

[Border 2012 Summary of Comments](#)

**Public Meeting on the US-Mexico Border 2012 Program
Cocopah Reservation & U.S. Environmental Protection Agency
Cocopah Community Center**

October 16, 2002

6:00p.m.

Minutes

I. Welcoming comments by Tribal and Environmental Protection Agency Representatives

Blessings by Mr. Colin Soto, Cocopah Elder's Council

Presentations by Mr. Jim Fletcher, U.S. EPA SDBO included Dave Fege, U.S. EPA; Christine Vineyard, U.S. EPA; Mike Montgomery, Regional Coordinator, San Francisco. He thanked the Cocopah Tribal representatives for the opportunity to use the facility and welcomed the attendees.

Copies of the Border Plan were made available.

II. Presentation of US-Mexico Border Plan

U.S. EPA Representative, Jim Fletcher, made a PowerPoint Presentation on the Border 2012 Program. He stated that Ms. Shirley Molina played an integral part in the formulation of the Border 2012 Plan framework.

Mr. Fletcher informed the audience that the Border 2012 Plan used to be the Border 21 program, which lasted five years. This new program is supported by President Bush and Mexican President Fox. He spoke of the vast and diverse regions that cover the Border area. It covers 6 Mexican States, 4 U.S. States, 26 Indian Tribes, Mexican Tribes and many issues.

Mr. Fletcher mentioned the Environmental Challenges faced by these border areas. These included: lack of water, litter from immigrants, off-road vehicle traffic, and damage to the environment, and lack of infrastructure. He also mentioned the tremendous population growth along the border to about 11 million to date and the predicted growth to about 19 million by the year 2020.

Mr. Fletcher indicated that the primary concern was Public Health on both sides of the border. The key concerns included Water Quality, Air Quality, Hazardous and Solid Wastes. He stated that these were problems that needed to be worked on. 27 million dollars have been invested in 14 Tribes for assistance and that there is more money in the budget for other projects.

On Water Quality:

It was stated that there are many concerns between Tribes and Mexico since they share aquifers. There is also the issue of water from the Colorado River Delta, New and Alamo Rivers and Tijuana River Project, and that the U.S. is trying to work with Mexico as partners on water pollution issues.

On Air Quality:

It was mentioned that there is particulate matter and contamination from tire-pile and landfill fires that affect air quality, as well as hazardous-solid waste. People are being trained in Emergency Response Tactics, Re-mediation Training, Immigrant Migration and Narcotics Interdiction.

A New Approach to lessen these issues is included in the New Mission Statement, which includes longer planning periods and a new organization.

Mr. Fletcher presented the Mission Statement: To protect public health and the environment in the U.S.- Mexico border region, consistent with the principles of sustainable development.

Four types of coordinating bodies were presented under the Border 2012 Program. These included Regional Work groups, Border-wide Work groups, Policy Forums and Local Task Forces. At the National Level EPA and SEMARNAT will address issues that affect more than one regional group, such as CAP water, policy forms for HAZMAT, etc. Task Forces will deal with more local issues. (Task Forces, Work groups, and Tribes will participate and groups will be getting information out) Everybody plays a role in the development of initiatives.

Mr. Fletcher indicated that funds from the BIEf Fund, 50-70million dollars, have been set aside to upgrade water quality for Border Tribes.

EPA ensures Tribes will participate at Regional and Task Force level. Mexico has agreed to receive training, which will be provided by the U.S. on how to work with U.S. Tribes.

Public Meeting Schedules and Numbers were announced.

Mr. Fletcher stated that there will be opportunities for public comment in both the U.S. and Mexico. Comments will be accepted until the 11/22/02 deadline.

Mr. Colin Soto, Cocopah Elder's Council, commented that there was no Tribal participation mentioned in the original draft of the plan and now there was a lot. He wanted to know if something had changed?

Mr. Fletcher answered by referring to the meeting between SEMARNAT and EPA on the plan that is to be completed by 12/31/02. He stated that neither side is really ready but the deadline has been set. The Tribal roles in Mexico are different, since, there is no recognition of Tribal governments. It is hard to work with Mexico on Tribal issues. The regional administration representatives assured that Tribes would have full participation. There is an assurance to continue working and do demo projects with sister Tribes in Mexico on water issues.

John Swenson, Cocopah EPO, voiced his concerns about environmental health problems. He stated that focus was oriented toward human habitat and that natural habitat issues are not being addressed as much.

Jim Fletcher replied that EPA has great concern for the Environment as well.

John Swenson wanted to inquire about the section that addresses terrorism and HAZMAT training. Can any of that money be made available for training and equipment?

Dave Fege, U.S. EPA stated that there is a possibility of more money being available, but not for equipment. He agreed that this option might be explored.

Dale Phillips, Cocopah Tribal Council voiced his concern about there being no co-chair Tribal representation.

Jim Fletcher stated that Mexico said that there should be no Tribal Co-chairs because they don't recognize Tribes. He also said that they would re-visit this issue with Mexico in the future. Mexico has had some difficulties with internal problems in Oaxaca and Chiapas. Tribes will be full participants in work groups. Task force opportunities exist for Tribal co-chair representation.

Agustin Tumbaga, City of Somerton, suggested that projects could access money from NADB and BECC. Somerton has done wastewater projects with BECC. EPA said there was no money available for development. They are interested in resource expansion. Their town is in non-compliance with regards to environmental regulations. If there is no planning for future growth then expansion is not supported. He mentioned that if they have to wait to plan for this in the future it would cost more to meet requirements for expansion.

Jim Fletcher stated that the goal is sustainability, and that money comes from different sources and channels. He thanked Mr. Swenson for his concerns.

III. A fifteen-minute break was taken.

IV. Discussion Session-Tribal and EPA Representatives

John Swenson, Cocopah EPO inquired if the funding in the Border 2012 Plan was channeled through grants or loans. He also wanted to know if they were refundable or non-refundable.

Jim Fletcher assured him that they were grants. He also assured that the money would be for the Tribes and would not have to be repaid.

John Swenson, Cocopah EPO asked about the situation with the Tribes in Mexico where no mechanism for loan repayment exists, but that there are many needs there.

Jim Fletcher mentioned that there are planning projects in Mexico using grant money. He stated that every grant has conditions, limitations, and audits. He stated that no money should have to be repaid.

John Swenson inquired if there is any money for wells or other similar projects in Mexico.

Jim Fletcher stated that at this time anything would be considered. He indicated that there are maintenance issues that needed to be addressed, and that proper training for the operation of the facility needed to take place. He said that if projects are maintained and people committed themselves to that task then there would be a better chance of other projects being funded.

Ty Cañez, AZ Tribal Border Coordinator mentioned coordination with BLM and others.

Jim Fletcher stated that JM and BLM worked with immigration issues. EPA worked with BLM to support solid waste projects.

Colin Soto, Cocopah Elder's Council wanted to send a message to the Mexican Government. He stated "we don't get involved in Mexican Politics", but he is offended because Mexico does not want to talk to Tribes. He talked about the sacrifices that have been made for improvements. He stated three things that are needed in a community to make it function 1) Respect for who you are, 2) Respect for your environment, 3) Let us participate. He stated that he does not want conflict, but Mexico not wanting to involve Tribes is unacceptable. He wants this message to be heard and for there to be a proposed deadline to establish this scheme by 2005 or 2006. He stated that he knows that they consider themselves Native Americans and that he resents the lack of recognition. This attitude might not go over well with other Tribes. He also indicated that EPA should remember the environment. He agreed that the human factor is also important, but that if the environment goes, so do the people. He stated that the next 10 years will be a crucial time and that it doesn't seem right not to fully participate because of a capricious government.

Barbara Levy, Quechan Environmental Office stated that she understands the situation in Mexico and sympathizes with their plight. "We went through the same thing 100 years

ago” she said. She stated that we are here to keep the universe and that it is not good for people to see and breath pollution. She said that before the technology boom of 40’s it was beautiful and clear. “We just want to live the way we are and be left alone” she stated. Intervention can’t be helped because there is too much pollution. She hopes it will help in the forms of aid and money. She said she would write her concerns.

Sherry Smith inquired about a timeline for goals and projects.

Jim Fletcher November 22, 2002 is the deadline for the public comments period. On November 14, 2002 there will be another Tribal meeting in San Diego. He stated that these comments will help shape the program and that these comments will be shared with Mexico. By the end of December of 2002 a formal plan will be signed.

Sherry Smith wanted to know what the funding timeline is and if there is money available now.

Jim Fletcher stated that there is no approved budget yet and that he doesn’t know the amount that will be set, but that money will be available and that the projects will get underway as soon a possible.

Dale Phillips, Cocopah Tribal Council stated that Tribe members are complaining about air pollution and pesticides. He wonders if this is coming from the Mexican side of the border. Water is a big concern. Nobody knows who owns the ground water. In the Cocopah Reservation water showed lead and radioactive signs. He is wondering if there is underground seepage from Mexico. He is also concerned about hazardous waste in Mexico being brought over to the U.S. by air and animals. Mr. Phillips wants to know if infrastructure will help if Mexico is not following guidelines. He wants to know how U.S. can make Mexico comply.

Yuma and Somerton, among other cities, are concerned about an electrical power plant across the border and the emissions that are coming into the U.S. He stated that the environment is very important to them.

Jim Fletcher stated that part of the reason the U.S. is getting together with Mexico is to address pollution concerns. He stated that an important focus should be on preventative measures on both sides of the border. He stated the importance of working together to protect the environment.

Dale Phillips, Cocopah Tribal Council, stated that he is glad that he didn’t bring the chief from Mexico to the meeting because he might have had his feelings hurt to know how Mexico feels about Tribes.

Jim Fletcher stated that it is important to take one step at a time and that even though it’s difficult we will develop a relationship.

Greg Ferguson, ADEQ, voiced his concerns on the four regional work groups that are broken down between states. He stated that it is wrong because they all have different environmental needs and causes. He gave an example of a region formed by Nogales and Yuma. “Why aren’t regional groups more regional, our commonalties are with Rio Valley not Nogales.”

Mike Montgomery, U.S. EPA, stated that it is possible to have a task force working in different states, that it is possible to have a water group working in different areas. He also stated that the States offered the proposal to divide the regions.

Ila Dunzweiler, Quechan Environmental Office, said that this was talked about two years ago in Phoenix and San Diego. She said that the Tribes want to help Mexico yet they want to exclude Natives from membership in the top commission. She stated that Native people in the U.S. should be put in higher positions because Native people understand better than non-Natives do.

Barbara Levy, Quechan Environmental Office, sees AZ as Indian country. She sees this whole issue as more of a Mexico vs. U.S scenario.

Arlene Kingery, Quechan Indian Tribe, stated that she thought that Tribes came in at the last moment because of unique conditions not seen in urban areas. She indicated that Tribal meetings are helpful to better understand problems and wants to know if they will continue having them.

Jim Fletcher said that he would like to have quarterly meetings and two semi-annual meetings with the Tribes to deal with domestic issues and concerns.

Dale Phillips, Cocopah tribal Council, commented that he is a member of the Good Neighbor Environmental Board and would like to hear from the people especially in Mexico.

Jim Fletcher informed that there would be a meeting in San Luis next week.

George Ann Maxwell, Cocopah Council stated that Tribes are recognized governments and wants to know how Native Americans’ concerns will be heard and met if Native Americans are not at the table.

Jim Fletcher assured that everyone is going to participate, Tribes included. Jerry Clifford and Mr. Guzman will meet, but prior to that the Tribes will meet so that concerns can be shared and points can be made.

V. Closing

Jim Fletcher thanked the assembly.

There being no additional comments or questions the meeting was concluded at 8:15 p.m.