarizes its FY25 interactions with Tribes, Nations, and Pueblos into four categories:

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



Each category reflects important and purposeful NMED activities related to sharing resources, providing formal or informal notice, working together in partnership to tackle environmental and public health problems, and government-to-government coordination about activities that impact or have the potential to impact one another. In this section of the Annual Report, we use these four categories to summarize each NMED division's FY25 interactions with New Mexico's Nations, Pueblos, and Tribes.

### **Communication and Outreach**

- In FY25, staff from the Office of Strategic Initiatives (OSI) established a collaborative partnership with the Tribal Environmental Justice Specialist at the New Mexico Indian Affairs Department, who joins a weekly call with tribal government staff from all 23 of New Mexico's federally recognized Nations, Pueblos, and Tribes (NPTs). OSI staff provide information about funding opportunities and other resources that may be relevant to NPTs. The Tribal Environmental Justice Specialist relays that information as appropriate during the weekly calls.
- The Office of Strategic Initiatives staff attended the 'Uranium Spill Commemoration - 45 Years Later' walk to mile marker ten on July 13, 2024. The walk started at the Navajo Nation Quivira Chapter House and ended at the location of the Church Rock uranium spill of 1979. Speakers from multiple tribal nations, including those from Arizona and Utah, detailed the legacy of the event, the impacts of which remain unresolved today.
- The Surface Water Quality Bureau (SWQB) funded the "*Rio Ruidoso Watershed Improvement Project – Planning Phase*" project for the Village of Ruidoso to develop a Watershed-Based Plan for the Upper Rio Ruidoso in 2023. This project was expanded in 2025 to include three additional watersheds impacted by the 2024 South Fork and Salt Fires. The inclusion of the Mescalero Apache Tribe as an active participant in the Watershed Based Planning process is a task specified in the contract work plan. The watershed planning process involves a series of cooperative, iterative steps to characterize existing conditions, identify and prioritize problems, define management objectives, develop protection or remediation strategies, and implement and adapt selected actions as necessary. This requires extensive collaboration with local stakeholders and the tribal government to produce a successful plan.
- The SWQB Wetlands Program conducted three virtual New Mexico Wetlands Roundtables on November 19, 2024, December 11, 2024, and April 3, 2025. The NM Wetlands Roundtables feature presentations on water resources relevant to the northern



- and southern parts of New Mexico. The roundtables covered a spectrum of topics, including funding opportunities for restoration efforts, playa conservation and planning, inspiring restoration success stories and innovative wetlands restoration techniques, wetlands action plans, post-fire restoration efforts, seasonal weather outlook, and information on wetland mapping, restoration, and monitoring projects. Over 368 partners, including tribal partners, participated in the virtual events.
- Certifications of National Pollutant Discharge Elimination System (NPDES) individual permits are included in the federal Clean Water Act, Section 401. SWQB included notification and reporting requirements for downstream Nations, Pueblos, and Tribes regarding:
    - City of Gallup Wastewater Treatment Plant (WWTP) (May 2025). SWQB included requirements for the permittee to notify and report exceedances and spills to the Navajo Nation Environmental Protection Agency (NNEPA).
    - Town of Taos WWTP (May 2025). SWQB included requirements for the U.S. Environmental Protection Agency (EPA) to update the contact information for the Taos Pueblo and required the permittee to notify and report exceedances and spills to Taos Pueblo.
    - Farmington Electric Utility System Bluffview Power Plant (January 2025). SWQB included requirements for the permittee to notify and report exceedances and spills to the NNEPA.
    - Buckman Direct Diversion (September 2024). SWQB included requirements for the permittee to notify and report exceedances and spills to the Pueblo de Cochiti.
    - Jemez Valley Public Schools WWTP (September 2024). SWQB included requirements for the permittee to notify and report exceedances and spills to the Pueblo of Santa Ana, the Pueblo of Jemez, and the Pueblo of Zia.
  - SWQB provided the Pueblo of Taos with the Bureau's results and findings from its Chevron Mining, Inc. Questa Mine antidegradation review.
  - SWQB provided the NNEPA water quality and permitting team with information on the proposed discharge to the San Juan River from the Navajo-Gallup Water Supply Project-San Juan Lateral Project. SWQB participated in discussions with EPA, U.S. Bureau of Reclamation, and NNEPA regarding the project operations, proposed discharges, and potential impacts to water quality.
  - SWQB supported EPA in their tribal consultation with the Pueblo of Tesuque regarding the proposed Bishop's Lodge Resort Wastewater Filtration Plant discharge to Little





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Tesuque Creek. Juniper Capital, the owner of Bishop's Lodge Resort & Spa, paused the NPDES permit application in August 2024.

- SWQB forwarded a complaint received by the Department to the Pueblo of Tesuque regarding sewage near the Rio Tesuque on Pueblo of Tesuque land. SWQB also provided the Pueblo of Tesuque with copies of an inspection report related to an unpermitted discharge on Bishop's Lodge Resort & Spa property.
- SWQB provided the Pueblo of Sandia and the Pueblo of Isleta with information and reports related to a sanitary sewer overflow (SSO) from Rio Rancho in December 2024.
- SWQB joined EPA on the following inspections:
  - Pojoaque Terrace Mobile Home Park WWTP, NPDES Permit NM0028436;
  - City of Bernalillo WWTP, NPDES Permit NM0023485; and
  - SSO inspection of the City of Rio Rancho, at the request of the Pueblo of Sandia.
- SWQB submitted downstream state comments to EPA on the following draft NPDES permits: Jicarilla Apache Utility Authority Dulce WWTP (July 2024) and Tesuque Casino WWTP (December 2024).
- SWQB continued to update Nation, Pueblo, and Tribal leadership and environmental directors about the development of the surface water quality state permitting program. SWQB conducted virtual meetings in December 2024 and January 2025 with Nations, Pueblos, and Tribes to brief them about the program. Four meetings were held: one for the Navajo Nation, two for the Pueblos, and one for the Apache Tribes. The Governor of the Pueblo of San Felipe and his designee participated in the Surface Water Advisory Panel, which met between August and October 2024 to help inform the 2025 legislative session and future rulemaking. SWQB provided drafts of the surface water permitting rules to tribal environmental directors in May 2025. SWQB plans to initiate formal tribal consultation and coordination on the state permitting program in August and continue communications into 2026 and beyond as the program develops and is implemented.
- SWQB reached out to Pueblos within the vicinity of the Rio Grande to notify them of the 2025-2026 Rio Grande Probabilistic (random sampling) water quality monitoring survey. SWQB provided the Pueblos with the survey's sampling and analysis plan and an opportunity to review provisional datasets.



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- The Water Quality Control Commission designated 245 miles of streams and rivers as Outstanding National Resource Waters (ONRWs) with an effective date of March 15, 2025. ONRW designation provides the highest level of protection under New Mexico's antidegradation policy and was the result of a rulemaking effort lead by the department. SWQB provided all tribal environmental directors notice of rulemaking, opportunity for public comment, and supporting technical information for the December 2024 public hearing. Additionally, the SWQB provided early notification and public comment on the waters nominated for ONRW designation in July of 2024.
- The Ground Water Quality Bureau (GWQB) Brownfields Program managed and funded, in the amount of \$69,619.00, a Phase II Environmental Site Assessment (ESA) for the Pueblo de San Ildefonso-owned Totavi Gas Station property dated February 27, 2025.
- GWQB Brownfields Program managed and funded, in the amount of \$62,994.00, a Phase II ESA for the Pueblo of Tesuque-owned legacy dump property dated April 25, 2025.
- GWQB Brownfields Program managed and funded, in the amount of \$28,539.00, a Phase II ESA for the Pueblo of Pojoaque-owned Santa Fe Downs property dated January 20, 2025.
- GWQB Brownfields Program staff and environmental services contractors communicated with the Alamo Navajo Chapter regarding the future of the former Bureau of Indian Affairs Dormitory property in Magdalena (August 2024).
- GWQB Staff continued to invite tribal government participation in the ongoing Toxic Pollutants Working Group meetings.
- GWQB Mining Environmental Compliance section (MECS) staff continued to communicate with the Pueblo of Acoma, Pueblo of Laguna, and the Navajo Nation on uranium-related activities.
- GWQB Superfund Oversight Section (SOS) staff continued to communicate with Santa Clara Pueblo about the ongoing remediation at the North Railroad Avenue Plume (NRAP) Superfund Site. Santa Clara Pueblo notified the GWQB SOS staff about vandalism at one of the NRAP Site's buildings on Santa Clara Pueblo's land.
- GWQB staff from the Pollution Prevention Section and the Remediation Oversight Section conducted a public meeting regarding the San Juan Generating Station in



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Waterflow, New Mexico, where members of the Navajo Nation attended and participated.

- The Solid Waste Bureau (SWB) Outreach Section assisted the Office of Environmental Technical Assistance (OETA) of the Eight Northern Indian Pueblo Council (ENIPC) and New Mexico Recycling Coalition (NMRC) to present at the Fall 2024 “Sustainable Food and Tribal Recycling Training” held at the Pueblo of Santa Ana on September 25, 2024. The SWB was requested to present information on composting and provide funding information on the Recycling and Illegal Dumping (RAID) grant for Fiscal Year 2026.
- SWB Bureau Chief and the SWB Outreach Section, as part of the New Mexico Governor’s Talking Trash Summit and initiative for litter prevention, coordinated with four tribal entities - Pueblo of Zuni, Pueblo of San Felipe, Santa Clara Pueblo and Picuris Pueblo - to attend and share tribal perspectives on Illegal Dumping and Littering on New Mexico Tribal Lands. The SWB hosted a panel discussion within this cross-state agency summit, as part of the Governor’s Breaking Bad Habits campaign to protect New Mexico’s natural beauty. The Summit took place December 4-5, 2025, in Albuquerque where multiple agencies’ leaders, as well as stakeholders from the state’s solid waste professionals were present, to engage on this topic and start a media campaign to address litter and illegal dumping in New Mexico.
- The SWB Outreach Section presented composting, recycling, illegal dump abatement, and educational project funding at the meeting of the Intertribal Resource Advisory Committee (IRAC) of the Eight Northern Indian Pueblos Council on January 14, 2025. The SWB joined approximately 12 tribal entities, that were in attendance, to relay critical funding priorities, application deadlines, and the need for a Tribal Seat representative on the Recycling and Illegal Dumping (RAID) public alliance board. The SWB also relayed that the Outreach Section was available for assistance on grant applications, as well as training for recycling and collection center operations through the SWB certification program.
- The Air Quality Bureau (aqb) Regional Haze planning team received formal written comments from the Ute Mountain Ute Tribe’s Environmental Programs Department expressing support for NMED’s proposed Regional Haze State Implementation Plan (SIP) and companion rule.
- The Regional Haze team also participated in the IRAC, delivering a presentation on the proposed Regional Haze SIP and the companion rule. This engagement allowed tribal



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representatives to receive updates, ask questions, and provide feedback on the SIP development and rulemaking process.

- Consistent with the Public Involvement Plan (PIP), the AQB provided public notices to the Nations, Pueblos, and Tribes through the email contact list that is maintained on the Department's intranet.
- The Radiation Control Bureau (RCB) worked with the Pueblo de San Ildefonso and their contractor to make progress in termination of the Radioactive Materials License for Aleut Federal, LLC, and remove the trailer from the pueblo land. Completion of the process is expected in the first quarter of Fiscal Year 2026.
- As a routine practice, NMED includes the Pueblo de San Ildefonso and Santa Clara Pueblo on the carbon copy list on all correspondence related to the 2016 Compliance Order on Consent, including those regarding the hexavalent chromium contamination plume. The Pueblos of Kewa (aka Santa Domingo), Cochiti, Jemez, Pojoaque, and Taos are on the list for public notices concerning other sites at Los Alamos National Laboratory (LANL) to keep them apprised of NMED's regulatory decisions and progress of the projects. NMED also includes the Pueblos on correspondence related to annual groundwater monitoring performed under the Interim Facility Wide Groundwater Monitoring Plan at LANL. In FY23, after hearing the need for better visual and accessible data about LANL, NMED created and posted online a mapping dashboard that allows visitors to search for permits and facilities for all NMED regulatory activities at LANL. NMED has continued, through FY25, to update and keep the dashboard current, adding several solid waste management units (SWMUs) and areas of concern (AOCs) as searchable map layers. The dashboard can be found on NMED's data website (<https://www.env.nm.gov/data/>).
- The Hazardous Waste Bureau (HWB) continues to provide an overview on performance of the hexavalent chromium plume Interim Measure (IM) at LANL. The hexavalent chromium plume is located near the exterior boundary of the Pueblo de San Ildefonso and the potential transport of chromium contamination to the Pueblo is of concern to NMED and the Pueblo. NMED maintains holding three party meetings between NMED, the Pueblo de San Ildefonso, and DOE to discuss the path forward for IM, which continues to allow for Pueblo leadership input in decision making. Santa Clara Pueblo is also informed of these project-related decisions and is copied on related correspondence.
- The Climate Change Bureau (CCB) gave a presentation on July 2, 2024, on the proposed Clean Transportation Fuel Program (CTFP) at a Tribal Leadership briefing



hosted by the New Mexican Indian Affairs Department. The presentation covered the background on clean fuel standards, New Mexico's climate goals, leading to the introduction of CTFP: a collaborative approach to a low carbon fuel market; gasoline and diesel suppliers having to reduce their CO<sub>2</sub> footprint; revenue opportunities for tribes; and detailed health benefits of the rules.

- CCB presented on the Climate Pollution Reduction Grant (CPRG) and opportunities for collaboration at the IRAC of the Eight Northern Indian Pueblos Council on September 18, 2024. This presentation included an overview of the CPRG process and how the State plans to communicate and collaborate with tribes throughout the process. CCB also presented an overview of CTFP requirements, and the key benefits of the proposed rule, detailing credit-generating fuels and pay for jobs associated with CTFP. Contact information was left for further engagement.
- CCB presented on the CPRG at the Indian Affairs Department (IAD) Tribal Leaders Call on December 3, 2024. On that call, CCB informed the tribal entities present of the New Mexico Climate Action Planning process and how the State plans to communicate and collaborate with tribes throughout the process.
- CCB sent an email on December 23, 2024, to all tribal environmental directors in New Mexico to inform them of public meetings regarding the development of the proposed CTFP rule and the release of a public discussion draft rule inviting comments. The discussion draft rule outlined clean fuel credits, and the associated marketplace, which will diversify the state's transportation fuels, paving the way for less emissions, along with diversified industries, job growth, and a move towards New Mexico's ambitious climate goals.
- CCB staff traveled to Window Rock, Arizona on February 20, 2025, to meet in-person with the Navajo Nation Department of Fish and Wildlife, a CPRG recipient, to discuss its current projects and plans, the State's progress on the CPRG, and potential points of collaboration.





*Left to right: Phillip King (ECAM EMNRD), Becky Smith (CCB NMED), Amy Rosebrough (CCB NMED), and Nekai Eversole (Navajo Nation Department of Fish and Wildlife) take a post-meeting hike to Window Rock.*

- CCB hosted and presented at the IRAC of the Eight Northern Indian Pueblos Council on May 15, 2025. CCB provided an update on the State's progress under the CPRG and facilitated a discussion on the New Mexico Climate Action Plan measures that specifically involve Tribal entities. CCB also gathered feedback on ways to improve those measures and provided an update on the CTFP rulemaking process.



*Amy Rosebrough, from CCB, presenting on the CPRG at the in-person IRAC meeting on May 15, 2025*

- CCB emailed and mailed letters on June 30, 2025, to tribal governors from NMED Cabinet Secretary James C. Kenney with an update on, and a copy of, the Notice of Rulemaking Hearing to Consider Adoption of Proposed New Rule 20.2.92 NMAC – Clean Transportation Fuel Program (EIB 25-23 (R)). The Environmental Improvement Board's (EIB) role is to consider and take possible action on the proposed rule. The letter included all past interaction with tribal leadership regarding CTFP and outlined the health, economic, and climate change benefits the Nations, Pueblos, and Tribes in New Mexico might see from this rule. The letter also described how to learn more about



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

- CCB held nine monthly virtual meetings with the Nations, Pueblos, and Tribes in New Mexico that received Phase 1 CPRG funding from October 21, 2024 – June 20, 2025. Participating tribes included the Pueblo of Sandia, Pueblo of Santa Ana, Pueblo of Tesuque, Pueblo of Pojoaque, Pueblo of Nambé, Pueblo de San Ildefonso, Picuris Pueblo, and the Navajo Nation. These meetings provided the space for the CCB and the tribal CPRG recipients to discuss the CPRG requirements, process, challenges, and potential collaboration.

### **Technical and Financial Assistance**

- As part of a curriculum committee, staff from NMED’s Office of Strategic Initiatives co-developed a series of nine free monthly classes for a new Environmental Leadership certificate program offered by New Mexico State University’s extension program, NM EDGE. The goal of the year-long program is to bring together a diverse cohort to build leadership capacity within community-based, non-profit, and governmental organizations in EPA Region 6. The interactive classes include content about community analysis, engagement, and leadership; resource development; advocacy; and policy change. Of the 27 participants, 14 are staff of Nation, Tribe, or Pueblo governmental agencies, and 13 of those 14 participants are New Mexicans. The curriculum committee began meeting August 7, 2024. The orientation was held on May 9, 2025, and the graduation session will be held on April 10, 2026.
- SWQB funded the “*Adapting and Improving River Stewardship in the Torreon Wash Watershed in the Face of Climate Change*” project under the River Stewardship Program launched in April 2023. This project, Phase 3 of the Torreon Wash projects, will continue to restore riparian areas by planting in ephemeral and intermittent channels and constructing erosion control structures to mitigate sediment inputs to the Rio Puerco. The contractors performing the work include the Rio Puerco Alliance, River Source, and West Construction, who work with the Navajo Summer Youth Corps. This project was completed on June 30, 2025.
- SWQB funded the “*Santa Clara Creek Restoration Project*” under the River Stewardship Program in April 2023. This project takes place on approximately 4.5-miles of Santa Clara Creek and 68 acres of riparian areas within the Santa Clara Pueblo. Project goals include improving stream channel function by reducing bank erosion, increasing floodplain connectivity and productivity, improving aquatic and riparian habitat, and enhancing wetlands by improving and restoring wetland function. Santa Clara Pueblo is working with contractors to complete the work by November 2026.



- SWQB funded the “*Taos Pueblo Ecological Restoration of Buffalo Pasture and the Rio Lucero Project*” under the River Stewardship Program in April 2023. This project will restore approximately 200 acres of slope wetlands and 2-miles of the Rio Lucero within Taos Pueblo. Project goals include improving stream channel function by increasing channel stability and floodplain access, raising the water table through increased meandering and raising the channel grade, and enhancing the Buffalo Pasture Wetland by restoring the wetland hydrology and connection to the Rio Lucero. Taos Pueblo is a project partner working with contractors to complete the work by November 2026.
- SWQB sent fish tissue samples, at the request of the Pueblo of Isleta, to a contract laboratory for polychlorinated biphenyls (PCBs), methylmercury, selenium, and organochlorine pesticide analyses. The fish samples were collected by the Pueblo of Isleta, EPA Region 6, and the University of New Mexico in the middle Rio Grande. SWQB sent the raw data and an interpretation of laboratory results to the Pueblo of Isleta.
- SWQB provided low flow analysis and ambient water quality data to EPA to perform a reasonable potential analysis for the Tesuque Casino WWTP. SWQB also discussed the low-flow, antidegradation, and reasonable potential analyses with the U.S. Bureau of Reclamation and EPA related to the proposed Pojoaque Basin Regional Water Treatment Plant.
- SWQB staff provided technical assistance by offering break-out sessions dedicated to NPDES sampling and reporting requirements at the New Mexico Water and Wastewater Association Central School on September 12 and November 7, 2024; at the Annual Meeting on January 29 and January 30, 2025; and at the Northern School on May 21, 2025. Each of the four training sessions included participants from tribal wastewater utility operators from throughout the State.
- The Ground Water Quality Bureau (GWQB) Brownfields Program funded a Phase II ESA for the Totavi Gas Station at the request of the Pueblo de San Ildefonso (\$69,619.00, Bipartisan Infrastructure Law funds).
- GWQB Brownfields Program funded a Phase II ESA for a legacy dump site at the request of the Pueblo of Tesuque (\$62,994.00, Bipartisan Infrastructure Law funds).
- GWQB Brownfields Program funded a Phase II ESA for the Santa Fe Downs property at the request of the Pueblo of Pojoaque (\$28,539.00, Bipartisan Infrastructure Law funds).





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- GWQB MECS staff continues to provide technical assistance and groundwater sampling for the Pueblo of Acoma upon request.
- The Solid Waste Bureau (SWB) hosted one Transfer Station Operator Certification and Training Courses in FY25 on April 22-24, 2025. One tribal operator from the Pueblo of Isleta attended the three-day course with the aim of improving operational management best practices for tribally operated collection center facilities. The course included presentations from SWB Outreach staff, SWB Enforcement staff, and the Solid Waste Association of North America (SWANA) Roadrunner Chapter representatives. The Amador Transfer Station Facility in Las Cruces was visited as part of the training course.
- The Pueblo of Isleta was awarded \$20,785.00 in FY25 Recycling and Illegal Dumping (RAID) grant funding to purchase two thirty cubic yard bins to increase volume intake of recyclables, extend holding times, and minimize the amount of time required to send materials to market. The pueblo also undertook outreach with tribal residents by ensuring recycling messages were placed on the bins to alert tribal members about the current recycling initiative.
- The Pueblo of Pojoaque requested a site visit from the Solid Waste Bureau (SWB) Outreach Section on February 28, 2025, to view an illegally dumped scrap tire site on the Pueblo of Pojoaque which the tribe was seeking to abate and then send to a scrap tire recycler for processing into crumb rubber. The Pueblo of Pojoaque had requested technical and grant support from the SWB to consider this project for the Fiscal Year 2026 Recycling and Illegal Dumping (RAID) Grant program. The Pueblo of Pojoaque submitted a recycling application for \$25,000.00 to recycle approximately 90 tons of scrap tires and to build capacity within the tribal program to address illegal dumping in the future. The grant project for the Pueblo of Pojoaque was recommended for full awarding at the June 20, 2025, RAID Grant Award Meeting held in Albuquerque.
- The Pueblo of San Felipe had submitted two grant applications for Fiscal Year 2026 RAID Grant funding to address scrap tire management and recycling improvements on the San Felipe Tribal Lands. The first project from the Pueblo of San Felipe, requesting \$5,450.00 in funding, is aimed at removing and disposing of approximately five tons of scrap tires from the tribal collection center while promoting educational outreach to deter future illegal dumping and installing a monitoring program. The second project submitted by the Pueblo, with a request amount of \$15,620.00, is designed to strengthen the Pueblo's recycling program by upgrading existing recycling stations, promoting internal tribal collaborations, and completing a waste stream evaluation from a professional solid waste consultant. The grant projects for the Pueblo of San Felipe



were recommended for full awarding at the June 20, 2025, RAID Grant Award Meeting held in Albuquerque.

- The State Indoor Radon Program provided the Pueblo of Isleta with 100 prepaid indoor radon test kits to use in their community testing program.

## **Collaboration**

- The Construction Programs Bureau (CPB) continuously reaches out to Nations, Pueblos, and Tribes through the environmental review process for Clean Water State Revolving Fund (CWSRF) projects. The CWSRF funds are federal and, therefore, require compliance with the National Environmental Policy Act (NEPA), including consultation with any tribal entities in the area of the project, pursuant to Section 106 of the National Historic Preservation Act, to determine whether a proposed project has the potential to disturb areas considered important or culturally significant. NMED offers consultation to all Nations, Pueblos, and Tribes (NPTs) with current land ownership in New Mexico and provides notice to those NPTs with historical use and occupancy that request it. In addition, in FY25, CPB attended numerous community events for outreach on the CWSRF program. CPB presented funding opportunities under the CWSRF at the annual Infrastructure Finance Conference in Las Cruces where NPTs were part of the attendees and eligible for CWSRF funding. CPB also attended the Tribal Water Infrastructure Workshop in Albuquerque and presented on the panel to display funding opportunities under the CWSRF for NPTs in their infrastructure needs.
  - The following CPB activities occurred during FY25:
    - CPB is administering \$300,000.00 in SAP 23-H2480-GF for the Pueblo of Jemez to purchase and equip a sewer jetter; and
    - CPB outreach staff met with the Pueblo of Laguna on wastewater project funding for future improvement to their plant, the Pueblo will be applying for CWSRF funding for this project.
- The Drinking Water Bureau (DWB) staff has continued to coordinate with the Navajo Nation EPA and the Navajo Tribal Utility Authority (NTUA) on the regulatory aspects of operating the Cutter Lateral of the Navajo-Gallup Water Supply Project (NGWSP). DWB played a leading role over the last ten years to help develop a regulatory framework for all the agencies to regulate water from the NGWSP and assist in implementation. The NGWSP is designed to provide water to approximately a quarter million people in the Four Corners of New Mexico within the next 50 years, most of whom live on the Navajo Nation, the Jicarilla Apache Nation, and the City of Gallup.



Due to the complex land status in the area of the project, four regulatory agencies have jurisdiction over portions of the project.

- The DWB continues to support implementation of the NGWSP and recently helped finalize an amendment to the multi-agency agreement that governs the regulatory oversight of the Project. On December 11, 2024, the U.S. EPA, the Navajo Nation EPA, and the New Mexico Environment Department approved a revised version of Attachment B to the NGWSP Memorandum of Understanding (MOU). This revised document outlines how monitoring, treatment, and compliance will be coordinated across agency jurisdictions. The updated Attachment B includes more detailed requirements related to disinfection byproducts (DBPs), residual disinfectant monitoring, and compliance with the Lead and Copper Rule (LCR) for systems receiving NGWSP water. It also provides updated monitoring points and sampling schedules based on the Project's length, water age, and the unique blend of groundwater and surface water sources used by many of the consecutive systems. These revisions are critical as water from the project begins reaching more communities. DWB staff helped lead the effort to revise this guidance and ensure that New Mexico's regulatory responsibilities, particularly for the Cutter Lateral and related components, are clearly defined and in alignment with federal and tribal requirements.
- The DWB staff have begun collaborative efforts with the Pojoaque Basin Regional Water System. The Pojoaque Basin Regional Water System is a Congressionally approved regional water supply system located in northern New Mexico that will provide potable water to customers in the Pojoaque Basin. When complete, the system will provide drinking water for approximately 10,000 people living on tribal and non-tribal land. Because the Regional System spans both tribal and non-tribal land, NMED is collaborating with the various governments to determine regulatory oversight, ensure engineering reviews, and aid in identifying jurisdictional issues.
- The Surface Water Quality Bureau (SWQB) continues to partner with tribes and states adjoining the San Juan-Animas Watershed—the Navajo Nation, the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado, to implement a long-term water quality monitoring program in the watershed. A component of the long-term monitoring program was an EPA-led water and sediment quality monitoring plan, developed with input from the states and tribes. After EPA ceased its monitoring efforts in the Fall of 2021, SWQB collaborated with the states and tribes in the watershed to develop and implement a new cooperative and coordinated monitoring plan as detailed in the *Sampling and Analysis Plan: Multijurisdictional Coordinated Monitoring of the Animas and San Juan Rivers*. This plan leverages the individual strengths of each jurisdiction program to provide better geographic and temporal coverage of water



quality sampling. This past year, the Navajo Nation and Southern Ute Indian Tribe collected water quality samples for dissolved metals, total metals, nutrients, *E. coli* bacteria, and minerals at seven water quality stations on the Animas and San Juan rivers in New Mexico, while SWQB provided sampling supplies and analytical analysis of the samples. This collaborative monitoring effort included three sampling events this reporting period (October 2024, April 2025, and June 2025). SWQB uploaded the data to a multi-jurisdictional project name on EPA's Water Quality Exchange (WQX) shared by all project partners. By collaborating and sharing resources, New Mexico and the Nations, Pueblos, and Tribes can continue collecting vital information on the health of these important waterbodies.

- SWQB staff collaborated with the Navajo Nation and the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado, other San Juan River multi-jurisdictional partners, and New Mexico State University's Water Resources Research Institute to plan and execute the 2025 Animas and San Juan Watersheds Conference tentatively scheduled for September 16-17, 2025, in a hybrid format at the San Juan College Henderson Fine Arts Center in Farmington, New Mexico. The conference is designed to share, learn, and showcase recent and ongoing research, monitoring, restoration, and public outreach projects to better understand and address the pressing water resource needs of the Animas and San Juan rivers.
- EPA and the U.S. Geological Survey (USGS) are implementing two projects on behalf of SWQB: "Nutrient and metal source investigation in the Lower Animas Watershed" and "Baseline (Non-Routine) Sediment-Metal Sampling Study – Animas River." The projects' survey areas include or are relevant to portions of the Southern Ute Indian Tribe and the Navajo Nation. SWQB and EPA have kept the Southern Ute Indian Tribe Environmental Programs Department and Navajo Nation EPA apprised of data collection activities, data analysis, and draft reporting. USGS continues to provide quarterly project updates to SWQB and EPA.
- SWQB reached out to Pueblo de Cochiti environmental staff to engage their participation in the New Mexico Harmful Algal Blooms (HABs) Collaborative Workgroup. Cochiti Reservoir is located within the boundaries of the Pueblo de Cochiti and is managed by the U.S. Army Corps of Engineers (USACE). HABs in Cochiti Reservoir have become a more frequent occurrence including in 2019 when USACE implemented a lake closure. Pueblo de Cochiti environmental staff have attended the workgroup meetings along with the USACE Cochiti Lake & Dam Natural Resource Specialist. SWQB looks forward to collaborating with the workgroup to increase HABs monitoring and improve communication to the public about HABs at Cochiti Reservoir and other waterbodies in New Mexico.



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- The Ground Water Quality Bureau (GWQB) Superfund Oversight Section staff continue ongoing coordination with the Santa Clara Pueblo for access to pueblo lands for sampling and other cleanup activities at the North Railroad Avenue Plume Superfund Site in Española.
- GWQB Mining Environmental Compliance Section (MECS) met with the pueblos of Acoma and Laguna separately in support of EPA. EPA led the in-person meetings providing updates on the Homestake Superfund Site and the San Mateo Creek Basin Central Study Area. Participants included EPA Region 6, State of New Mexico – GWQB-Mining and Nuclear Regulatory Commission.
- GWQB MECS staff participated with the Energy, Minerals and Natural Resources Department – Mining and Mineral Division and multiple tribes and pueblos such as the Navajo Nation, Pueblos of Jemez, Isleta, Acoma, Zia, and Laguna regarding the U.S. Forest Service La Jara Mesa Uranium Project under the Section 106 Consulting Parties outreach in Grants, New Mexico. It was the third Section 106 consulting meeting since the project restarted at the beginning of 2024. The U.S. Forest Service facilitated the meeting by giving an introduction, providing a process update, and leading the discussion on Areas of Potential Effect.
- GWQB MECS staff participated in a field visit on October 8, 2024, for the proposed La Jara Mesa Mine location for the Pueblo of Zia. Participants included the Cibola National Forest, the State of New Mexico - Energy, Minerals and Natural Resources Department, and the Pueblo of Zia.
- GWQB MECS staff on October 25, 2024, sampled three wells at the Pueblo of Acoma. MECS staff were accompanied by representatives from the Environmental Group of the Pueblo of Acoma. The three wells sampled included two community supply wells and one irrigation/livestock supply well. The samples were sent to Eurofins Environment Testing lab in Albuquerque and tested for pollutants including uranium, selenium, and sulfate.
- GWQB-MECS staff presented updates to the Pueblo of Acoma regarding activities near the Bluewater Disposal Site which is under the long-term care and management of the Department of Energy. Presentation topics included the groundwater sampling program and new wells to be drilled in the San Andres-Glorieta Aquifer.
- GWQB MECS staff attended the Abandoned Uranium Mine Waste (UMW) Workshop on December 10, 2024, in Flagstaff, Arizona. Participants included the Navajo Nation,



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Bureau of Indian Affairs, Arizona Department of Environmental Quality, Bureau of Land Management, State of New Mexico - Energy, Minerals and Natural Resources Department, and the U.S. EPA.

- GWQB-MECS staff virtually attended a meeting held by the Department of Energy - Legacy Management. Participants included representatives from the Pueblo of Acoma and the Nuclear Regulatory Commission. MECS staff presented at the meeting. Topics included test results from the three Pueblo of Acoma wells and how those results differ from other wells near the Bluewater Disposal Site.
- GWQB MECS staff joined a meeting led by USEPA for a technical discussion on the proposed Red Rocks Landfill Disposal Facility. Participants included the Navajo Nation and the State of New Mexico - Energy, Minerals and Natural Resources Department, and the U.S. EPA.
- The Solid Waste Bureau (SWB) outreach section assisted the Eight Northern Indian Pueblos Council-Office of Environmental Technical Assistance (ENIPC-OETA) by providing “Safer Alternatives to Hazardous Household Products” outreach materials for a planned ENIPC Child Care program outreach event for approximately 60 residents.
- SWB appointed a representative of the Pueblo of Santa Ana to serve a two-year term on the RAID Alliance. The 12-member RAID Alliance sets priorities for RAID grant funding and recommends awards each year.
- The Department of Energy Oversight Bureau (DOEOB) did not sample water, fish and biofilm at Pueblo de San Ildefonso during FY25. The next planned sampling for biota samples fish and crawfish will occur in July 2026 (FY27). Sampling events during FY27 may also be collaborated with Los Alamos National Laboratory’s (LANL) Biota Group. All planned sampling events are defined in the Memorandum of Agreement, NMED releases sampling results to Pueblo staff for review, and then uploads the results to the Intellus database. Data is publicly available at [www.IntellusNM.com](http://www.IntellusNM.com). This work provides an independent assessment of contamination impacts from LANL to the Rio Grande. All monitoring is approved and carried out through a quarterly renewable access permit in accordance with the Department-wide Memorandum of Agreement with the Pueblo de San Ildefonso and DOEOB specific access permits.
- DOEOB continues ongoing monitoring of stormwater on the Pueblo de San Ildefonso at site E110-Los Alamos Canyon above Otowi Bridge. During FY25, the E-110 automated sampler was operational, but two significant storm flow events were missed





due to excessively muddy flows in the extremely-scoured channel that caused the sampler to clog each time. Staff have modified and re-engineered the sampler's inlet tubing with a steel screen for FY26 so that clogging should be minimal. E-110 is the last monitoring point before potentially contaminated stormwater runoff and sediment from legacy LANL activities in Los Alamos and Pueblo Canyon enter the Rio Grande. DOEOB is the only State Government entity monitoring stormwater at this location, which is an important location for both the Pueblo as well as the City of Santa Fe and the Buckman Direct Diversion project. When collected, data is publicly available at [www.IntellusNM.com](http://www.IntellusNM.com). Stormwater monitoring is approved and carried out through a quarterly renewable access permit under the Department-wide Memorandum of Agreement with the Pueblo de San Ildefonso.

- DOEOB conducted their annual Sediment Sampling campaign on October 30, 2024, at two locations on the Pueblo de San Ildefonso, Reach LA-5 (LA-61687), and the Rio Grande above Otowi Bridge (BG-61526). The primary objective of this investigation is to provide an assessment of the potential constituents of concern present in canyon-bottom sediments throughout LANL and the possible migration of such constituents offsite. Sediment samples were collected from the lower Los Alamos Canyon stream channel and the banks of the Rio Grande, and were analyzed for metals, PCBs, dioxins/furans, a full radionuclide suite, and particle size. Data is publicly available at [www.IntellusNM.com](http://www.IntellusNM.com). Sediment monitoring is approved and carried out through a quarterly renewable access permit under the Department-wide Memorandum of Agreement with the Pueblo de San Ildefonso.
- DOEOB's groundwater program was able to sample seven locations within the Pueblo de San Ildefonso in FY25. Three production wells used for drinking water: Black Mesa Well 1, Black Mesa Well 2, and LA-5; three monitoring wells R-10, R-10a, SIMR-2; and 1 domestic well: "Martinez House Well." Sampling locations are situated downgradient or adjacent from the chromium plume. In FY25 the DOEOB groundwater program monitored metals, perchlorate, general chemistry, and Volatile organics. Analytical data is reviewed by the Pueblo then uploaded and made available to the public on [www.IntellusNM.com](http://www.IntellusNM.com). DOEOB Environmental monitoring on Pueblo property is approved and carried out through a quarterly renewable access permit under the Department-wide Memorandum of Agreement with the Pueblo de San Ildefonso.
- Pursuant to a Department-wide Memorandum of Agreement with the Santa Clara Pueblo, the Petroleum Storage Tank Bureau (PSTB) collaborated by:
  - A Memorandum of Agreement between the New Mexico Environment Department and Santa Clara Pueblo, which covers several sites. The Big Rock 66 State Lead site (FID26929, RID447) requires a remediation request for proposal (RFP). San





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Pedro Food Mart Shell (FID1772, RID1301) and San Pedro Mustang (FID31810, RID3605) are being considered for no further action (NFA).

- In the Pueblo of Laguna two sites are covered under separate agreements:
  - Former Grants/Cibola County Schools Maintenance Yard (FID29008, RID24) - -- Covered under an MOA among NMED, EPA, Pueblo of Laguna, and Grants/Cibola County Schools.
  - Laguna Pueblo Mart (FID29009, RID3613) - Covered under a Cooperative Agreement between NMED and the Pueblo of Laguna.  
*Work plan proposals for both sites are in place for FY25.*
- Under a Cooperative Agreement with the Jicarilla Apache Nation Environmental Protection Office:
  - Lodge at Chama (FID29116, RID3409 and RID3389) - Work stalled due to non-responsiveness since 2014; last sampled in 2008. Only exceedances were iron and manganese.
  - Gomez Stop N Go (FID28359, RID3581) - Site is below groundwater standards for all constituents except iron and manganese.
- In FY25, there were discussions with New Mexico's Nations, Pueblos, and Tribes regarding a number of PSTB sites.
  - NMED has required the Mescalero Apache Tribe (MAT) to investigate the Ski Apache (FID276374, RID4924) site on United States Forest Service (USFS), not tribal land. A Minimum Site Assessment was conducted at the release site, and the Ski Apache tanks have been replaced as of November 2024. The tanks were not on MAT lands but leased lands from the USFS and subject to state jurisdiction. A settlement agreement was drafted between NMED and MAT but, as of the end of the FY, it has not yet been finalized.
  - At the Big Chief Store (FID26920, RID3203), near the Pueblo of Zia, high resolution data acquisition is being used to better define the lateral and vertical extent of the plume of this non-operational site.
- A Cooperative agreement between New Mexico Environment Department, the United States Environmental Protection Agency (U.S. EPA), the Zuni Environmental Protection Agency, and the Pueblo of Zuni covers underground storage tanks (USTs) at the former Malco No 184/Zuni Thriftway site (FID31102, RID4049). A workplan is needed for groundwater monitoring and Light Non-Aqueous Phase Liquid (LNAPL) recovery. The site went out to bid and was considered unresponsive as only one firm



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submitted a proposal. The decision was made to evaluate based on one firm. The evaluation committee is in the process of completing the evaluation report.

- An agreement is in place with Ohkay Owingeh (formerly San Juan Pueblo) for access on the Fairview Station State Lead site (FID28799, RID4657). A comingled plume has been established associated with two former facilities. In FY25, work began on an RFP for remediation at the site. Continued groundwater monitoring is occurring at the A's 7-11 Mini Mart site (FID26333, RID4043)
- PSTB conducted compliance inspections at facilities with underground storage tank systems in collaboration with U.S. EPA Region 6 and Eight Northern Indian Pueblos Council as follows:
  - On July 24, 2024, PSTB inspected the San Pedro Mustang, a privately-owned gas station located at 803 South Riverside Drive in Española, within the exterior boundaries of Santa Clara Pueblo.



- On July 25, 2024, PSTB inspected the Presbyterian Española Hospital, a privately-owned facility located at 1010 Spruce Street in Española within the exterior boundaries of Santa Clara Pueblo.
- On September 4, 2024, PSTB conducted an inspection at Smith's Food and Drug #426, a privately-owned gas station located at 224 Paseo del Pueblo in Taos, within the exterior boundaries of the Taos Pueblo.



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- PSTB conducted an inspection on September 3, 2024, at Travelers Service Station, a privately-owned gas station located at 14111 NM Hwy 75 Peñasco, within the exterior boundaries of the Picuris Pueblo.
- On November 5, 2024, PSTB conducted an inspection at Speedway #9672, a privately-owned gas station located at 1189 State Road 53 in Zuni, within the exterior boundaries of the Pueblo of Zuni.
- On January 6, 2025, PSTB conducted an inspection at Murphy Express #8693, a privately-owned gas station located at 1628 North Riverside Drive in Española, within the exterior boundaries of Ohkay Owingeh.
- On January 6, 2025, PSTB conducted an inspection at A1 Auto Repair, a privately owned gas station located at 14122 NM Hwy 75 in Peñasco, within the exterior boundaries of the Picuris Pueblo.
- The Air Quality Bureau (AQB) has continued to help facilitate the annual Four Corners Air Quality Group (4CAQG), <https://www.env.nm.gov/air-quality/four-corners-air-quality-group/>, and the Interagency Four Corners Policy Oversight Group. The Navajo Nation EPA and Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado, have participated in the 4CAQG since 2008 and have assisted with coordination for annual meetings. The Ute Mountain Ute Tribe has also participated regularly in the 4CAQB. The Four Corners Air Quality Group is convened by the states of Colorado and New Mexico, with the support of a range of state, tribal and federal agencies.



## **Consultation**

- San Felipe Pueblo requested tribal consultation regarding a Temporary Authorization Request for the treatment, storage, and repacking of mixed waste containers containing tritium and lead at Los Alamos National Laboratory. The request is associated with the Los Alamos Hazardous Waste Facility Permit (EPC-DO-19-0176 / LA-UR-19-24513) and involves operations at Technical Area (TA) 54, Area G, Pad 5, Building 1028, and TA-16, Building 205, Rooms 116 and 122.

The consultation took place on June 9, 2025, at San Felipe Pueblo. On the same day, the New Mexico Environment Department (NMED) issued correspondence to the permittee requiring additional actions. These included conducting an independent, third-party technical review; hosting public meetings; and holding tribal consultations with tribal governments specifically related to the independent technical review of alternative options, the preferred treatment process, and a discussion of the safety mechanisms and contingencies to protect human health, the environment, and cultural practices. This consultation requirement was in addition to any tribal consultation conducted by NMED. This is an on-going matter into fiscal year 2026.

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

James C. Kenney  
Cabinet Secretary  
New Mexico Environment Department  
1190 St. Francis Drive, Suite N4050  
Santa Fe, New Mexico 87505  
Phone: (800) 219-6157 or (505) 827-2855  
[james.kenney@env.nm.gov](mailto:james.kenney@env.nm.gov)

Danielle Gilliam  
Deputy Cabinet Secretary of Operations  
New Mexico Environment Department  
1190 St. Francis Drive, Suite N4050  
Santa Fe, New Mexico 87505  
Phone: (800) 219-6157 or (505) 827-2855  
[danielle.gilliam@env.nm.gov](mailto:danielle.gilliam@env.nm.gov)

John Rhoderick  
Deputy Cabinet Secretary of Administration  
New Mexico Environment Department  
1190 St. Francis Drive, Suite N4050  
Santa Fe, New Mexico 87505  
Phone: (800) 219-6157 or (505) 827-2855  
[john.rhoderick@env.nm.gov](mailto:john.rhoderick@env.nm.gov)

Carman Melendrez, Ph. D  
OOTs Office Manager / Tribal Liaison  
New Mexico Environment Department  
Office of the Secretary  
P.O. Box 5469  
Santa Fe, NM 87502-5469  
Phone: (505) 487-0402  
[carman.melendrez@env.nm.gov](mailto:carman.melendrez@env.nm.gov)



## VI. Statutes and Mandates

### *Governing statutes generally:*

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



## VI. Agreements

| <b>Nation/Pueblo/Tribe Government</b>                                                  | <b>Agency(s)</b>                                      | <b>Activity</b>                                                                                     | <b>Agreement Type</b>          | <b>Current Status</b>                                     | <b>Contact/Phone</b>                             |
|----------------------------------------------------------------------------------------|-------------------------------------------------------|-----------------------------------------------------------------------------------------------------|--------------------------------|-----------------------------------------------------------|--------------------------------------------------|
| <b>Pueblo of Pojoaque Environment Department</b>                                       | NMED                                                  | Abatement of soil and water pollution                                                               | Cooperative Agreement          | Effective May 1, 2001                                     | GWQB Chief<br>(505) 231-3773                     |
| <b>Pueblo of Zuni</b>                                                                  | NMED                                                  | Underground Storage Tank Cleanup, at Mustang Store 7256                                             | Cooperative Agreement          | Effective March 30, 2002                                  | PSTB Chief<br>(505) 487-6470                     |
| <b>Pueblo of Laguna</b>                                                                | NMED                                                  | Underground Storage Tank Cleanup at Laguna Mart                                                     | Cooperative Agreement          | Effective June 21, 2000                                   | PSTB Chief<br>(505) 487-6470                     |
| <b>Pueblo of Laguna</b>                                                                | NMED, U.S. EPA, the Grants/Cibola County School Board | Underground Storage Tank Cleanup for a former Grants/Cibola County Schools Maintenance Yard, Paraje | Memorandum of Agreement (MOA)  | Effective May 31, 2016                                    | PSTB Chief<br>(505) 487-6470                     |
| <b>Jicarilla Apache Tribe Environmental Protection Office</b>                          | NMED                                                  | Underground Storage Tank Cleanup at the Lodge at Chama, amended to include the Gomez Stop & Go Site | Cooperative Agreement          | Effective June 15, 2000<br>Amended August 16, 2002        | PSTB Chief<br>(505) 487-6470                     |
| <b>Picuris Pueblo</b>                                                                  | NMED                                                  | Underground Storage Tank Cleanup and Petroleum Remediation                                          | Consent for Access to Property | Effective June 14, 2007                                   | PSTB Chief<br>(505) 487-6470                     |
| <b>Ohkay Owingeh</b>                                                                   | NMED                                                  | Underground Storage Tank Cleanup and Petroleum Remediation                                          | Consent for Access to Property | Effective September 8, 2008                               | PSTB Chief<br>(505) 487-6470                     |
| <b>Pueblo de San Ildefonso</b>                                                         | NMED                                                  | Soil, water, air, and plant monitoring as well as sampling to evaluate LANL activities              | MOU                            | Effective February 7, 2014                                | DOE Oversight Bureau Chief<br>(505) 331-3665     |
| <b>Navajo Nation and Southern Ute Indian Tribe of the Southern Ute Reservation, CO</b> | NMED                                                  | Four Corners Air Quality Group Cooperation                                                          | MOU                            | Effective December 3, 2015                                | Air Quality Bureau, Mark Jones<br>(505) 629-6626 |
| <b>Navajo Nation Environmental Protection Agency</b>                                   | NMED, U.S. EPA, Navajo Nation EPA                     | Navajo-Gallup Water Supply Project                                                                  | MOU                            | Effective April 1, 2021;<br>Revised September 9, 2024     | Drinking Water Bureau Chief<br>(505) 467-9415    |
| <b>Santa Clara Pueblo</b>                                                              | NMED                                                  | Comprehensive description of all regulatory activities w/in exterior boundary                       | MOA                            | Effective December 20, 2010,<br>Amended November 19, 2019 | Tribal Liaison<br>(505) 487-0402                 |