



Clean Air and Global Climate Change in Indian Country July 21-22, 2009

National Tribal Caucus Discussions with
Gina McCarthy, Assistant Administrator
USEPA Office of Air and Radiation



Goals

- ❖ Every Tribe should know if their air is safe to breathe;
- ❖ Ensure that Tribes have adequate training and capacity to interact with all regulating jurisdictions;
- ❖ Meaningful involvement of Tribes in USEPA's Climate Program activities;
- ❖ Prioritize monitoring, baseline development, program delegation for "TAS" under the CAA;
- ❖ Continue the use of Regional Planning Organizations (RPO's);
- ❖ Enhance science and research.



Air Priorities

- ❖ Increase funding for Air Programs to include 103 and 105 programs; mature funding levels for mature programs; fund Indoor Air, Air Toxic and Mercury Programs;
- ❖ Continue to work with Tribes to establish the Minor New Source Review.



Climate Change Priorities

- ❖ Provide Tribal Governments meaningful participation in Climate Change initiatives and funding to begin monitoring, adaptation, and mitigation of climate change impacts;
- ❖ Fund assessments, monitoring, adaptation, and mitigation throughout Indian Country.



Budget Recommendations

Air:

- ❖ Provide \$25 million for CAA Section 103 and 105 Tribal Programs and index for inflation from this point forward.
- ❖ Fund Tribes in the same manner as States.

Climate Change:

- ❖ Provide \$25 million for assessment, monitoring, adaptation, and mitigation in Indian Country.



Programmatic Constraints

- ❖ Tribes are disproportionately affected by impacts to air that are not generated in Indian Country;
- ❖ Indoor air quality issues, like mold, and radon, exacerbate asthma and other respiratory illness.
- ❖ Indoor air quality pose significant health issues in Indian Country, but remain largely unfunded and unaddressed;
- ❖ Tribes need technical capacity to understand and meaningfully comment on EPA rules affecting tribal air quality and activities;
- ❖ Tribes are at different levels of capacity;



Programmatic Constraints Cont.

- ❖ Tribes have to use their limited resources to fill in gaps and comply with mandates that the lack of funding leaves them;
- ❖ For Tribes without TAS for CAA Section 105 there is a 40% match which creates a barrier to Tribes having these programs;
- ❖ Mature funding levels needed for mature programs.
- ❖ Tribes can not be treated in the same manner as States for purposes of implementing Subtitle D of RCRA.



Suggested Remedies

- ❖ Support Tribal sovereign authority to determine priorities for air quality program development;
- ❖ Increase funding to allow for Tribes to conduct baseline assessments, monitoring, general air programs, indoor air, air toxics, mercury, radon, lead, climate change, greenhouse gas, enforcement and asbestos programs;
- ❖ Include Tribes in national climate change strategies;
- ❖ Support renewable/sustainable energy to reduce air pollution from mainstream energy sources;



Suggested Remedies Cont.

- ❖ Remove 40% match barrier to 105 programs;
- ❖ Allow for CAA 103 programs to be funded under Performance Partnership Grants;
- ❖ Seek permanent authorization of Direct Implementation Tribal Cooperative Agreements (DITCAs) and establish a set-aside fund for DITCAs.



Cross Media Issues

- ❖ Climate change affects all environmental media's including water quality, water quantity, land, air quality, human health, aquatic life, wildlife, and natural resources; which have particular impact on subsistence communities and tribal lifeways.
- ❖ Deposition through the air from Mercury, Dioxins and other PBT's has an impact on both water and land resources and again disproportionately impact subsistence communities and the ability of tribes to practice traditional lifeways.
- ❖ Burning of solid waste impacts air and water exposing tribes to toxics, PM and other pollutants
- ❖ DITCAs