

US EPA ARCHIVE DOCUMENT



PICAYUNE RANCHERIA
OF THE

CHUKCHANSI INDIANS

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November 14, 2011

Mr. Jared Blumenfeld
U.S. EPA Regional Administrator
75 Hawthorne Street
San Francisco, CA 94105

SUBJECT: TRIBAL RECOMMENDATION FOR UNCLASSIFIABLE OZONE DESIGNATION FOR THE PICAYUNE RANCHERIA OF THE CHUKCHANSI INDIANS.

Thank you Mr. Blumenfeld for this opportunity to submit our recommendation for jurisdictional lands held in Federal Trust by the U.S. Department of the Interior, Bureau of Indian Affairs. It is the recommendation of the Picayune Rancheria of the Chukchansi Indians that these lands be not included in the surrounding California State and County lands for the 2008 ozone standards. We do understand that we are within the boundaries of Madera County, which is currently designated as Serious Nonattainment for Ozone. Pursuant to Section 301 (d) of the Clean Air Act and by the inherent rights and sovereignty of the Picayune Rancheria of the Chukchansi Indians, do exercise these rights to be the jurisdictional authority of the portion of air shed within our Reservation Lands. It is the goal of Picayune Rancheria to maintain air in the best achievable quality for our people and our surrounding communities through the exercise of the CAA Section 103 air monitoring program.

Our recommendation for this ozone designation is based primarily on the distance and elevation differences to monitoring sites in the San Joaquin Valley and other nearby foothill monitoring sites. We hired ArrowTek Environmental Services to conduct an Air Needs Assessment for Picayune Rancheria in 2008 and found that due to the topographical and geographical location of the Rancheria the nearby monitoring locations do not represent the actual conditions of air quality. Some of the findings are as follows:

“The Picayune Rancheria, located in the foothills of the Sierra Nevada Mountains (Longitude 37.2136, Latitude -119.6972) is situated in a region of complex terrain at an elevation of 2,063 feet. The complex terrain and elevated location make the representativeness of measurements from nearby monitoring stations questionable. Studies have shown dramatic differences in both particulate and gaseous pollutant concentrations depending on elevation of the monitoring station. In addition, complex terrain has the potential to create micro-meteorological patterns that do not follow the general meteorological patterns seen on nearby flat terrain.” (ArrowTek, 2008)

In 2009 Picayune Rancheria received the CAA 103 Grant for air monitoring. With this grant we were able to commence construction of our Air Monitoring Station and were successful in monitoring PM 2.5 and Ozone in 2010 and 2011. We were successful in completing our Quality Assurance Project Plan (QAPP) for air monitoring, by the USEPA, and were successful in submitting data to AQS for the FY 2010-2011. Our QAPP is approved on the basis of Non-regulatory monitoring for the first year of operation and will transition to Regulatory air quality monitoring beginning FY 2012-2013.

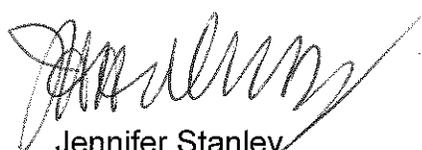
Because Picayune Rancheria has only had our CAA 103 Grant for a few years and only have limited data we are unable to request the change from nonattainment to an attainment area. We are using this opportunity of the Designations Process of 2008 to recommend that the U.S. EPA and Mr. Jared Blumenfeld, Region 9 Regional Administrator, approve our request for the reservation boundaries of the Picayune Rancheria of the Chukchansi Indians be designated as Unclassifiable until sufficient data can reflect the actual air quality in our geographical region.

Picayune Rancheria looks forward to a continued positive relationship with the U.S. EPA and Region 9 representatives on the issue of air quality designations for ozone and other criteria pollutants.

If there are any questions please feel free to contact the Tribal Environmental Specialist, Michael Wynn, at: 559.683.6633 ext. 205 or email: Michael.wynn@chukchansi.net

Sincerely,


Nancy Ayala
Tribal Council Vice Chairwoman
Picayune Rancheria of the
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Jennifer Stanley
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