

WRITTEN TESTIMONY OF  
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FOR A HEARING ENTITLED  
“TRIBAL WATER AGREEMENTS”

BEFORE THE  
WATER, WILDLIFE, AND FISHERIES SUBCOMMITTEE  
LEGISLATIVE HEARING

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INTRODUCTION

Chairman Cliff Bentz, Ranking Member Jared Huffman, and Members of the Subcommittee,

I want to first thank you for inviting and giving me the opportunity to testify today before the House Committee on Natural Resources Subcommittee on Water, Wildlife and Fisheries regarding HR 3977- The Navajo-Gallup Water Supply Project Amendments Act of 2023.

My name is Louis Bonaguidi and I am the Mayor of Gallup, New Mexico. I was born and raised in Gallup, and am proud to continue serving this community. Gallup, New Mexico is composed of approximately 20,000 diverse individuals. Gallup lies in the heart of Native American ancestral homelands. Tribal members -- members of the Navajo, Hopi, and Zuni tribes -- make up 49.1% of the population. Today, I am here to support and provide an overview of The Navajo Water Supply Project and to underscore the critical need for passage of H.R.3977, introduced by Rep. Teresa Leger Fernandez on June 9th of 2023. H.R. 3977 recognizes and addresses the pressing need to provide sustainable water resources, improve infrastructure, and promote the well-being of the communities in the region.

Persistent poverty and long-standing water uncertainties touch virtually all aspects of daily life. Despite substantial funding, the over \$1 billion invested may yield minimal progress if this bill is not passed, leaving residents with inadequate returns on the financial efforts made.

BACKGROUND

The Navajo-Gallup Water Supply Project encompasses approximately 300 miles of pipeline, incorporating nineteen pumping plants and two water treatment facilities. This project delivers sustainable water from the San Juan River to the eastern Navajo Nation, southwestern Jicarilla Apache Nation, and Gallup, New Mexico, addressing the long-term needs of around 250,000 individuals. Presently, these areas depend on a diminishing groundwater supply that is costly to access, of poor quality, and insufficient to meet both current and future demands. Over 30% of the Navajo Nation transports water to fulfill their daily needs.

Water deliveries to Navajo communities began on the Project’s Cutter Lateral in 2020 and deliveries to the Jicarilla Apache Nation starting in 2021. Construction on the San Juan Lateral, including pipeline, pump station, and storage facilities, is nearing completion, with final treatment and storage facilities expected to be completed by 2028.<sup>1</sup>

## HISTORY AND AUTHORIZATION

The Omnibus Public Land Management Act of 2009 authorized this project as part of the Navajo Nation San Juan River Basin Water Rights Settlement, with a completion deadline of December 31, 2024, unless extended by agreement among the Navajo Nation, New Mexico, and the Department of the Interior.

## PROJECT COMPONENTS

The project includes two main pipelines (referred to as “laterals”): the Cutter Lateral and the San Juan Lateral. The Cutter Lateral transports water from the Cutter Reservoir to the Cutter Lateral Water Treatment Plant, supplying treated water to communities on and around the Jicarilla reservation. The San Juan Lateral diverts water from the San Juan River, storing it in a nearby reservoir before transporting it to the San Juan Lateral Water Treatment Plant, which provides treated water to Navajo communities in western New Mexico and Gallup. At peak construction, the project is expected to create 600-650 jobs.

## **PERSISTENT POVERTY & WATER SECURITY IN GALLUP, NEW MEXICO**

Gallup, New Mexico, meets the criteria for persistent poverty, having sustained a poverty rate of 20% or more since the 1990 census. As of 2022, 33.6% of the population was in poverty.<sup>2</sup> Simultaneously, “there are few places in the world where water holds such profound significance as here in New Mexico.”<sup>3</sup> Poverty and water scarcity pose severe dangers to communities. Poverty limits access to basic needs and water scarcity exacerbates these issues by restricting access to clean water, essential for drinking, sanitation, and agriculture. This can result in the spread of diseases, dehydration, food insecurity, and heightened stress, undermining socio-economic development and quality of life.<sup>4</sup>

At the current rate, New Mexico will have 25% less water by the time a high school graduate of 2024 reaches retirement age.<sup>5</sup> There is no time to waste in ensuring water delivery to the population. Immediate action is required to mitigate the future detrimental effects of inadequate progress in water infrastructure. The COVID-19 pandemic exacerbated the urgency of water access in Gallup, a community already grappling with chronic water scarcity. In 2021, five of Gallup’s sixteen water wells, including two of the largest, ceased producing water.<sup>6</sup> Delays in the project forces a significant number of our population to rely on these “strained groundwater sources.”<sup>7</sup> With no nearby rivers, the city relies on wells tapping

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<sup>1</sup> BUREAU OF RECLAMATION, *NAVAJO-GALLUP WATER SUPPLY PROJECT*, <https://www.usbr.gov/projects/index.php?id=580>.

<sup>2</sup> Gallup, New Mexico, DATA USA (2022), <https://datausa.io/profile/geo/gallup-nm-31000US23700>

<sup>3</sup> 50-Year Water Action Plan, NM.GOV, <https://www.nm.gov/water-security-in-new-mexico/>.

<sup>4</sup> *Water and Poverty: How Access to Safe Water Reduces Poverty*, LIFEWATER (Dec. 26 2014), <https://lifewater.org/blog/water-poverty/>.

<sup>5</sup> 50-Year Water Action Plan, NM.GOV, <https://www.nm.gov/water-security-in-new-mexico/>.

<sup>6</sup> Elizabeth Miller, *Navajo-Gallup water delay spurs problem solving in arid Southwest*, NEW MEXICO IN DEPTH (May 7, 2021) <https://nminddepth.com/2021/navajo-gallup-water-delay-spurs-problem-solving-in-arid-southwest/>.

<sup>7</sup> *Id.*

groundwater stored in underground sandstone. Water levels have declined over the decades, increasing scarcity and causing great concern among residents.<sup>8</sup> Thousands of Navajos and residents of Gallup lack clean and running water at home.<sup>9</sup> Across the Navajo Nation, residents use a fraction of the water the average American uses due to the most severe drought in a century. They must travel long distances to haul water for personal use and to sustain livestock.<sup>10</sup>

Water is fundamental to sustainable development, socio-economic growth, and a healthy and capable population.<sup>11</sup> Studies on drought have found an association with acute stress and worsening of chronic diseases, dehydration, higher risk for heat-related illness, and greater infectious disease incidence.<sup>12</sup> Moreover, mental distress heightens when there are service shut offs and financial stress related to access to clean water.<sup>13</sup> Achieving water equity, quality, and accessibility in Gallup, NM can be achieved through the passage of H.R. 3977.

The city is counting on the passage of H.R. 3977 to provide water to a population that has been promised water delivery since 2009 and to build a stronger future for the community.

## CONCLUSION

The passage of H.R. 3977, the Navajo-Gallup Water Supply Project Amendments Act of 2023, is vital for addressing the water scarcity issues in Gallup, New Mexico, and surrounding Navajo Nation communities. The project, authorized in 2009, delivers sustainable water resources and improves infrastructure to support approximately 250,000 people. The urgency of this legislation cannot be overstated, as delays exacerbate the region's water challenges, impacting health, socio-economic development, and overall quality of life. The passing of this bill fulfills long-standing promises and secures a sustainable future for these communities.

Thank you for the opportunity to present this testimony to you today. We remain committed to working with your Subcommittee and Congress. I am happy to answer any questions.

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<sup>8</sup> *Id.*

<sup>9</sup> Richard Tsong-Taatarii, *On the Navajo Nation, a life without water*, SEARCHLIGHT NEW MEXICO (Nov. 29, 2023), <https://searchlightnm.org/on-the-navajo-nation-a-life-without-water/>.

<sup>10</sup> *Id.*

<sup>11</sup> *Water*, UNITED NATIONS, <https://www.un.org/en/global-issues/water>.

<sup>12</sup> Lara J. Cushing et al., *Water Insecurity And Population Health: Implications For Health Equity And Policy*, HEALTH AFFAIRS (Oct. 12 2023), <https://www.healthaffairs.org/content/briefs/water-insecurity-and-population-health-implications-health-equity-and-policy#:~:text=Drought%20can%20also%20lead%20to,and%20greater%20infectious%20disease%20incidence>.

<sup>13</sup> *Id.*