



FOR IMMEDIATE RELEASE

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**Zuni Tribe, Navajo Nation & New Mexico Natural Resources Trustee
Seek Public Comment on Proposed Consent Decree for
Fort Wingate Natural Resource Injuries**

Settlement covers claims for injuries to natural resources caused by releases of hazardous substances at or from Fort Wingate Depot Activity.

FORT WINGATE, NM — The Zuni Tribe, Navajo Nation, and the New Mexico Office of the Natural Resources Trustee, Co-Trustees for natural resources located at and near the Fort Wingate Depot Activity (FWDA), have reached an agreement with the United States, on behalf of the U.S. Army, to settle claims for natural resource injuries caused by releases of hazardous substances at or from the former Army facility. The FWDA, located in McKinley County near Gallup, was used for storage and disposal of explosives and munitions and ceased operations in 1993.

The agreement calls for the payment from the United States to the Trustees of \$1,451,069. The settlement includes \$160,770 to reimburse Trustees' past costs; \$1,020,150 for natural resource restoration projects; \$117,000 for cultural services damages; and \$153,149 for Trustees' future costs.

The parties have agreed to the terms of a proposed consent decree that was lodged yesterday in federal district court in New Mexico. The agreement will become effective and binding on the parties pending a 30-day public comment period and subsequent approval of the court. A copy of the proposed consent decree may be obtained here: <https://onrt.env.nm.gov/wp-content/uploads/2022/03/2022-03-29-5-1-Proposed-CD-filed.pdf>, or by contacting ONRT at nm.onrt@state.nm.us or 505-313-1837.

Interested parties are invited to comment on the settlement agreement. The public comment period starts April 1, 2022, and ends on May 2, 2022. Comments should be addressed to the Co-Trustees in care of Michelle Hunter, New Mexico Office of Natural Resources Trustee, at <https://nmed.commentinput.com/?id=9YShG> or at 121 Tijeras Avenue NE, Suite 1000, Albuquerque, NM 87102, and should reference: *Proposed Fort Wingate Depot Activity Consent Decree*. Comments must be received in writing on or before 5:00 PM MDT on May 2, 2022.

Written comments received during the public comment period will be addressed by the Trustees in seeking the court's approval of the settlement. Comments received after the deadline may not be considered.

After the settlement agreement has been approved by the Court, the State's Natural Resources Trustee will work with the Zuni Tribe and the Navajo Nation to select and complete natural resource restoration projects utilizing settlement funds. Both tribes have long-standing historical ties to the lands in and around the former munitions depot. In addition, separate and apart from this settlement, substantial portions of the FDWA have already been transferred to the Bureau of Indian Affairs in trust for each of the tribes.

Environmental remediation of the FWDA lands still under Army control is also ongoing under the authority of the New Mexico Environment Department Hazardous Waste Bureau.

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