

US EPA ARCHIVE DOCUMENT



U.S. Border Tribes and Environmental Health

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Pala Band of Mission Indians
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U.S. Tribes in the Border Region

Tribal Lands within the US/Mexico 100 km Border Region



U.S. Tribes in the Border Region

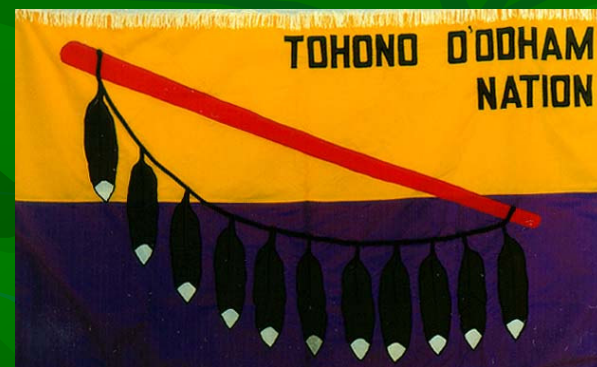
California-20

- Barona Band of Mission Indians
- Campo Band of Mission Indians
- Capitan Grande Band of Mission Indians
- Cuyapaipe Band of Mission Indians
- Inaja-Cosmit Reservation
- Jamul Indian Village
- La Jolla Band of Luiseno Indians
- La Posta Band of Mission Indians
- Los Coyotes Reservation
- Manzanita Band of Mission Indians
- Mesa Grande Band of Mission Indians
- Pala Band of Mission Indians
- Pauma Band of Mission Indians
- Pechanga Band of Mission Indians
- Rincon Band of Mission Indians
- San Pasqual Band of Mission Indians
- Santa Ysabel
- Sycuan Band of Mission Indians
- Torres-Martinez Desert Cahuilla Indian Nation
- Viejas Band of Mission Indians

U.S. Tribes in the Border Region

Arizona -4

- Cocopah Indian Tribe
- Fort Yuma Quechan Tribe
- Pascua Yaqui Tribe
- Tohono O'odham Nation



U.S. Tribes in the Border Region

Texas - 2

- Kickapoo Traditional Tribe of Texas
- Ysleta del Sur Pueblo



U.S. Tribal Governance

- Sovereign Nations
- Self-Governance
- Sovereign Immunity
- Federally Recognized
- Trust Responsibility
- Jurisdiction
- Tribes are distinct and NOT to be generalized as all being the same!

U.S Tribal Governments

- Native Americans may or may not be “members” of their tribes
 - Membership is determined by tribal laws
- Tribal governments operate under stressful conditions and have a responsibility to their citizens
- Tribe must relate to the economy both as a government and a participant (landowners and business owners in same jurisdiction)
- Tribal membership is not co-extensive with residency status, therefore non-residents could vote on tribal matters concerning local community issues



Indigenous Groups of Mexico

- 4 native indigenous groups with a permanent land base entirely within 100 km of the border:
 - Kikapu (Kickapoo)
 - Kumiai (Kumeyaay)
 - Papago (Tohono O'odham)
 - Cucapá (Cocopah)
- Paipai could be considered a fifth because part of their land is within the 100 km
- All these groups are directly related to tribal groups in the United States, some continuing to inhabit ancestral territory that was divided by the U.S.-Mexican border
- Lack of population/census data on both sides of the border

Indigenous Governance In Mexico

- All tribal communities have their own governments that may include both traditional and elected authorities
- Most tribes hold regular community *asambleas*, or meetings, to discuss issues and make decisions
- Regional councils exist in some of the border tribal areas (e.g. Baja California Intertribal Council, which includes elected and traditional authorities representing the Kumiai, Paipai, Kiliwa and Cucapá tribes at a state level)



U.S. Tribes and Environmental Programs

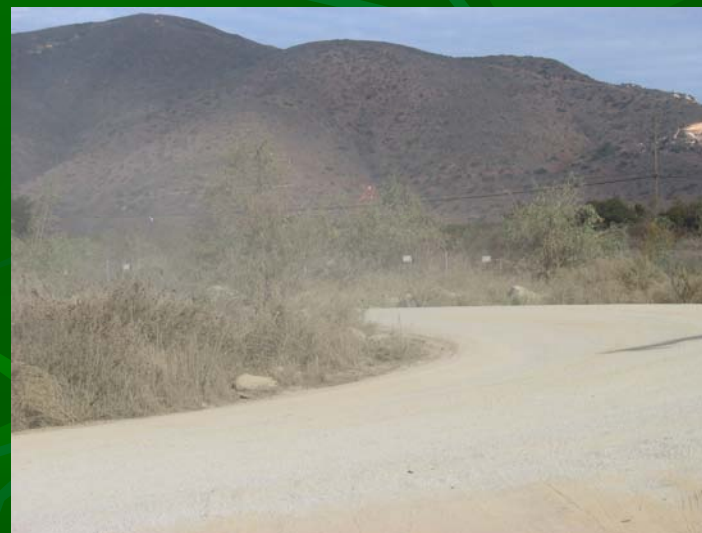
- Tribes work directly with the federal government agencies to develop their environmental programs
- Tribes are about ten years behind states with their environmental programs
- Consultation is an important aspect of the Federal Government working with Tribes

Environmental Health and Tribal Programs

- Indian Health Services (IHS) is the federal agency responsible for providing health services to tribes
- Tribes have the option to assume their own health programs or to utilize IHS
- Disconnect between environmental programs and health programs

Air

- Air Pollution Transport
- Fugitive dust from unpaved roads and Border Patrol grading
- Agricultural, mining and metropolitan impacts
- Diesel fuel emissions
- Open burning practices
- Pesticide use in agricultural areas
- Lack of air monitoring on tribal lands
- Particulate Matter, Ozone, Air Toxics, Sulfur Dioxide, Nitrogen Oxides

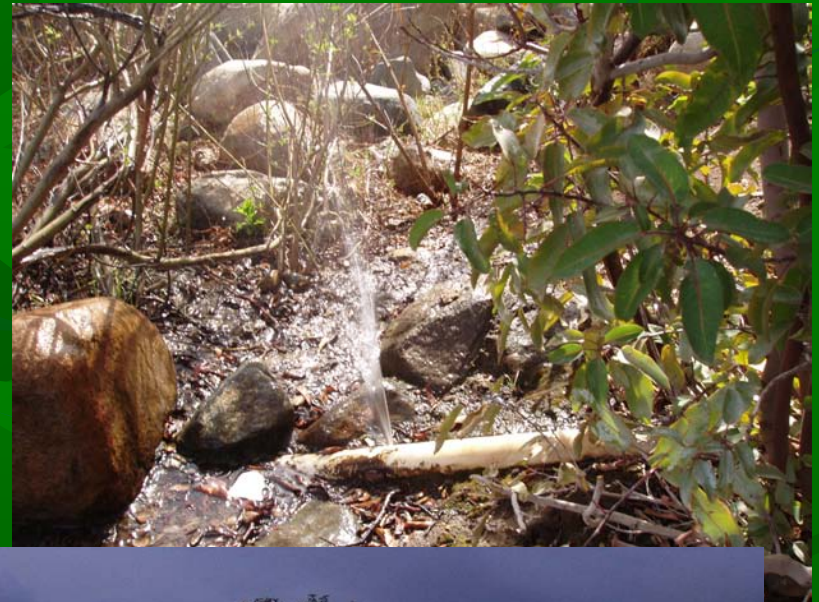


Air Programs in the Border Region

- In the Border Region for 2005/2006;
 - 3 tribes received 103 funding
 - 0 tribes received 105 funding
 - 2 tribes received additional GAP funds
- Out of 20 border tribes in California only five will receive funding for Air Programs
- Many more have applied, some with existing programs that are not being re-funded.

Water and Wastewater

- Lack of infrastructure
 - Most communities utilize wells or operate small rural systems
- Operation and maintenance
- Quantity and quality
- Non-point source contamination and source water protection
 - Failing septic systems or poorly maintained latrines



Infrastructure and maintenance issues in Mexican indigenous communities



New Water Systems in Mexican Indigenous Communities



Funding provided by Mexican government with supplemental money from EPA through the Pala Tribe.

Solid Waste



Entrance to San Jose de la Zorra community in Mexico



Illegal dumps are a common site on tribal lands

Tribal Solid Waste Management Programs

- Illegal dumping by off reservation sources
- Lack of funding to properly manage solid waste
- Clean-ups and landfill closures
- Recycling programs





**Improper hazardous waste disposal
Ysleta del Sur Pueblo, El Paso Texas**

Clean-ups



Before



After



Before

After

Junk Car Removal Project



Proposed Gregory Canyon Landfill

Environmental Justice Issues



Cross-Border Immigration



Border Crossing on Tohono
O'odham Nation, Arizona

Trails used through the Los
Coyotes Reservation,
Warner Springs CA



Border Patrol Activities on Dirt Roads



Erosion and vegetation damage caused by crossing. Tire dragging is often used to facilitate tracking of individuals & vehicles. Tohono O'odham Nation, Arizona.

Environmental Health Priorities

- **Air**
 - air quality and asthma triggers
- **Water**
 - infrastructure (drinking and wastewater)
- **Solid Waste**
 - dumping
- **Capacity Building**



U.S. Tribes and Border 2012

- Factors for Limited Tribal Participation in Border Task Forces:
 - Lack of funding
 - Lack of time to participate in task forces, usually only one person in environmental departments handling all media
 - Some Task Force meetings held in Mexico only
 - Grants proposed each year are based on task force issues and priorities (Mexico and US Border cities), which may not be tribal priorities

U.S. Tribes and Border 2012

- Factors for Limited Tribal Participation in Border Task Forces (Continued):
 - Projects in many cases have been bi-national using a sister city approach that has not included tribes
 - Lack of communication and notification
 - Not sure how tribes fit into Border 2012 activities
- The EPA is funding two Tribal Liaison positions, but tribes still need to be included in task forces and border related information

Conclusion

- Tribal communities environmental health concerns must be addressed, on BOTH sides of the border
- General lack of understanding of cross-border tribal relationships
- Not just bi-national, but **tri-national** issues
- It is important to respect and honor the sovereignty of the tribes, the responsibilities and rights to self-governance, and the differences between tribal nations and individuals

