

US EPA ARCHIVE DOCUMENT



LA JOLLA INDIAN RESERVATION

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March 6, 2009

Laura Yoshii
U. S. EPA Acting Regional Administrator
75 Hawthorne Street
San Francisco, CA 94105

SUBJECT: PROPOSED UNCLASSIFIABLE OZONE DESIGNATION FOR THE LA JOLLA BAND OF LUISEÑO INDIANS

Thank you for the opportunity to submit a designation recommendation for the area under the jurisdiction of the La Jolla Band of Luiseño Indians for the Ozone National Ambient Air Quality Standard. The goals of the La Jolla Band of Luiseño Indians are to maintain good air quality, to protect air resources for future generations, and exercise our inherent sovereign authority over our air shed as provided in section 301(d) and 110(o) of the Clean Air Act. The La Jolla Band of Luiseño Indians recommends that the U. S. Environmental Protection Agency designate the lands within the exterior boundaries of the La Jolla Reservation as unclassifiable for the Ozone National Ambient Air Quality Standard.

This recommendation is based on several factors;

1. Jurisdictional Boundaries

The La Jolla Reservation currently occupies approximately 9,998 acres and is located in Northern San Diego County. The La Jolla Reservation is approximately 60 miles northeast of San Diego and approximately 40 miles southeast of Temecula, within the San Diego County Air Basin. The San Diego County Air Basin is comprised of a single air district, the San Diego County APCD, which consists of all San Diego County. The current Reservation population is approximately 490 members.

2. Geographic Area

The topography within the Reservation boundary is mountainous with elevations ranging from 900 feet to 5,200 feet. This topography separates the Reservation from the major population centers of the County where most of the air pollution is generated. The surrounding land base is mainly comprised of National Forest land, State Park land and BLM and other open space areas.

3. Population Density and Degree of Urbanization

While San Diego County is one of the most populated counties in California, the northern part of the county and the La Jolla Reservation are sparsely populated. The Census Bureau defines an "urban area" as an area containing at least 1,000 persons per square mile. The Reservation consists of 9,998 acres, or 13.52 square miles. With a population of 490, the Reservation population density is 36 persons per square mile. Compare this with the City of San Diego at a population of 1.25 million and a density of 3,877 persons per square mile, and it becomes very apparent that the two entities are vastly different. To combine these two entities into the same geographic area for the purpose of air quality classification simply because they are within the same county is not reasonable.

4. Traffic and Commuting Patterns

U. S. Interstate Highway 15 is a major commuter corridor between San Diego County in the south and Riverside County to the north. Traffic volumes are heavy and contribute to the over deterioration of the air quality. U.S. 15 is located 24 miles west of the La Jolla Reservation. Prevailing winds blows from the East Southeast toward the Reservation placing the Reservation up wind of the pollution generated by traffic on U.S. 15. Pauma Valley the community nearest to the Reservation is very rural in nature and generates minimal amount of vehicular traffic. California State Highway 76 crosses the Reservation from east to west. Cal-Trans traffic volume counts show a peak hourly volume of 260 vehicles. Vehicles using state Highway 76 are a mix of local residents and limited commuter traffic. The above information shows Reservation is minimally affected by vehicular traffic on U.S. 15 and Highway 76.

5. Growth Rates and Patterns

Land development and concurrent population growth on the La Jolla Reservation is strictly regulated by the U. S. Department of the Interior, Bureau of Indian Affairs in concert with the La Jolla Band of Luiseño Indians, and not subject to the same development pressures as privately owned lands. Due to the rugged topography and limited space for home building the Reservation will stay rural in nature and see limited growth. With significant growth restraints, air quality should remain unchanged in the foreseeable future.

6. Metrological Data

The La Jolla Reservation is east of the costal mountains, located at the southern base of Palomar Mountain and has a moderate climate. The average rainfall varies from 20 inches to more than 30 inches making the Reservation one of the wettest areas in San Diego County. The prevailing wind direction blows from the East Southeast towards the Reservation at an average of 5 1/2 miles per hour bringing air from the Anza Borrego Dessert region. This region is the least populated area of San Diego County and also enjoys some of the best air quality Southern California. La Jolla is currently gathering data from a strategically placed meteorological station to help understand the wind patterns within the Reservation

7. Air Quality Data

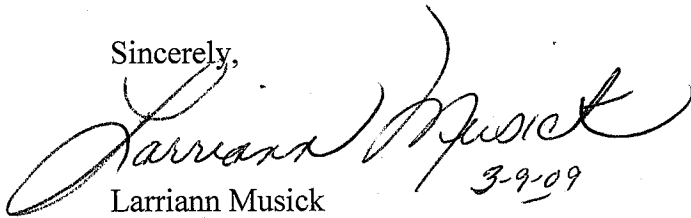
The La Jolla Environmental Protection Office (EPO) is currently conducting PM 2.5 monitoring with a Met-One Inc, EBAM, Beta Attenuation Monitor. The La Jolla EPO had been sampling with this PM 2.5 monitor since July 3, 2007, but the EBAM is not a Federal Reference (FRM) or Federal Equivalent (FEM) Method. There are currently no ozone monitors on or near the Reservation. The nearest air monitoring site for San Diego County is in Escondido, over 30 miles from the Reservation, and the topography in the intervening area is very mountainous and likely to provide a barrier to atmospheric drift. La Jolla is requesting funding from the U.S. EPA to install FEM or FRM monitoring for PM 2.5 and ozone.

This information leads the La Jolla Band of Luiseño Indians to believe that a classification of unclassifiable is justified and recommended. The Tribe will be continuing to collect baseline PM-2.5 data and will be applying for funding from the U.S. EPA under Section 105 of the Clean Air Act to conduct an emissions inventory and to develop an ongoing air quality monitoring program that will collect three years worth of data in order to make a final recommendation regarding the air quality on the Reservation.

The Tribe looks forward to continuing our work with the U.S. Environmental Protection Agency on the issue of air quality and to receiving a response to this recommendation.

If you have any questions regarding this recommendation please contact me at (760)742-3771 or Rob Roy, Environmental Director, at (760)742-3790 ex 311.

Sincerely,

A handwritten signature in black ink, appearing to read "Larriann Musick". To the right of the signature, the date "3-9-09" is handwritten.

Larriann Musick
Tribal Chairperson
La Jolla Band of Luiseño Indians

cc: Darrel Harmon, EPA OAR Tribal Program Manager
Laura McKelvey, OAQPS Tribal Coordinator
Lisa Hanf, Manager, EPA Region 9 Air Planning Office
Colleen McKaughan, Associate Director, EPA Region 9 Air Division
Jean Gamache, Manager, EPA Region 9 AIEO
James Fletcher, Superintendent, BIA Riverside Office