
**Department of Defense
Native American Lands
Environmental Mitigation Program**

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DoD Support Team

Background ...

**Section 8044 of the FY04 Defense
Appropriations Act directs:**

“... not less than \$10M shall be made available only for the mitigation of environmental impacts, including:

- Training & technical assistance to tribes, related administrative support
- the gathering of information
- documenting of environmental damage,
- cost to complete estimates for mitigation,

on Indian Lands resulting from DoD activities

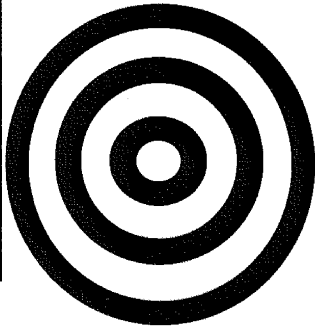
**Background & the DoD American
Indian & Alaska Native Policy**

- Indian Population 4 million
 - There are 566 Federally Recognized Tribes
 - Over 56.2 million acres held in trust
 - DoD has direct relationship with tribes
- Policy Built on Four Principles**
1. Trust Responsibilities
 2. Government to Government Relations
 3. Consultation
 4. Natural and Cultural Resource Protection

Tribal Unique Considerations

- Health, Safety, & Environment
 - Contamination, UXO, Abandoned Structures and Debris
- Life-ways Issues
 - Impacts and access to traditional and subsistence items
- Economic Consideration
 - Access to natural resources for commercial use
 - Access to land for development
- Programmatic Consideration
 - Impacts to Tribal Programs
 - Leveraging Opportunities

Meeting NALEMP Objectives through Cooperative Agreements



1. Address environmental problems attributable to past DoD activities; incorporate "traditional ecological knowledge" into remedial design.
2. Involve tribe in project decision-making.
3. Develop tribal capacity regarding environmental services.
4. Assist tribe in acquiring technical remediation skills.
5. Ex: Assist the tribe in developing a self-sustaining environmental remediation business enterprise
- 6.

NALEMP Eligibility

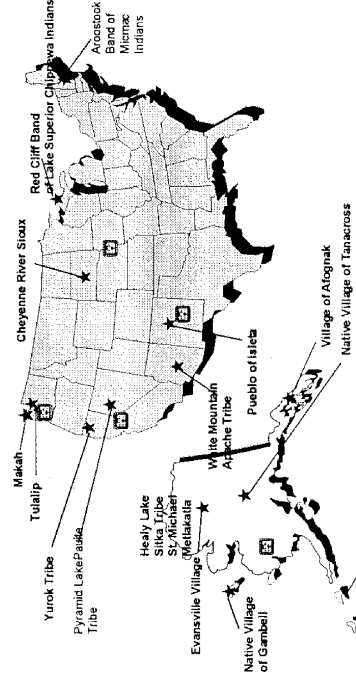
- For a project to be eligible for NALEMP, it must address an environmental impact that;
- affects a federally recognized tribe
 - affects lands held in trust or protected status by the federal government for a tribe or tribal member, or lands conveyed under the Alaska Native Claims Settlement Act
 - is the result of past DoD military activities; and
 - is neither eligible for, nor included in, current DoD environmental programs (including FUDS activities not programmed for at least the next 3 years)

NALEMP Project Selection

- ODUSD - Site Screening (results in 'long list') using Native American Environmental Tracking System (NAETS)
- USACE PMs review, make recommendations
- ODUSD authorizes pre-proposal development
- USACE PMs & Tribes develop pre-proposals
- HQ USACE evaluates pre-proposals; submits recommended projects to ODUSD ('short list' - attached)
- ADUSD approval of proposed projects*
- Invitation to Tribes issued by HQ USACE
- Tribe and USACE PM develop Memorandum of Agreement (MOA)
- Tribe and USACE PM develop Cooperative Agreement (CA)
- HQ USACE and OGC Legal Review
- ADUSD executes MOA
- USACE Grants Officer executes CA
- USACE District administrators MOA/CA

*Current stage

FY04 Cooperative Agreements



USACE Participation

USACE HQ Participation

- Kim Dailey
- Budgeting
 - District Management
 - Memorandum and Cooperative Agreement Review
- Paul Pressman
- Program Legal Counsel
 - Memorandum and Cooperative Agreement Review

WES (USACE) maintains
NAETS website

DISTRICT Participation

- Alaska
- 6 staff
- Albuquerque
- 2 staff
- Los Angeles
- 1 staff
- Omaha
- 3 staff
- Sacramento
- 1 staff
- Seattle
- 1 staff
- New England
- 1 staff

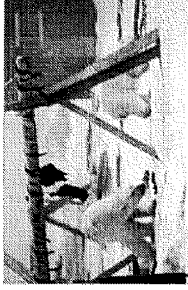
Cooperative Agreement Native Village of Barrow, AK



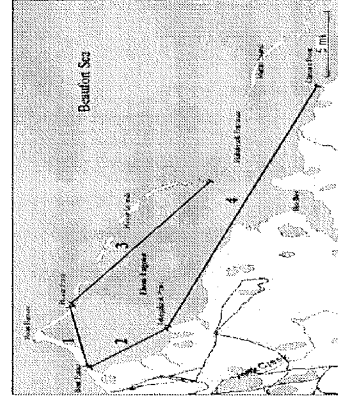
DoD debris in Elson Lagoon has resulted in navigational hazards to tribal subsistence hunters and fishermen.

On seven separate occasions, fishing boats have been damaged or sunk and natives severely injured as a result of hitting debris.

Native's fishing nets have been snagged, torn, or lost due to the debris.



Cooperative Agreement Native Village of Barrow, AK



28.5 tons of
debris
removed in
2001

136.89 tons
of debris
removed in
2002

26.9 tons of
debris
removed in
2003

Training & Outreach

- Department of Defense American Indian Cultural Communication Course
 - Trained 1,000 military and civilian DoD staff
 - Provide DoD staff training needed to fulfill the trust responsibility (DoD Indian Policy, legal requirements to consult with tribes, NALEMP)
- Training/capacity building to NALEMP Tribes
 - UXO Removal (Oglala Sioux)
 - HAZWOPR Training, Solid Waste Management
- Outreach
 - National Congress of American Indians (NCAI), National Tribal Environmental Conference (NTEC), Alaska Forum on the Environment (AFE)

