



United States
Environmental Protection
Agency

Case Studies in Tribal Water Quality Standards Programs

The Hualapai Tribe

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Introduction

The Hualapai Tribe recognized the need to protect and restore the limited waters on its reservation. Water quality standards approved by the U.S. Environmental Protection Agency (EPA) under the Clean Water Act empower the Tribe to make decisions with federal and state agencies on various actions affecting water quality.



Tribal Background

The Hualapai Reservation was established by an executive order in 1883. The reservation encompasses nearly one million acres and 108 miles of the Colorado River from river mile 165 to 273 in the Grand Canyon, which forms its northern boundary. The topography of the reservation varies from rolling grasslands to forests with elevations ranging from 1,500 feet at the Colorado River to over 7,300 feet at the Aubrey Cliffs on the eastern portion of the reservation. Approximately 2,000 people live on the reservation and more than 98 percent of these people are tribal members. The Tribe's principal economic activities are tourism, cattle ranching, big game hunting, timber sales, and arts and crafts. For the Hualapai - the "People of the Tall Pines" - the Colorado River is a significant cultural landmark; it is their ancestral home. Throughout the Tribe's history, the Colorado River and Grand Canyon have provided the Hualapai with food, medicinal herbs, and a spiritual center.

Water Quality Standards

Before applying to the EPA for approval to administer a water quality standards program, the Hualapai Department of Natural Resources (HDNR) faced the task of convincing tribal members and eventually the Tribal Council to support the endeavor. This outreach effort involved numerous meetings and public discussions where the merits of adopting standards were explained. The emphasis from the beginning was to at least maintain and potentially restore the water quality of 49 springs and eight groundwater sources on the reservation. These springs are important for cultural reasons as well as wildlife and livestock uses. Tribal members were eventually convinced that EPA-approved water quality standards would not inhibit water use activities, but would enhance water quality and benefit farming and ranching practices.



Two factors influenced the Tribe's decision to develop and adopt water quality standards under the Clean Water Act. First, the Tribe recognized that having standards would give it a basis to affect water pollution control actions both on and off the reservation. Second, the Tribe wanted to protect and restore the relatively unpolluted spring waters that are important to the Tribe in its water-scarce environment. The reservation also has approximately 21 miles of perennial streams and many ephemeral streams, which are characteristic of the arid southwest.

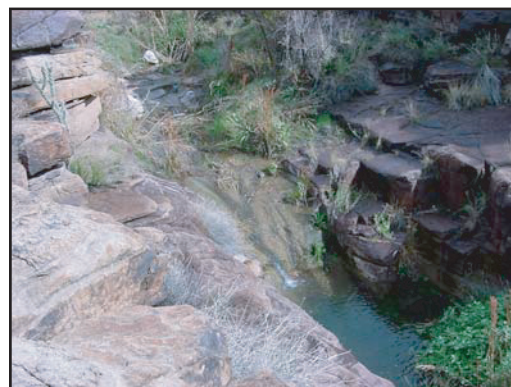
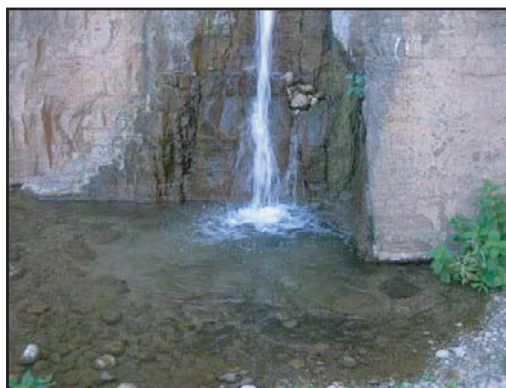
EPA approved the Hualapai's application to administer the water quality standards program on July 22, 2004. EPA approved the Tribe's water quality standards on September 17, 2004. These standards were in place under tribal law for several years before EPA approved them under the Clean Water Act. The Tribe received strong support from the Arizona Department of Environmental Quality and U.S. Fish & Wildlife Service in its efforts to develop standards.

The Hualapai Department of Natural Resources is responsible for a variety of environmental programs including water quality, nonpoint sources, wetlands, forestry, wildlife and fisheries management, parks, agriculture, air quality, and environmental services. Staff fluctuates on a seasonal basis between 30 and 50 people. The majority of the Department of Natural Resources' employees are enrolled in the Hualapai Tribe. As is the case with many tribes, maintaining a consistent level of funding to implement its environmental programs is an ongoing challenge. The Hualapai currently receive federal funding from the EPA, Bureau of Indian Affairs, Bureau of Reclamation, U.S. Fish and Wildlife Service, National Resource Conservation Service, U.S. Department of Agriculture, and U.S. Geological Survey. In addition to federal funds, the Tribe also provides funding for Water Resource Program efforts. The Hualapai Department of Natural Resources' Water Resources Program is staffed by three employees and operates on an annual budget of approximately \$250,000. The terrain and inaccessibility of much of the reservation presents the Tribe with challenges in conducting water quality monitoring. For example, helicopters must be used on occasion to reach outlying areas. The Tribe is also developing both point and nonpoint source control programs, though there are currently few point source discharges and most of the Tribe's efforts focus on nonpoint source pollution and control.

Tribal water quality standards approved by EPA, including the Hualapai, can be viewed at:
<http://www.epa.gov/waterscience/standards/wqslibrary/tribes.html>

Successful Application

Since adopting water quality standards, the Tribe has been an equal partner with federal, state, and local authorities in discussing activities that could affect tribal waters. The Tribe has already had success in getting off-reservation livestock grazing practices modified to protect tribal waters. Within the reservation, the water quality standards, coupled with supporting tribal ordinances, provide the tribal government with an enforceable means to modify wildlife and ranching practices to protect and restore water quality. Some recent modifications include the restoration of riparian wetlands, the addition of fences in grazing areas, and the removal of feral animals from around springs. Even within the relatively short history of applying standards, the quality of spring waters has improved noticeably in terms of improved clarity, and reduced nutrient growth and odor.



Tribal Recommendations

Hualapai water resources personnel recommend that any tribe considering the water quality standards program:

- recognize the empowerment aspects of adopting and applying water quality standards
- establish reasonable designated uses
- ensure that adequate legal support is available within the tribe and EPA
- have the patience to see the process through
- develop a strong relationship with EPA personnel

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