



# Environmental Results Through Tribal/EPA Partnerships



Fiscal Year 2008 Accomplishments

Region 9/The Pacific Southwest

EPA-909-R-09-004



Dear Readers,

Environmental Results Through Tribal/EPA Partnerships is our seventh annual report on tribal accomplishments. It provides a valuable overview of our collaboration with tribes in the Pacific Southwest Region.

Since the start of EPA's General Assistance Program in 1994, I have been privileged to work with the more than 140 federally recognized tribes in the Pacific Southwest. I have seen nearly every tribe's commitment to protect tribal environmental health and natural resources grow stronger. I am proud of what we have accomplished together.

In partnership with EPA, tribes are working toward the shared goals of clean air, clean water, clean land, and healthy communities. The accomplishments achieved in 2008 are numerous.

Among the successes included in this report are developing and implementing a five-year plan to address uranium contamination of houses, wells, mine sites, mills, and dumpsites on the Navajo Nation; cleaning up 72 open dumps on tribal lands; and increasing tribal environmental law enforcement capacity.

This report does more than highlight the accomplishments of tribes in partnership with EPA. It also inspires us to continue working collaboratively and on a government to government basis to protect the future of tribal members and tribal lands and waters for generations yet to come.

For more information on tribal environmental accomplishments, please visit our Web site at [www.epa.gov/region09/indian/success/](http://www.epa.gov/region09/indian/success/).

Sincerely,



Laura Yoshii  
Acting Regional Administrator, Region 9  
U.S. Environmental Protection Agency



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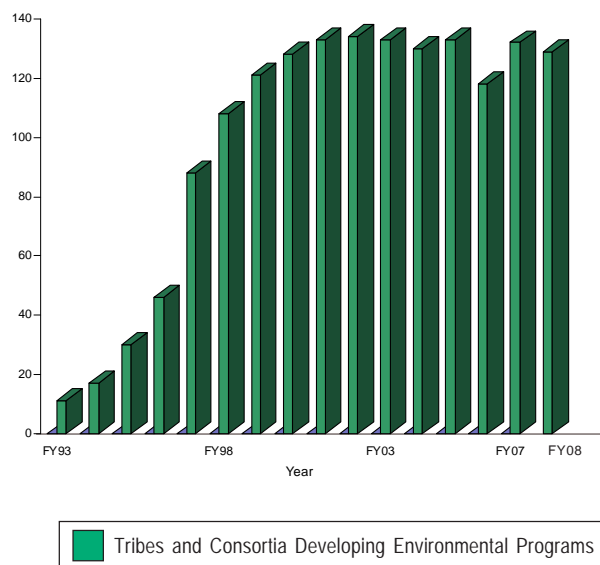
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*Cover Photo: Dan Mosley, Pyramid Lake Paiute Tribe  
Basket Design: Yurok Tribe of the Yurok Reservation*

# Tribal Results

Tribes in the Pacific Southwest have made great progress in building environmental capacity and creating an environmental presence in Indian Country. Of the 146 federally recognized tribes, 125 tribes and four inter-tribal consortia in the region currently receive U.S. EPA General Assistance Program (GAP) grants to continue building their capacity to develop environmental protection programs. Ninety tribes have codes or policies, an increase of five from 2007. Eighty-four tribes are monitoring the environment, up from 74 last year. Ten tribes have federal program authorizations, an increase of four over last year's total of six.

## Number of Tribes and Tribal Consortia Developing Environmental Programs with GAP Grants



Environmental conditions on many reservations in the Pacific Southwest Region are challenging. More than one-third of reservation households are at or below the federal poverty level. Nineteen percent of homes lack complete plumbing. More than 1,300 open dumps can still be found on tribal lands. Over a third of the tribes in the region are located in areas that do not meet air quality standards.

EPA is working in partnership with tribes to face these challenges head-on. Together, we are achieving positive results! Working as partners, tribes and EPA have made significant progress in protecting tribal lands, waters, air and other resources.

## 2008 Environmental Achievement Award Winner

The Environmental Department of the **La Jolla Band of Luiseno Indians** is a leader in solid waste management, reducing illegal dumping and burning on the reservation by ensuring proper waste management. The Environmental Department has put its new solid waste transfer station into operation, removed over 4,000 worn-out, abandoned tires from the reservation, started a recycling program for tribal offices, and partnered with another local tribe to set up electronic waste recycling for the entire reservation.

The La Jolla Reservation is located in the sensitive San Luis Rey Watershed. The shallow groundwater here serves as the sole drinking water source for tribal members. Historically, illegal dumping has posed a significant threat to the tribe's water resources. Illegal burning of waste threatened the tribe's air quality. Rigorous community outreach in conjunction with the new transfer station has resulted in a substantial reduction in illegal dumping and burning. Opening the transfer station has ensured proper waste management, and resulted in cleaner water and air for tribal members.

Source reduction and recycling also play an important role in the community's waste management system. Through environmentally preferable purchasing and a recycling program for their tribal offices, the **La Jolla Tribe** has minimized the recyclable material entering the waste stream and ultimately reduced the amount of waste that ends up in the landfill.



*La Jolla Band of Luiseno Indians received a 2008 Environmental Achievement Award from EPA Region 9. Pictured: Laura Yoshii, EPA Deputy Regional Administrator; Rob Roy, Environmental Director; Jon Flores, Water Quality Specialist; and Wayne Nastri, Regional Administrator.*



# Healthy Tribal Communities

The goal of the General Assistance Program (GAP) is to assist tribes in developing the capability to plan and establish environmental programs and to develop and implement solid and hazardous waste programs in accordance with their individual needs. In addition, a key component of many tribes' environmental programs is community outreach and education.

## Environmental Education is a Core Piece of Many Tribes' Environmental Programs

The **Wells Band of Nevada** brought a group of tribal youth to San Francisco's EPA Region 9 office to learn about how the Agency and tribes work together to protect the environment. The students learned about how to identify pesticides, how to compost using red worms, and how EPA responds to emergencies.



*Environmental education is a core piece of many tribes' environmental programs.*

The **Kaibab Band of Paiute Indians'** Summer Scholars program used a problem-based approach to learn about what they could do to positively affect the environment as well as save their school money. The student with the light bulbs (pictured below) was demonstrating energy use. In this photo, he is riding an exercise bike modified to produce electricity. He was trying to get all three lights to turn on and keep them on for as long as he could, which was about a minute.



*Kaibab Tribal youth demonstrating how the energy from pedaling a bicycle can be used to power light bulbs.*

The **Navajo Nation EPA** sponsored a Kid's Day event as part of their annual environmental conference. Over 500 elementary school students attended. The students learned about environmental preservation and attended presentations on watershed protection, radon gas, and protecting wildlife.



*Navajo Nation Earth Day Kid's Day event.*

## Border Region

### Cocopah Indian Tribe and the State of Arizona

The **Cocopah Tribe** and the Arizona Department of Environmental Quality partnered to collect waste along the Arizona side of the Colorado River, where it borders Mexico. Volunteers collected 50 tons of waste left by people crossing the border, including clothing, car batteries and tires. The cleanup covered 60 acres of the Cocopah Tribe's reservation.



*Cocopah Indian Tribe and State of Arizona solid waste cleanup.*

Every year the border liaisons for California, the Native American Environmental Protection Coalition (NAEPC), Arizona, and the **Tohono O'odham Nation** convene a tribal caucus meeting for all tribes in the U.S.-Mexico border region. The goal is to bring together tribal nations in the U.S. and indigenous communities in Mexico to share information about the successes and issues that are affecting their communities. These issues and accomplishments are featured in a bilingual report distributed during the annual meeting of the Border 2012 National Coordinators.



*Border 2012 National Coordinator Meeting Bilingual Tribal Accomplishments Report*

## Fall 2007 Southern California Fires

The devastating Poomacha Fire burned more than 49,000 acres of land in Indian Country. The fire affected the Barona, Inaja-Cosmit, Jamul, La Jolla, Mesa Grande, Pala Band, Pauma, Rincon, San Pasqual, and Santa Ysabel reservations. The heaviest damage took place at the **La Jolla** and **Rincon Reservations**, with 95% of La Jolla's land burned. Several evacuation centers were established by tribes to receive displaced tribal members from other tribes. The **Yavapai Apache Tribe** temporarily relocated about 200 Santa Ysabel Band Tribal members to its reservation in Arizona. Tribes in Southern California provided materials and equipment to the **La Jolla Tribe** for the repair of damaged

domestic water infrastructure, including clogged septic fields and damaged leach lines.



*Volunteers from the Southern Baptist Church assist the La Jolla Band with debris cleanup after the Poomacha Fire in southern California.*

Once the fires died down, tribal environmental staff and EPA conducted waste characterizations of the debris and assisted with appropriate disposal of materials, including household hazardous waste remaining after the fire. The La Jolla Tribal Environmental Department provided information to members on environmental hazards such as contaminated ash, and encouraged everyone to wear protective masks when returning home after the fires were out.

## Working to Prevent Childhood Blood Lead Poisoning



*Federated Tribes of Graton Rancheria Lead Awareness Outreach Web site.*

Many tribes are working to eliminate childhood blood lead poisoning with grants from EPA. They are conducting activities such as outreach to community members to inform them of the dangers of lead-based paint and lead's health hazards; childhood blood lead screening; and evaluating lead hazards at tribal housing, Head Start, and childcare facilities. Over the past seven years, approximately 20 tribes in the Pacific Southwest



have sponsored these activities, which are designed to achieve the national goal of eliminating childhood blood lead poisoning in the United States by 2010.

One example of a great outreach effort is this interactive Web site, pictured on page 4, that was developed by the **Federated Indians of Graton Rancheria**, near Santa Rosa, Calif. to educate both youth and adults about the dangers of lead.

### Pesticides Program

Several tribes including the **Gila River Indian Community, Salt River Pima-Maricopa Indian Community, Colorado River Indian Tribes** and **Navajo Nation**, issued more enforcement letters and warnings to violators of tribal pesticide codes. As a result, pesticide applicators increased compliance with tribal requirements, tribes have better information about pesticide practices on Indian lands, and tribal communities are better protected from pesticide exposure. Tribal pesticide inspectors followed up with violators to ensure that violations have been corrected.



*Tribal Pesticide Inspections and Enforcement Improved in 2008.*

While conducting pesticide inspections, the **Colorado River Indian Tribes'** pesticide inspector learned that proper disposal of pesticide containers was a problem for farmers. The Tribes' Environmental Protection Office arranged for a pesticide recycler to remove over 16,000 pounds of empty pesticide containers, thus reducing the risk of exposure to pesticide residues, removing waste, and generating good will with the regulated community.



*The Colorado River Indian Tribes recycled 16,000 pounds of empty pesticide containers.*

Under a national EPA initiative, **Gila River Indian Community** and the EPA Region 9 Pesticides Office conducted joint compliance inspections of 14 BIA schools on the reservation. The Gila River Pesticide Program worked with schools to improve compliance with tribal and federal pesticide laws.



*Gila River Indian Community and EPA improved schools' compliance with pesticide regulations.*

**Successful Action Against an Applicator in Indian Country** – Based on a tip from **Resighini Rancheria**, the EPA Region 9 Pesticides Office and Water Division collaborated in taking a successful penalty action against an applicator who improperly applied two pesticides near a stream on the Resighini Rancheria. The Resighini Rancheria Environmental Protection Authority required the applicator to remediate the site and, with the **Yurok Tribe**, provided information and support to EPA during the investigation.

# Protecting Tribal Lands

## Collaboration: Multi-agency Efforts to Better the Environment

### Navajo Nation Abandoned Uranium Mines – 5-Year Plan

From 1944 to 1986, nearly four million tons of uranium ore were extracted from Navajo lands under leases with the **Navajo Nation**. As a result, uranium mining has left the Navajo Nation with a legacy of 520 abandoned uranium mines (AUM), four inactive uranium milling sites, a former dump site, contaminated groundwater, structures that may contain elevated levels of radiation, and environmental and public health concerns.

In October 2007, Congressman Henry Waxman of California called the legacy of uranium mines on the Navajo Reservation “a 40-year bipartisan failure of government”. In January 2008, the House Committee on Oversight and Government Reform directed five federal agencies – EPA, Bureau of Indian Affairs, Department of Energy, Nuclear Regulatory Commission, and Indian Health Service – to begin working together to attack the problem. EPA took the lead in coordinating these agencies to develop a five-year plan to address contaminated homes, wells, mine sites, mills, and dumps. After consulting with the **Navajo Nation** and the **Hopi Tribe**, a five-year plan was finalized in June 2008.



*Shiprock on the Navajo Nation.*

### Navajo Nation and EPA Remove Radioactive Structures, Investigate Uranium Mines

Under EPA’s five-year plan to address uranium contamination associated with the 520 abandoned uranium mines on the **Navajo Nation**, the Superfund program is focusing on the health and environmental impacts of mines and potentially contaminated structures. EPA is concerned that structures, including homes and hogans, may have been constructed with radioactive materials from mines. In Spring 2008, EPA

completed radiation surveys at 113 structures on 56 home sites. The Agency worked closely with Navajo Nation EPA, chapter officials, and residents to identify and survey contaminated structures. EPA found elevated levels of radiation at 27 structures and in 12 yards. In Summer 2008, EPA began cleanup of the contaminated structures. The Agency is demolishing and replacing structures and providing temporary lodging, animal care, and areas for cultural ceremonies. Structures and yards will be remediated by November 2009.

In 2008, U.S. EPA also worked with Navajo Nation EPA and Navajo Nation Abandoned Mine Lands Program to prioritize the 520 mines by geographic area. U.S. EPA visited more than 80 mine sites in the **Navajo Nation** Eastern Agency in 2008 to find out whether they pose a risk to residents. U.S. EPA is also completing detailed assessments of five mine sites of greatest concern to the Navajo Nation. In 2009, U.S. EPA will complete an evaluation of cleanup options and propose a cleanup plan for the worst mine site on the Navajo Nation – the Northeast Church Rock Mine site, located in the Eastern AUM Region northeast of Gallup, New Mexico.

In 2008, the U.S. EPA and the Navajo Nation EPA also focused on the urgent issue of uranium-contaminated water sources. Approximately 30% of the Navajo population does not have access to a public drinking water system and may be using unregulated water sources that are contaminated with uranium. U.S. EPA and the U.S. Centers for Disease Control tested 249 unregulated water sources, and found that 22 exceeded drinking water standards for radioactive contaminants. As a result, U.S. EPA and the Navajo Nation EPA have launched an aggressive outreach campaign to inform residents of the dangers of drinking contaminated water. In addition, EPA and Indian Health Service (IHS)



*Advisory issues by the DiNEH Project and NNEPA warning citizens not to drink from uranium contaminated wells.*





*Torres Martinez Solid Waste Collaborative.*



constructed a drinking water system with a regulated water hauling point to serve residents impacted by four contaminated wells in the Black Falls area. EPA is temporarily delivering bottled water to two particularly remote households in this area, which rely solely on contaminated wells for potable water, until water line extensions are complete.

### Torres Martinez Solid Waste Collaborative

The Torres Martinez Solid Waste Collaborative, a stakeholder group consisting of the tribal government and 25 federal, state, and local entities, recorded a number of accomplishments in 2008. The collaborative's mission is to clean up and prevent illegal dumping on the **Torres Martinez Reservation**. In 2008, the tribe and the collaborative cleaned five more dump sites, for a total of 25 clean sites, and conducted follow-up inspections at several local trailer parks. In addition, the collaborative explored green business opportunities for economic development based on existing



*Torres Martinez Desert Cahuilla Indian Reservation, illegal dump site.*

regional waste streams, such as tires, concrete, and green waste.

EPA's Brownfields program completed two targeted brownfields assessments this year at two former dump sites on the reservation, to evaluate their potential for reuse. At the Tayawa property, which was formerly used for illegal dumping and burning of agricultural wastes, EPA conducted sampling to determine whether levels of contamination posed a risk for future use and developed recommendations for cleanup. At the Ibanez property, EPA's contractors analyzed reuse options for two large piles of biosolids and dredged material. Results from both assessments were presented to the tribe in August 2008.

### Improving Conditions at Trailer Parks on Tribal Lands

EPA has been working with the **Torres Martinez Tribe** to improve conditions in trailer parks in the Coachella Valley. One trailer park had raw sewage spilling on to the ground across the street from an elementary school. EPA worked with the owner of the trailer park to install septic tanks and leach lines.

EPA is also coordinating with the tribe, USDA, IHS, the State Water Board, and the local water district to develop long-term improvements to drinking water and wastewater systems on the reservation. EPA, BIA, and the California Department of Housing conducted a waste inspection of a trailer park and found evidence of solid and hazardous waste violations. EPA issued a notice of violation to the allotment owner, who cleaned up the site.

## Superfund Works in Partnership with Tribes to Clean Up and Redevelop Contaminated Lands

EPA's Superfund Division works in partnership with tribal nations to investigate, clean up and redevelop contaminated sites that impact tribal lands. To accomplish this, EPA performs cleanup work directly and gives grants to tribes to establish cleanup programs, conduct assessment and cleanup work, and oversee cleanup activities. In 2008, EPA Region 9's Superfund Division managed 16 grants with nine different tribes, totaling \$3 million. EPA also conducted investigation and cleanup work at 13 tribal sites in 2008, affecting nine different tribes.

### Superfund Works with Tribes to Clean Up Mines

At the Cyprus Tohono Mine, a copper mine on the **Tohono O'odham Nation**, extensive mine waste remained at the site and groundwater was contaminated with uranium. In 2008, EPA oversaw a \$19 million cleanup that involved moving mine waste into a new lined repository. The Cyprus Tohono Company finished moving approximately one million cubic yards of material into the repository in November, 2008. Vegetation will be planted on the repository cover and the former mining area over the next three years. Cyprus Tohono, in consultation with EPA and the tribe, is investigating groundwater contamination and is expected to enter into an agreement with EPA for groundwater cleanup in 2009.



*Tohono O'odham Nation, mining waste repository construction at Cyprus Tohono Mine.*

The Leviathan Mine site is an abandoned, open-pit sulfur mine that has contaminated mountain creeks and the **Washoe Tribe of California and Nevada's** land. EPA is focused on controlling and cleaning up acid mine drainage at this site. The Agency worked with Atlantic

Richfield, the successor to the original mining company at the site, to improve a lime treatment system that treats acid mine drainage so that the water can be safely released to the creek. This system treated about six million gallons of acid mine drainage in 2008, and improvements will allow the system to operate later into the winter. Two other treatment systems are operating year-round at the site, using biological treatment or capturing the waste in large storage ponds for summer treatment. EPA is also working with the **Washoe Tribe** to conduct a Remedial Investigation and Feasibility Study to ensure a protective and reliable long-term cleanup.



*Washoe Tribe of California and Nevada, lime treatment system for acid mine drainage at Leviathan Mine, Nevada.*

The Anaconda Mine is an open-pit copper mine that impacts **Yerington-Paiute** Tribal land in Nevada. At this site, fluid collection ponds containing acidic waters and heavy metals are leaking and threaten groundwater. In 2008, EPA closed five fluid drainage ponds and repaired two active ponds.



*Yerington-Paiute Tribe, fluid drainage pond repair and closure at Anaconda Mine, Nevada.*



At the Rio Tinto Copper Mine, EPA and the **Shoshone-Paiute Tribe of Duck Valley** are negotiating with the state of Nevada and the responsible mining companies to remove mining wastes in Mill Creek and protect the Owyhee River from acid mine drainage. EPA anticipates reaching a settlement and starting cleanup of the mining wastes in 2009.



*Shoshone-Paiute Tribe of Duck Valley, remainder of ore mill at Rio Tinto Copper Mine, Nevada.*

### **Brownfields Program – Tribes Revitalize Contaminated Lands**

In 2008, EPA provided grants to the **Navajo Nation, Gila River Indian Community, Tohono O’odham Nation, Yurok Tribe, and Salt River Pima Maricopa Indian Community** to establish and enhance their Brownfields cleanup and response programs. The **Navajo Nation** is using this funding to develop laws and procedures to conduct and oversee cleanups on Navajo land.



*Navajo Nation, remediation and demolition of contaminated structures.*

Under a Brownfields Revolving Loan Fund grant from EPA to the Nevada Division of Environmental Protection, the **Reno-Sparks Indian Colony** received a nearly \$1 million loan in 2008 to clean up a contaminated site in downtown Reno. This is the first Brownfields loan made to a tribal nation in the Pacific Southwest. The site was contaminated with lead, petroleum and pesticides from previous industrial operations. The Indian Colony excavated and disposed of contaminated soil from the site as part of the cleanup. Once the site is remediated, it will be reused to house a major retailer. Revenues from the retail operation will help repay bonds that funded construction of the brand new Reno-Sparks Indian Colony Health Center, which serves 9,000 Native Americans in the area. Revenues from the retail development at the Brownfields site will also fund the construction of a new restitution center for low-risk offenders, and provide funding for the local school district.



*Reno-Sparks Indian Colony, cleanup celebration and prayer at brownfields site. Pictured: Lois Kane, Tribal Member and Arlen Melendez, Tribal Chair.*

## Solid Waste

Improper disposal of both household trash and hazardous waste threaten tribal lands in the Pacific Southwest.

In 2008, tribes tackled these hazards by developing household hazardous waste, composting and recycling programs, improving solid waste program infrastructure by building transfer stations, and conducting outreach and community cleanup events. Additionally, tribes closed 72 open dumps in 2008, significantly improving the health and well-being of their communities.

### Havasupai Tribe

One particularly noteworthy dump cleanup was a large historic dump site on the **Havasupai Reservation** on the rim of the Grand Canyon. This collaborative project was funded by the Indian Health Service and the tribe, with technical assistance and funds to address current solid waste program development provided by EPA. More than 433 tons of waste were removed, almost all of which were diverted from landfill disposal through recycling. Recycling this material significantly cut disposal costs and helps to reduce the climate impacts from landfilling.



*Before and after cleanup on the Havasupai Reservation.*

## Green Building

In collaboration with the Regional Tribal Operations Committee, EPA started a new tribal green building initiative. One of the significant first steps was to develop a partnership with West Coast Green to give tribal representatives the opportunity to attend, free of charge, the country's largest green building and innovation conference. EPA worked with the conference to organize a Tribal Summit to give tribes a chance to engage in the national green building dialogue, network with industry professionals, and provide input for how future green building conferences can better address the interests and visions of tribes.



Tribal Summit at the West Coast Green Conference, San Jose, CA

### Transfer Stations

Tribes and EPA made significant improvements in solid waste infrastructure in 2008. Several tribes built new transfer stations, including the **La Jolla Band of Luiseno Mission Indians** and the **Pala Band of Mission Indians**. The Pala Transfer Station opened in May 2008. Tribal funding was used for construction, and EPA funding will be used for expansion projects such as the new used oil and household hazardous waste programs.



*The new Pala Transfer Station and Recycling Center after completion (above); Pala Transfer Station recycling sign – California certified buy-back center (left).*

The **Pala Band of Mission Indians** also obtained California state certification for a buy-back center allowing for the purchase of recycled items such as aluminum, glass, cardboard, paper, and metal from the surrounding areas. The recycling program has helped discourage illegal dumping while bringing in revenue.



## Community Cleanups

In 2008, many tribes worked within their communities to encourage involvement in solid waste projects through community cleanup days, Earth Day celebrations, and other outreach events. The **Hopland Band of Pomo Indians of the Hopland Rancheria** held a very successful community cleanup in northern California. The Tribal Environmental Protection Agency, with funding from EPA and Keep California Beautiful, coordinated over 250 community volunteers for the event. The tribe recycled two tons of metal, 96 tires, eight car batteries, 900 pounds of glass, 300 pounds of aluminum, and 230 pounds of plastic during the event. Thirty bags of used clothing were collected and donated to a local charity.

## Green Casinos

In 2008, EPA and tribes partnered to expand the green casino program through workshops, presentations, direct technical assistance, and free pollution prevention and energy efficiency audits. The Chumash Casino Resort, operated by the **Santa Ynez Band of Chumash Mission Indians**, has done significant work to implement numerous green programs, including the installation of a white roof to reflect sunlight to keep



*Big Pine Paiute Tribe's community cleanup event.*

the building cooler, the development of an impressive waste sorting program which includes the collection of recyclables as well as the collection of food for composting, and the pilot testing of new ultra-efficient hand dryers to save paper. The tribe hopes to go even further by recycling their used food grease into biodiesel to run tribal vehicles.



*Greening and Waste Reduction elements at Chumash Casino, Santa Ynez, California: white reflective roof, energy efficient hand dryers and comprehensive waste recycling program.*

## Underground Storage Tanks

The EPA Underground Storage Tank program had a very successful year. EPA and tribes conducted 67 joint compliance and release detection inspections in 2008. These inspections resulted in 25 field citations. The field citations are issued on the spot at the conclusion of the inspection. The owner or operator obtains immediate feedback on the violations discovered and the actions they need to correct. The typical field citation ranges from \$600 to \$1,000 per site. The EPA Underground Storage Tank Program also addressed a number of leaking underground storage tanks sites on tribal lands (see chart). In addition, 15 leaking underground storage tank cleanups were completed.

### Davis Chevrolet, Arizona

One notable cleanup is the Davis Chevrolet facility in Tuba City, Arizona. This site is the largest leaking underground storage tank cleanup in the Pacific Southwest Region and affects both the **Navajo Nation** and the **Hopi Tribe**. In 2008, cleanup measures were initiated at the site and almost 1,000 cubic yards of contaminated soils were removed. Additionally, 12 recovery wells were installed to remove the contamination by pumping and treating the shallow groundwater. After the cleanup is completed, the site will be the home of a new retail center.

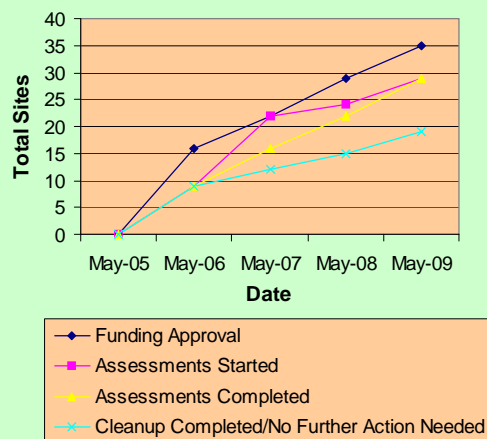


*Davis Chevrolet cleanup. The building at the former site has been removed and the cleanup is proceeding.*

### Lost Lake, Arizona

In 2008, EPA worked collaboratively with the **Colorado River Indian Tribes' Environmental**

Cumulative number of LUST sites in each stage in the Federally-funded cleanup process



**Protection Agency** to inspect the underground storage tanks at the Lost Lake Resort, a non-tribal business on the reservation. With the tribe's support, EPA pursued an enforcement action against the owner for violations, including a fuel leak. The site is adjacent to important tribal resources, including the Colorado River and two drinking water wells. The owner paid a \$55,076 penalty, corrected all violations, and has initiated cleanup of the site. Fortunately, the inspectors discovered the leak in time to prevent drinking water resources from being contaminated.



*Cleanup at Lost Lake Resort.*



*EPA and tribal inspectors at Lost Lake Resort.*



# Clean & Safe Water

EPA and tribes work together to achieve clean and safe water by building drinking water and wastewater projects, developing sustainable infrastructure, and implementing water quality monitoring and restoration projects.

**537 homes have received safer drinking water.**

**1,421 homes have better wastewater facilities**

**72 tribes are eligible to receive funding to restore watersheds and nine tribes have received program authorization to set water quality standards for tribal waters.**

## Providing Access to Safe Drinking Water and Basic Sanitation

In 2008, the Clean Water Act Indian Set-Aside Program awarded \$3.9 million for 26 wastewater projects that serve 1,421 homes. Several wastewater infrastructure projects were successfully completed, including construction of a community sewer system on the **Round Valley Reservation** in northern California. EPA funded part of a multi-phase project to provide a sewer system for 82 homes that had been served by individual septic systems.



*Round Valley Reservation community sewer system. Pictured: Justin Britton, Round Valley Tribal Utilities Manager, and David Mazorra, Project Engineer from Indian Health Service at new lift station.*

In 2008, EPA's Drinking Water Tribal Set-Aside program provided \$3.6 million for seven infrastructure projects that will address high priority public health needs for 537 homes. Several projects were completed in 2008, including a new drinking water well and storage tank which will prevent water outages at St. Michael's Indian School, which serves 670 Navajo students and staff. The project was built in partnership with the Navajo Tribal Utility Authority.



*Water storage tank for St. Michael's Indian School at Navajo Nation.*

The national interagency drinking water access workgroup, with strong participation from Region 9 tribes, developed a draft Access Implementation Plan to reduce by 50% the number of homes lacking access to safe water by 2015. To achieve this international commitment, access workgroups formed to implement the highest priority short-term recommendations, which include investigating alternatives to piped water for the **Navajo Nation**, identifying underutilized funds, and better leveraging existing resources.

## Improving Water Quality

In 2008, 72 tribes in the Pacific Southwest were eligible to receive funds to reduce polluted runoff and restore waters under the Clean Water Act Section 319 Non-point Source (NPS) Pollution Control Program. The national program received a \$1 million funding increase for a total of \$8 million available to tribes nationwide. Region 9 received over \$4 million through a base allocation and competitive process to support projects to reduce polluted runoff and restore watersheds.

The **Hopi Tribe** completed a successful spring restoration project using NPS funds. The Lomeva Spring was regularly clouded by runoff and sediment from adjacent roads and slopes. The tribe's sediment reduction project improved drainage in the area by using best management practices (BMPs), including the installation of rolling dips, culverts, and removal of an abandoned road (see photo, next page).



*Spring restoration at the Hopi Reservation.*

This year, EPA approved Program Authorization and Water Quality Standards for the **Hopi Tribe**, and the Water Quality Standards for the **Bishop Paiute Tribe of the Owens Valley** and **Pyramid Lake Paiute Tribe**. The Water Quality Standards approved for these tribes will protect and maintain water quality throughout their lands. There are now nine tribes in the Pacific Southwest Region with authorization to implement Water Quality Standards and Certification Programs.

### Documenting Environmental Results

In 2008, 97 tribes were eligible to develop and carry out water quality monitoring programs under the Clean Water Act Section 106 Water Pollution Control Program. EPA provided more than \$8.4 million in grant funding to tribes to monitor, conduct studies and assessments of surface and ground water quality conditions and track water quality trends. In addition, nine tribes began to implement water quality monitoring strategies and seven tribes provided water quality data to EPA electronically.

The **Salt River Pima Maricopa Indian Community** has been documenting environmental results using Clean Water Act Section 106 funds since 2000 at the

Verde and Salt Rivers within the community. The community assesses water quality conditions to ensure that the designated beneficial uses are supported, and locates and identifies stressors posing a threat to the environment and public health. In 2008, the community used monitoring results, including sedimentation and turbidity levels, to guide the implementation of best management practices (BMPs) to control polluted runoff contaminating these waters.



*Water Quality Program Staff Kevin Evanishyn and Wang Yu monitor water quality in the Salt River at the Salt River Pima Maricopa Indian Community.*

### Protecting Underground Sources of Drinking Water

In 2008, the Tribal Source Water Assessment and Protection Program provided a total of more than \$99,000 to four tribes. The funding is used to assess human health risks and develop BMPs to prevent or reduce contamination of underground drinking water sources.

The **Washoe Tribe of Nevada and California** hosted an Earth Day Celebration in April 2008 to increase tribal awareness of the need to protect drinking water sources.



*Washoe Tribe of Nevada and California Earth Day Event. Pictured: Dave Willard of Nevada Rural Water.*



**27 tribes received EPA support for air quality activities. 25 of them are operating a total of 69 air monitors.**

Tribal issues were at the forefront for EPA's Pacific Southwest Air Division this year. When tribal members are exposed to poor air quality, their health suffers. EPA worked with many tribal partners to work towards tribal air program goals. Working together, tribes and EPA have made significant progress.

## Tribal Air Funding

To improve air quality in Indian Country, EPA provides resources to tribes to identify problems, educate tribal staff and communities, and work with states to reduce air pollution. In 2008, EPA awarded 27 tribal air grants, for a total of just over \$3 million. In addition, EPA awarded three radon grants to tribes. Three tribes also conducted air assessments with additional funding from their General Assistance Program (GAP) grants.

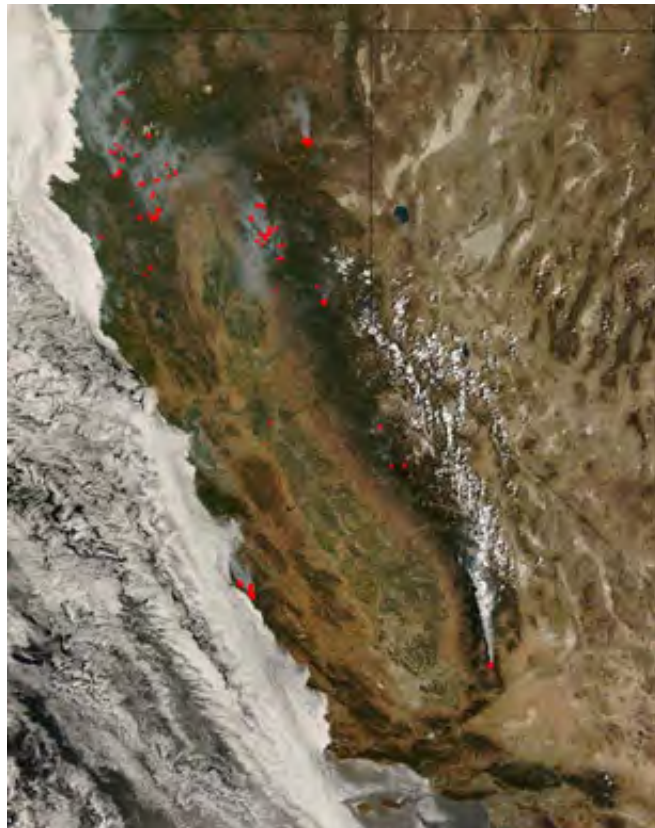
The **Gila River Indian Community** and the **Navajo Nation** received grants from EPA's Community Action for Renewed Environment (CARE). This is a national effort to help communities identify and reduce exposures to toxic pollutants. The program focuses on building local partnerships and includes technical support from EPA on assessing and prioritizing toxic sources, identifying solutions, and helping projects become self-sustaining.

## Tribal Collaboration

EPA continues to encourage collaboration between tribes. One good example is the Joint Air Toxics Assessment Project in Phoenix, Arizona, which involves many state, local, and tribal stakeholders. Some tribes, like the **Pala** and **La Jolla Bands** in Southern California, leveraged their resources cooperatively by sharing monitoring equipment and information.

## Tribal Air Monitoring

With EPA funding, 25 tribes are currently monitoring for particulate matter (PM), ozone, or air toxics. Tribes are also working to enter their monitoring data into EPA's national Air Quality System (AQS). Sixteen tribes are now successfully submitting data. Because these tribes are submitting data, EPA has a better understanding of air quality in Indian Country. One important use of this data is when EPA sets national air standards, and determines whether states and tribes meet those standards or not.



*Satellite image of Northern California during 2008 fires (indicated by red-dotted • areas).*

In response to the fierce California fire season during the summer of 2008, the California Air Resources Board (CARB) worked with EPA to set up a PM<sub>2.5</sub> monitor in Orleans in California's North Coast region, which is now retrieving and reporting data. This was at the request of the **Karuk Tribe**, in the area hardest hit by the fires.



*Navajo Nation skyline.*



*Air pollution trapped over the Morongo Band of Cahuilla Indians Reservation.*

### New Standards for Fine Particulate Matter (PM<sub>2.5</sub>) and Ozone

In 2008, EPA set a more stringent national standard for fine particulate matter (PM<sub>2.5</sub>) – particles that are smaller than the width of a human hair. EPA anticipates that a number of tribes will be in areas that do not meet the new standards. Where this occurs, the state or local agency will be required to develop a plan to meet the standards. Affected tribes can participate in the planning process.

In 2008, EPA also set a new, more stringent national standard for ozone at 0.075 parts per million (the previous level was 0.08 ppm). The new level is lower to better protect human health. States and tribes had until March 2009 to submit recommendations to EPA, stating whether they think their area meets the standard or not. In 2010, EPA will publish a final determination stating which areas meet the new ozone standard, and which do not.

### Tribal Regulatory Development

As tribal air programs mature, some tribes are working on regulatory development. EPA is in the process of approving an eligibility determination for the **Gila River Indian Community's** Tribal Implementation Plan (TIP), under the Clean Air Act (CAA). The TIP will allow for federal enforceability of the tribe's regulatory program and will delegate many of EPA's air programs to the tribe.

In 2008, EPA approved eligibility determinations for the **Pala Band of Mission Indians** and the **Salt River Pima Maricopa Indian Community** to be notified when large sources of air pollution are sited or modified within 50 miles of the reservation. The Salt River

Pima Maricopa Indian Community has also received eligibility for CAA Section 105 funding, and to submit air standard attainment designation recommendations to EPA in a manner similar to a state.

### Permitting Issues

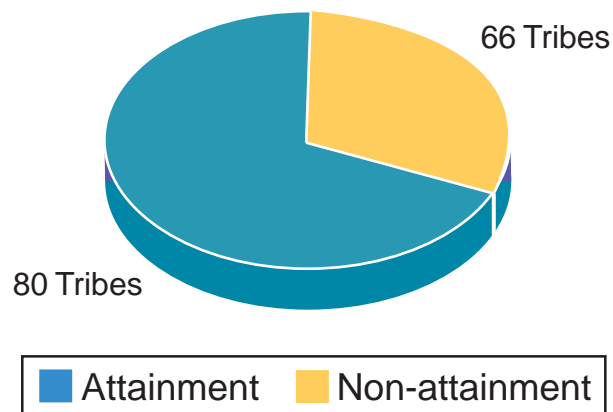
In 2006, EPA proposed two new air rules for Indian country that would implement New Source Review (NSR) requirements for permitting new and modified sources of air pollution. In 2008, EPA continued to develop the rules, which are expected to be finalized in the summer of 2009.



*Salt River Pima Maricopa Indian Community Air Monitoring Site.*

EPA is working to inform tribes about possible permitting requirements on their reservations. Two information sheets detailing requirements for air permits for different sources in Indian Country can be found at: <http://www.epa.gov/region09/tribal/index.html> in the Regional Information section.

### Pacific Southwest Tribes Located in Air Quality Non-Attainment Areas



*Non-attainment – Areas of the country where air pollution consistently exceeds the national ambient air quality standards may be designated “non-attainment.”*



# Compliance and Stewardship

EPA's Indian Country National Enforcement and Compliance Assurance Priority was established in 2005 to improve compliance with federal environmental laws and build tribal enforcement and compliance capacity. The priority focuses national attention on three areas: compliance issues at drinking water systems; compliance issues at schools, including schools owned and operated by BIA; and improving solid waste compliance and investigating open dumps. It also continues to emphasize building tribal enforcement and compliance capacity.

## Compliance Assistance to 100% of Public Water Systems

In 2008, EPA's Pacific Southwest Regional Office continued its focus on improving compliance in Indian Country in the three main focus areas. The Agency provided compliance assistance to 100% of known public water supply systems in Indian Country – 325 public water supply systems, including systems at schools and small communities. EPA also continued funding a circuit rider on the **Navajo Nation** to improve compliance rates at drinking water systems.



*Sampling unregulated water sources at the Navajo Nation.*

## Addressing Solid Waste and Open Dumps

In 2008, EPA provided waste management compliance and technical assistance to 64 tribes. The Agency also conducted two investigations to gather evidence for possible enforcement actions to address specific incidents of illegal dumping.



*Bishop Paiute Tribe of the Owens Valley community cleanup event.*

## Protecting Childrens' Health at Schools

To address hazardous waste non-compliance at schools, inspections were completed at 10 Bureau of Indian Affairs (BIA) schools and 11 non-BIA tribal schools in 2008. The schools also received compliance assistance. Notices of Violation were issued to the BIA for hazardous waste violations identified at three schools. EPA is working with other inspected schools to address non-compliance and deficiencies.

## Strengthening Tribal Programs

EPA continued its efforts to support tribal capacity building in the following areas: ensuring that accurate information exists on EPA-regulated facilities in Indian country; increasing the number of tribal environmental professionals trained in enforcement and compliance assurance; and increasing the number of tribal inspectors authorized to conduct inspections on behalf of EPA.

EPA is close to completing an inventory of non-BIA high-priority schools in the Pacific Southwest. These include all non-BIA schools on tribal lands, plus all schools on non-tribal lands which have an enrollment of at least 50% Native American students.

EPA continued funding the Institute of Tribal Environmental Professionals (ITEP) at Northern Arizona University. ITEP provides training to tribal professionals to improve their ability to conduct compliance inspections under tribal law, in order to obtain authorization to conduct inspections under federal law.



*Participants in ITEP training on waste reduction strategies.*

EPA and the **Navajo Nation (NN)** entered into an agreement that authorizes Federal EPA credentials for NN EPA inspectors to perform Underground Storage Tanks (UST) inspections on behalf of EPA. The agreement features a unique pilot project that allows NN EPA inspectors to issue field citations to facilities that are not in compliance with the UST regulations.

The National Tribal Priority will continue through 2013. EPA will work with representatives from the National and Regional Tribal Operations Committees to identify current focus areas that should be retained and to establish any new priority focus areas for the 2011-2013 planning cycle.

## EPA Pacific Southwest Region Tribal Trends

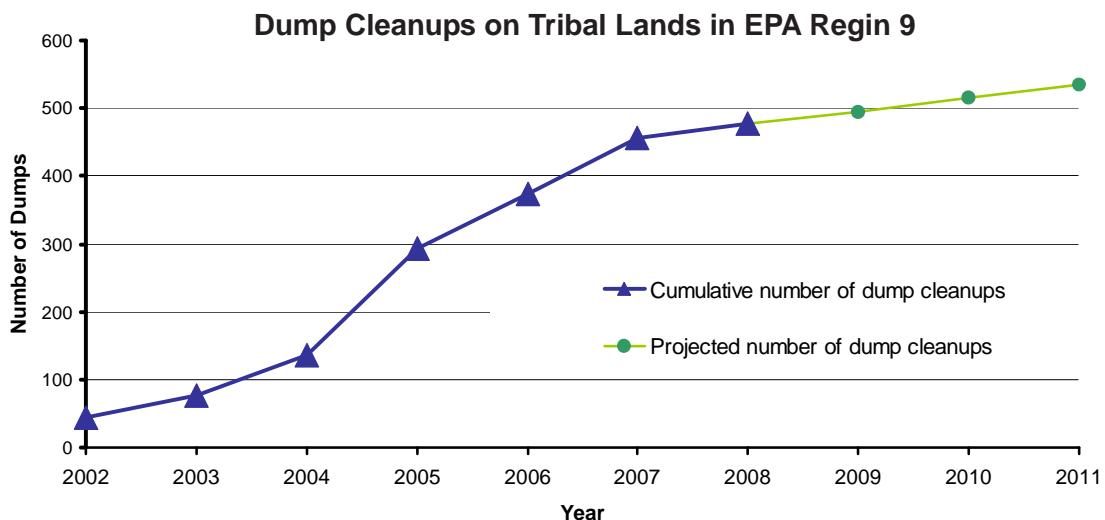
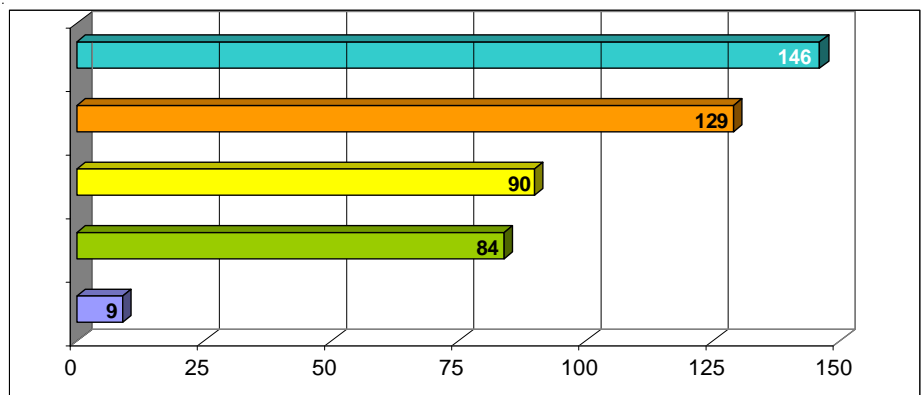
Tribes in Region 9

Tribes and Tribal Consortia with Environmental Programs

Tribes with Codes or Policies

Tribes Monitoring the Environment

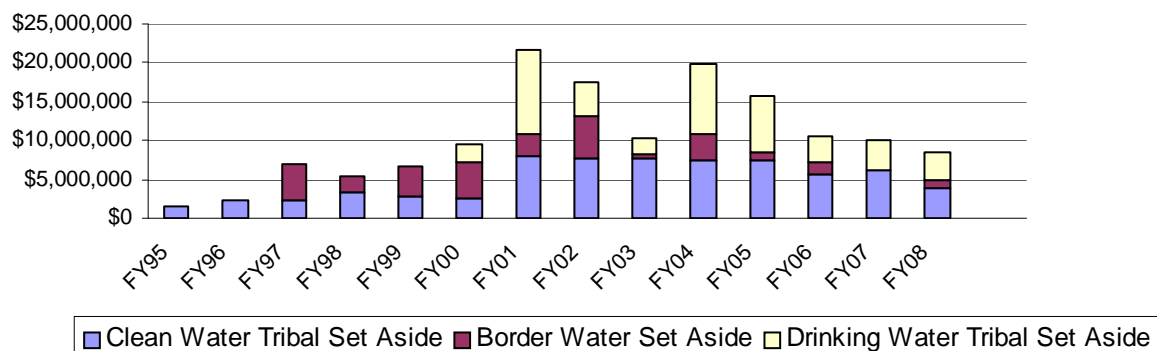
Tribes with Federal Program Authorization



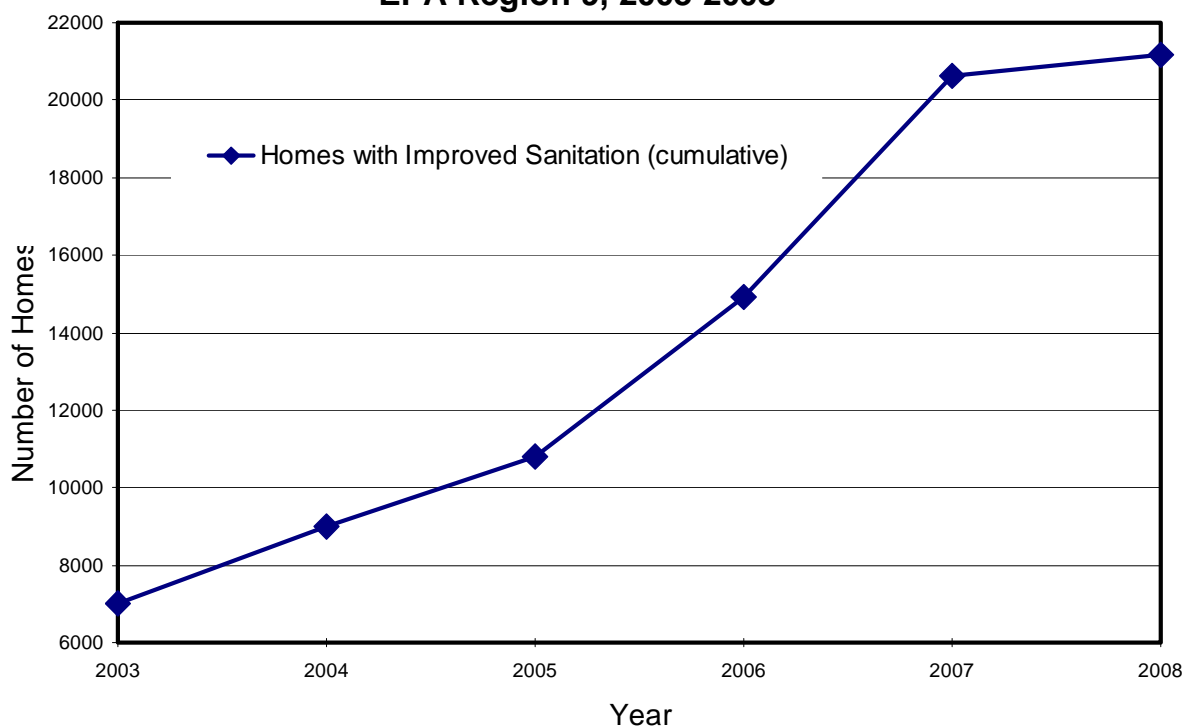
*After nearly 500 cleanups, there are still more than 1,300 open dumps on tribal lands in Region 9.*



### Funding for Tribal Wastewater and Drinking Water Infrastructure, EPA Region 9



### Homes with Improved Sanitation on Tribal Lands, EPA Region 9, 2003-2008



# Region 9 Tribal Program Office

<b>GAP Project Officers</b>	<b>Project Officer</b>	<b>Phone</b>
<b>Northern California:</b> Alturas Rancheria, Bear River, Big Lagoon, Blue Lake, Cedarville Rancheria, Cortina, Elk Valley, Fort Bidwell, Hoopa, Karuk, Pit River, Quartz Valley, Redding, Resighini, Smith River, Susanville, Trinidad, Wiyot, Yurok	Tim Wilhite (Based in Yreka)	530-841-4577 <b>Fax Number:</b> 530-841-4571
<b>California (Mendocino-Sonoma area):</b> Cahto (Laytonville), Cloverdale, Coyote Valley, Dry Creek, Graton, Guidiville, Hopland, Lytton, Manchester/Pt. Arena, Pinoleville, Potter Valley, Redwood Valley, Round Valley (Covelo), Sherwood Valley, Stewarts Point/Kashia Band	Morena Villanueva	415-947-4239
<b>Central California:</b> Auburn, Berry Creek, Big Sandy, Buena Vista, CA Valley Miwok (Sheep Ranch), Cachil Dehe Band (Colusa), Chicken Ranch, Cold Springs, Enterprise, Greenville, Grindstone, Ione, Jackson, Lower Lake, Mechoopda (Chico), Mooretown, North Fork, Paskenta, Picayune, Rumsey, Shingle Springs, Table Mountain, Tuolumne	Gilbert Pasqua	415-972-3788
<b>California (Lake County); Nevada (Western):</b> Big Valley, Elem, Robinson, Upper Lake/Habematolel, Scotts Valley, Middletown, Inter Tribal Council of Nevada, Fallon, Pyramid Lake, Reno Sparks, Washoe, Yerington	Veronica Swann	415-972-3696
<b>California (Owens Valley):</b> Benton/UtuUtu Gwaitu, Big Pine, Bishop, Bridgeport, Fort Independence, Lone Pine, Owens Valley Indian Water Commission, Timbisha	Erica Yelensky	415-972-3021
<b>Southern California:</b> Chemehuevi, Cocopah, Colorado River Indian Tribes, Fort Mojave, La Jolla, Los Coyotes, Native American Environmental Protection Coalition, Pala, Pauma, Pechanga, Quechan, Rincon, San Pasqual, Viejas	Hillary Hecht	415-972-3790
<b>Southern California:</b> Agua Caliente, Augustine, Barona, Cabazon, Campo, Cuyapaipe, Jamul, La Posta, Mesa Grande, Manzanita, Morongo, Santa Ysabel, Sycuan, Torres Martinez, Twenty Nine Palms	Willard Chin	415-972-3797
<b>Southern California:</b> Cahuilla, Capitan Grande, Inaja-Cosmit, Ramona, San Manuel, Santa Rosa Rancheria, Santa Rosa Reservation, Santa Ynez, Soboba, Tule River	Tina Davis	415-972-3784
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<b>Arizona:</b> Ak-Chin, Fort McDowell, Gila River, Havasupai, Hualapai, Inter Tribal Council of Arizona, Salt River, San Carlos, Tonto Apache, White Mountain, Yavapai Apache, Yavapai Prescott	Tim Grant	415-972-3783
<b>Nevada/Arizona (Kaibab):</b> Battle Mountain, Duck Valley, Duckwater, Elko, Ely, Fort McDermitt, Goshute, Kaibab, Las Vegas, Lovelock, Moapa, South Fork, Summit Lake, Walker River, Wells, Winnemucca, Yomba	Laura Mayo	415-947-3561
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## Environmental Information Center

Permits/Corrective Action Web: [www.epa.gov/region09](http://www.epa.gov/region09)  
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State Program Development Phones: 866-EPA-WEST



**U.S. EPA Pacific Southwest/Region 9 Tribal Program Office**  
<http://www.epa.gov/region09/indian/success/index.html>



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