



THIRD NATIONAL TRIBAL CONFERENCE ON ENVIRONMENTAL MANAGEMENT

CONTENTS

Waste Management on Tribal Lands	1
Pollution Prevention	4
Superfund Technical Activities	5
Watershed Analysis & Management Programs	5
Congressional Direction on Environmental Protection ..	6
CSKT Programs	6
Geographic Information Systems and the EPA	6
Stream and Wetland Rehabilitation Projects	8
Superfund Financial Activities	8
Data Collection Strategies to Support Environmental Programs	9
Tribal Operations Committee (TOC) Topics	10
Natural Resource Damage Assessment	10
Display of Environmental Information Systems	11
Linkages in Environmental Capacity Grants	11
Non-Governmental Funding of Environmental/ Educational Projects	11
Environmental Justice Grants	12
Grant Administration and Management	12
Application of NEPA, TEPA and Land Use Planning	12
Tribal Environmental Agreements (TEAs)	12
Tribal Water Quality Standards—Theory to Practice	13
Tribal Air Quality	14
Alaska Issues	14
State/Tribal Cooperative Endeavors—Multi-Program	14
Tribal Water Quality Labs	15
Pesticides Use & Management—Establishing a Successful Tribal Program	15
Ground Water Contamination	16
Federal Facilities	16
Tribal Emergency Response Commissions	17
Tribal Certification for Water and Wastewater Operations	17
Non-Point Source Discharge—CWA 319/305b	17
Tribal Emergency Response Team	18
Project WET	18
UST and Risk-Based Corrective Action	19
Conference Attendees	21

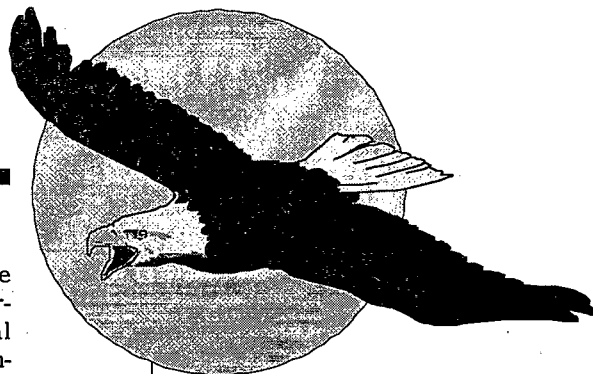
INTRODUCTION

On May 21-23, 1996, the Third National Tribal Conference on Environmental Management in Polson, Montana brought together 500 participants representing over 120 different Tribes, Native Alaskan Villages, Tribal Consortia, and organizations. U.S. Government Agencies represented were the Environmental Protection Agency, Department of Justice, Department of Energy, Department of Defense, Bureau of Indian Affairs, and Indian Health Service. Hosted by the Confederated Salish and Kootenai Tribes of the Flathead Reservation, the "Hands on Indian Country" provided a forum that encouraged a sharing of concerns and recommendations on how EPA and Tribes can continue their progress in making environmental protection in Indian country a reality. This proceedings document summarizes the 37 sessions presented at the conference, where Native American speakers outnumbered non-Indian speakers by almost three to one. Also included is a list of all conference attendees. For more information on the conference or these proceedings, please contact Felicia Wright, Indian Program Manager, Office of Solid Waste at (703) 308-8634.

WASTE MANAGEMENT ON TRIBAL LANDS

Jim Mathews (Introduction), EPA/Office of Solid Waste and Emergency Response (OSWER)
Mike Connolly (Keynote), Campo Band of Kumeyaay Indians

A series of five sessions on solid waste provided opportunities for experts to speak about their experiences with solid waste management on Tribal lands.



Mr. Mike Connolly initiated the sessions with a discussion about the treatment of Tribal sovereignty by Congressional bills (e.g., the Indian Lands Open Dump Cleanup Act). He also spoke about the growth in Tribal environmental program capacity, and how some municipalities are now turning to nearby Tribes for technical expertise. The Campo Band, for example, is the first Tribe to receive an approved municipal solid waste landfill permit program under RCRA Subtitle D. Mr. Connolly also described the cooperative agreement between the Campo Band and the State of California as an example of State/Tribal coordination. Under the terms of the voluntary cooperative agreement, the State can inspect Campo facilities, while the Campo can inspect any facility that generates waste that enters the Tribe's reservation. One of the benefits of this agreement is that the California EPA supported the Campo Band during the EPA permit program approval process.

Developing Cooperative Agreements for Solid Waste Management

Susan McMichael (Moderator), State of New Mexico
Everett Chavez, All Indian Pueblo Council
Earl Hawes, Quechan Indian Tribe

The first of five sessions on solid waste management on Tribal lands, this session examined the potential advantages and weaknesses of State-Tribal cooperative agreements, which combine the agencies' financial, administrative,

Third National Tribal Conference on Environmental Management

personnel, and equipment resources. It described the experiences of Tribes and States currently working together on solid waste management issues.

Mr. Everett Chavez spoke about the improved relationship between the State of New Mexico and the All Indian Pueblo Council (AIPC), which has become a "professional commitment to environmental issues." While the AIPC/New Mexico relationship is good, Mr. Chavez noted that State/Tribal relationships in general could be better, as many States continue to hold prejudicial perspectives of Tribal capabilities. By overcoming this barrier, a State/Tribal cooperative agreement will help lay the foundation for a committed working relationship. Mr. Chavez outlined three major reasons to consider State/Tribal agreements:

- Federal and State environmental policies, as yet, have not addressed Tribal compliance regarding landfill closures.
- Sharing limited resources across programs and between parties helps stretch these resources.
- Establishing a professional commitment today will help plan for tomorrow.

Chavez emphasized that these agreements should not force Tribes to compromise their sovereignty. These agreements should be mutually beneficial to both parties. Some Tribes may consider forming inter-Tribal cooperative agreements for solid waste management. In closing, Mr. Chavez noted the importance of having inter-Tribal arrangements to promote "Good Neighbor Policy."

Mr. Earl Hawes concurred with Mr. Chavez's discussion of the issues faced by Tribes, and introduced several mechanisms available to promote professional relationships between Tribes and other governments. These include cooperative agreements, joint powers agreements, memoranda of understanding (MOUs), memoranda of agreement (MOAs), interagency agreements, and mutual aid agreements. To help determine the need for such agreements, Tribes should ask themselves several questions:

- What are the positions of the Tribal Council and the county, and what does each want from the other?
- Does the Tribe have access to adequate legal counsel for future negotiations on lease agreements?
- Does the Tribe have a solid waste plan that incorporates recycling/waste reduction and is attractive to the county?
- Will the Bureau of Indian Affairs (BIA) back the Tribe's participation in such an agreement?

Open Dumps and Landfills: Closure and Permitting Issues

Darrell Gerlaugh (Moderator), Gila River Indian Community

Mike Puhuyesva, Hopi Tribe

Earl Hawes, Quechan Indian Tribe

David Nelson, Cheyenne River Sioux Tribe

This session focused on Tribal experiences in closing open dumps, addressing environmental problems, and solving technical difficulties. It also discussed lessons learned from the process of permitting a landfill.

Mr. Earl Hawes of the Quechan Indian Tribe provided several good sources of information to help Tribes when closing open dumps and going through the landfill permit process. According to Mr. Hawes, it is the environmental manager's responsibility to inform the Tribal Council about environmental issues. It is key to determine the Council's position on open dumps. The Tribe may also need legal council to help explain the ramifications of the Resource Conservation and Recovery Act (RCRA) to the Tribal Council. He discussed that as a result of the Bluelegs and Salt River cases, Tribes are legally and financially responsible for their solid waste. A Tribe could be liable for cleanup costs of open and illegal dumps on a reservation.

Mr. Mike Puhuyesva of the Hopi Tribe discussed the Hopi's experience switching from open dumps to garbage collection service. The Hopi reservation is located on a series of mesas, and trash was routinely dumped over the sides of the mesas. To clean up these open dumps, the Hopis primarily relied on manual labor because equipment could not reach trash within the washes. To

manage their municipal solid waste, the Hopi constructed a landfill. It was a challenge to change the Tribal members' ways and convince them to pay for garbage collection and disposal services. The Hopi landfill conforms with RCRA Subtitle D, even though it disposes less than 20 tons per day. And although not required, the Tribe elected to use monitoring wells, liners, and a leachate collection system. Several issues the Hopi's have tried to address include the spreading of litter from wind, and ensuring that the Indian Health Service's (IHS') inventory of open dumps is correct. Puhuyesva advised Tribes to accompany IHS and BIA personnel on an audit of sites, and meet with them to convince them of what needs to be done on their reservations to address environmental problems.

Mr. David Nelson of the Cheyenne River Sioux Tribe noted that his Tribe has approximately 190 open dumps, each about 0.5 acre in size, created by Federal agencies. These sites have been on Tribal lands since the 1960s. IHS and BIA have allowed disposal on these lands and should be responsible. A BIA survey showed only one site on Cheyenne lands not in compliance, but the Tribe knew there were more. As a result, the Tribe passed a new solid waste ordinance with more stringent requirements than the new municipal solid waste landfill criteria under 40 CFR Part 258. After the ordinance was drafted, it was presented to the Tribal Council and fliers explaining the new regulations were sent to all homeowners and renters on the reservation. Public service announcements and television advertisements also educated the community about the new ordinance.

In May 1994, the Tribe applied for EPA landfill permit program approval. The Tribe would like to receive program approval to gain flexibility for alternative liner and groundwater monitoring designs. Approval would also reduce burdensome financial assurance requirements. EPA has not yet approved the Cheyenne River Sioux Tribe's program. Nelson expects that upon EPA approval of the Tribe's program, the states of Montana, South Dakota, and Wyoming will challenge the approval in court.

Planning for the Future: Solid Waste Management Alternatives

Cecil Antone (Co-Moderator), Inter Tribal Council of Arizona

Nancy Olen (Co-Moderator), Inter Tribal Council of Arizona

Darrell Gerlaugh, Gila River Indian Community

Eugenia Quintana, Navajo Nation

Larry Alfien, Zuni Entrepreneurial Enterprises, Inc. (Z.E.E., Inc.)

This session focused on the development of integrated solid waste management for Tribes, with the goal of encouraging Tribal decisionmakers to evaluate the appropriate mix of waste management activities.

Mr. Cecil Antone, President of the Inter Tribal Council of Arizona (ITCA), an association of 19 Tribes in Arizona, spoke of ITCA's role in assisting Arizona Tribes with solid waste management. ITCA received money from Congress to make grants available to all Arizona Tribes developing solid waste management plans. These grants may be used to characterize waste streams, assess solid waste management options such as source reduction, recycling, and composting, and educate Tribal communities. Thirteen Tribes currently participate in the ITCA project. ITCA plans to help Tribes locate funding to implement their plans.

Mr. Darrell Gerlaugh of the Gila River Indian Community discussed the Tribe's open dumping experiences. The Tribe is between several towns and has a lot of open land. People dumped garbage into more than 200 illegal dumps on this open land. Gila River started a solid waste planning board and developed a plan to close the dumps. Under the management plan, the planning board distributed 90 gallon containers to residents and purchased two trucks to collect the trash. A route for twice-weekly pickup was developed for the trash vehicles, and the trash collection is subsidized by the Tribe. All trash is brought to a transfer station. Recyclable materials are removed and the remainder is sent to a BFI-owned landfill. Under the arrangement with BFI, Gila River pays no tipping fees as long as it does business exclusively with BFI.

One issue was to convince the Tribe to pay for garbage collection. Gerlaugh explained how he conducted a public outreach and education campaign to

gain support for the waste management plan. His many activities included attending and speaking at all community meetings and speaking to the Head Start program to teach children about the importance of waste management and encourage them to teach their parents. Due to these educational efforts and a decision by the Community to subsidize solid waste management costs, support for solid waste management activities has increased.

Gerlaugh discussed various solid waste management alternatives the planning board considered implementing. Gila River contemplated building either a regional or community landfill, but ruled against these options because the community would be accountable for post-closure care and financial assistance—burdens the community did not want to assume. The community decided a feasible alternative was to build its own materials recovery facility to recycle paper, cardboard, glass, plastic, and bulk steel. Mr. Gerlaugh noted that the Tribe is interested in expanding its recycling program and exploring other programs such as bioconversion (i.e., creating a propane-type gas from the waste) and composting.

Ms. Eugenia Quintana of the Navajo Nation discussed a joint recycling initiative with the Pueblo of Zuni. An inventory of open dumps on the reservation showed that much of the waste was recyclable, but no recycling centers were accessible in the Region. The Navajo received a grant from EPA Region 9 for \$30,000 to design and establish a recycling operation. The operation includes collecting and marketing newspaper, cardboard, glass, and cans. The Tribes have begun to establish a collection route for the Zuni Pueblo and transfer stations within the Navajo Nation. The goal is to divert 25 percent (and maybe up to 50 percent) of trash to recycling. Quintana pointed out that recycling can benefit Tribes by fostering economic development, extending the life of its landfill, and decreasing disposal fees. The Navajo Nation is looking for funding for capital and equipment costs.

Larry Alfien from Zuni Entrepreneurial Enterprises, Inc. (Z.E.E.), spoke about how the Pueblo of Zuni planned and obtained funding for recycling efforts, and worked on the Zuni-Navajo recycling

initiative discussed by Ms. Quintana. In 1990, Z.E.E., Inc., a non-profit organization dedicated to finding employment opportunities for disabled Zuni adults, developed and implemented a community recycling program. This program employs 15 people and recycles between 75 and 80 tons of waste per year. In 1992, Z.E.E., Inc. assisted the Zuni Tribal government in developing a solid waste management plan whose key components were a transfer station and a recycling program.

Alfien advised that intense public education is necessary for a successful waste management program. In the Zuni's case, a video called "Healing the Land" and a curriculum for school children (K-12) were particularly effective. According to Alfien, Tribal communities must establish cooperative systems for community recycling (e.g., working with another Tribe or local community) in order to develop economies of scale. He cautioned that working alone, a community recycling program will lose money.

Financing Opportunities and Revenue Sources for Solid Waste Management Activities

Darrell Gerlaugh (Moderator), Gila River Indian Community

Richard Stefanic, Bureau of Indian Affairs

Alberta Reed, White Mountain Apache Tribe

Gerald Wagner, Blackfeet Environmental Program

This session discussed how to find funding for solid waste management activities. The session also explored potential sources of revenue, such as tipping fees, collection fees, and revenue from the sale of recyclable materials.

Mr. Rick Stefanic of BIA described the potential opportunities available to Tribes for solid waste management financing: user fees, tipping fees, sales or other tax, revenue from the sale of recyclable materials, and grants and loans from the Federal government or private institutions. He then identified the capabilities of BIA, EPA, HUD, and IHS, available grants, and contact names and phone numbers.

Ms. Alberta Reed of the White Mountain Apache Tribe noted that her Tribal Council approved an application to HUD for a landfill, which was built under a \$1.1 million Indian block grant program. Ms. Reed explained that the White

Third National Tribal Conference on Environmental Management

Mountain Apache also needed to establish a trash collection program, which HUD monies could not pay for. The Tribe received a loan from the Department of Agriculture for equipment, including three trucks, dumpsters, and collection containers. This equipment was to be used for residential collection only. Due to the small amounts of commercial solid waste generated on the reservation, it was not feasible for the Tribe to enter the commercial waste collection business. Instead, a private company picks up commercial waste and dumps it at the Tribal landfill, where it must pay a tipping fee. Tribal staff are providing technical support and contract administration, and the Council committed \$500,000 per year to pay the loans. Now the Tribe charges \$5 per month for collection and would have to increase fees to \$15 per month to break even. So far, the Tribe has closed eight dumps; twelve remain open. One issue is that the Tribe has only reached half of the Reservation with its public outreach efforts.

Mr. Gerald Wagner, Director of the Blackfeet Environmental Program, discussed his solid waste program. He services eight other communities outside of Browning, MT, and charges residents \$11 per month. He also charges hotels and business. It would be difficult to charge residents more for collection, which would be necessary for the solid waste program to break even. In the meantime, the Tribe has to subsidize the program. The program employs two full-time workers and provides part-time work for developmentally disabled Tribal members.

The Blackfeet Tribe received a grant from EPA to start a recycling program that collects paper, cardboard, and aluminum. The issues Mr. Wagner confronted included persuading his community to utilize collection systems instead of open dumps, as well as justifying the cost of the program. The Tribe also received another small grant from EPA to perform a feasibility study on solid waste management on the reservation.

Wagner also discussed the Blackfeet's experiences with obtaining funds for closing open dumps. The Tribe has closed all but one of the dumps on the reservation, yet people continue to discard their trash haphazardly across the

reservation. BIA had promised funding to assist the Tribe in closing the dump, but the Tribe elected to keep the dump open for economic reasons.

Tribal Solid Waste Training Needs Assessment Forum

*Darrell Gerlaugh, Gila River Indian Community
Jacey Johns, Navajo Nation
Calvin Murphy, Eastern Band of Cherokee Indians
Mike Puhyesva, Hopi Tribe
Eunice Tso, Institute for Tribal Environmental Professionals (ITEP)*

This forum, sponsored by ITEP, discussed solid waste training needs among the Tribes and provided an opportunity to begin consulting with Tribes on their training needs. It began with presentations from various individuals on topics including

- Tribal codes and regulations;
- Source reduction and recycling;
- Cooperative agreements;
- Landfill planning, siting and operation; and
- Public education.

Several issues and concerns were raised during the discussion. One individual raised the issue of public education and community programs. The challenge is to mobilize the communities through self-help programs that could lead to rediscovering pride and overcoming apathy. An elder in the group emphasized the need to get back to tradition and take responsibility for the environment.

The group expressed a need for training in the areas of community education; coordination of regional solid waste management efforts; developing solid waste programs that make good "economic sense" for Tribes; technical training in the area of basic safety, dump closure, landfill siting, recycling, and source reduction; and professional certification programs for landfill operators and inspection. Nancy Oien, solid-waste coordinator, Inter-Tribal Council of Arizona, emphasized the need for training that is applicable to Tribal personnel rather than State personnel

This forum provided a good foundation to begin exploring training needs, but more input is necessary to determine the solid waste training needs. Mike Connolly stated that "training

needs are very diverse; it depends on the size, location, and waste stream for each Tribe."

ITEP will continue the needs assessment by conducting a survey this summer. The survey will be mailed and followed by a phone call. It will assess the status of each Tribe's current solid waste management program. The survey will explore what type of training is needed as well as what training has been available and effective. The survey and its results are very important and will serve as the basis for recommendations to EPA regarding future Tribal training needs. Parties interested in participating in the survey should contact Eunice Tso at (520) 523-1478.

POLLUTION PREVENTION FOR NATIVE AMERICANS: OPPORTUNITIES AND CASE STUDIES

*Moderator - Deb Madison, Fort Peck Tribes
Michael P. Vogel, Director of the Montana State University Extension Service Pollution Prevention Program
Todd MacFadden, Pollution Prevention Technical specialist for the Montana State University Extension Service Pollution Prevention Program*

Pollution prevention (P2) means reducing or eliminating pollution at the source, prior to recycling, treatment or disposal. Pollution prevention also means conserving and protection natural resources. Increasingly, Native Americans are discovering that pollution prevention make sense, and are finding ways to incorporate P2 in their communities.

This session presented a brief overview of pollution prevention, and focused on several useful pollution prevention resources available to Native Americans from the Montana Pollution Prevention Program. Tim Chavez then highlighted the development of the Pollution Prevention/Waste Minimization Program and brief case studies of the All Indian Pueblo Council/Pueblo Office of Environmental Protection.

Michael P. Vogel presented a brief overview of pollution prevention, and the elements of a successful pollution prevention plan.

Todd MacFadden highlighted briefly some of the recent pollution prevention

projects developed with Montana Native Americans:

- Pollution Prevention and Cultural Preservation in Native American Communities, a ten-week educational guide for Tribal colleges.
- The First national Tribal Pollution Prevention Conference. Over 220 individuals from 63 Tribes and 7 states converged in Montana to exchange P2 resources and ideas.
- Environmental Justice Through Pollution Prevention. The Montana P2 Program is currently working with three Montana Indian Nations to develop a model pollution prevention program.

SUPERFUND TECHNICAL ACTIVITIES

Dave Evans (Moderator), EPA/Office of Emergency and Remedial Response (OERR)
Rey Rivera, EPA Region 5
Ted Garcia, All Indian Pueblo Council
Shaun West, Cherokee Nation of Oklahoma
Christine Psyk, EPA Region 10

This panel discussion provided an overview of Superfund technical activities. It focused on how Superfund impacts Indian lands and the opportunities and experiences of Tribal involvement in the program.

Mr. Rey Rivera, the EPA Region 5 Superfund Tribal Coordinator, discussed how Region 5 is working to enhance Tribal participation in Superfund. Region 5 developed and provided site assessment funding to three Tribal consortia, one each in Minnesota, Wisconsin, and Michigan. This funding helps the Tribes understand the Superfund process; supports training, travel, and equipment; and allows the Tribes to oversee the activities of EPA and potential responsible parties (PRPs).

Mr. Ted Garcia from the All Indian Pueblo Council Office of Environmental Protection (POEP) identified many Superfund and environmental justice issues. He summarized POEP's activities and site assessment and response accomplishments over the past five years. He raised the issue that the Hazard Ranking System for placing sites on EPA's National Priorities List (NPL) does not account for cultural impacts (e.g., sacred areas, uses of surface water for

ceremonial purposes, and land use issues). In addition, unlike the States, the Tribes have no mechanism for implementing EPA's deferral program and address sites in lieu of Federal action. The environmental justice issues Mr. Garcia identified included Tribal sovereignty, the inability to list sites on the NPL, differing views of environmental risks and priorities, and Tribal Superfund liability.

Mr. Shaun West, of the Office of Environmental Services for the Cherokee Nation of Oklahoma, discussed the pros and cons of Tribal consortia agreements and identified Superfund activities conducted by the Inter Tribal Environmental Council (ITEC). In 1992, ITEC was established to represent 29 of 36 Tribes in Oklahoma because not all Tribes had the staff and funds to support their own Superfund programs. The advantages of consortia agreements are that smaller Tribes do not have to use current or hire new staff, the consortia complete reporting requirements, and member Tribes are still able to participate in Superfund activities. The disadvantages of the agreements are that individual Tribal programs may not receive equal attention if they do not have a Superfund site and may prevent Tribes from building their own environmental capabilities.

Ms. Christine Psyk, the EPA Region 10 Superfund Tribal Coordinator, discussed how the Region provided outreach to its Tribes and tried to identify Tribal needs. Of the 87 NPL sites in Region 10, only two are on or near Indian lands. Ms. Psyk noted that several non-NPL activities are ongoing in the Region, including providing community right-to-know training for responding to chemical emergencies and technical assistance to the Tribes or Tribal consortia on issues not within the traditional Superfund program. Ms. Psyk indicated that EPA needs to develop a cross-environmental program to deal with Tribal environmental issues. Region 10 has developed a Tribal guide book in an effort to address this need. The book includes information on the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), National Emission Standards for Hazardous Air Pollutants (NESHAP), Toxics Substances Control Act (TSCA), Underground Storage Tanks (UST), environmental justice, and lead

programs. One Region 10 issue is that no one is responsible for coordinating all cross-environmental program pieces.

Dave Evans concluded the session with a note that his office is beginning an effort to plan for an enhanced role for States and Tribes in Superfund. One workgroup will focus exclusively on steps to enhance Tribal Superfund programs. Workgroup members are currently being sought.

WATERSHED ANALYSIS AND MANAGEMENT PROGRAMS

Dave Somers (Moderator), Pacific Watershed Institute
Daren Driscoll, Suquamish Tribe
Deborah Flynn, Suquamish Tribe
Mary Linda Pearson, Suquamish Tribe
Scott Crowell, Suquamish Tribe

Pacific Watershed Institute (PWI) is currently working on development of the National Tribal Watershed Analysis Project under a grant from USEPA. The project is designed to adapt State and Federal watershed analysis and management methods for use on Tribal lands across the country. PWI developed the first version of the Washington State Watershed Analysis Guide in 1991, and Mr. Somers served as the Tribal/BIA representative on the Federal Watershed Analysis Coordination Team in 1994-95.

Under the national program, which will be developed over a period of at least three years, PWI will produce an analysis guide, a management framework, and a monitoring guide. PWI anticipates that there will be at least four Tribal pilot programs funded around the country to work with PWI on development of the guides and to test implementation.

Reservation Resource Protection Ordinance: Using a Watershed Planning Approach to Hurdle Legal and Policy Barriers to Protecting Natural Resources on the Port Madison Indian Reservation

The Port Madison Indian Reservation, located on the Kitsap Peninsula, is comprised of two land areas totaling 7,762 acres with a checkerboard pattern of fee and trust ownership. The reservation is fringed with approximately 12 miles of saltwater shoreline and occupies all or a portion of 14 small watersheds. These watersheds direct water into numerous

Third National Tribal Conference on Environmental Management

small streams and wetlands, shallow and deep aquifers, two large saltwater marshes, and a large palustrine bog. Streams and wetlands on the reservation support the production of salmon and other species. The Kitsap Peninsula does not have an annual snowpack accumulation, increasing the importance of shallow groundwater as a source of base flow in streams and wetlands.

The Squamish people's culture and economy is tied closely to the natural environment. Tribal members fish and gather shellfish both for subsistence and trade, as they have done historically. Hunting is also a part of the Squamish people's history and contemporary culture, as is the use of native plants for weaving, carving, ceremonies and medicines. The Port Madison Indian Reservation is now the homeland for the Squamish Tribe and is where many Tribal members reside. As the Tribe continues to grow in population and economic prosperity, the number of Tribal members living on the reservation is expected to grow. Therefore, it is important for the Tribe to plan for economic and residential growth on the reservation, while protecting the natural resources and environment that are vital to the Tribe's culture and economy.

The Tribe is developing a Reservation Resource Protection Ordinance, which would establish regulations to protect water and other natural resources from the impacts of land use and development activities occurring within the reservation. In formulating the ordinance, the Tribe addressed legal and policy issues enveloped in regulating fee and trust land on a checkerboard reservation. The regulations are intended to apply to all lands on the reservation, including fee and trust lands, in addition to other governments' regulations that apply to these lands.

The regulations utilize a watershed planning strategy and aim to protect water-dependent natural resources on the reservation that are vital to the Tribe's cultural and economic interests. Watersheds on the reservation and their outstanding features are identified. The watersheds were grouped into three classes based on their natural resource sensitivity and the conservation goals of the Tribe. A maximum impervious surface threshold, intended to conserve specific natural resources in each water-

shed group, was established. The land use and development activities that occur within each watershed would be limited by the amount of existing impervious surface already in the watershed and the impervious surface threshold for that particular watershed. The regulations also require stream and wetland buffers, protection of critical aquifer recharge areas and retention of native forest open space.

CONGRESSIONAL DIRECTION ON ENVIRONMENTAL PROTECTION

*Alberta Tippeconnic (Moderator), Inter Tribal Council of Arizona
Margaret Vick, Attorney-At-Law, Arizona
Eric Eberhard, Dorsey and Whitney*

This panel discussed the implications of Congressional policies on Tribal environmental protection programs. It provided a legislative update, as well as methods for tracking legislation, and described strategies to educate and inform Congress about Tribal governments and their environmental concerns.

Ms. Margaret Vick and Mr. Eric Eberhard spoke about Congressional direction for environmental protection in Indian Country. According to the speakers, environmental legislation, in general, does not appear to be moving in any direction through the current Congress. However, if last year's passage in the House of the Clean Water Act Amendments, HR 961, is any indication, Congress is moving toward decreasing Tribal involvement.

Historically, Congress has been "lost," as each piece of environmental legislation has treated Tribes differently (Table 1 provides citations to the treatment of Tribes in the major environmental acts and regulations). In contrast to Congressional direction, the Clinton Administration and EPA are taking great strides toward promoting enhanced Tribal involvement. This is the result of years of effort by Tribes and their advocates within EPA. EPA regulations now acknowledge the jurisdiction of Tribal Governments and are becoming consistent in the treatment of Tribes, even though the governing laws remain confusing. Ms. Vick warned that when Congress and EPA do not move in the same direction at the same time, a ten-

sion results between the "law" that expresses the intent of Congress and the implementation of the "law" through regulations and administrative action. Thus, a Tribe can comply with all regulatory requirements and obtain primacy, but still become embroiled in litigation if an opponent challenges EPA for exceeding the authority of the statute by granting primacy.

In addition to the discussion on statutes, Mr. Eberhard spoke about current efforts to reauthorize various statutes, including the Endangered Species Act. As Congress debates more than 20 proposed bills, no consensus exists in Indian Country as to Tribal perspective on the Act.

CSKT PROGRAMS

*Bill Swaney (Moderator), Confederated Salish and Kootenai Tribes (CSKT)
Lewis McLeod, CSKT
Lloyd Jackson, CSKT
Paula Webster, CSKT
Georgia Case, CSKT
Mary Price, CSKT*

This panel discussion described the structure and function of the environmental programs of the Confederated Salish and Kootenai Tribes (CSKT) including air quality monitoring, wetland protection, and water quality management. Panelists presented the CSKT's use of a multidisciplinary approach to resource management on the Slatehead Reservation.

GEOGRAPHIC INFORMATION SYSTEMS AND THE EPA—A NEW BEGINNING

*CloAnn Villegas (Moderator), Confederated Salish and Kootenai Tribes
Tony Sells, EPA Region 8*

Implementing a geographic information system (GIS) involves a large monetary commitment from a Tribe. This presentation discussed why Tribes decide to implement GIS and the various types of financial and data acquisition assistance available to support GIS efforts. A particular focus was on the effectiveness of GIS for Tribes who are considering enhanced involvement in EPA programs, and the necessity for acquiring system hardware, software, and data. To date, more than 100

Native American Tribes use this technology to map their reservations, inventory cultural resources, track leases and land records, assess impacts of development on surrounding lands, and explore economic development opportunities.

Ms. CloAnn Villegas highlighted the functionality and capability of GIS. She described the power of GIS to deliver an end product in map form. According to Ms. Villegas, what EPA is currently doing with data directly affects implementation of a GIS. EPA must look at data in one location and develop how

they relate to GIS capabilities. For GIS to perform statistical analyses, it must be coupled with other environmental models, such as SAS, EPA's standard statistical package.

Three items necessary for GIS to function are hardware and software, expertise, and the type of data the system requires. Approximately 80 percent of the time and money invested in GIS is in data acquisition and data conversion. Tribes should contact their EPA Regional GIS contact to acquire the bulk of the necessary data.

Mr. Tony Sells discussed GIS involvement with the Internet. He stressed that specific GIS capabilities within EPA are housed on the Internet. EPA maintains the homepage in Headquarters, <http://www.epa.gov>. Within the homepage, topics related to GIS include an ENVIROFACTS page, a page on National Geospatial Data Clearing House, and pages for each region. For example, Region 8's home page is

<FTP://R8DG10.R08.EPA.GOV/HOME/HTML>

Table 1 — Environmental Laws Affecting Indian Tribes

<p>Clean Water Act</p> <p>Statutory Treatment of Tribes</p> <ul style="list-style-type: none"> 42 USC §7405 [CAA §105], Grants to tribes without separate TAS. 42 USC §7601(D) [CAA §301(D)], Tribal authority. 42 USC §7474 [CAA §164], Air quality redesignation for Indian Reservations and resolution of State/Tribal disputes. <p>Regulations</p> <ul style="list-style-type: none"> 50 Federal Register 43,956 (August 25, 1994) Proposed Rule, "Indian Tribes: Air Quality Planning and Management." 50 Federal Register 20,804 (April 27, 1995) Proposed Rule, "Federal Operating Permits Program." 50 Federal Register 64,339 (December 14, 1994) Final Rule, "Indian Tribes, Eligibility for Program Authorization." 	<p>Safe Drinking Water Act</p> <p>Statutory Treatment of Tribes</p> <ul style="list-style-type: none"> 42 USC §300j-11 [PHSA §1451], Tribal authority. 42 USC §300j-1(g) [PHSA §1442], Technical assistance to Tribes. 42 USC §300j-6(c) [PHSA §1447], Indian rights and sovereignty unaffected. 42 USC §300f(10), (14) [PHSA §1401], Definitions of Indian Tribe and inclusion of Indian Tribe as municipality. 40 CFR Part 35, Financial Assistance and resolution of State/Tribal disputes. <p>Regulations</p> <ul style="list-style-type: none"> 40 CFR Part 124, Procedures for Decisionmaking, Tribe with TAS defined as a State. 40 CFR §142.72, Treatment of Tribes as States, revised as follows: 50 Federal Register 64,339 (December 14, 1994) Final Rule, "Indian Tribes, Eligibility for Program" 	<p>Federal Insecticide, Fungicide and Rodenticide Act</p> <p>Statutory Treatment of Tribes</p> <ul style="list-style-type: none"> 7 USC §136u [FIFRA §24], Cooperative Agreements with Indian Tribes. <p>Regulations</p> <ul style="list-style-type: none"> 40 CFR §171.10(a), Tribal Certification Plans. "Pesticides and Ground Water State Management Plan Regulation," drafted August 1994, unpublished. Proposed rule authorizes Tribes to develop and implement their own management plans.
<p>Clean Air Act</p> <p>Statutory Treatment of Tribes</p> <ul style="list-style-type: none"> 42 USC §7405 [CAA §105], Grants to tribes without separate TAS. 42 USC §7601(D) [CAA §301(D)], Tribal authority. 42 USC §7474 [CAA §164], Air quality redesignation for Indian Reservations and resolution of State/Tribal disputes. <p>Regulations</p> <ul style="list-style-type: none"> 50 Federal Register 43,956 (August 25, 1994) Proposed Rule, "Indian Tribes: Air Quality Planning and Management." 50 Federal Register 20,804 (April 27, 1995) Proposed Rule, "Federal Operating Permits Program." 50 Federal Register 64,339 (December 14, 1994) Final Rule, "Indian Tribes, Eligibility for" 	<p>Emergency Planning and Community Right-to-Know Act of 1986 (SARA Title III)</p> <p>Statutory Treatment of Tribes</p> <ul style="list-style-type: none"> 42 USC §§11001-11050, No reference to Indian Tribes. 42 USC §11049(9) [EPCRA §329(9)], Definition of State includes, "... any other territory or possession over which the United States has jurisdiction." <p>Regulations</p> <ul style="list-style-type: none"> 40 CFR Part 355, Makes EPCRA applicable to Tribes. 	<p>Toxic Substances Control Act</p> <p>Statutory Treatment of Tribes</p> <ul style="list-style-type: none"> 15 USC §§2601-2692, No reference to Indian Tribes. 15 USC §2602(13) [TSCA §3(13)], Definition of State includes "... any other territory or possession of the United States." <p>Regulations</p> <ul style="list-style-type: none"> None for Tribes. Funding is available for lead paint, asbestos, and radon programs.
<p>Indian Environmental General Assistance Program Act of 1992</p> <p>Statutory Treatment of Tribes</p> <ul style="list-style-type: none"> 42 USC §4368b <p>Regulations</p> <ul style="list-style-type: none"> 40 CFR §35 Subpart Q 58 Federal Register 63,876, "Indian Tribes: General Assistance Grants for Environmental Programs." 	<p>Comprehensive Environmental Response, Compensation, and Liability Act</p> <p>Statutory Treatment of Tribes</p> <ul style="list-style-type: none"> 42 USC §9601(36) [CERCLA §101(36)], Definition of Indian Tribe. 42 USC §9626 [CERCLA §126], An Indian Tribe shall be afforded substantially the same treatment as a State for consultation. <p>Regulations</p> <ul style="list-style-type: none"> 40 CFR Part 35 Subpart O, Cooperative Agreements and Superfund State Contracts for Superfund Response Actions. 	<p>Solid Waste Disposal Act/Resource Conservation and Recovery Act</p> <p>Statutory Treatment of Tribes</p> <ul style="list-style-type: none"> 42 USC §6903(13) [SWDA §1004(13)], Indian Tribe included in definition of municipality. 25 USC §§3901-3908, Indian Lands Open Dump Cleanup Act of 1994, authorizes Indian Health Service to identify and assess open dumps on Indian lands. <p>Regulations</p> <ul style="list-style-type: none"> 61 Federal Register 2583, Proposed Rule: State/Tribal Permit Program Adequacy Determination: Municipal Solid Waste Facilities. 61 Federal Register 30471, Proposed Rule: "Authorization of Indian Tribes' Hazardous Waste Programs under RCRA Subtitle C." See also <i>Back Country Against Dumps (BAD) vs. EPA</i>, no. 95-1343 (D.C. Circuit).

Third National Tribal Conference on Environmental Management

STREAM AND WETLAND REHABILITATION PROJECTS

Deb Madison (Moderator), Fort Peck Assiniboine and Sioux Tribes

Gary Passmore, Confederated Tribes of Colville

Cindy Crist, Southern Ute Tribe

Max Dodson, EPA Region 8

This panel highlighted EPA's approach to addressing pollution abatement under the Clean Water Act (CWA) and gave examples of Tribal restoration in Indian country. Panel members described Tribal participation in the management and abatement of pollution on Reservation water resources as provided in section 518 of the CWA, as well as ways in which Tribes can fulfill related requirements, such as the completion of management plans.

SUPERFUND FINANCIAL ACTIVITIES

Dave Evans (Moderator), EPA/OERR

Carolyn Douglas, EPA Region 9

Diana Malone, Navajo Nation

Pat Mariella, Gila River Indian Community

David Ostrander, EPA Region 8

John Ferguson, EPA/OERR

This panel discussion provided an overview of financial assistance that can support Tribal involvement in Superfund. Specific examples of Tribes' use of Superfund financial assistance were described.

Mr. Dave Evans introduced the session and described the extent of Superfund's financial assistance to Tribes. Ms. Carolyn Douglas spoke about Region 9's efforts to enhance the involvement in Superfund of the 140 Federally recognized Tribes in Region 9. The Region has developed a strategy for providing assistance and program development that is proportionate with the needs of each Tribe. Based on an individual Tribe's capabilities, resources, training, equipment, and risk from environmental problems, EPA and the Tribe prioritizes annual resources (Table 2).

Ms. Diana Malone spoke about the Navajo Nation's Superfund program, established in 1988 with a cooperative agreement (CA) with EPA. The most difficult aspect of setting up the program was determining Region jurisdiction, as Navajo territory straddles Region 6 and Region 9. In 1990, Region 9 became the

Navajo Nation's EPA partner. With Core Program, site assessment, and support agency CAs, the Navajo Nation's accomplishments include 80 site discoveries, 127 preliminary assessments, oversight of two NPL cleanups, and an emergency cleanup. One particularly complex environmental problem is 22 sheep dip vat sites scattered throughout the Reservation. Rather than treat each site separately, the Navajo Nation is managing the cleanup of all sites as an "aggregate site" as provided under the Superfund Accelerated Cleanup Model. The Navajo Nation expects to complete development of its hazardous waste code, which will include cost recovery and voluntary cleanup provisions, in the Fall of 1996.

Ms. Pat Mariella discussed the environmental problems facing the Gila River Indian Community, including prox-

imity to the Phoenix metropolitan area (the fourth most populous Indian community in the U.S.), the community's 374,000 acres, serious problems with illegal dumping, and substantial planned growth. The Gila River Indian Community contains the most hazardous waste facilities on Tribal lands in the U.S. The Indian Community is working with EPA Region 9 to structure a "block CA" which would consolidate numerous individual CA into one funding mechanism and increase the ability of the Tribe to direct funds to the highest priority activities.

Mr. David Ostrander provided an overview of EPA's Brownfields Initiative, which is designed to empower States, cities, Tribes, communities, and other stakeholders in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields. Brownfields are abandoned, idled, or

Table 2 — Development of a Tiered Tribal Corrective Action Program

CATEGORY 1		
Tribal/Risk Capabilities	Program Activities	Support
<ul style="list-style-type: none"> • Very few if any sources or reported releases • Very limited program infrastructure 	<ul style="list-style-type: none"> • Notification and Response Plan • Response Coverage: Federal/State/Local/Tribal Coalition • Outreach/Education: Awareness training 	<ul style="list-style-type: none"> • EPA coordination, indirectly through Tribal coalition • EPA General Assistance Program (GAP) • EPA Emergency Planning Grant through coalition • FEMA/DOT/HMEP training and planning grants as necessary • Site assessment and cleanup by EPA • State OSC
CATEGORY 2		
Tribal/Risk Capabilities	Program Activities	Support
<ul style="list-style-type: none"> • A number of potential sources and/or reported releases • Moderate to limited management infrastructure 	<ul style="list-style-type: none"> • TERC/LEPC Formation • Emergency Response Plan • Hazards Analysis • Awareness Training • Response Coverage: Federal/State/Local/Tribal Coalition 	<ul style="list-style-type: none"> • Direct EPA coordination • EPA Emergency Planning and GAP grants • FEMA/DOT/HMEP training and planning grants • Site assessment and cleanup by EPA • State OSC
CATEGORY 3		
Tribal/Risk Capabilities	Program Activities	Support
<ul style="list-style-type: none"> • Numerous potential sources; history of significant releases • Management infrastructure capable of operating complex environmental program 	<ul style="list-style-type: none"> • Development of multi-program corrective action and site assessment programs • Initial emergency response capability • Response Coverage: Tribal/Federal/State/Local Coalition • Full Emergency Planning and Preparedness Program, including advanced training and exercises • Hazards analysis 	<ul style="list-style-type: none"> • Direct EPA coordination • Core/PASI and other Superfund cooperative agreements • EPA Emergency Planning and GAP grants • FEMA/DOT/MEP training and planning grants • Complex site cleanup by EPA • State OSC

under-used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination. Among the activities outlined in EPA's Brownfields Action Agenda are the Brownfields Pilots. EPA is funding up to 50 pilots by the end of 1996 at up to \$200,000 each. The pilots are exploring innovative approaches to solving brownfields problems and providing a growing knowledge base to help direct the Brownfields initiative. In addition to these pilots, Region 8 is looking for ways to obtain discretionary funding to support more efforts.

Mr. John Ferguson presented an overview of EPA's Local Governments Reimbursement (LGR) Program. Federally-recognized Indian Tribes that are covered by SARA Title III comprehensive emergency response plans are eligible for reimbursement of up to \$25,000 incurred in responding to hazardous substance threats. The LGR program typically covers the following activities:

- Erecting security fencing or other site security measures;
- Controlling the release source;
- Containing released substances; and
- Controlling runoff that could contaminate drinking water sources.

Eligible materials and expenses under the LGR program include

- Disposable materials and supplies;
- Rental or leasing of equipment;
- Special technical services and laboratory costs;
- Services and supplies purchased for an evacuation;
- Compensation of overtime; and
- Decontamination of equipment.

Incidents involving petroleum, natural gas, crude oil, or any other fraction that is not designated a CERCLA hazardous substance are specifically excluded from the LGR program.

The reimbursement process is as follows:

- Notify Federal authorities (e.g., EPA Regional office or the National Response Center at 800/424-8802) within 24 hours of the incident. Failure to notify authorities within the 24-hour

period results in automatic disqualification of the application for reimbursement;

- Pursue cost recovery from all sources, including insurance companies, responsible parties, and State funds;
- Obtain an LGR application by contacting the EPA Regional office or the LGR HelpLine at (800) 431-9209;
- Provide adequate cost documentation, including invoices, sales receipts, and leasing agreements. Applicants also must demonstrate that costs do not supplant budgeted funds; and
- Obtain the signature of the highest ranking official on the application, and submit the application within one year of the date of completion of the response.

For more information on the LGR program, contact the LGR HelpLine at (800) 431-9209.

Dave Evans concluded the session with a note that his office is beginning an effort to plan for an enhanced role of States and Tribes in Superfund. One workgroup will focus exclusively on steps to enhance Tribal Superfund programs. Workgroup members are currently being sought.

DATA COLLECTION STRATEGIES TO SUPPORT ENVIRONMENTAL PROGRAMS

*Libby Halpin-Nelson (Moderator), Tulalip Tribes
Chris Holm, Bois Forte
Dave Somers, Pacific Watershed Institute*

The focus of this session was on strategies used by three different Tribes to collect data needed to support a specific tribal environmental program. In each case, the Tribes had to address funding, staffing, or time limitations, and/or future problems and liabilities associated with a data collection program. Each of the presenters discussed these considerations as the basis for the specific data collection strategy developed, and described the resulting data collection effort or program. The strategies were intended to serve as examples with potential application to other Tribes, as well as encourage session attendees to contribute to the session by sharing information regarding strategies they have used successfully to support their environmental programs.

Libby Halpin Nelson described a project involving cooperative data collection called the Snohomish River Basin Fish Mapping Project in western Washington. This project required a large amount of information to be collected and organized in a very short period of time, and on a very limited budget. Information included, for example, distribution of salmonids throughout the basin, and primary spawning, rearing, and holding areas. The information was digitized as a GIS database, and will be made available to the Tulalip Tribes and other resource-managing entities in the region. It also serves as a good example of cooperation between tribes and local governments leading to enhanced project results, and assuring use of the data by county and state governments, in addition to the tribes.

Chris Holm discussed the importance of sound planning for data collection (and interpretation) with respect to designing and implementing tribal water quality standards. His discussion covered (1) the process through which Bois Forte assumed jurisdiction over its water resources, (2) use of Bois Forte water quality data to model potential problems in data interpretation and definition of tribal water quality standards, and (3) protocols for data collection, management, and interpretation as suggestions to circumvent potential future conflicts with State and Federal agencies over implementation of water quality standards.

Dave Somers discussed the Salmon and Steelhead Habitat Inventory and Assessment Project (SSHAP), sponsored by the Northwest Indian Fisheries Commission as an example of a comprehensive data collection strategy. The project established a five level analysis strategy, beginning with the quantification of direct loss of habitats and proceeding to an assessment of habitat conditions relative to each life history stage of the salmon and steelhead stocks present. This project analysis and assessment utilized only existing information about relevant habitats, and did not include new field reconnaissance. Dave discussed the analytical approach adopted by SSHAP and preliminary results from selected watersheds within the project.

Third National Tribal Conference on Environmental Management

TRIBAL OPERATIONS COMMITTEE (TOC) TOPICS

Jim Fletcher (Moderator), Chair, Tribal Operations Committee

John Banks, Vice Chair, Tribal Operations Committee
Terry Williams, EPA American Indian Environmental Office

Cecil Antone, InterTribal Council of Arizona

This panel updated the activities of the Tribal Operations Committee (TOC) and EPA American Indian Environmental Office. It also offered an opportunity to provide information and recommendations to TOC's Tribal members. TOC members discussed their own regional developments as they pertained to relationships forged with EPA.

Consistent with EPA Indian Policy, EPA's trust responsibility to Indian Tribes, environmental laws, regulations, policies and guidance, the mission of the TOC is to protect and improve the conditions of the Tribal health and the environment in Indian Country. The TOC/EPA relationship will not substitute for the government-to-government relationship between the U.S. and Tribal governments.

Mr. Cecil Antone discussed the evolution of TOC. EPA Administrator Carol M. Browner convened the first TOC meeting on February 17, 1994. At this first meeting, Tribal representatives of the TOC presented three recommendations:

- Reaffirm the 1984 EPA Indian Policy and the EPA State/Tribal Concept Paper on jurisdiction;
- Establish a National EPA Indian Environmental Office; and
- Increase funding for Tribal environmental programs.

In response to these recommendations, Administrator Browner announced the formation of an EPA Senior Leadership Team for Tribal operations. This Team's role was to help develop:

- Strategic planning and budget recommendations;
- Updated implementation guidance for EPA's Indian policy; and
- Organizational recommendations.

TOC met several times during 1994, which resulted in the establishment of the American Indian Environmental Of-

fice (AIEO), reaffirmation of the 1984 EPA Indian Policy and the July 14, 1994 Action Memorandum, and increased funding for Indian programs.

The session concluded with several questions, including how Tribes are involved in the budgeting offices of other Federal agencies. The panelists suggested that the Tribes use their relationship with EPA as an example of how to incorporate Tribes into other Federal organizations. Another question posed was how TOC was going to ensure that Tribal representatives have input into EPA "operational" decision-making affecting Indian Country. The panelists stated that TOC plans to develop a network within all EPA Regions. Currently, there are 19 Tribal TOC members from nine EPA Regions.

NATURAL RESOURCE DAMAGE ASSESSMENT

Michael O'Connel, Attorney (Moderator)

Phillip Cernera, Coeur d'Alene Tribe

Bill Sullivan, Puyallup Tribe

The session provided an overview of the authority of Tribal governments to recover damages for injury to natural resources under federal laws such as the Superfund law and Oil Pollution Act and Tribal laws such as the Puyallup Hazardous Substances Control Act. Under the federal Superfund law and Oil Pollution Act, Federal, State and Tribal governments are authorized to recover damages for injury to natural resources caused, respectively, by a release of hazardous substance or a discharge of oil. The Puyallup Hazardous Substances Control Act provides a similar remedy as a matter of Tribal law. Damages are recovered from parties responsible for a release of hazardous substance or discharge of oil causing injury to natural resources on a strict liability basis, subject to certain defenses. Damages recovered under these laws are used to restore, replace, or acquire the equivalent of injured resources. By way of examples, damages may be used to restore fishing habitat, or to restore the grazing capacity of land injured by a release of hazardous substances or discharge of oil.

Remedies afforded by these laws are in addition to remedies available under common law theories such as nuisance and negligence or for violation of treaty

rights. These laws also may provide remedies where a release of a hazardous substance or discharge of oil occurs off reservations, but contamination migrates across reservation boundaries, and where a Tribal government has interests in an off-reservation fishery injured by such contamination.

Coeur d'Alene Basin Restoration (Ecosystem Management)

Phillip Cernera, Natural Resource Damage Assessment Office, Coeur d'Alene Tribe

The Coeur d'Alene basin stretches from the Bitterroot Mountains at the Idaho-Montana border westward to Lake Coeur d'Alene. The basin is well known for its mineral resources as it once was for the abundant fish and wildlife that existed throughout the area. Over 100 years of mining in the upper reaches of the basin has left a toxic legacy of lead, zinc, and cadmium contamination that has been labeled the worst example of heavy metals pollution in the world. This pollution (over 100 million tons of mine wastes) has affected the entire watershed which consists of over 100 miles of streams, thousands of acres of wetlands, floodplains, uplands, 12 lateral lakes associated with the Coeur d'Alene River, and the majority of Lake Coeur d'Alene. The Coeur d'Alene Tribe is actively pursuing actions that will clean up the sediment contaminants and restore the natural resources in the Coeur d'Alene basin. The spiritual significance and economic importance of these lands and waters remain as vital to the Coeur d'Alene today as they were in the past.

The discussion described the problems that exist in the basin (heavy metal contamination combined with lake eutrophication) and the integrated approach the Tribe is taking to restore the basin's natural resources. These efforts include the Tribe's participation in the Bunker Hill Superfund Project, the Coeur d'Alene Basin Natural Resource Damage Assessment (NRDA), and the Coeur d'Alene Basin Restoration Project. Both the Superfund cleanup and the NRDA are being conducted pursuant to CERCLA, also known as Superfund Law. The Bunker Hill Superfund site, located upstream of the Coeur d'Alene Reservation, is one of the largest cleanups undertaken by the USEPA in the nation. The Bunker Hill project involves a complex site covering 21 square miles, wherein heavy

metals have contaminated ground and surface water and soils. The NRDA is one of the first of its type in the nation. The Tribe has joined forces with the U.S. Departments of Interior and Agriculture to conduct the Damage Assessment. The Coeur d'Alene Basin Restoration Project is aimed at addressing metals source abatement and nutrient management for Lake Coeur d'Alene. The fear is that as eutrophication accelerates, metals bound to sediments at the bottom of the lake will remobilize into the water column which could lead to the death of the aquatic and terrestrial biota associated with the lake.

DISPLAY OF ENVIRONMENTAL INFORMATION SYSTEMS

LaDonna Harris (Moderator), Americans for Indian Opportunity

Judi Kane, Americans for Indian Opportunity
Jeff Tumarkin, EPA/Office of Solid Waste

This presentation described the components of the INDIANnet Information System, the first national, Indian-owned computer network designed to provide information to American Indians and Alaskan Natives. It provided information on how to access INDIANnet electronically.

Ms. LaDonna Harris began the session with discussion of the origin of INDIANnet and its mission to help ensure Indian access to the Internet. She recommended Tribes establish "system connectivity" within their own governments first, which will help Tribal agencies—including those with environmental management responsibilities—with access to important information, e.g., sacred sites and cultural landmarks.

Ms. Judi Kane and Mr. Jeff Tumarkin demonstrated INDIANnet, including its homepage and linkages to other Internet sites and EPA systems. INDIANnet demonstrations continued throughout the conference in the vendor area. For information about INDIANnet by mail, contact: Americans for Indian Opportunity, 681 Juniper Hill Road, Bernalillo, NM 87004. INDIANnet's electronic addresses are:

[URL] <http://indiannet.hills.net>
[telnet] [indiannet.hills.net](tel://indiannet.hills.net)
[via modem] 605-348-8802

LINKAGES IN ENVIRONMENTAL CAPACITY GRANTS

Judi Chapman (Moderator), Native American Technologies, Inc.

Lee Roberts, EPA Region 8
Sadie Hoskie, EPA Region 8
Carey Clough, EPA Region 8

This panel discussed EPA's General Assistance Program (GAP), Performance Partnership Grants (PPGs), and water quality management grants program. It also discussed how Tribes may administer grants in a complementary and appropriate manner.

Mr. Lee Roberts spoke about EPA's water quality grants, Clean Water Act (CWA) §106 program, and how activities under the GAP and §106 programs can be linked. Section 106 has been used by the Tribes in the past to build water quality program infrastructure. Coordinating the grants can help meet Tribal needs. GAP activities, such as developing codes, ordinances, and eligibility determination packages, are linked to other Federal agencies such as the Bureau of Land Management (BLM). Developing codes and ordinances is also linked to a CWA activity, adjusting and changing water quality management plans. The §106 program can support monitoring activities that are connected to RCRA and the Safe Drinking Water Act. Mr. Roberts recognized a need for core funds to build and support water quality programs. PPGs may be a solution that allows Tribes to move funds around environmental programs as needed. One issue with the §106 program is that Tribes have to compete for funds.

Ms. Sadie Hoskie discussed the origin of GAP funds and how they are linked to Tribal Environmental Agreements (TEAs). The GAP program developed out of a multimedia grant program in 1991 and served as a pilot grant mechanism to provide Tribes flexibility to develop environmental programs. GAP funding started at \$4 million in 1993 and is projected to be \$28 million in 1997. The statutory authority actually has a funding cap of \$15 million, which needs to be lifted. GAP funds have been used to support other delegation programs (e.g., UST) and to fill Superfund voids. TEAs are the planning tool which identifies environmental program needs,

objectives, and priorities to be funded by the GAP program.

Mr. Carey Clough co-chaired the national taskforce on PPGs. Mr. Clough noted that any entity which currently receives a multimedia grant is eligible for a PPG. A PPG is not a block grant, so the money is expected to be used for performance-based environmental protection. Therefore, Tribes and EPA negotiate PPG activities. Once the money is merged, it loses its special conditions, which creates fewer opportunities for audits. Funding is based on historical activities and a State or Tribe applies for the total from last year.

One issue is EPA culture. If PPG funds are transferred from one media program to another, the EPA office providing funds that ultimately are used to support a different program may not have an incentive to provide the same amount next year. Mr. Clough expects swings of less than 20 percent, so the program people can be assured that the base programs will remain adequately funded. EPA Regions and the States and Tribes need to work together—it is going to take time to change the Regional mind set. The PPG can include 16 ongoing categorical grants. Also, competitive grants such as environmental justice and pollution prevention grants can be included, but with a different negotiation process. TEAs are the policy documents that identify the Regional Office and Tribal agency responsible and set priorities. The PPG is the financial part of the package.

NON-GOVERNMENTAL FUNDING OF ENVIRONMENTAL/ EDUCATIONAL PROJECTS

William French (Moderator), Rural Community Assistance Corporation (RCAC)

June Otow, Manager, Corporate Development, RCAC
Pat Hurley, Salish Kootenai College

This presentation described additional sources of funding that are available to Tribes to support environmental programs. Many Tribes have not had adequate access to the information. This panel assembled a group of people who can either help Tribes find that type of funding or are a private source of funding themselves.

Third National Tribal Conference on Environmental Management

The session covered four areas to help Tribes leverage funds from non-governmental sources: (1) Funding sources available through corporations, national organizations and bank loans, bank foundations and private foundations; (2) Becoming attractive to other sources of funding; (3) Finding foundations and cultivating relationships; and (4) Building educational programs from outside tribal sources to retain capacity within a Tribe; and leveraging funds and services from Tribal Colleges.

Bill French, Executive Director from Rural Community Assistance Corporation (RCAC), a non-profit outreach and technical assistance outfit, spoke about his organization's work, and provided information on how to find private foundations and other outside funding sources including banks and bank foundations. He also discussed and handed out information on how to find these organizations, directories, and foundations that have given to Native American entities.

June Otow, Manager of Corporate Development for RCAC talked about how Tribes can identify supportive corporations and foundations and how Tribes can position themselves to compete for funds from these entities.

Pat Hurley of the Salish & Kootenai College discussed how tribes use College resources to supplement their programs, and how educational programs can help build tribal capacity.

ENVIRONMENTAL JUSTICE GRANTS

*Patricia Henry Denham (Moderator), EPA Region 8
Kim Clausen, Oglala Lakota Nation
Rose Main, Fort Belknap Reservation
E. David Evans, Burns Paiute Tribe
Jay Littlewolf, Northern Cheyenne Tribe
Nick Isham, Lac Courte Oreilles Tribe*

This panel discussed grantees' successes achieved through the support of grant funds from EPA's Environmental Justice Program, including the small grants and the college/university partnership (CUP) grants. Panelists described environmental justice activities in Indian country and activities for American Indians off Tribal lands.

GRANT ADMINISTRATION AND MANAGEMENT

*Maureen Ross (Moderator), EPA Grants Administration Division (GAD)
Elizabeth Bell, EPA American Indian Environmental Office
David Gomez, EPA GAD
Patricia Simon, EPA GAD*

This presentation introduced EPA's financial administration programs and described the EPA grants administration process. The discussion covered the three phases of a grant: pre-application and application; project administration; and closeout. The panel also discussed audit procedures and preparation activities.

APPLICATION OF NEPA and TEPA, LAND USE PLANNING and TRANSBOUNDARY ENVIRONMENTAL IMPACT ASSESSMENT

*Mike Spry (Moderator), Portage Environmental
Gillian Mittlestaedt, Tulalip Tribes
Charlotte Roe, U.S. Department of State/Office of Environmental Policy
Valerie Ferry, Mashantucket Pequot Tribal Nation*

This presentation describing approaches taken to protect the environment in the development of Tribal resources covered the applications of the National Environmental Policy Act (NEPA) by the Confederated Salish and Kootenai Tribes (CSKT), Tribal environmental policy assessments (TEPAs) by the Tulalip Tribes, the Mashantucket Pequot Tribal Nation's use of NEPA/TEPA in land use planning, and the transboundary applications of NEPA.

Mr. Mike Spry of Portage Environmental discussed CSKT's application of NEPA and some of NEPA's advantages—including meeting Federal requirements and serving as an effective planning tool—and disadvantages—including that BIA determines NEPA requirements and makes the decisions. Through close cooperation, the CSKT and the BIA Flathead Agency are able to conduct thorough, defensible NEPA analyses to allow projects to move forward in a timely manner.

Ms. Gillian Mittlestaedt from the Tulalip Tribe discussed the purpose and development of TEPAs, which serve as

a tool for Tribes to exercise their sovereignty and determine what to review. TEPAs also replace NEPA, designates the Tribe as the final decision maker, and allows the Tribe to control the timing and length of the review process. TEPA was developed because Tribes needed to balance economic development and environmental protection, and NEPA was found to be inappropriate. Ms. Mittlestaedt noted a 1984 national study recommending that

- NEPA be applied consistently to all Federal agencies;
- Tribes be treated as sovereign governments; and
- Tribes be involved earlier in the process.

Ms. Mittlestaedt is also hoping to develop a model TEPA in the future.

Ms. Charlotte Roe discussed examples of international environmental agreements, including the North American Agreement on Environmental Cooperation (NAAEC), which is part of the North American Free Trade Agreement. Article 10.7 of NAAEC provides a deadline of January 1997 to issue recommendations regarding the notification, assessment, and mitigation of proposed governmental projects which are likely to cause significant transboundary impacts. The U.S. is currently developing draft trilateral transboundary environmental impact assessment procedures with Mexico and Canada. EPA is working with the Tribes to obtain their input into this process.

Ms. Valerie Ferry described the land use laws and processes that the Mashantucket Pequot Tribal Nation is developing. Ms. Ferry also noted that the Tribe developed wetlands regulations based on local models, so adjacent towns cannot say the regulations are unacceptable.

TRIBAL ENVIRONMENTAL AGREEMENTS (TEAs)

*Terry Williams (Moderator), EPA American Indian Environmental Office
Rita Jojiola-Adelott, Isleta Pueblo
Casey Ambutas, EPA Region 5
Kathy Hill, EPA Region 10
Clancy Tenley, EPA Region 9*

This discussion addressed Tribal Environmental Agreements (TEAs) which are negotiated agreements between EPA

and a Tribe that identify Tribal environmental conditions and priorities for EPA funding and technical assistance.

Terry Williams opened the discussion on TEAs by emphasizing the importance of including Tribal Cultural values and traditions within the agreement. By integrating traditional values into Tribal environmental programs, these programs can be more responsive to Tribal concerns.

Mr. Ambutas described TEAs in EPA Region 5. According to Mr. Ambutas, TEAs have four purposes:

- Establishing a multi-year plan;
- Identifying top Tribal priorities
- Clarifying the role of EPA or how EPA will be involved; and
- Establishing an annual process for revisiting agreements.

The agreements comprise separate categories, including jurisdiction, emergency planning, and multiyear plans to determine priorities that vary from Tribe to Tribe. Region 5 meets with the Tribes on a quarterly basis to discuss any issues and to maintain communication.

Ms. Hill described the TEA process in EPA Region 10. Because of extreme diversity among the 266 Tribes located in Region 10, Ms. Hill developed templates for TEAs based on a three-tiered approach:

- Tier 1 establishes a framework for the working relationship between EPA and the Tribe;
- Tier 2 provides a format for those Tribes choosing to focus on environmental assessments;
- Tier 3 establishes a framework for those Tribes which are ready to develop and implement specific action plans.

In meetings with Tribes, Region 10 has realized that many Tribes will use two or more of the tiers, depending on their level of experience and expertise in various media.

Ms. Jojolla-Adelott spoke about TEAs from the Tribal perspective. Prior to establishing a TEA, a Tribe must assess the needs of its program, including program infrastructure to protect water, land, and air within its jurisdiction; regulatory framework; socioeconomic impacts; and

cultural impacts. By researching these issues, the Tribe can help ensure that its TEA with EPA addresses these concerns to the extent practicable.

Mr. Tenley discussed TEAs from a national perspective, and outlined the main purposes for establishing TEAs. These purposes include

- Promoting strong environmental protection in Indian Country;
 - Recognizing Tribal sovereignty in environmental protection of treaty resources;
 - Understanding Tribal environmental needs and identifying areas in which Tribes shall assume responsibility;
 - Developing, implementing, and maintaining comprehensive Tribal environmental programs;
 - Establishing long-term environmental capacity for Tribes to operate programs;
 - Identifying areas in which EPA will plan for and carry out direct implementation;
 - Involving Tribes in EPA planning when addressing specific Tribal problems;
 - Building equal partnerships and working together as Tribes establish priorities for environmental protection; and
 - Enhancing and fostering communication between EPA and the Tribes to eliminate discrepancies in expectations.
- Mr. Tenley noted that several factors impact a Region's approach to addressing Tribal issues. These factors include:
- Emergency response;
 - Grant flexibility;
 - A process for communication;
 - A method for monitoring progress;
 - Resolution of State/Tribal jurisdictional disputes; and
 - Language to ensure adherence to trust responsibility.

TRIBAL WATER QUALITY STANDARDS—"THEORY TO PRACTICE"

Fran Wilshusen (Moderator), Northwest Indian Fisheries Commission

Michael O'Connell, Stoel, Rives Law Firm

C.S. Sodhi, Chehalis Tribe

Gillian Mittlestaedt, Tulalip Tribes

Carla Fisher, EPA Region 10

Bill Swaney, Confederated Salish and Kootenai Tribes

Tribes throughout the country are at varying stages in determining whether or not to incorporate the development of water quality standards as part of their water quality protection efforts or developing and adopting standards. This panel discussed the status of the development and implementation of Tribal water quality standards. It included practical information and tools to assist in development efforts and evaluate the utility of Tribes in developing and adopting standards. It included discussion on the legal implications surrounding the adoption of Tribal water quality standards.

Mr. Michael O'Connell, spoke about the scope and application of the Clean Water Act (CWA) sections 401 and 402 for Tribes. The focus of the discussion was on the implementation of Tribal water quality standards to projects within Indian reservations as well as the consequences of implementing Tribal water quality standards to projects outside Indian reservations. Section 303 of CWA directs Tribal and State governments that develop water quality standards take into consideration the use and value of water resources for propagation of fish and wildlife, public water supplies, recreation, and other purposes. Issues related to situations where EPA is the NPDES permit issuing authority on a reservation and a Tribal government has or has not adopted Tribal water quality standards were addressed.

Mr. C.S. Sodhi discussed the relationship between water quantity and water quality standards. Government water quality standards heavily impact Indian lands. Less than 20 Indian Tribes have water quality standards that have been approved by EPA.

Ms. Gillian Mittlestaedt addressed the relationship between management of Tribal water quality standards and other

Third National Tribal Conference on Environmental Management

Tribal water quality programs. Three decision exercises related to water quality issues were presented: 1) What do standards do for the Tribe now? 2) How do standards relate to other Tribal water quality activities? and 3) How to best allocate resources to maximize standards.

Ms. Carla Fisher authored the *Tribal Water Quality Standards Template* and reviewed its purpose and development. The template was created using the Washington state water quality standards with several elements added to address issues important to Indian Tribes. The additional elements included criteria for groundwater, wetlands, biocriteria, wildlife, and sediment. Resource requirements, human health concerns, aquatic life concerns, and flexibility were all considered while developing the template.

Mr. Bill Swaney brought the session to a close by discussing how the CSKT applied for a treatment of State designation (TAS) in 1993. After a two-year process and public comment, EPA approved the TAS in 1995. CSKT then adopted final water quality standards. The State of Montana then filed suit against the Tribes in Federal District Court claiming that EPA did not have the authority to let Tribes establish their own water quality standards. The court ruled in favor of EPA and the Tribes. The State of Montana intends to appeal the decision to the Ninth Circuit Court of Appeals.

TRIBAL AIR QUALITY

Lewis McLeod (Moderator) Confederated Salish and Kootenai Tribes

Jay Littlewolf, Northern Cheyenne Tribe

Bill Newmiller, Montana Power

Virgil Masayesva, Northern Arizona University

This session addressed air quality program issues faced by Tribes nationwide:

- Development and implementation of an open burning ordinance and permit program;
- Title V permitting program feasibility studies;
- Use of memoranda of agreement and cooperative work programs;
- Operation of an air quality program; and

- Training available to Tribes through the Indian Training Program at Northern Arizona University.

ALASKA ISSUES

Sandra Borbridge (Moderator), Americorps Program

Brenda Schwantes, Kodiak Area Native Association

Gary Idelburg, EPA

Flore Lekanof, Aleutian/Pribilof Islands Tribe

This session addressed the unique challenges faced by the Native Alaska Villages in remediating environmental contamination. Panelists described ground water monitoring alternatives for landfills, military sites with contamination and environmental justice concerns, and sanitation issues in rural western Alaskan Villages.

Ms. Brenda Schwantes of the Kodiak Area Native Association presented a slide show on her Tribal lands. Primary issues for this Nation are the lack of adequate sanitation, remoteness, and difficulty in reaching the villages. Every community has an open dump, but there are no roads for heavy machinery to reach the dumps, and if they could, it is difficult to repair the machines. In addition, soil is not available to cover the dumps. Another issue is the environmental impact of debris and machinery from World War II at military bases and installations.

Ms. Sandra Borbridge of Americorps Program and moderator of the session summarized Gary Idelburg's Geographic Information System (GIS) work with EPA Region 10. Mr. Idelburg, who was not able to attend the conference, is in the process of mapping military sites located in Alaska since World War II and identifying the location of Alaskan Native villages. A final report on this work is due out shortly.

Mr. Flore Lekanof of the Aleutian/Pribilof Islands Tribe is working on a grant from the Department of Defense and the Association of Native Americans to assess the cleanup needs for 150 military sites in the Aleutians Islands. One issue is that the Aleutian Tribe needs to identify their concerns and voice them to Congress so more money can be appropriated for the cleanup of these sites. Another major concern is the human health and environmental impacts of leaking materials from a 1971 atomic

blast. Mr. Lekanof is determining the extent of the damage.

One panelist discussed the University of Alaska at Fairbanks and its challenge of identifying World War II drums in the wetlands. Some are leaking contaminants such as DDT and fuel oil, which could impact the subsistence-based economy. Ms. Alicia Porter of the Yukon area noted that there are 56 villages with 20,000 people. All villages have sewer and solid waste problems. EPA funded three Vistas Americorps Programs that have pioneered a solid waste management program. This program consists of developing recycling and household hazardous waste collection programs, trying to bring a landfill into compliance with EPA standards, providing HAZWOPER certification, and initiating a pollution prevention roundtable. The landfill issues are unique because the ground is flat, unstable, and the soil is sandy or silty. Therefore, gravel is not available to provide landfill cover.

STATE/TRIBAL COOPERATIVE ENDEAVORS—MULTI-PROGRAM

Greg Lind (Moderator), EPA Region 9

John Banks, Penobscott Indian Nation

Marc Radell, EPA Region 5

Perry Bunting, Mille Lac Ojibwa Tribe

This session offered both Tribal and EPA perspectives on a variety of cooperative endeavors undertaken between Tribes and States to resolve jurisdictional disputes over who has the authority to regulate and enforce environmental laws within reservation boundaries. The session described case studies of agreements with three different Tribes, including how the agreements were developed, the advantages and disadvantages, and results.

Mr. John Banks spoke about Tribes working with States regarding water quality concerns. State-Tribal interaction is not a new concept. In fact, in the 18th century, before the Federal government had begun institutionalizing its programs, Tribes in the eastern U.S. dealt mostly with States regarding conservation and environmental management. Today, dams and other hydroprojects are negatively impacting water quality, resulting in elevated levels of dioxins and contaminated fish. To help solve this problem, Tribes are turning to the 1980 Land Claim Settlement

Act, which reaffirms Tribal Authority to regulate taking of wildlife, affirms sustenance fishing rights, and addresses jurisdictional issues. It does not, however, address water rights. While litigation regarding water quality issues in the Act is expected, Tribes are implementing water quality monitoring programs using the "affirmed fishing rights" as their argument.

Mr. Banks described a cooperative effort between the Penobscot Nation and the State of Maine. The Penobscot River is an important resource for the Penobscot Nation, and as such the Tribe had conducted comprehensive sampling of the river to monitor its quality. The Tribe offered the State of Maine its water quality data to satisfy the state's §305(b) requirements under the Clean Water Act. In return, the State proposed signing a Water Quality Cooperative Agreement with the Tribe, whereby the Tribe would continue to be responsible for all water quality sampling on the river. These samples help monitor impacts of pulp and paper discharges to the river. This cooperative agreement is a good illustration of how a State and a Tribe can reach common objectives as a result of the Tribe developing a professional program and ensuring good quality data.

Mr. Marc Radell spoke about the individual environmental agreements between States and Tribes. Specifically, he discussed the agreement signed by the Grand Portage Tribe and the State of Minnesota; EPA served as facilitator during negotiations. As provided under section 518(d) of the Clean Water Act, the State/Tribal agreement helps ensure consistent implementation of water quality standards in Lake Superior and resolves jurisdictional disputes regarding the surface water between the shore and nearby islands. Also, the agreement states that the State and Tribe will notify each other of suspected problems with the water quality and will either act independently or defer to EPA to mitigate the problem. Mr. Radell concluded his presentation with three lessons learned from implementing this agreement: (1) Have a "can do" attitude—begin the negotiation with agreed-upon principles and move into more controversial issues from there; (2) Respect others' concerns and sovereignty; and (3) Use a facilitator (e.g., EPA) to recommend neutral solutions.

Mr. Perry Bunting discussed a cooperative effort between the State of Minnesota and the Mille Lacs Ojibwa Tribe to assess the feasibility of a regional waste water treatment facility. Using funding from EPA and technical assistance from the Army Corps of Engineers, the State and the Tribe worked with other city, county, and state officials in the study. The Tribe received a state award for its contribution to the cooperative effort. Mr. Bunting noted that obtaining signatures and letters of support, which is linked to Tribal sovereignty, was the biggest obstacle to getting the cooperative effort off the ground.

TRIBAL WATER QUALITY LABS

*Gary Burns (Moderator), Chehalis Tribe
Luis Zamora, Taos Pueblo
Dan Kusnierz, Penobscot Nation
Jeanne Mourrain, USEPA/NERL*

Gary Burns has set up an EPA Certified lab. The lab is also certified by the State. Gary discussed how he established the lab and the procedures that the lab performs in-house, including collecting water samples and other water quality data with field equipment, taking the tests and analyzing the results. He also gave an overview of the Chehalis water resource program. There was a demonstration of water quality monitoring and an example of the process and equipment needed.

Jeanne Mourrain spoke about the EPA Lab certification process and reviewed its standards. Ms. Mourrain oversees the certification process. She spoke about how to go about applying for a certification and what types of certification are available.

Luis Zamora shared his experiences in setting up a lab and initiating a project to train five pueblo college students through a water quality/environmental science program. The students have experienced first hand actually putting the lab together, from organizing cabinets and shelves to setting up the equipment. While attending environmental science courses at the N. New Mexico Community College, students will also have hands on instruction and projects doing stream and habitat assessments and water quality sampling and chemical analysis. The project will help ensure that the Pueblo will main-

tain the capacity to administer its own water quality program as well as give the students the chance to earn a 2-year degree or certificate. As part of their training, the students will be required to pass on what they are learning by giving presentations to other Tribes and at environmental conferences.

Dan Kusnierz spoke about the Penobscot Nation's certified lab and surface water quality program. He also gave an overview of some of the field work and tests that the Tribe performs. Now that the Tribe has an established lab, they plan to put on a workshop to train other Tribes on analysis techniques this fall. Dan also performed a spectro-photometric analysis demonstration.

PESTICIDE USE AND MANAGEMENT—ESTABLISHING A SUCCESSFUL TRIBAL PROGRAM

*Mark Versch, Omaha Tribe of Nebraska
Dr. Patricia Mariella, Gila River Indian Community
Clement Martinez, Gila River Indian Community*

In this session, presenters identified and described specific program administration concepts for establishing an environmental regulatory program. These fundamental program management concepts are necessary elements if a Tribe is to receive a delegation of regulatory program authority. Mark Versch, Director of the Environmental Protection Department for the Omaha Tribe of Nebraska spoke on how he helped to establish the Tribe's environmental program. Conner Byestewa, Director of the Environmental Regulatory Office for the Colorado River Indian Tribes explained how under the Federal Insecticide, Fugicide and Rodenticide Act (FIFRA), the Colorado River Indian Tribes have incorporated pesticide and agricultural law with a goal of achieving Integrated Pesticide Management. Patricia Mariella, Director of the Department of Environmental Quality, and Clement Martinez, Pesticide Control Officer for the Gila River Indian Community discussed Gila River's pesticide program. This program was established in 1982 and is one of the oldest Tribal pesticide regulatory programs in the United States.

GROUNDWATER CONTAMINATION

*Bernadette Tsosie (Moderator), New Mexico Institute of Mining and Technology
Darin Steen, Bois Forte Reservation*

This session described recent hydrogeologic characterizations of the floodplain at the Uranium Tailings Remedial Action Site in Shiprock, New Mexico, and the Nett Lake Dump and its potential to contaminate a nearby community water system. Speakers also discussed investigation methods and findings.

An Investigation of the Nett Lake Dump and its Potential to Contaminate the Community Water System

Darin Steen, Environmental Specialist, Bois Forte Reservation, Nett Lake, MN

An investigation was conducted at a thirty (30) year old solid waste dump site to determine the hydrogeologic conditions and the potential to contaminate the Nett Lake community water wells located six hundred (600) feet away. Soil and ground water quality data were collected, and the soil stratigraphy was mapped at the site to check for the presence of contamination and determine whether ground water was flowing in the direction of the community water supply. The proximity of the dump to community water wells serving the Nett Lake village made the investigation a Tribal Council priority; the Council wanted to determine the public health risk from this potential source.

The project planning and design was achieved at the Tribal level by environmental staff, however, an environmental consultant firm and laboratory in north-eastern Minnesota was contracted to do the soil and ground water sampling and analyses using their Geoprobe System and lab services. The environmental consultant also performed the surveying necessary for determining surface and ground water elevations and assisted in the interpretation of hydrogeologic data.

The Geoprobe system used in the study is a hydraulically-driven probe that collected soil and ground water samples downgradient from the dump where ground water contamination is likely to flow. Soil cores collected at two to four foot intervals down to the ground

water table were used for soils mapping and analysis. Ground water samples were collected by lowering a tube inside the probe rods and pumping water out with a vacuum pump. Ground water parameters including temperature, pH, and conductivity were collected in the field, however, other parameters requiring special analytical procedures were tested for in the laboratory. Volatile Organic Compounds (VOCs), metals, and nitrates analyses were performed because they are known to cause adverse health effects and are primary indicators of a contamination problem. Elevations of the sampling locations, the depth of the ground water table, and the community well logs were used for developing a conceptual model of ground water flow in the area surrounding the dump site.

The laboratory results for the soil and ground water samples showed no signs of contamination at the project site, however, the hydrogeologic information obtained did provide evidence that ground water from the dump area does flow in the direction of the community wells. One recommendation from the study was to consolidate and cap the waste at the site as a precautionary measure. In conclusion, the EPA funded investigation provided the Bois Forte Reservation Tribal Council with important data on a potential ground water contamination source and was an excellent opportunity to educate the public on solid waste and ground water protection issues.

Hydrogeologic Characterization of the Floodplain at the Uranium Mill Tailings Remedial Action Site in Shiprock, New Mexico

Bernadette Tsosie, Department of Earth and Environmental Sciences, New Mexico Institute of Mining and Technology

The U.S. Department of Energy's Uranium Mill Tailings Remedial Action Project site at Shiprock, New Mexico, was studied to determine the behavior of the contaminant plume within the unconfined aquifer in the floodplain. To characterize the aquifer, the Institute used geologic data obtained from monitoring well lithologies, water-level measurements, electrical conductivity (EM), reflection seismic data, and water chemical analysis. Ms. Tsosie explained that lithologies from monitoring well

logs and seismic reflection were used to define the floodplain stratigraphy and a paleotopography map. The stratigraphy consisted of alluvial gravels overlying coarser outwash gravels that were deposited on an erosional terrace cut into Mancos shale. Paleo-channels were identified by fluctuations in lithology elevations from the monitoring well logs and seismic reflection data. The larger outwash gravels may be a major factor in controlling the water and contaminant flow directions in the floodplain. The outwash gravels contain larger pore space than the alluvium showing the preferential flow pattern in the outwash gravels. Water-level measurements were collected on a monthly basis, to determine the interaction of the flow in the adjoining San Juan River within the floodplain aquifer. Conductivity surveys traversed the floodplain to determine the vertical and horizontal extent of a salt contaminant plume. Electrical conductivity indicated the vertical and horizontal extent of the salt contaminant plume, because the conductivity is affected by the concentration of SO_4^{2-} and NO_3^- salt contaminants in the groundwater. Movement of the contaminant plume was determined from chemical water analysis from existing wells over the last eight years. Comparison of chemical analysis and conductivity readings were used to determine if movement of the plume varied with flows in the San Juan River. Correlation of all four results indicated the general direction of groundwater flow and how the lithology influences the groundwater and contaminant movement within the floodplain.

FEDERAL FACILITIES

*Renee Winn (Moderator), EPA Office of Federal Facilities Restoration and Reuse
Emma Featherman-Sam, Oglala Lakota Nation
Mervyn L. Tano, Council of Energy Resource Tribes*

This session discussed the Federal Facilities Environmental Restoration Dialog Committee's final report, which provides a framework for sustaining community involvement for all parties involved in Federal facility cleanup decisions. The report also described the Oglala Lakota Nation's Badlands Bombing Range Project (BBRP), the Restoration Advisory Board process of public involvement, and concerns of the Oglala Lakota Nation regarding the

cleanup and environmental restoration of the Range.

Ms. Emma Featherman-Sam described the BBRP. In 1942, the Department of Defense (DOD) took 2.7 million acres of land from the Oglala Lakota Nation to establish the Aerial Gunnery Range of the Badlands Bombing Range. DOD selected this land because of its sparse population, lack of urban areas, consolidated ownership under the Department of Interior, and poor economic area (Shannon County, South Dakota, is one of the poorest counties in the United States). Pilots who trained here missed their targets, so recent land surveys have found unexploded ordinances and bombing fragments both within and outside (up to 25 miles from) the boundaries of the Range. After the war, the then-War Department presented these lands for Tribal ownership; the Oglala Lakota Nation purchased 124,000 acres.

Beginning in May 1995, the Oglala Lakota has conducted an assessments of past military activities at the Badlands. The Tribe has had difficulty with these assessments, as both the military and the South Dakota National Guard have not provided the necessary documents to support the Tribe's research. To help mitigate any further problems, the Tribe conducts cultural training for non-Indians during meetings of the BBRP Restoration Advisory Board. The Tribe is coordinating its field assessments with a separate Rural Supply System project, performed by the Corps of Engineers, to lay pipes for drinking water in uncleaned areas.

Mr. Mervyn Tano discussed the recently released "Federal Facilities Environmental Restoration Dialogue Committee Report," which emphasizes the importance of Restoration Advisory Boards and provides information on funds available to Tribes. He noted that Tribal representation by an association (e.g., the equivalent to State representation by the Association of State and Territorial Solid Waste Management Officials) is needed to provide collective technical expertise to its members. Mr. Tano spoke about recent efforts by EPA and Congress to judge risk of hazardous waste sites on the basis of population. In the case of the BBRP, the argument that "no one lives there" can be made, resulting in little effort to clean up the

area. However, people want to move to the Badlands, and Mr. Tano noted that Indians are the fastest growing segment of the population. Consequently, the Badlands—and similar places—must be cleaned up and made available for people to live. Future land use of properties should be made as an interim, not final, step. Planners should work toward unrestricted use to ensure safety for future generations, according to Mr. Tano.

Currently, Ms. Featherman-Sam works for the Oglala Lakota Nation as Director for the Badlands Bombing Range Project (BBRP). The Tribe received a grant in May 1995 from the Administration for Native Americans (of the Department of Health and Human Services) to conduct "Mitigation of Department of Defense Activities on Indian Lands." This grant is being implemented by the BBRP. The activities of the BBRP include administration, historical research, environmental investigations, public involvement, seeking of additional funding, the eventual environmental restoration of the former Badlands Bombing Range (BBR) and return of all remaining lands to the Tribe.

Ms. Featherman-Sam presented information on the history of the former BBR, current activities of the BBR Project, Restoration Advisory Board process of public involvement, and concerns of the Oglala Lakota Nation regarding the eventual clean-up and environmental restoration of the former Badlands Bombing Range.

TRIBAL EMERGENCY RESPONSE COMMISSIONS

Moderator: LaVonne Johnson - Introduction

Panelists: Patrick McMullen - Where to Begin; Glenn Cekus - The Minnesota Tribal Experience; Fred Cowie - State support in MT; Lloyd Jackson - CSKT Operational TERC

In 1986, Congress enacted the Emergency Planning and Community Right-to-Know Act (EPCRA), also known as SARA Title III. The purpose of the Act is to improve the ability of Tribes/States and local communities to protect public health and safety and the environment from chemical hazards. Tribes have various options to comply with Title III. This panel discussed the various options, initial processes involved in establishing a Tribal Emergency Response Commission

(TERC), Tribal experience in Minnesota, State of Montana initiatives to support Tribal activities, and the Confederated Salish and Kootenai Tribe operational TERC.

TRIBAL CERTIFICATION FOR WATER AND WASTEWATER OPERATIONS

Margaret Vick, Moderator, Attorney

Raymos Edwards, San Carlos Apache Tribe Utility Authority

Tom Crawford, President of the Native American Water Association

John Roanhorse, Water Quality Coordinator, ITCA, Inc.

This session was a discussion of the development and administration of the Tribal Water Operator Certification Program. The Tribal Water Operator Certification Program was developed by the Inter-Tribal Council of Arizona (ITCA), Inc. as a cooperative effort with the U.S. EPA, Indian Health Service, and Association of Boards of Certification. In addition, Tribal utilities, the Tribal Operator Work Group, and the State of Arizona have acted in an advisory role on the development of policies and rules of the Program. The voluntary program provides an alternative to state and municipal certification and is specifically for operators working on facilities located on Tribal lands. The purpose of the program is to develop an environmental workforce that protects the public health in the area of safe drinking water and the proper collection and treatment of wastewater.

There are several benefits of Certification:

- Professional qualified Tribal environmental workforce;
- Protection of public health;
- Cost effectiveness; and
- Improved service.

NONPOINT SOURCE -319(h)- PROGRAM REQUISITES AND FUNDING

Barbara Burkland, EPA Montana Operations Office

Debi Madison, Ft. Peck Assiniboine Sioux Tribe

Dan Kusnierz, Manager, Water Resources Program, Penobscot Nation

Barbara Burkland explained section 319(h) of the Clean Water Act (CWA),

Third National Tribal Conference on Environmental Management

which provides financial assistance for the abatement of water pollution caused by nonpoint sources. Nonpoint sources of water pollution are multiple, diffuse sources of pollution. Primary nonpoint sources include runoff from urban areas, farming, mining, and forestry. Pollution carried from nonpoint sources includes sediment, oil and gasoline, agricultural chemicals, nutrients, heavy metals, and toxic substances, as well as bacteria, viruses, and oxygen-demanding compounds.

Before being able to obtain funding for a nonpoint source program, a Tribe must have an EPA-approved nonpoint source assessment and management plan. Other clean water act funding resources can be used to prepare these required reports.

Ms. Burkland also described the components necessary in a Nonpoint Source Assessment and Management Plan and how they can be incorporated into other documents, such as an application for Water Quality Standards, a 305(b) document, applications for funding under 106, 104(b)(3), and grants offered by other agencies.

Debi Madison explained how she accessed nonpoint source funding, both through the State of Montana's nonpoint source program and through EPA's set aside for Tribes under Section 319. Debi also briefly discussed the two nonpoint source projects she is implementing: a study of nitrate contamination in an aquifer and a wintertime feeding operation for cattle.

Dan Kusnierz described how the Penobscot Nation is currently in the process of doing preparation work needed to qualify for 319 funding. He shared his experience and how they are using 104(b)(3) funding to the assessment and management plan.

TRIBAL EMERGENCY RESPONSE TEAM—FORMATION/HAZMAT

Ralph Smith (Moderator), U.S. DOE Carlsbad Area Office

Steve Long Chase, Westinghouse

Curtis Williams, Mescalero Apache Tribes

This presentation described efforts of the Department of Energy's Carlsbad Area Office (DOE-CAO) to forge cooperative relationships with Tribal governments regarding the transport

across Tribal jurisdictions of radioactive Transuranic (TRU) Waste to the Waste Isolation Pilot Plant (WIPP). Panelists discussed DOE-CAO's provision of technical assistance and funds to train public safety officials and other emergency responders of Tribal governments.

Mr. Ralph Smith led the discussion by providing an overview of the emergency response planning and training required for the safe transport of TRU waste from throughout the nation to WIPP. A substantial amount of radioactive waste has been generated by 50 years of nuclear weapons production. Among the environmental problems facing DOE is the need for consolidation and long-term disposal of TRU waste from defense weapons research. TRU waste was designated as a separate radioactive waste category in 1970 by the Atomic Energy Commission (AEC). TRU waste contains primarily long-lived and man-made radioactive isotopes. The relatively low radiation levels of TRU waste led to its past treatment and storage as low-level waste. In 1970, AEC recognized the need for better isolation of TRU waste from the environment. Thus, WIPP, a DOE project in southeastern New Mexico, is being studied for its suitability as a permanent waste disposal site.

The mitigation and transportation of TRU waste will have a direct impact on States on the Southern States Energy Board (SSEB). Four of the defense facilities that generate TRU waste are located in the southern and mid-western regions: Argonne National Laboratory (Illinois), Mound Facility (Ohio), Oak Ridge National Laboratory (Tennessee), and the Savannah River Site (South Carolina). TRU waste from these facilities will be shipped to WIPP. These shipments will travel either by truck or rail through 13 States: Alabama, Arkansas, Georgia, Illinois, Indiana, Louisiana, Mississippi, Missouri, Ohio, Oklahoma, South Carolina, Tennessee and Texas. Western States will also be impacted by TRU Waste transported from Hanford (Washington), Idaho National Engineering Laboratory (Idaho), Rocky Flats (Colorado), and Lawrence Livermore National Laboratory (California).

The attendees at the session raised major concerns about the transport of the TRU waste through Indian Lands. Many wanted DOE to suggest alternative routes. Mr. Steve Long Chase and Mr.

Curtis Williams representing the Tribal communities stated that all people are responsible for the transport of nuclear waste. They stressed that DOE wants to work with the Tribes and in no way wants to pose any harm to Tribal environments. Mr. Williams stressed that he has worked with Mr. Long Chase and DOE to develop an emergency response concept to deal with hazardous waste transportation. Every Tribal member needs to become educated through community outreach on emergency response planning. DOE currently maintains cooperative agreements with SSEB, Western Governors' Association, and Tribal governments that allow States and Tribes to discuss TRU waste transportation planning and emergency response.

PROJECT WET

Leo Bird (Moderator), Montana State University

Project WET Montana will sponsor and coordinate Project WET and Project WILD-Aquatic workshops for teachers on all seven reservations in Montana during 1996-97. Project WET (Water Education for Teachers) promotes awareness, appreciation, and knowledge of Montana's water resources by distributing classroom-ready teaching aids to teachers. Project WILD-Aquatic is a supplemental aquatic education program for teachers that provides activities designed to help students understand aquatic environments. Workshop participants will receive the activity guides at the workshops.

Mr. Bird described the program, saying that the goal is to provide reservation educators with a solid foundation of water-related activities, ideas, and local resource agency and Tribal college contacts to help them promote water education with their students. The program aims to teach kids *how to think, not what to think*, so they can make responsible decisions about water management in the future. These workshops will also use local Tribal resource professionals as role models to encourage Native American students to choose water-related careers.

Persons interested in talking to teachers and students about careers in water resources or water education should contact Leo Bird at Project WET Mon-

tana, (406) 994-6079 or write to 201 Culbertson Hall, Montana State University, Bozeman, MT 59717. A statewide network of Native American facilitators has been developed to facilitate workshops on each reservation, but the program is always looking to add those interested to the network.

UST AND RISK-BASED CORRECTIVE ACTION

*Bill Lienesch (Moderator), EPA Office of Underground
Storage Tanks*

Kim Clausen, Oglala Lakota Nation

Paul Johnson, Arizona State University

This session discussed the underground storage tanks (USTs) cleanup problems of the Oglala Sioux Tribe. It also presented the basics of risk and a risk-based corrective action (RBCA) training program being provided nationwide.

Ms. Kim Clausen of the Oglala Sioux Tribe discussed the cleanup of USTs at the Pine Ridge Reservation. One issue is that the Bureau of Indian Affairs (BIA) owns many leaking USTs on the Reservation. BIA claims it does not have the money for cleanup. The Tribe created its own UST code. The Tribal code includes fuel oil, even though it is not regulated by EPA, because it is still a contaminant of concern. The UST sites were cleaned up with grants from several revenue programs: the General Assistance Program (GAP); environmental justice; leaking underground storage tanks (LUST); and spill prevention, control, and countermeasure.

Dr. Paul Johnson of Arizona State University provided an overview of the RBCA training which he conducts nationwide. He discussed the historical risk assessment perspective and the development of RBCA. The Tribal issues regarding RBCA are that the number of USTs for the Tribes is smaller compared to the national level. The UST settings are in rural areas. Hence, compliance may not be as high since there are less stringent regulations in the rural than urban areas. USTs tend to impact the drinking water more than in urban communities because the Tribes depend on ground water, while metropolitan areas generally do not. Other issues include the limited financial resources of the Tribes to clean up sites and cultural concerns (i.e., sacred water bodies that

need to be pure or sweet grass and dance areas that cannot be excavated). Dr. Johnson described the current corrective action process and how the RBCA process provides regulatory agencies and Tribes more flexibility to build their own risk-based guidance.

Conference Attendees

William Ackley
2820 County D, PO Box 91
Lac du Flambeau WI 54538

Barry Adams
P.O. Box 2029
Browning MT 59417

Mark Adams
300-120th Ave NE, Building 4
Bellevue WA 98005

Thomas G. Aitcheson
6300 Stirling Road, Suite 105
Hollywood FL 33024

Larry Alfien
P.O. Drawer 989
Zuni NM 87327

Dee A. Allen
P.O. Box 67
Lac du Flambeau WI 54538

Eddie Almond
P.O. Box 455
Cherokee NC 28719

Carol Aloisio
1600 Clifton Rd, MS E-28
Atlanta GA 30333

Kestutis Ambutas
77 W. Jackson
Chicago IL 60604

Timothy L. Amsden
726 Minnesota Ave
Kansas City KS 66101

Sam Anderson
P.O. Box 194
Laguna NM 87026

Rodges Ankrah
401 M St. SW, 2162
Washington DC 20460

Sammy Annis
P.O. Box 1332
Eagle Butte SD 57625

Cecil Antone, ITCA
4205 N 7th Ave, Suite 200
Phoenix AZ 85013

Stephen Aoyama
12300 Twinbrook Parkway #610
Rockville MD 20852

Don Aragon
P.O. Box 217
Fort Washakie WY 82514

Dave Archambeau
P.O. Box D
Ft. Yates ND 58538

Naomi Lynn Archuleta
P.O. Box 1099
San Pueblo NM 87566

Leo Ariwite
P.O. Box 306
Blackfoot ID 83221

Rod Ariwite
P.O. Box 637
Fort Hall ID 83221

Victor Ashenfelter
4201 Tudor Ctre Dr., Suite #210
Anchorage AK 99508

Bill Auberle
P.O. Box 15600
Flagstaff AZ 86011

Richard Baldes
170 North First Street
Lander WY 82520

Stan Baldwin
P.O. Box 306
Fort Hall ID 83203

John Banks
6 River Road
Old Town ME 04468

Lisa Barnes
8283 Greensboro Drive
McLean VA 22102-3838

Valerie Bataille-Ferry
104 Pequot Trail, Box 3202
Mashantucket CT 06339-3202

Jean Belille
2260 Baseline Rd., Suite 200
Boulder CO 80302

Elizabeth Bell
401 M Street, SW (4101)
Washington DC 20460

Sylvia W. Bell
12816 Norwood Lane
Ft. Washington MD 20744

Pete Berger
P.O. Box 2029
Browning MT 59417

Carol Bergquist
N-14911 Hannahville Road
Wilson MI 49896

Christine E. Berini
105 University Rd
Cloquet MN 55820

Bridget Beru
P.O. Box 15600
Flagstaff AZ 86011

Eugene Big Soldier Jr.
RR1, Box 721
Perkins OK 74059

John Ray Bigmeat
P.O. Box 547
Cherokee NC 28719

Leo J. Bird
201 Culbertson
Bozeman MT 59717

Richard Black
P.O. Box 220
Schurz NV 89427

Robert V. Blatt
RR#1 Box 544
Box Elder MT 59999

Pamela Boaze
P.O. Box 241
Whittier NC 28789

Tim Bontrager
200 Research Drive
Manhattan KS 66503

Arlene Boss
Washington DC 20460

Tracy Padgett Bottjer
5811 Jack Springs Rd
Atmore AL 36502

Larry Brockman
1200 6th Ave
Seattle WA 98107

Claudio Broncho
P.O. Box 570
Fort Hall ID 83203

Annette Bryan
300 Desmond Dr. SE
Lacey WA 98503

Perry Bunting
HCR 67 Box 194
Onamia MN 56359

Art Burbank
P.O. Box 365
Lapwai ID 83540

Barbara Abel Burkland
301 S. Park, Drawer 10096
Helena MT 59626

Gary Burns
P.O. Box 536
Oakville WA 98568

Third National Tribal Conference on Environmental Management

Rob Burnside
P.O. Box 638
Pendelton OR 97801

Tony Burrell
P.O. Box 837
Sells AZ 85634

Thomas Burton
1280 Terminal Way, Suite #35
Reno NV 89502

John Bushman
200 Independence Ave
Washington DC 99999

Henry Butterfly
P.O. Box 2029
Browning mt 59417

Conner Byestewa
Rt 1, Box 23-B
Parker AZ 85344

Roy Cameron
104 Pequot Trail, Box 3202
Mashantucket CT 06339-3202

Christy Camp
75 Hawthorne St
San Francisco CA 94709

Timothy Dean Cantry
3596 Passmore Rd., P.O. Box 11106
Rock Hill SC 29731

James Carpenter
1600 Clifton Rd., MS E-28
Atlanta GA 30333

Georgia Case
P.O. Box 278
Pablo MT 59855

Joann Catalano
8283 Greensboro Drive
McLean VA 22102-3812

Glenn A. Cekus
77 W. Jackson SC-9J
Chicago IL 60604

Phillip Cernera
424 Sherman Ave Suite
Cour d'Alene ID 83814

Linda Chambers
508 2nd Ave SE
Ronan MT 59864

William A. Chantry
300 N. Lee
Alexandria VA 22314

Judi Chapman
Native American Technologies (NATEC)
(406) 543-7746

Joseph M. Chavarria
P.O. Box 580
Española NM 87532

Regis Chavarria
P.O. Box 580
Española NM 87532

Everett Chavez
401 M St SW
Washington DC 20460

Ronald Chicago
Rt 1 Box 216
Scottsdale AZ 85256

William Clarise
75 Hawthorne St.
San Francisco CA 94105

Kim Clausen
P.O. Box H
Pine Ridge SD 57770

Keely Clifford
5305 W 401 M St SW
Washington DC 20460

Kerrigan Clough
999 18th Street, Suite 500
Denver Co 80202-2466

Chance Cole
P.O. Box 38
Pablo MT 59855

Doug Cole
1435 N. Orchard St.
Boise ID 83706

Michael Connolly
1600 Buckman Springs Rd
Campo CA 91906

Margaret Cook
4205 N. 7th Ave., Suite 200
Phoenix AZ 85013

Woody Corbine
514 Mt. Rushmore Rd.
Rapid City SD 57701

Fred Corey
P.O. Box 772
Presque Isle ME 04769

Sally Corey
7100 N. Broadway, Suite 76
Denver CO 80221

Elizabeth A. Cotsworth
401 M St. SW (5301)
Washington DC 20460

Larry Crane
9911 Chula Blvd.
Tsuu T'ina AB Sarcce AB

Donald W. Creek
811 SW 6th
Portland OR 97204

Cynthia Crist
P.O. Box 737
Ignacio CO 81137

Scott Cromwell
P.O. Box 498
Suquamish WA 98392

R. Kim Cunningham
P.O. Box 365
Lapwai ID 83540

Julie Curtiss
P.O. Box 2946
Window Rock AZ 86515

Rodney L. Danzeisen
P.O. Box 25007, D-8610
Denver CO 80225

Elaine Davies
8283 Greensboro Drive
McLean VA 22102-3838

Gary Davis
999 18th Street, Suite 500
Denver CO 80202

Scott Davis
P.O. Box 516
Fort Yates ND 58538

Lisa DeJongh
632 S. 6th Ave.
Pocatello ID 83201

Patricia Denham
999 18th Street, Suite 500
Denver Co 80202

Michael Dennett
14636 N.E. 95th St.
Redmond WA 98052

Marcella DeVargas
999 18th Street, Suite 500
Denver Co 80202

Doug Dixon
401 M. St. SW
Washington DC 20460

Max H. Dodson
999 18th Street, Suite 500
Denver CO 80202

Kathy Dolan
999 18th Street, Suite 500
Denver CO 80202

Robert Doore
P.O. Box 2210
Browning MT 59417

Carolyn Douglas
75 Hawthorne Street
San Francisco CA 94105

Kevin Dowell
2125 19th St., Suite 203
Sacramento CA 95818

Tom Downy
P.O. Box 549
Siletz OR 97380

Karen Driscoll
P.O. Box 498
Suquamish WA 98392

Carlyle Ducheneaux
P.O. Box 590
Eagle Butte SD 57625

Charlene R. Dunn
401 M Street, SW (5101)
Washington DC 20460

James Dunning
P.O. Box 636, 25 N 2nd St.
Black River Falls WI 54615

Dennis W. Dupuis
P.O. Box A
Pablo MT 59855

Brian K. Eagleman
RR#1 Box 544
Box Elder MT 59999

Raymos Edwards
P.O. Box 1330
San Carlos AZ 85550

Clem Egger
345 Courtland St. NE
Atlanta GA 30365

Roxanne L. Ellingson
P.O. Box 402
Schurz NV 89427

Dave Evans
8283 Greensboro Drive
McLean VA 22102

David Evans
5404 Gainsborough Dr.
Fairfax VA 22032

E. David Evans
HC-71 100 Pasigo St.
Burns OR 97720

Thomas Evans
4201 Tudor Ctre Drive, Suite #210
Anchorage AK 99508

Garry Farmer
1099 18th St. Suite 1960
Denver CO 80202

Alanna K. Farrow
P.O. Box 638
Pendleton OR 97801

Emma Featherman-Sam
P.O. Box H
Pine Ridge SD 57770

John Ferguson
8283 Greensboro Drive
McLean VA 22102

John Ferguson
401 M St SW (5204G)
Washington DC 20460

Charles F. Finan
Rt 1 Box 11-FA
Plummer ID 83851

David A. Fishbaugh
2110 Overland Ave, Suite 124
Billings MT 59102

Carla Fisher
1200 Sixth Ave OW-130
Seattle WA 98101

James J. Fletcher
11581 Potero Road
Banning CA 92220

Kesne Carl Flores
P.O. Box 7470
Citrus Heights CA 95621

Larry Flurnoy
5811 Jacksprings
Atmore AL 36502

Debroah Flynn
P.O. Box 498
Suquamish WA 98392

Curtis Francisco
P.O. Box 3256
Albuquerque NM 87190

Virgil Frazier
P.O. Box 737
Ignacio CO 81137

Kalyn Cherie Free
P.O. Box 44378 L'Enfant Plaza Station
Washington DC 20251-4292

William French
RCAC 2125-19th St
Sacramento CA 95818

Stuart W. Fricke
P.O. Box 477
Grandview WA 98930

John Froman
P.O. Box 1523
Miami OK

Michael Frost
P.O. Box 737
Ignacio CO 81137

Darlene Funches
77 W. Jackson Blvd G-9J
Chicago IL 60604

Susanne Gabbard
515 6 SE
Miami OK 74354

Dennis Gamache
14636 NE 95 Street
Redmond WA 98052

Jean Gamache
P.O. Box 104432
Anchorage AK 99510

Ted Garcia
P.O. Box 3256
Albuquerque NM 87190

Maureen Geary
#7 Fourth St., Suite 46
Petaluma CA 94952

Lewis B. George
3596 Passmore Rd., P.O. Box 11106
Rock Hill SC 29731

Darrell Gerlaugh
P.O. Box 97
Sacaton AZ 85247

Patrick C. Glenn
4200 Wilson Blvd, Suite 1000
Arlington VA 22203-1804

Beverly Goldblatt
401 M Street SW, 5306W
Washington DC 20460

David S. Gomez
401 M Street SW, 3903F
Washington DC 20460

Robert Gomez
P.O. Box 1846
Taos NM 87571

Fred Gonzalez
Rt 1, Box 23-B
Parker AZ 85344

Kris Goodwill
P.O. Box 209
Oneida WI 54155

Dennis Grams
726 Minnesota Ave.
Kansas City KS 66101

Tim Grant
Macy NE 68039

Third National Tribal Conference on Environmental Management

Tempa Graves
999 18th Street, Suite 500
Denver CO 80202-2466

Rosalie E. Green
401 M St., SW (5306W)
Washington DC 20460

Ansley Griffin
Macy NE 68039

Sue Groves
P.O. Box 248
Towaoc CO 81334

Walter R. Guggenheimer
75 Hawthorne Street
San Francisco CA 94105-3901

Scott Gustin
555 Absaraka
Sheridan WY 82801

Jennifer Hagen
P.O. Box 130
Tokeland WA 98590

Dave Halre
480 Whispering Pine Lane
Hamilton MT 59860

Matt Hale
401 M St. SW (5303W)
Washington DC 20460

Scott Hall
P.O. Box 39
Usk WA 99180

Libby Halpin-Nelson
7615 Totem Beach Road
Marysville WA 98271

Jon Hare
P.O. Box 536
Oakville WA 98568

Alan Harlan

Macy NE 68039

James Harris
P.O. Box 98517
Las Vegas NV 89193

LaDonna Harris
681 Juniper Hill Road
Bernalillo NM 87004

Michael J. Hartnett
345 Courtland St.
Atlanta GA 30365

Robin Harwick
Las Vegas NV 87701

Jim Havard
401 M Street SW (2378)
Washington DC 20460

Earl E. Hawes
P.O. Box 11352
Yma AZ 85366

Sharri Hawkins
11581 Potrero Road
Banning CA 92220

Tom Hayden
P.O. Box 536
Oakville WA 98568

James Heckman
HC3 Box 2
New Town ND 58763

Donna Heffner
P.O. Box 173
Dayton MT 59914

Judy Hervig
999 18th Street, Suite 500
Denver CO 80202

Elda Hevewah
P.O. Box 306
Fort Hall ID 83203

Jennifer Hickman
2221 Rio Grande Blvd NE
Albuquerque NM 87104

Mary High
P.O. Box 4339
San Felipe Pueblo NM 87001

Libby Hines
5811 Jack Springs Rd
Atmore AL 36502

Chris Holm
5344 Lakeshore Drive PO Box 16
Nett Lake NM 55723

Sadie Hoskie
999 18th Street, Suite 500
Denver CO 80202
John M. Hostak
10013 Trevino LP NW
Albuquerque NM 87114

Ralph Houck
999 18th St. Suite 500
Denver CO 80202

Glenda House
2730 San Pedro NE
Albuquerque NM 87110

Steve T. Howdeshell
P.O. Box 244
Galeen AK 99741

Connie Howe
P.O. Box 159
Crow Agency MT 59022

Kathy Howkumi
Rt. 11, Box 208
Sante Fe NM 87501
Bernadette Hudnell
P.O. Box 6013, Choctaw Branch
Philadelphia MS 39350
Joseph Hughart
1600 Clifton Road MS E-28
Atlanta GA 30333

Pat Hurley
P.O. Box 117
Pablo MT 59855

Donna Isaac
Rt 1 Box 216
Scottsdale AZ 85256

Donna Jackson
999 18th Street, Suite 500
Denver CO 80202

Paul Jackson
4201 Tudor Center, #210
Anchorage AK 99508

Maggy Jacobs
610 E. Bridge Street
Redwood Falls MN 56283

Rachel Jacobson
P.O. Box 7611
Ben Franklin Station DC 20444

Justin James, Jr.
P.O. Box 189
Taholah WA 98587

Rebecca Jamison
75 Hawthorne Street
San Francisco CA 94105

Beth Janello
P.O. Box 6008
Bernalillo NM 87004

Lloyd Jesse
1609 Brier Park Road
Medicine Hat AB 1

Nancy John
P.O. Box 948
Tahlequah OK 74465

Jacey Johns
P.O. Box 339
Window Rock AZ 86515

LaVonne Johnson
401 M Street SW (5101)
Washington DC 20460

Rita Jojola-Aydelott
P.O. Box 1270
Isleta NM 87022

Bruce Jones
P.O. Box 189
Taholah WA 98587

George Jones
IL

Geraldine Jones
P.O. Box 529
Fort Defiance AZ 86504
Joseph Juan
P.O. Box 837
Sells AZ 85634

David Jumper
6300 Stirling Road
Hollywood FL 33024

Robert Jurenka
P.O. Box 25007
Denver CO 80225

Judi Kane
1000 Thomas Jefferson St. NW Suite 506
Washington DC 20007

Meghan Kelly
401 M St SW (5102G)
Washington DC 20460

Zane Kelly
P.O. Box A
Pablo MT 59855

Fred Kerpel
345 Courtland Street
Atlanta GA 30365

Daniel King
P.O. Box 365
Oneida WI 54155

Edward Kisto
P.O. Box 837
Sells AZ 85634

Anthony (Sam) Kitto
RR2 Box 163
Niobrara NE 68760

Kristine K. Knutson
301 S. Park, DWR 10096
Helena MT 59626

Pete Kompkoff
4201 Tudor Center, #210
Anchorage Ak 99567

Daniel H. Kusnierz
6 River Rd
Old Town ME 04468

Genevra Kyle
8283 Greensboro Drive
McLean VA 22102-3838

Sandra Lamb
8330 316th Place SE
Issaquah WA 98027

Todd Lamkin
9300 Lee Highway
Fairfax VA 22031

Dan Landeen
P.O. Box 365
Lapwai ID 83540

Ralph Langemeier
726 Minnesota Ave
Kansas City KS 66101

David R. LaRoche
401 M St SW (6102)
Washington DC 20460

Randy Laskowski
2969 Airport Road
Helena MT 59601

Al LaTourette
15624 SE 11th St.
Bellevue WA 98008

Elliot Laws
401 M St. SW (5101)
Washington DC 20460

Vivian Lee
2464 Lower Hoh Rd.
Forks WA 98331

Christine S. Lehnertz
999 18th St.
Denver CO 80202

Flore Lekanof
401 E. Firewood Lane, Suite 201
Anchorage AK 99503

Bill Lienesch
401 M St. SW (5401G)
Washington DC 22044

Greg Lind
75 Hawthorne st.
San Francisco CA 94105

Jay Littlewolf
P.O. Box 128
Lame Deer MT 59043

Gabriela Lombardi
401 M St. SW (2181)
Washington DC 20460

John D. Long
P.O. Box 647
Cherokee NC 28719

Steve Longchase
P.O. Box 2078
Carlsbad NM 88221

Debbie Madison
P.O. Box 1027
Poplar MT 59255

Diana J. Malone
P.O. Box 3289
Window Rock AZ 86515

Keith Manwell
P.O. Box 507
Dulce NM 87528

Marty Marchattere
2200 Wilson Blvd, Suite 400
Arlington VA 22201

Patricia Mariella
P.O. Box 97
Sacaton AZ 85247

Mary Lou Marino
200 Research Drive
Manhattan KS 66503

David E. Marshall
P.O. Box 278
Pablo MT 59855

Philip Martin
P.O. Box 189
Taholah WA 98587

Robert J. Martin
401 M Street, S.W. (5101)
Washington DC 20024

Clement Martinez
P.O. Box 97
Sacaton AZ 85247

Yvette M. Martinez
P.O. Box 6008
Bernalillo NM 87004

Virgil Masayesva
P.O. Box 15004
Flagstaff AZ 86011

Joe Massey
1445 Ross Ave
Dallas TX 75202

Jim Mathews
401 M St. SW (5101)
Washington DC 20460

Monty Matlock
P.O. Box 470
Pawnee OK 74058

Jonathan Matthews
P.O. Box 365
Lapwai ID 83540

Jeanne Maurrain
224 Hepowiltrace
Hillsborough NC 27278

Deborah Maxwell
345 Courtland Street
Atlanta GA 30365

Katherine Maxwell
P.O. Box 268
Charlestown RI 02813

United States
Environmental Protection
Agency

Solid Waste and
Emergency Response (5305W)
401 M Street, SW
Washington, DC 20460

Official Business
Penalty for Private Use
\$300