



Date: March 10, 2021

To: Mark Purcell, Superfund and Emergency Management Division

From: John E. Antonio, Sr., Governor

A handwritten signature in blue ink, appearing to read "John E. Antonio, Sr.", is placed to the right of the "From:" line.

Re: National Remedy Review Board Hearing – Homestake Superfund Site – Pueblo of Laguna Comments

Dear Mr. Purcell,

Water is sacred to all Pueblo people, and it is the desire of the K'waika'me (the people of Laguna, in the Keresan language), that all people have enough clean water for their needs. The Laguna People have a long history of residing near and farming along the Rio San José in west-central New Mexico. It is neither an accident nor a mystery why the Laguna people have traditionally lived near flowing water; for many centuries, since before Europeans arrived in the Southwest in the sixteenth century, they have relied on ditch irrigation to grow much of the food that has sustained them. The sources of water for Pueblo irrigation have been many and varied, but for the Laguna people, that source has been primarily the Rio San Jose and its tributaries. It is because of this history, and these traditions, that the Pueblo of Laguna is concerned with the potential impacts to the Rio San Jose, and its underlying aquifers, from the Homestake site.

The water that flows in the Rio San Jose comes from a combination of surface and groundwater sources, including water flowing down the Rio San Mateo, and from the San Andres Glorieta Aquifer (SAGA). In times past, other springs contributed more dramatically to this flow, however, extensive groundwater pumping upstream as well as the impacts of climate change has caused them to go dry.

The Pueblo of Laguna, along with the Pueblo of Acoma, is involved in a decades long water rights adjudication to quantify their water rights, (part of State of New Mexico, ex. rel. State Engineer, v. Kerr-McGee Corp., et al., and CB-83-220-CV (Consolidated)), after years of trespass on those rights by upstream users, that have contributed to a regional water shortage. One of our greatest challenges is to find water sources in the basin that do not require significant treatment. Beyond the water available in the Rio San Jose itself, the best quality water remaining is the SAGA, which is also used by the Village of Milan, and City of Grants, and others. The risk of losing another water supply due to contamination from Homestake's inability to clean up its mess is unacceptable.

After the discovery of uranium in the Grants Mining District in the 1950's through the 1980's, a significant quantity of both uranium and groundwater were removed, from the San Mateo Creek area, as well as across the region. These mining activities provided economic development for the area, but had a high cost in lingering environmental damage to the Pueblo of Laguna and its people. Homestake's current mitigation activities are reducing the likelihood of contaminated waters reaching either the Rio San Jose or the SAGA. The Pueblo of Laguna does not support any cessation of cleanup operations without permanent protection for Rio San Jose and the SAGA as well as any other clean water sources at risk from the Homestake site.

The Pueblo of Laguna encourages the Environmental Protection Agency, as well as the National Remedy Review Board to continue to support the requirement that the Homestake Mine be cleaned up entirely, so that the people of Laguna, and the others in the vicinity do not have to suffer the consequences of a failed environmental cleanup. The weight of environmental damage from decades of profit by the extractive industry for the benefit of the Federal Government should not continue to fall on Native American communities, or our neighbors.