



Office of Natural Resources Trustee

MICHELLE LUJAN GRISHAM, GOVERNOR

Maggie Hart Stebbins, Trustee

FOR IMMEDIATE RELEASE

Contact: Maggie Hart Stebbins
Natural Resources Trustee
maggie.hartstebbins@onrt.nm.gov
(505) 231-7542

May 30, 2023

Office of Natural Resources Trustee Finalizes Natural Resource Restoration Plan for injuries caused by 2015 Gold King Mine Release

Agency finalizes plan to fund 10 projects from settlement with US EPA and EPA contractors

ALBUQUERQUE — The New Mexico Office of Natural Resources Trustee (ONRT) announced today that it has finalized *The Natural Resource Restoration Plan # 2 for the 2015 Gold King Mine Release*. The final restoration plan commits funding for 10 natural resource restoration projects using \$12 million recovered from the United States Environmental Protection Agency (EPA) and EPA contractors for injuries in New Mexico resulting from the 2015 release of acid mine drainage from the Gold King Mine into the Animas and San Juan Rivers.

The final Restoration Plan provides full or partial funding of the following projects:

- City of Aztec, Construction of North Main Wastewater Management Infrastructure (\$480,000)
- City of Aztec, Rehabilitation of Raw Water Reservoir 1 (\$950,000)
- City of Farmington, Construction of Whitewater Wave and Irrigation Diversion Dam at Farmington Gateway Park (\$2,000,000)
- Navajo Nation Department of Fish and Wildlife, Construction of Nenahnezad Chapter San Juan River Boat Ramp (\$65,575)
- New Mexico Interstate Stream Commission, San Juan River Water Lease Agreement Partnership (\$1,803,000)
- New Mexico State Parks Division, Construction of an Aquatic Invasive Species Station on San Juan River Quality Waters (\$205,226)
- San Juan County, Construction of San Juan River Public Boat Ramps and Park Improvements (\$681,440)
- San Juan County, Construction of the San Juan County Extension Service Office Building (\$2,300,000)
- San Juan County, Construction of Water and Wastewater Improvements for the Totah Subdivision (\$1,000,000)
- San Juan Soil and Water Conservation District, Construction of Irrigation Ditch Diversion Project (\$1,616,600)

“Water is life. The projects funded by settlement money from the EPA will serve to start to heal the wounds left in our community from the Gold King Mine Spill,” said **San Juan County Commission Chairman Steve Lanier**. “We are grateful to the New Mexico Attorney General for pursuing this settlement and the Office of the Natural Resources Trustee for ensuring that projects awarded are in the best interest of those affected. These investments into improving water quality and recreation opportunities will pay dividends in securing the future of safe water for drinking, agriculture, and quality of life for years to come.”

The 10 projects chosen for funding were among 17 project proposals received by ONRT following a solicitation issued on August 12, 2022. All project proposals were evaluated and ranked according to criteria that included a broad public benefit and a direct tie to the environmental injuries caused by the release. Additional measures included proximity to the Animas and/or San Juan Rivers; benefits to surface water, wildlife, and/or aquatic and terrestrial ecosystems; and/or benefits to agriculture or outdoor recreation.

In response to the August 5, 2015, release of acid mine drainage from the Gold King Mine into the Animas and San Juan River watersheds, the New Mexico Environment Department and Attorney General filed a lawsuit in May 2016 against the EPA, the EPA contractors, and certain mine owners seeking recovery of response costs, damages, and injunctive relief. New Mexico aggressively pursued its claims for six years seeking to hold the EPA and others accountable.

Governor Michelle Lujan Grisham, Attorney General Hector Balderas, Environment Secretary James Kenney, and Natural Resources Trustee Maggie Hart Stebbins reached settlements with mining defendants, the United States and the EPA and EPA contractor defendants that included a total of \$13 million for restoration of injured natural resources.

ONRT has reserved approximately \$1 million from those settlements to pay the costs of soliciting and evaluating restoration projects and the costs of overseeing project implementation. Any funds remaining after the 10 projects are implemented will be used for additional restoration.

In compliance with the EPA settlement agreement, the Final Restoration Plan will be submitted to Federal Court to allow release of the \$10 million to ONRT.

For more information on New Mexico's settlement with all three sets of defendants in the Gold King Mine litigation, please visit: <https://onrt.env.nm.gov/gold-king-mine/>.

###

***About the Office of Natural Resources Trustee (ONRT):** ONRT is a state agency created by statute to ensure that New Mexico's natural resources that have been injured by the release of hazardous substances are restored for the full benefit of New Mexicans. ONRT assesses injury to natural resources caused by contamination and then seeks compensation from the responsible parties for restoration of those injured resources. The funds obtained through settlements are used to restore, replace, or acquire the equivalent of injured, destroyed or lost natural resources and the services they provide. For more information about ONRT, visit <https://onrt.env.nm.gov>.*