



## THE HARVARD PROJECT ON AMERICAN INDIAN ECONOMIC DEVELOPMENT

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John F. Kennedy School of Government • Harvard University

### HONORING NATIONS: 1999 HONOREE

#### **Water Quality Standards Environmental Department, Pueblo of Sandia**

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The Rio Grande River has always played a crucial role in daily life at the Pueblo of Sandia. For centuries, members relied on the river for agricultural, recreational, and traditional uses. Over the past several decades, however, rapid industrial growth and lax state and federal environmental enforcement have resulted in the River's deterioration – making it one of the most polluted and endangered rivers in the United States. During the 1970s and 1980s, the appearance of fish mutations, foul smells, discolored water and the erosion of nearby native vegetation forced tribal members to cease using the River entirely.

At that time, the Pueblo did not communicate with upstream polluters and had no mechanisms for protecting the quality of its surface water. An opportunity for change arose in 1987 when the United States Congress passed amendments to the Clean Water Act allowing American Indian nations to apply for “treatment as state” status. This status allows Indian nations to promulgate their own water quality standards. The Pueblo of Sandia applied for “treatment of state” in 1988 and gained U.S. Environmental Protection Agency (EPA) approval in 1990. In 1991, the Pueblo became the first tribe in the United State to apply for water quality standards under the Clean Water Act with the specific intentions of protecting traditional uses of surface waters. In 1993, the EPA approved the Pueblo's standards.

Sandia's water quality standards, which are more stringent than those of the State of New Mexico, prescribe acceptable levels of contaminants and establish existing uses of the reservation that must be protected. The Pueblo's Water Quality Control Officer monitors the water quality for conformance to the standards, advises prospective dischargers of Sandia's discharge requirements, and coordinates pollution control activities with other local, state, and federal agencies.

The Water Quality Standards Program has been successful on several fronts. Program-generated data regarding river pollution levels have given the Pueblo a voice at the table in discussions regarding local water matters and have served as a counterweight to pollution claims made by local dischargers. After years of silence, the Program also has led to increased communication and information-sharing between the Pueblo and the State of New Mexico.

Beyond these immediate benefits, the Program is poised to secure future success – from both the technical standards it sets and the community support it enjoys. On the technical side, the Program requires that Sandia's water quality standards be incorporated into all

future permits EPA grants to upstream dischargers. The new permits also will require dischargers to report the nature of their effluent to the Pueblo and provide special notification of accidental contamination. Politically, there is Pueblo-wide commitment to protecting the health of the Rio Grande River. Sandia's Council has consistently supported the Program's initiatives and funding requests. Community members credit their leaders' desire and ability to protect and preserve the Pueblo's way of life as the primary reason for the Program's achievements. Even grade school students have become Program boosters, as they test the River's water quality through school projects. Together, this support carries Program success into the future. Sandia's "treatment as state" status and the Water Quality Standards Program that emerged from it are important steps in the nation's autonomy over its waters. By seizing the opportunity offered by a change in federal law, the Pueblo has been able to reverse its long-standing powerlessness in water quality issues. The Water Quality Standards Program has given the Pueblo of Sandia standing to defend its health, economy, and traditional practices – a position the Pueblo has used to benefit the environment, current members and non-members, and the generations to come.

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