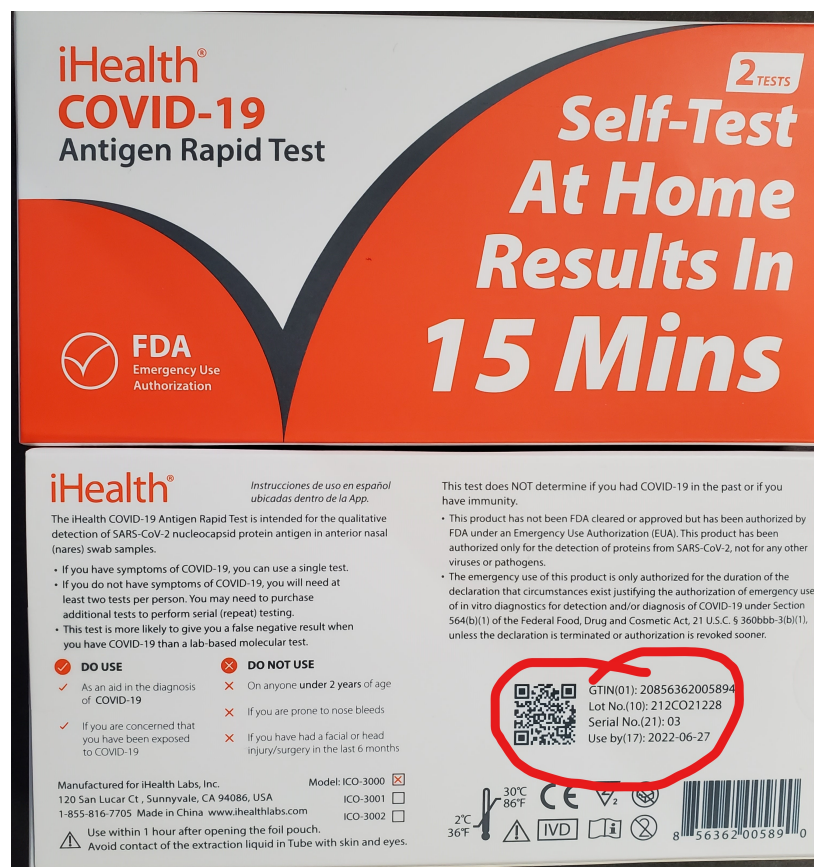


## Correction to Governor's Report for August 2022

Maguwam,

Hello to all and I hope this Newsletter finds everyone in good health despite the slight increase in Covid-19 cases. Again, as we have every month, want to reiterate that Covid-19 is still present within the community. It has been trying at times but I want to encourage everyone to continue following the same Covid-19 safe practices that have been encouraged since the onset of the Pandemic. Those practices are to continue to wash your hands frequently and use hand sanitizer when necessary. Please use a mask when in large groups especially when the groups are indoors. The State of New Mexico is also seeing an increase in Covid-19 cases also. Currently we have 22 active reported cases of Covid-19 as of the writing of this article. Of the 22 positive cases, 15 are POI residents. A total of 15 households that are being monitored at this time. The numbers have averaged around 20 case over the past two months. Be safe and Isleta Strong!

In December of 2021 the Isleta Health Center and POI has distributed iHealth home test kits. Those test kits have an expiration or use by date of 06-27-2022 and 07-11-2022. The ihealth test kits were granted an extension by the FDA on March 29, 2022. Those test kits that have a use by date in June now will expire on 9-26-2022. Those test kits with a use by date in July will expire on 10-10-2022. The following picture indicates what the tests kits look like and where you can find the "use by date". If you may have questions about these kits do not hesitate to call the **Covid Hotline at 505-869-9720**.



Back to school for our youngsters is fast approaching. I would like to encourage all students to do their best and stay in school. It has been a difficult 2 years with having to deal with Covid-19 but I commend those students who have succeeded in moving on to the next grade. For the motoring public, I stress the importance of safety. Please be cautious of kids walking home from school or their bus stop. Please adhere to all school crossings, warning lights on buses and do not hesitate to report violators. Let us all do our best to keep our kids safe. Good luck to all students and I pray that each and every one of you has a successful school year.

Last year residents had been experiencing low flying aircrafts. The aircraft which are military helicopter and planes loudly pass over residential areas sometimes late at night. There has been a lot of activity in certain areas in the East and West range. Should any aircraft fly over at a low altitude or seems to harass you by circling the area, please note the date and time and if possible take pictures. We are monitoring and documenting these instances. The Pueblo along with Indian Affairs Department has a memorandum of agreement of restricted areas and minimum flying altitudes. If you witness any low flying aircraft please report it to the Governor's office.

Tribal Administration attended the 2022 Government-to-Government Indian Education Summit held here at the Isleta Resort and Casino. Governor Michelle Lujan-Grisham along with her Cabinet Secretary Dr. Kurt Steinhaus and his staff attended. We discussed important issues concerning Education for Native American students. For example, the Yazzie/Martinez v. The State of New Mexico lawsuit that challenged the State's failure to provide students a sufficient education as required by the state constitution. The Court ruled in favor of the Plaintiff families and school districts, holding that the State of New Mexico violated the constitutional right of "at-risk" students (including Native Americans, English language learners, low-income students, and students with disabilities) to a sufficient and adequate education. The Court specifically said that the lack of State compliance with the Indian Education Act amounts to a violation of Native students' constitutional rights. The Court ordered the State to take immediate steps to increase funding and provide improved programs and services to support "at-risk" children facing the deepest inequities. There is still a lot of work to be done for Indian Education. The Tribal Education Alliance is a coalition of tribal education leaders, experts, and advocates that supports tribal leadership in advancing the Tribal Remedy Framework (TRF). This coalition has worked with State Representative Derek Lente to amend the Indian Education Act House Bill 250, which will require schools to conduct Native student needs assessments and collaborate with Tribes in developing plans that prioritize and meet their needs. Unfortunately, not all things move quickly in government; however, the state has committed to following out the law and work with tribal governments. To assure that the efforts with the state and pueblos continue, the All Pueblo Council of Governors (APCG) will be following up with all of the concerns and commitments from the state. The Pueblo of Isleta will also work with the state to assure our Native Students in the Public Education System are afforded the same opportunities.

This month is the Feast of our Patron Saint, St. Augustine. We will have vespers mass on the 27<sup>th</sup> at 7:00 p.m. and Mass at 9:00 a.m. on the 28<sup>th</sup>. Come out and celebrate the St. Augustine feast day with us.

Our community has experienced a lot of death in the past month and I want to extend our condolences to all the families that have lost a love one. I also want to let the community know that we are not alone in times like this. We are a strong community. We have services available at any time of the day if you

need to talk. Please reach out to the crisis response team at the police department or at the Behavioral Health Department.

#### ABCWUA Sewage System Overflow Affecting the Rio Grande

At approximately 1am, Monday, July 11, 2022, Isleta Police Dispatch notified Lt. Governor Lucero of sewage inflow to the Rio Grande. Lt. Governor Lucero then called 2<sup>nd</sup> Lt. Governor Sanchez. 2<sup>nd</sup> Lt. Sanchez, then contacted the Albuquerque Bernalillo County Water Utility Authority (ABCWUA) point of contact. The initial information received was a collapse sewage main interceptor at 64<sup>th</sup> and Hanover, in NW Albuquerque. The subject interceptor receives sewage influent from Albuquerque north of I-40 and west of the river with an average daily flow of 12 million gallons. The initial reported sewage system overflow (SSO), was estimated to be eight (8) million gallons, with three (3) million ponded in an Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) storm water pond, and five (5) million gallons reaching the river.

Monday morning, 2<sup>nd</sup> Lt. Governor Sanchez, notified the Mayordomos of the SSO and inflow into the river. As a precaution the Middle Rio Grande Conservancy District (MRGCD) would discontinue diverting river water at the Isleta Diversion Dam (IDD) which supplies the eastside and Los Charcos. The Mayordomos were also informed the Indian Canal and Acequia Madre irrigation water was not affected by the spill due to the westside supply diverted from the Angostura Diversion above the SSO inflow at I-40 and river. A Public Health Advisory was issued that morning as well.

The SSO was reported to have started at 5:54pm, Sunday, July 10, 2022, and was stopped at 12am, Tuesday, July 12, 2022. The duration was 30 hours and 6 minutes. However, it is not clear when sewage inflow started and stopped entering the river. This is a question, among others that will need to be determined to assess and report the SSO correctly and for any penalties the ABCWUA will be liable imposed by the Environmental Protection Agency.

Based on discussion with MRGCD, and allowing river water to flow past the IDD (opening all gates) , and understanding travel time it would take the tail end of sewage plug to move past, it was initially decided to re-start diverting water Wednesday morning, July 13, 2022. Alfalfa and other forage crops could be irrigated, but gardens were kept on hold. Upon making this decision, the Mayordomos were notified. With feedback received from some Mayordomos concern of water quality (WQ) safety, 2<sup>nd</sup> Lt. Governor Sanchez re-evaluated travel time. His re-evaluation of travel time based on river flow at the time would take longer than the initial understanding, so re-starting diversion was delayed another day.

Due to the initial decision to re-start on the Wednesday, the Peralta holding pool was refilled, and the water was sent down the Peralta Main Canal. That afternoon, Mayordomos reported a green color in the Chical holding pool. Upon 2<sup>nd</sup> Lt. Governor investigating and discussion with MRGCD, it was learned water from the Barr Drain/Canal flowed into the Peralta pool. The Barr was the source of the green color from the vegetation occurring and growing there. The MRGCD flushed the Chical pool and which left some if that vegetation biomass remaining.

Some irrigation re-started on the Cacique and Otero Thursday, July 14. The Big Chical was re-started on Friday, July 15<sup>th</sup>, and Little Chical on Saturday July 16<sup>th</sup>.

Friday evening, 2<sup>nd</sup> Lt. Governor Sanchez met with the Chical Mayordomos and farmers over the WQ concerns for gardens. It was decided that the two (2) drought relief wells that were found recently

operational and use of water buffalo would be utilized to supply gardens on the eastside with groundwater before re-starting irrigation with river water. Public works would run those wells and coordinate with Mayordomos. Unfortunately on Monday, it was reported those drought relief wells were vandalized and batteries stolen. It is unfortunate the drought irrigation wells developed and rehabbed several years ago, were not maintained over that time because they could be used now when needed. While it was suggested rehabbing once more, that realistically could not happen overnight for the current predicament. 2<sup>nd</sup> Lt. Governor's, idea of creating a program supported by Tribal Council to develop individual shallow ground water wells could provide a safety net for both water quality and availability for garden farmers going forward and would be easier to implement and be more cost effective than rehabilitation of the drought wells in the interim.

As of Saturday, July 16<sup>th</sup>, irrigation was back in operation. There remained concern of WQ due to mis-information that contributed to misunderstanding. To reiterate again, the westside irrigation water supplied from the Indian Canal was not affected by the SSO. Only the eastside (Chical and Ranchitos) and Los Charcos river water supply was affected by the SSO and effects were attempted to be limited based on WQ information and understanding of river hydrologic dynamics. Unfortunately, those efforts were compounded with diminishing river water supply that affected the both ability to dilute and delay the SSO plug passing through Isleta quicker.

While no one can assure the safety of river water, we can only use the available water quality standards (WQS) of Isleta and New Mexico (NM) as guidelines and WQ data to assess conditions. To note, NM WQS are based on one (1) person in 100,000, cancer risk. Isleta WQS are more strict because ours are based on one (1) person in 1,000,000, cancer risk. While there are other pollutant considerations in untreated sewage influent, as a measure of safety due to the SSO, we were looking at the bacteria *Escherichia coli* or *E. coli*, in the river water as the safety indicator.

Isleta's WQS for *E. coli*, is based on our Primary Contact use, which is 88 colonies/100 mL (milliliters), which is measured as most probable number (MPN) or colony forming units (CFU) per mL, depending on the analytical method. Both are equivalent values, but Isleta uses MPN. We do not have a standard for "Agriculture water supply use" which includes water for livestock.

NM WQS for *E. coli* in the Rio Grande Basin vary and range from 235 to 940 colonies/100 mL for different bodies of water, locations, and use protection. For the stretch of the Rio Grande from the headwaters of Elephant Butte upstream to Alameda bridge (Corrales bridge) that excludes Isleta, NM Primary Contact WQS recognizes 410 colonies/100 mL. Primary Contact for both Isleta and NM recognizes prolonged contact, such as swimming that involve considerable risk of ingesting water in quantities to pose a health hazard.

Researching for a WQS for agriculture surface irrigation water found that 235 colonies/100 mL was an suggested WQS for leafy crops was. "Leafy crops" can be defined as plants grown for their edible leave, which include spinach, turnip, parsley, and lettuce. However, the distinction between leafy and non-leafy crops is not always clear. The lowest WQS NM recognizes for *E. coli* is 235 colonies/100 mL, but is not directly tied to an agriculture irrigation use.

Currently, The Food and Drug Administration (FDA) identified 410 colonies/100 mL for a single sample limit as a statistical threshold value (STV) and 126 colonies/100 mL as a geometric mean (GM) or central tendency, is recognized (21CFR112.44) for covered produce (21CFR112.1) excluding sprouts.

As of the writing concerning the SSO, WQ sampling results reported at colonies/100 mL - MPN, for the river on July 21 were:

- |  |                                   |
|--|-----------------------------------|
| - At 12pm, and I25 Bridge                  | 69.4 (reported by ABCWUA)         |
| - At 8:49am, and river across Isleta Lakes | 213 (reported by POI Environment) |
| - At 8:10am, and IDD (westside)            | 332 (reported by POI Environment) |
| - At 8:15am, and IDD (eastside)            | 279 (reported by POI Environment) |
| - At 8:03am, Peralta Main (below pool)     | 266 (reported by POI Environment) |

While reiterated previously and again now, the SSO did not mix with the westside river supply for the Indian Canal/Acequia Madre. However, WQ samples taken by POI Environment at the request of the Mayordomo. Results were:

- |                          |  |
|--------------------------|--|
| - July 11, not collected |  |
| - July 12, at 12:13pm    | 42.6   |
| - July 13, at 10:22am    | 275 (A storm cell was noted in the South Valley for July 12) |
| - July 14, at 9:48am     | 292  |
| - July 15, at 10:37am    | 323  |
| - July 16-17             | not collected due laboratory closed                          |
| - July 18, at 10:20am    | 305  |
| - July 21, at 8:30am     | 459 (*266 was incorrect in Newsletter publication)           |

While for the most part, the July 21 WQ data, showed irrigation water is below the FDA, 410 colonies/100mL single sample limit. However, this doesn't reflect what the GM or central tendency (average) is. It was noted a storm cell on July 12, could have influenced the next day, E. coli levels from storm water flow into connected the MRGCD conveyance system that feeds the Indian Canal/Acequia Madre. The rise in level and being maintained cannot be explained at this time. POI Environment is planning to sample above and Isleta and the Indian Canal/Acequia Madre sample location (just below the heading of the Acequia Madre west branch), to evaluate E. coli levels. POI Environment is looking to coordinate sampling with the NM Environment Department Water Quality Bureau. That sampling information will be provide in future reporting as well as what our E. coli GM is found to be.

To put into perspective, Isleta's WQS are based on a one (1) person per 1,000,00 cancer risk for surface waters within the exterior boundaries of the Pueblo. Outside our boundaries and north of us to Sandia Pueblo, NM has a lower WQS based on one (1) person per 100,00. While Isleta's surface WQS, have provided protection for our uses, the reality of population of 700,000 or greater, comprising urban, suburban, and rural area above Isleta, affects and limits the WQ we receive. We will continue to report E. coli levels and other WQ information as it becomes available.

#### Irrigation Water Supply Update

We are anticipating going into Prior and Paramount (P&P) water supply and operations unless we receive rainfall to keep us out. The six Middle Rio Grande Pueblos have 20,000 acre feet of water stored at Abiquiu Reservoir as previously reported. Should and when river flow and gets below P&P supply, that stored water will be released to make up the difference. We will report on P&P supply status as it changes.

## Strategic Water Planning

We will continue to make every effort we can to protect our water resources and related assets with the laws and capabilities available to us. To assist with that effort, the Water Work Group that Tribal Council established is in the process of developing Isleta's long range Strategic Water Plan for our water resources protection, management, development, and quantification of our water rights. While we should have already had this plan in place as well as other strategic plans to guide us, it is our hope that Tribal Council will also support this effort as a necessary means. That Strategic Plan will guide our community into the future where successive Tribal Administrations and Councils will be tasked with the responsibility to implement those strategies to not only protect, management, develop, but eventually quantify our water rights for future generation.

Toward that effort, the Community Meeting on Water Rights and Water Resources has been re-scheduled for August 20, 2022, at the Casino.

Last but not least, as we mourn the death of Council President Joe Pat Padilla, we want to send out our heartfelt condolences to the Padilla Family and friends. President Joe Padilla was a kind and wise man who would give the shirt off his back for you if you were in need. President Padilla your presence will be missed in the community and Council Chambers. After a discussion with the Tribal Council, they have decided not to fill the vacant council seat.

We pray to the creator to keep out thoughts clear and mindful and we pray to the creator to keep us on a good road with a long health and prosperous life. We continue to pray for rain, good crops, and health animals.

Haw-wu

Vernon B. Abeita  
Governor