

# EPA REGION IX RTOC WORKGROUP REPORT

April – June 2009

## Tribal Science Council Workgroup:

Region 9 RTOC Meeting (July 2009)  
Tribal Science Council Workgroup Report

### Region 9 Tribal Science Workgroup

- The workgroup did not meet during the past 2 RTOC meetings.
- The workgroup has been working on addressing the workgroup goals/statements set at the spring 2008 RTOC meeting at Big Valley Rancheria. Table 1 - **Region 9 Tribal Science Workgroup Goals Status (2008-2009)** summarizes the status of each goal.
- Please join us at the break-out session to help set the workgroup new goals.

### National Tribal Science Council:

- The National Tribal Science Council met in December 2008 and June 2009. The group has been working on addressing its goals. Table 2 - **Tribal Science Council Goals (2008 – 2010)** outlines the goals and related activities.
- EPA is working on responding to the existing National Tribal Science Priorities and TSC will solicit new National Tribal Science Priorities in 2010.
- Upcoming 2<sup>nd</sup> Tribal Science Forum will be in May/June 2010.

### Others:

#### • **Tribal Environmental Outcomes**

EPA's Indian Program Policy Council (IPPC), which includes senior managers from the regions and program offices, voted in June 2008 to establish a workgroup, and the Tribal Environmental Outcomes Workgroup (TEO) was chartered in September 2008 to develop a scientific measure to track changes in public health and the environment in Indian Country. This measure must track changes in public health and the environment and be responsive to changes in EPA, state, or tribal policies. The final deliverable of the workgroup will determine whether the environmental outcome measures under consideration would fit as a Senior Management Measure (SMM). The group consisted EPA representatives from headquarters and all 10 regions with George Frantz, from region 1 and Teresa Kuklinski from AIEO as co-leads. Bob Hall and Laura Mayo are region 9 representatives. Now the workgroup wants to involve tribes and TSC as partners in the endeavor. **(Bob Hall will present at the Tribal Science Workgroup break-out session.)**

**Table 1 - Region 9 Tribal Science Workgroup Goals Status (2008-2009)**

Goals	Status	Remarks
1. Continue gathering climate change impacts from region 9 tribes	<ul style="list-style-type: none"> <li>• Presentation at RTOC Tribal Caucus</li> <li>• Post on NAPEC website</li> <li>• Questionnaires were presented at the RTOC and sent many times to R9 Tribes. So far we received 14 responses from the following tribes:               <ul style="list-style-type: none"> <li>– Big Valley Rancheria</li> <li>– Fort Mojave Indian Tribe</li> <li>– Hualapai Tribe</li> <li>– Los Coyotes Tribe</li> <li>– Pyramid Lake Paiute Tribe</li> <li>– Ramona Band of Cahuilla Indians</li> <li>– Reno-Sparks Tribe</li> <li>– San Manuel Tribe</li> <li>– Shingle Springs Tribe</li> <li>– Soboba Band of Luiseno Indians</li> <li>– Stewarts Point Rancheria</li> <li>– Torres Martinez Tribe</li> <li>– Washoe Tribe</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• If your Tribe had submitted your response and is not listed, please resend them to <a href="mailto:u2sc@yahoo.com">u2sc@yahoo.com</a>.</li> <li>• The workgroup is proposing to accomplish this project with the collaborative resources from Region 9 Regional Applied Research Effort (RARE).</li> </ul>

**Table 1 - Region 9 Tribal Science Workgroup Goals Status (2008-2009)**

Goals	Status	Remarks
	<ul style="list-style-type: none"> <li>- Yurok Tribe</li> <li>- NAPEC</li> </ul>	
<p>2. Documentation of climate change impact on habitats, culturally sensitive plants needed to support traditional lifeways.</p>	<ul style="list-style-type: none"> <li>• Climate change document from Hualapai &amp; Pyramid Lake and related documents on climate change were sent to TSC workgroup members.</li> </ul>	<ul style="list-style-type: none"> <li>• EPA Science Council proposes to include “climate change impacts in Indian Countries” as one of region 9’s science priorities.</li> <li>• The workgroup is proposing a project to develop indicators of climate change in Indian Country” to be funded under Region 9 Regional Applied Research Effort.</li> </ul>
<p>3. Less focus on research &amp; more on application (70% on the ground work &amp; 30% on research) such as: alternative energy, recycling, green house gas emission, and green buildings</p>	<ul style="list-style-type: none"> <li>• Many Tribes have already been applying alternative energy, recycle, green building on tribal land.</li> <li>• Some were presented at the 2008 R9 Tribes/EPA Annual Conference</li> <li>• Coordinate exchange of experience &amp; knowledge among Tribes</li> </ul>	
<p>4. Obtain tribal seats on IPCC (Intergovernmental Panel on Climate Change), national and local forums and get information from the group</p>	<ul style="list-style-type: none"> <li>• Refer to NTOC or National TSC</li> </ul>	
<p>5. Determine where Tribes fit in the process in term of funding and “science” versus “traditional experience/observation”</p>	<p>Track grants funding that allow traditional experience/observation</p> <ul style="list-style-type: none"> <li>• U.S. EPA’s Global Change Research Program Grant</li> <li>•</li> </ul>	
<p>6. Continue to communicate and discuss climate change issue in RTOC breakout sessions and workshops at EPA conference</p>	<ul style="list-style-type: none"> <li>• Climate Change on Tribal Lands Workshop at NTCEM in June at Billings, MT</li> <li>• R9 TSC workgroup is organizing a Tribal perspective on climate change panel to presented at the R9 Tribes/EPA Annual Conference</li> <li>• Get more speakers / presentation on climate change at each workgroup meeting</li> </ul>	
<p>7. Procure increase funding for Tribes to mitigate and adapt to climate change impacts</p> <ol style="list-style-type: none"> <li>a. Locate direct funding for Tribes (not using GAP and other existing EPA programs, not states nor local) =&gt;NEW or SEPARATE POT</li> <li>b. Have EPA create new climate change office (independent of other offices)</li> <li>c. Advocate cross media funding to include not only air, but: also water, land, industrial activities (such as mining), and economic development</li> </ol>	<ul style="list-style-type: none"> <li>• Suggest revision to the target areas for EPA’s 2009-2014 strategy plan update (see 7/31/08 R9 TSC workgroup minute note)</li> <li>• Refer to Budget Goal for more action</li> </ul>	<ul style="list-style-type: none"> <li>• Refer to Budget Goal for more actions</li> </ul>

**Table 2 - Tribal Science Council Goals (2008 – 2010)**

Goals	Actions	Remarks
<p>1. To improve understanding of the environmental science issues of greatest concern to tribes throughout the nation and EPA’s ability to address these issues and consider them as part of its official planning process</p>	<p>TSC devised the strategy for developing the <b>Tribal Science Priorities (TSPs)</b>. Next year (2010), TSC members will solicit input from the tribes regarding their science priorities. The Tribal Caucus will determine which priorities to move forward, and the EPA Caucus will review them and notify the Tribal Caucus of any potential problems. After the TSC as a whole determines which TSPs to develop, the EPA Caucus will forward the TSPs to the appropriate program offices to be addressed. The TSPs will be returned to the Tribal Caucus to ensure that their needs and issues have been addressed. The TSPs also will be shared with the Indian Program Policy Council (IPPC) and NTC. The request for TSPs input will be disseminated via distribution lists.</p>	<p>The tribes will be asked the following questions:</p> <ul style="list-style-type: none"> <li>? What are your priority science issues (e.g., mold, lead, waste management, sanitation, habitat)?</li> <li>? What specific problem(s) associated with the science issues need priority attention (e.g., mold tests, cleanup standards, lack of training, need of new protocols)?</li> <li>? What would you like EPA to do to help solve or assist with these issues (e.g., research, tools, training, funding, increase awareness and communication with other agencies, such as the Bureau of Indian Affairs [BIA] and Indian Health Services [IHS])?</li> </ul>
<p>2. Implement Effective Communication and address Tribal Environmental Priorities with consideration to elders, children, and seventh generation</p>	<p>TSC plan to launch newsletter in fall 2009 and the tribal science journal in the fall of 2010. The production, oversight, and sustainment of the journal will be conducted through a collaborative of the University of North Texas, and Haskell Indian Nations University.</p>	<p>Both the journal and the newsletter will have the overarching theme of “elders, children, and the Seventh Generation.” The goal of the newsletter is to increase the dissemination of information about TSC projects and events.</p>
<p>3. To transfer EPA and Tribal scientific Information to Indian Country</p>	<p>TSC is working on is developing training and workshops specific to Tribes.</p>	<p>TSC is developing the risk assessment workshop will be developed to be tribally specific and presented in Indian Country.</p> <p>? TSC would like to get suggestion from Tribe on the best method(s) to transfer information to Indian Country.</p>
<p>4. To establish equal partnerships between Tribal and EPA scientists in the development and application of sound science and to share knowledge and experiences related to Tribal environmental science through conferences, meetings, and other formats</p>	<ul style="list-style-type: none"> <li>• Ensure that tribal science priorities are addressed at workshops, conferences, meetings, and other formats</li> <li>• Partner with colleges and universities—including Tribal Colleges—to strengthen and improve curricula and to identify training opportunities</li> <li>• Identify opportunities the TSC can encourage science training and education to Tribes</li> <li>• Plan 2010 National Tribal Science Forum</li> <li>• Investigate the Tribal science grants program</li> <li>• Investigate what effective partnerships have been established and can serve as models for TSC to emulate best practices</li> <li>• Develop a directory that includes</li> </ul>	<ul style="list-style-type: none"> <li>• Upcoming 2<sup>nd</sup> Tribal Science Forum (June 2010)</li> <li>• The Office of Prevention, Pesticides and Toxic Substances (OPPTS) established a Memorandum of Understanding with Salish Kootenai College to work on mutually beneficial science and policy projects.</li> </ul>

**Table 2 - Tribal Science Council Goals (2008 – 2010)**

Goals	Actions	Remarks
	reservation scientists to link tribal scientists to EPA ORD scientists at an individual level.	
5. To provide information to Tribal Nations to enhance communication and to coordination with other Agencies and organizations to more effectively respond to Tribal environmental science issues	TSC plan to develop a user-friendly Web site that serves as a hub of information and activities important to the tribes. The motto will be “ <b>Them to us, us to them.</b> ” It will reinforce links to the TSC, regional tribal Web sites, national tribal contacts, the tribal science journal and newsletter, EPA’s homepage, and other federal agencies (e.g., IHS, BIA, U.S. Geological Survey [USGS]); the EPA Science Connector may be linked to in the future.	

**Water Quality Standards Workgroup:**

No report submitted

**Solid Waste Workgroup:**

**CY 2008 and 2009 RTOC SOLID WASTE PRIORITY**

**Prepared by:** Nancy Sockabasin, US EPA Region 9  
John Mosley, Pyramid Lake Paiute Tribe

**Date Prepared:** April 2008 (original); **July 2009 (update)**

**EPA Division/ Office:** Waste Management Division

**Name of Priority:** Solid Waste

**Tribal Caucus Lead:** John Mosley, Pyramid Lake Paiute Tribe

**EPA Lead:** Nancy Sockabasin, EPA Tribal Solid Waste Team

**Goal:** Improve tribal access to solid waste management programs through interagency and collaborative efforts to address physical infrastructure needs and support for ongoing activities.

**Objective 1:** Maintain communication between US EPA, Tribes, and other federal agencies.

**Subobjective A:** Continue organizing and participating in the interagency solid waste workgroups. Hold at least one meeting in each three Region 9 states (CA, NV, AZ) in each calendar year.

**Status:** A total of six tribal solid waste interagency meetings were held in CY08. In January 2008, EPA, Tribes, and Tribal Consortia partnered to hold three interagency solid waste workgroup meetings. The interagency meetings have greatly increased communication between federal and state agencies and tribes, which has resulted in peer-to-peer networking opportunities and increased grant funding opportunities.

Specific locations/hosts of meetings are as follows: The La Jolla Band of Luiseno Mission Indians hosted a Southern California meeting and the Paiute-Shoshone Indians of the Bishop Community hosted a meeting for the Eastern Sierra tribes. In addition, a state-wide Nevada interagency meeting was hosted by the Inter-Tribal Council of Nevada, Inc. In June 2008, a state-wide meeting was held in Arizona, hosted by Inter Tribal Council of Arizona. Additionally, in July 2008, state-wide meetings were also conducted for California tribes, hosted by the US EPA Region 9, and for Nevada tribes, hosted by the Washoe Tribe of Nevada and California. In CY09, a state-wide Nevada interagency meeting was held in January in Sparks, NV. We expect to host state-wide meetings for California and Nevada in 2010, and we will be working with tribes in Arizona to determine if an Arizona meeting is needed.

**Subobjective B:** Continue to lead the RTOC solid waste workgroup.

Status: A workgroup meeting was held in January 2008 to discuss tribal interest in green building and, as a follow up to strong tribal interest, a presentation was delivered in April 2008 focused on incorporating green building techniques into home renovations. As a result of the growing momentum, EPA and tribes began work on a Regional Tribal Green Building Strategy, organized the first-ever Tribal Summit at one of the country's largest green building conferences, and successfully recruited the EPA Leadership Development Program participants to select the topic as their multi-year project.

In July 2008, the workgroup meeting focused on transfer stations and included a presentation entitled, *Basics of Transfer Station Development and Operation*, to serve as prep for the training to be held later in the year.

In October 2008, the need to form a workgroup that focused on cross media issues related to green buildings, solid waste, and water infrastructure was identified. As a result, the Sustainable Infrastructure Workgroup was formed. Between November 2008 and March 2009, 3 conference calls and 1 meeting were held to discuss the group's goals and priorities. Funding available through the American Reinvestment and Recovery Act was identified as an immediate and urgent opportunity which the Workgroup took immediate action on. Information was made available on agencies with funding available for green building, alternative energy, and water infrastructure projects. Long term projects started by the Workgroup include partnering with the EPA Leadership Development Program participants to identify barriers (as discussed above) as well as developing a questionnaire for tribal governments to determine what is needed for greener, sustainable development on tribal lands.

At the April 2009 RTOC meeting we held another Sustainable Infrastructure Workgroup session. The Department of Energy (DOE) presented information on how to apply for the Recover Act Energy Efficiency and Conservation Block Grant funds. The purpose of our meeting was to provide tribes with an opportunity to learn more about the criteria and parameters of these grant funds directly from the DOE. In addition, tribes were able to brainstorm ideas of how to utilize these funds most meaningfully.

**Subobjective C:** Provide information and outreach to tribes on a variety of topics. This includes a 'how to' guide on abandoned vehicle removal; additional web resources for Freon removal certification, battery recycling, removal and reuse of abandoned trailers; and web success stories on tire removal and green waste programs.

Status: Additional resources have been added to our website, including 'fill-and-print' brochures for general waste management and recycling issues, household hazardous waste, and illegal dumping. EPA has also developing the 'Tribal Solid Waste Costing Tool', which provides tribes with information on costs associated with various collection systems and to allow comparison of these options. The guide has been reviewed by IHS, Region 9 tribes, and other EPA regional offices and is now available on our website.

The 'how to' guide on abandoned vehicle removal is still in draft form, and we expect that the document will be completed by the end of this year.

**Subobjective D:** Create and/or organize solid waste presentations for the Annual Tribal/EPA Conference and other Tribal/EPA meetings. Topics could include green building and meth lab cleanup.

Status: The Tribal Solid Waste Team organized 10 presentations for the Annual Tribal/EPA Conference in 2008. Sessions included:

- Abandoned Autos – Tips and Considerations for Collecting and Crushing
- Green Building: Reducing Energy Use, Traditional Principles and Modern Implementation
- Tribal Perspectives on Green Building
- Alternative Energy Options
- Greening Tribal Events: Pow Wows, Rodeos, and other Large Scale Gatherings
- Innovative Funding Sources for Open Dump Cleanups
- Open Dumping Enforcement Mechanisms for Tribal Governments
- Electronic Waste (e-waste) Recycling
- Greening Your Casino: Easy Solutions to Save Money and Resources
- Starting a Recycling Program in your Community

**Objective 2:** Increase the number of tribes covered by integrated waste management plans (IWMP) through grants, EPA-sponsored training, and targeted technical assistance. Work with tribes to develop at least 2 new IWMPs.

Status: In FY08, 20 new IWMP projects were selected for funding through grants from the EPA Tribal Solid Waste Team and the Tribal Programs Office. Projects began on October 1, 2008. Four new IWMPs were completed in FY08. As of mid-year FY09, two additional plans have been approved by tribal councils.

**Objective 3:** Increase the number of dumps that are closed or cleaned up on tribal lands. This work will be done through grants, increased partnerships with other federal agencies such as BIA and IHS, increased partnerships with the Region 9 Tribal Programs Office, and increased cooperation and funding opportunities with Region 9 states.

**Subobjective A:** Close at least 40 illegal dumpsites – 20 in FY08 and 20 in FY09.

Status: Seventy-two dumps were closed or cleaned up on Region 9 tribal lands in FY08. As of mid-year FY 09, 14 dumps were closed or cleaned up.

**Subobjective B:** Provide leadership on the national dump closure workgroup, which will address issues related to Part 258 regulations and soil sampling.

Status: Region 9 held the first national conference call in March 2008. The Workgroup explored what legal options are available for the development of this type of document and will begin development of a best management practices guide. This project was selected as a focus area by the national program and development will begin in mid-FY09.

**Subobjective C:** Develop process for gathering open dump inventory data and priorities from tribes.

Status: The Tribal Solid Waste Team worked with the Tribal Programs Office to include language in the GAP Solicitation to encourage tribes to provide additional data when they submit clean up proposals with their GAP Workplans.

**Objective 4:** Research and develop a document to showcase open dumping enforcement mechanisms and techniques to enforce against illegal dumping of solid waste. Document will be completed by December 31, 2008.

Status: The 'Open Dumps Enforcement Mechanisms' guide has gone through final EPA Tribal Solid Waste Team review and is currently under review by the Office of Regional Council. The document will be sent for comment to outside entities in later in FY09. The document is expected to be finalized by the end of FY09 or early FY10.

**Objective 5:** Promote sustainable waste collection and recycling programs for tribes throughout Region 9.

**Subobjective A:** Create and present a tribal-specific Transfer Station Training.

Status: EPA worked with the Institute for Tribal Environmental Professionals to develop and conduct a course on Creating and Managing Tribal Transfer Stations. The course was held September 30 – October 2, 2008 and was hosted by the Pala Band of Luiseno Mission Indians. The course included site tours of the Pala and La Jolla Transfer Stations, as well as classroom sessions on understanding your waste stream; deciding what you need; working with tribal government and the community; siting, design, and construction; management and operations; and creating a sustainable program. The course was attended by approximately 25 tribal representatives.

We anticipate offering another training in 2010.

**Subobjective B:** Work with tribes and state contacts to increase recycling rates on tribal lands in Nevada.

Status: The Tribal Solid Waste Team is working with the Environmental Finance Center, Region IX (EFC9) to complete a project that will assist in making recycling economically feasible for tribes in Nevada. EFC9 attended the Nevada Tribal Interagency Solid Waste Workgroup meeting in July 08 and January 09 to discuss current tribal recycling practices and what needs exist for future projects. The draft report was recently sent to EPA and will soon be available to tribes.

**Subobjective C:** Create outreach materials for recycling programs, including information on the benefits of recycling.

Status: A 'fill-and-print' brochures for general waste management and recycling issues was developed and is available on our website at: [www.epa.gov/region09/waste/tribal](http://www.epa.gov/region09/waste/tribal)

**Subobjective D:** Provide information on electronic waste recycling in anticipation of the digital television transition.

Status: A presentation was given at the April RTOC on the digital television transition. Information on the transition was added to our website and a presentation on electronic waste recycling, including additional information on the transition, was delivered at the Annual Tribal/EPA Conference in October in San Francisco.

**Subobjective E**: Begin research into creating/promoting a Federal bottle bill to encourage recycling on a national level.

Status: Research has begun, and a proposal was submitted for students at the Goldman School of Public Policy, at UC Berkeley to work on this project. Although the project was not selected, we will be exploring other opportunities for assistance with this project.

**Reporting Dates**: Quarterly at each RTOC

**Assistance Needed from EPA and Tribes**: Participation in workgroup activities, meetings, conference calls; contribution to written documents; collaboration with local, regional, and national partners.

**For Further Information, Please Contact:**

Nancy Sockabasin, EPA Tribal Solid Waste Team, (415) 972-3772

John Mosley, Pyramid Lake Paiute Tribe, (775) 574-0101 x13

**Consultation Workgroup:**

No report submitted

**Budget and Strategic Planning Workgroup:**

**Budget Workgroup Report**

Overview of the proposed Budget for FY2011.

- With the 2010 budget expected to be increased by 4%, Tribal goals in this upcoming (2011) budget process are to increase *current funding levels* for **every** program in light of the disparities in the last 8 years.
- Due to historically low levels of funding and support, full Tribal capacity in the environmental arena has not yet been achieved. An important component of the rights of Tribal sovereignty and self-determination is the authority to manage, conserve, protect, and improve the environment, natural resources, human health, and cultural values within each Tribe's Ancestral Territory which, in turn, contributes to comprehensive environmental protection throughout the nation.

FY2011 Budget Priorities

- GAP ~ \$175,000 per Tribe for base program, and the ability to use the funding for implementation
- Air Program Support ~ Tribes with TAS should receive targeted funding comparable to states and territories
- Drinking Water/Wastewater Access ~ Tribes should receive adequate funding for needed infrastructure and O&M
- Water Program Support ~ Tribes with TAS should receive targeted funding comparable to states and territories
- Solid Waste ~ Tribes should receive adequate funding to clean up and close open dumps in Indian Country and to support ongoing waste management activities.

Non-Monetary Requests

- Flexibility in the use of GAP funds for program implementation
- Flexibility in the use of SDWA and other funds for tribal drinking water / sanitation O&M
- Explore opportunities to broaden the flexibility in use of funding across programs, similar to the consolidated grants territories can receive under 48 USC 1469a
- Permanently lift the cap on CWA 319 tribal set aside funds
- Increase to 6% the cap on the SDWA SRF tribal set aside
- Increase to 6% the cap on the CWA SRF tribal set aside

Context: EPA's Indian Policy - 25th Anniversary

- Policy 2 recognizes Tribal Governments as the primary parties for setting standards, making environmental policy decisions and managing programs
- Policy 9 requires this goal be incorporated into EPA's planning and management activities, including its budget
- Budget decisions must support the ability of Tribes to take the lead for matters affecting reservation environments (see Policy 2)
- We support Administrator Jackson's reaffirmation of the Indian Policy

## **Air Workgroup:**

No report submitted

## **Quality Assurance Workgroup:**

A conference call can be scheduled in August. Tribes wanting to discuss quality assurance issues can contact Mike Schaver at (707) 988-9411 or email [mike.schaver@elemnation.org](mailto:mike.schaver@elemnation.org).

## **Drinking Water / Waste Water Workgroup:**

**Prepared by:** Linda Reeves, EPA Lead; Denice Morphew, Tribal Lead; Marta Burg,  
RTOC Legal Advisor

**Date Prepared:** July 9, 2009

**GOAL:** The Drinking Water / Wastewater Workgroup's goal is to improve tribal access to drinking water and wastewater sanitation through regional and national efforts, and interagency and collaborative efforts to address both physical infrastructure needs and support asset protection activities, including protecting and increasing funding.

### **OBJECTIVES:**

1. Participate in the National Infrastructure Task Force and Access Subgroup to achieve the Goal to Increase Tribal Access to Safe Water by 50% by 2015

Status: The Access Subgroup recommended that the American Reinvestment and Recovery Act (ARRA) funds be used to provide access to safe drinking water and basic sanitation. EPA implemented this recommendation and it is expected that the ARRA funds will accelerate progress to achieve the access goal.

- ARRA provided EPA \$60M CWTSAs and \$30M DWTSAs nationally. EPA Region 9 received \$21.5M for CWTSAs and \$8.1M for DWTSAs. Final funding decisions are pending.
- ARRA also provided \$68M to IHS which will further accelerate the progress to achieve the access goal. Other water infrastructure funds are available to tribes through the USDA Rural Development, Bureau of Reclamation, and State SRF programs.
- EPA's proposed 2010 budget includes substantial increases to the triple the FY 08 CWTSAs, doubles the FY 08 DWTSAs, and increases the tribe set-asides from 1.5% to 2%.

Contact: Linda Reeves (415) 972-3445, Loretta Vanegas (415) 972-3433

2. Continue to lead the Regional Interagency Drinking Water / Wastewater Workgroup

Status: Next meeting tentatively schedule for the week of the January 2010 RTOC.

Contact: Linda Reeves, Denice Morphew (775) 265-8600, Marta Burg

3. Implement Tribal Water Collaborative Projects

Status: see attached status report

Contact: Linda Reeves

4. Develop a tribal small system drinking water monitoring assistance program – Develop programs to lower tribal sampling and analysis costs through bulk discounts at labs and achieve greater compliance with the Safe Drinking Water Act.

- ITCA Monitoring Assistance Program

Status: ITCA hired Patrick McMullen to implement the program and is revising its workplan.

Contact: Patrick McMullen ITCA (602) 258-4822, Kevin Ryan (415) 972-3806

- California Rural Water Association Preferred Provider Program

Status: California Rural Water Association created a preferred provider program for its members which offers numerous discounted services, including laboratory analytical services at an average 20% discount (see [calruralwater.org](http://calruralwater.org)).

Contact: Dustin Hardwick CA Rural Water Association (800) 833-0322

5. Coordinate with IHS and BIA

Status: We are evaluating alternative forums to raise issues with IHS, including existing consultation meetings.

Contact: Linda Reeves

6. Support tribal asset protection projects  
 Status: Since FY 07, GAP has provided a total of \$630K to implement asset protection programs for 30 tribes.  
 Contact: Hillary Hecht (415) 972-3790
  
7. Change California regulations to ensure that tribal wastewater operators can use their experience working at tribal facilities to obtain California wastewater operator certification  
 Status: The Office of Operator Certification (OOC) is in the process of amending the Operator Certification Regulations, Sections 3670-3719.19, Chapter 26, Title 23, of the California Code of Regulations. Due to budgetary issues, OCC will delay the regulation amendment process until the Fall of 2009. Announcements regarding the regulation amendments will be posted on the OOC website [http://www.waterboards.ca.gov/water\\_issues/programs/operator\\_certification/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/operator_certification/index.shtml) and email notifications sent to OOC mailing list. To receive OOC announcements, please subscribe to "Wastewater Operator Certification" email list at: [http://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml).  
 Contact: Tom Keegan (707) 473-2182, ext. 113, and Linda Reeves
  
8. Continue outreach and education on tribal water infrastructure and asset protection needs and solutions, through NTOC, National Congress of American Indians and other national tribal organizations  
 Status: Workgroup members have been actively participating in discussions with representatives of the NTOC, NCAI, NTEC and NTWC to ensure a consistent message is being presented regarding tribal drinking water and wastewater related needs. NTOC met with the Obama Transition Team, focusing on the Strategic Plan, Transition document, and the ARRA, and is now working on national 2011 budget presentations to support the goals for all tribes and to ensure that accurate information regarding tribal needs is being communicated to the new administration.  
 Contacts: For NCAI and NTEC coordination, contact Clay Bravo at (928) 769-2255, Ken Norton (530) 625-1004, and Marta Burg; for NTOC coordination, contact Clay Bravo; for National Tribal Water Council coordination, contact Ken Norton and see <http://nationaltribalwatercouncil.org/>.
  
9. Access State funding for tribal drinking water and wastewater – Barriers to tribal access to state funding will be evaluated, including access to California bond funds and SRF funds.  
 Contact: Marta Burg
  
10. Reevaluate Drinking Water Tribal Set-Aside (DWTSA) Health Ranking Criteria – At the request of Navajo, the Workgroup discussed reevaluating the DWTSA health ranking criteria for extensions of public water systems and the ranking of uranium projects considering the new MCL was established after the latest revision to the health ranking criteria. The Workgroup discussed this on a 5/29/08 conference call and at the 7/31/08 RTOC breakout session.  
 Status: On hold pending direction from the tribal caucus.  
 Contact: Linda Reeves, Deb Misra
  
11. Workgroup Transparency  
 Visit the Workgroup website (blog):  
<http://rtocwaterworkgroup.blogspot.com/>  
 Username: RTOCwaterworkgroup  
 Password: waterworkgroup  
 Contact: Linda Reeves

## **Status of Tribal Water Collaborative Projects and Needs**

**April 2009**

### **Projects Ongoing**

Big Valley Drinking Water and Wastewater

Need: Numerous trailers lack access to drinking water.

Status: The Tribe requested EPA ARRA funding. Interagency meetings held. EPA tested water to trailers and it is safe to drink. Tribe seeks USDA funding for washeterias, and IHS scattered housing funds. IHS funds received for leach field repairs. EPA's Environmental Justice team and volunteers repaired worst trailers. SDS project developed.

Contact: Sarah Ryan, Big Valley; Linda Reeves, EPA

Hopi Drinking Water Supply for First and Second Mesa

Need: The Tribe requested EPA ARRA funding. Hopi has expensive, deep, low producing wells with arsenic. Arsenic treatment options are not feasible due to the presence of vanadium in the water supply which interferes with many of the arsenic

treatment. A new water source was identified 20 miles away which would be a long term sustainable solution. Due to the estimated \$15-20M cost, this will have to be a multi-phased approach.

Status: IHS, on behalf of the tribe, applied for EPA ARRA funding.

Contact: Jason Crownholm, IHS (928-537-0578)

#### Hualapai Water Storage Tank and Transmission Line

Need: The Tribe seeks funding for a 60 mile pipeline on top of the canyon and a 20 mile pipeline coming up the canyon to address their needs.

Status: The Tribe requested EPA ARRA funding to rehabilitate the Peach Springs well, pump house and pipeline to eliminate water outages. The Tribe received funding for a water hauling truck from the Bureau of Reclamation and continues to seek other collaborative partners to complete the project. The Tohono O'odham Utility Authority offered Hualapai a water storage tank; however, the cost to move the tank was greater than the cost to purchase a new tank.

Contact: Alex Cabillo, Hualapai

#### Los Coyotes Well Needed for Planned Community

Need: Water source needed for planned tribal housing area in the lower water system.

Status: Tribe is in discussions with Walking Shield, an Indian assistance organization that can help mobilize resources from the Military Reserve Readiness program.

Contact: Sandra Stoneburner, Los Coyotes; Gil Stewart, BIA

#### Navajo Feasibility Study for Homes Lacking Access

Need: A feasibility study is needed to evaluate alternatives to serve homes lacking access. Status: Navajo Nation Department of Water Resources is preparing a White Paper on alternative to serve homes lacking access. EPA invited the Navajo Nation to apply for DWTS funds for a water hauling feasibility study and pilot program, and funds for Water Hauling Safety Guidelines and Outreach. In May 2009, Navajo departments, IHS, COE, USDA, BIA and EPA had an all day brainstorming session.

Contact: Deb Misra, Navajo; Linda Reeves, EPA

#### Navajo Wastewater Program

Need: Navajo is developing a wastewater program and seeks funding and sample ordinances to assist in drafting wastewater regulations and minimum design standards.

Status: EPA 106 and GAP funds are available to develop a wastewater program. Sample tribal ordinances are available at: <http://www.narf.org/nill/triballaw/index.htm>.

Contact: Deb Misra, Navajo

#### Resource Clearinghouse

Need: Tribes can help each other by sharing surplus equipment/infrastructure/resources through a clearinghouse which will include the categories the retired equipment can be used for, recognizing that federal design specifications may limit use of clearinghouse equipment. A tribal website could list the needs and resources to share, similar to the CalWARN emergency response resources.

Status: on hold

Contact: Denice Morphew, Washoe Tribe

#### Septic Tank Access Risers

Need: Access risers are need for all existing septic tanks.

Contact: Eagle Jones, RCAC (760-484-1715)

### **Projects Completed**

#### Big Pine Water Storage Tank

Need: Old tank needed rehabilitation and had insufficient water storage capacity. EPA funded the project; however, delays in implementing the project resulted in \$150,000 of cost increases.

Status: EPA/IHS/RD funded cost increase. New tank constructed and in operation.

Contact: Alan Bacock and Tara Hess-McGeown, Big Pine; Roger Yates

#### Central Valley's Tribal Environmental Consortium Tribal Water Collaborative North Fork

Need: Septic tanks are difficult to operate and maintain because they were constructed without access risers.

Status: With support from IHS and RCAC, the Tribe inspected 24 septic tanks, installed access risers on all tanks, improved 3 failed leach fields and replaced 1 failed septic tank

Contact: Rodney Clements, North Fork; Linda Reeves, EPA

Picayune

Need: Three septic tanks serving government buildings require pumping once or twice a week and frequently overflowed onto the ground.

Status: With substantial tribal matching funds, the Tribe connected the government building to the Tribe's wastewater treatment plant and properly abandoned the 3 septic tanks.

Contact: Samuel Elizondo, Picayune; Linda Reeves, EPA

Hualapai Sewer and Water Project for 3 Homes

Need: Three homes lack access to safe drinking water and basic sanitation.

Status: Hualapai constructed bathroom additions, installed fixtures and connected the homes to adjacent sewer and water lines. EPA funded proper abandonment of the existing pit privies. Contact: Alex Cabillo, Hualapai

La Jolla Tribal Collaborative for On-Site Wastewater Management

Need: The Tribe wants to create a business to pump septic tanks at the reservation and neighboring reservation at a reduced cost that will still generate sufficient revenue to properly operate and maintain the tribe's septage treatment lagoon while protecting the San Luis Rey River watershed by ensuring that septic tanks on tribal lands are properly operated and maintained.

Status: With EPA Tribal Border Infrastructure funds, the Tribe constructed a septage lagoon which miraculously did not burn when the Poomacha fire burned nearly all the reservation. The Tribe also recently purchased a septic pumper truck to replace an old, undersized truck. IHS created as-builts for septic tanks and the Tribe has a database of tank details. RCAC and EPA conducted septic tank inspection trainings. Several neighboring tribes are interested in participating in the Collaborative. The San Diego Foundation also contributed funds for the project, including support for Walking Shield (<http://www.walkingshield.org/>), an Indian assistance organization that mobilized the Military Readiness Reserves (<http://www.dod.mil/ra/html/irtcontent.html#faq>) to repair culverts on the access road to the tank site.

Contact: Rob Roy, La Jolla; Linda Reeves, EPA

Navajo Livestock Well Analyses

Need: Residents haul water from livestock wells which may be contaminated.

Status: CDC and EPA completed water sampling of livestock sources: 75% have total coliforms and other samples have uranium and arsenic. Signs are being posted warning residents not to drink from livestock wells. Navajo's circuit rider and Public Information Officer and representatives of a non-government organization are attending Chapter Meetings informing residents of the dangers of drinking from these sources. A public service announcement campaign is also underway. Navajo also submitted a DWTS proposal for a feasibility study to evaluate alternatives to serving residents that haul water, including a one year water hauling pilot project. Also, an Access Implementation Workgroup is evaluating technical alternatives to piped water at Navajo.

Contact: Deb Misra, Navajo; Clancy Tenley and Linda Reeves, EPA

Navajo Nation Circuit Rider

Need: Insufficient technical assistance is available to address needs of the regulated public water systems and to ensure that water hauled by residents is safe to drink.

Status: The Navajo Nation received EPA Office of Enforcement and Compliance Assistance funds to support a circuit rider to provide technical assistance to water operators and to ensure that water hauled by residents is safe to drink.

Contact: Deb Misra, Navajo; Bessie Lee, EPA

Robinson Rancheria Drinking Water

Need: Tribe is concerned about its water supply from the Nice Mutual Water Company (NMWC).

Status: Tribe, NMWC, IHS and EPA met on 2/4/08 to address the Tribe's concerns: NMWC explained infrastructure improvements which will increase capacity and reduce disinfection byproducts; Tribe shared emergency contacts; NMWC provided key to gate on tank access road; NMWC provided 2007 tribal water consumption data; NMWC approved purchase of 10 cubic yards of cobblestone for erosion at base of tank and the Tribe volunteered to do the work to restore the area. Based on tribal water samples at 5 individual wells with nitrate treatment systems, IHS determined that the treatment systems were functioning properly. Finally, Irenia Quitiquit successfully ran for election to the NMWC Board in June.

Contact: Irenia Quitiquit, Robinson; Mary Weber, IHS; Linda Reeves, EPA

Torres Martinez Water Collaborative

Need: Wastewater lagoons at large trailer parks within the boundary of the reservation threaten public health and the environment.

Status: A trailer park owner plans to build a wastewater lagoon that would serve two of the large trailer parks. Due to the uncertain future of the other large trailer park and changed tribal priorities, the Tribe has decided to terminate an EPA grant for design of a sewer system to serve these parks.

Contact: Alberto Ramirez, Torres Martinez; Linda Reeves, EPA

### **National Infrastructure Taskforce:**

No report submitted

### **Enforcement and Compliance Assistance Workgroup:**

No report submitted

### **Conference Planning Workgroup:**

No report submitted

### **Emergency Response and Emergency Planning Workgroup:**

RTOC EMERGENCY PLANNING & RESPONSE WORKGROUP MEETING

Thursday, April 30, 2009

Oakland Federal Building, Oakland, CA

#### **Attendees:**

Angie Proboszcz, US EPA co-lead

Emiliano McLane, Southfork Band of TeMoak Indians

Alfreida Jake, Elko Band -TeMoak Tribe

John Woytak, FEMA

Amanda Dambra, Morongo Band of Mission Indians

Tessa Badua-Larsen, FEMA

Jeanne Jussila, Agua Caliente Band of Cahuilla Indians

Susan Waller, FEMA

1. Alfreida Jake was elected by unanimously as the new workgroup Tribal co-lead. She is replacing Mike DeSpain. Congratulations to Freda!!!

2. FEMA Updates: Susan Waller, NIMS Coordinator for FEMA, provided an update on the National Incident Management System (NIMS) requirements for tribes. Ms Waller emphasized the importance of obtaining and maintaining compliance as it is a condition requirement for many grants. For additional information on NIMS please contact Ms Waller at **510-627-7275**, or [susan.waller@dhs.gov](mailto:susan.waller@dhs.gov)

John Woytak announced that there are tuition grants available for tribes to attend the Continuing Challenge (CC) Emergency Response Workshops in Sacramento. The CC is held each year following the labor day holiday in September. For additional information please contact Mr Woytak at **510-627-7167** or [john.woytak@dhs.gov](mailto:john.woytak@dhs.gov)

Tessa Badua-Larsen, FEMA's Tribal Liaison, announced that she has been on the road conducting various types of training on tribal land. If you are interested in hosting training sessions please contact Ms Badua-Larsen at **510-627-7185** or [teresita.badualarsen@dhs.gov](mailto:teresita.badualarsen@dhs.gov)

3. The workgroup is in the process of coordinating training sessions for the Emergency Planning & Response training track at the 2009 Tribal EPA Conference. Possible courses include:

- Tribal Emergency Response Teams (TERT) & Tribal Emergency Planning Commissions (TERC)
- Pandemic Flu Preparedness
- Disaster Assistance
- Disaster Response - Real Life Stories and Lessons Learned
- Department of Energy Transportation of Radioactive Materials ?

State and Federal agencies will also be invited to staff information stations at the conference.

4. The outbreak of the H1N1 virus was discussed. EPA does not have the lead in responding to the outbreak. The CDC, Health and Human Services, and DHS are the lead agencies for responding to the situation. Tribes may want to contact the IHS for guidance and assistance. The CDC recommends frequent hand washing or frequent use of hand sanitizers, and using proper sneezing and coughing etiquette. A video entitled "Why Don't We Do It In Our Sleeves?" is available for viewing at

<http://www.coughsafe.com> Visit the CDC website at <http://www.cdc.gov> for updates and additional information.

5. A request was made via the RTOC to have TERCs included on EPA's State Emergency Response Commission webpage. Angie Proboszcz will forward this request to EPA HQ and will contact tribal representatives to obtain the contact information for TERCs.

**Charter Workgroup:**

No report submitted

**Representation Workgroup:**

No report submitted

**Pesticides Workgroup:**

No report submitted