

# Border 2012 Tribal Report Accomplishments & Issues 2008



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Prepared for the Border 2012 National  
Coordinators Meeting  
September 3-5, 2008 ~ Ciudad Juárez, Mexico



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# **TRIBAL ACCOMPLISHMENTS & ISSUES REPORT**

**BORDER 2012 NATIONAL COORDINATORS MEETING**

September 3-5, 2008, Ciudad Juárez, México

## **Border Tribes - Arizona**

*Cocopah Indian Tribe*

*Pascua Yaqui Tribe*

*Quechan Indian Tribe*

*Tohono O'odham Nation*

## **Border Tribes - California**

*Barona Band of Mission Indians*

*Mesa Grande Band of Indians*

*Campo Band of the Kumeyaay Nation*

*Pala Band of Mission Indians*

*Capitan Grande Reservation*

*Pauma-Yuima Band of Mission Indians*

*Ewiaapaayp Band of Mission Indians*

*Pechanga Band of Luiseño Indians*

*Inaja-Cosmit Band of Mission Indians*

*Rincon Band of Luiseño Indians*

*Jamul Indian Village*

*San Pasqual Band of Indians*

*La Jolla Band of Luiseño Indians*

*Iipay Nation of Santa Ysabel*

*La Posta Band of Mission Indians*

*Sycuan Band of Kumeyaay Nation*

*Los Coyotes Band of Indians*

*Torres Martinez Desert Cahuilla Indians*

*Manzanita Band of Kumeyaay Indians*

*Viejas Band of Kumeyaay Indians*

## **Border Tribes - Texas**

*Kickapoo Traditional Tribe of Texas*

*Ysleta del Sur Pueblo of Texas*

## **Indigenous Communities - Mexico**

*Cucapá (Cocopah)*

*Kumiai (Kumeyaay)*

*Kikapú (Kickapoo)*

*Paipai*

*Papago (Tohono O'odham)*

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## ***Introduction***

This is the fourth Tribal Report on the Border Region compiled by Border Tribes, in the U.S. and Mexico, for the National Coordinators' Meeting. The purpose of this report is to demonstrate the incredible work that Tribal and Indigenous communities are doing in the Border Region. As in previous reports, there are many examples of accomplishments but certainly not all of them are included. Even with all of these significant accomplishments, funding for projects remains varied and the lack of resources remains a major concern.

We acknowledge early on in the report some of the extreme struggles tribes have faced this past year. Tribes throughout the Border Region experienced severe environmental tragedies. In Texas, the Traditional Tribe of the Kickapoo Nation was severely impacted by tornadoes that hit the Eagle Pass Area. In Arizona, the Tohono O'odham Nation had monsoon flooding that wiped out homes and roads on the Reservation. In California, 6 Border Tribes experienced devastating fires of October 2007, with total damage to 49,541 acres. Two tribes, the La Jolla Band of Luiseño Indians and the Rincon Band of Luiseño Indians were hit very hard, losing over a 100



2007 Wildfires, southern California, *La Jolla Band of Luiseño Indians, Pauma Valley, CA*

structures between them. La Jolla experienced fire damage to 8,657 acres and lost 59 structures of which 39 were homes. Rincon experienced fire damage to 3,585 acres and lost 65 structures, most of them homes. Thankfully, within the Tribal communities there were no lives lost due to swift actions and planning by the Tribes.

The Southern California wildfires saw many examples of heroic behavior and selfless generosity on the part of Tribes in Region 9. Evacuation centers were established to receive displaced Tribal members from other tribes. The Yavapai Apache Tribe helped to temporarily relocate about 200 Santa Ysabel Band tribal members to its Arizona reservation. Tribes provided materials and equipment to the La Jolla for repair of burned domestic water infrastructure, clogged septic fields and damaged leach lines.

Once the fires died down, the response effort moved from firefighting to the longer-term assessment and recovery process. Working with Tribal Environmental Staff, US EPA Region 9 was able to jointly conduct waste characterization efforts to assist in the appropriate disposal of debris and materials including household hazardous waste remaining in the aftermath of the fires. Results from soil and water sampling will allow efforts to move forward in remediation efforts.



**Left:** Mudslides after the 2007 Wildfires, *La Jolla Band of Luiseño Indians, Pauma Valley CA*; **Right:** Region 9 EPA meeting with impacted Tribes of the 2007 Wildfires, *Rincon Band of Luiseño Indians, Valley Center, CA*



In February 2008, Regional Administrator Wayne Nastri and Tribal Program Manager Jean Gamache visited the La Jolla and Rincon Reservations to gain a first-hand understanding of the wildfires’ impacts and subsequent challenges. The scope of the impacts has been broad and continuing. Several slope movements have occurred, caused by the burning of vegetation and triggered by rainfall. A large mudslide damaged Rincon’s Wildlife Preservation Area. The wildfires also revealed previously unknown areas of illegal dumping. Solid waste and soil removal efforts are ongoing. La Jolla has faced four separate flooding events that caused residents to be evacuated and severely affected their drinking water system. A campground that provides the main source of revenue for the tribe was severely damaged. In addition, debris flows destroyed a home and water monitoring well.

It will likely take years for recovery and many environmental and human health concerns remain. These include water quality, soil contamination, erosion control, health impacts, and repairing damaged wastewater and drinking water systems.

These terrible experiences hold several lessons for the future, including the need for emergency generators and early warning systems to notify and evacuate residents. Tribal environmental protection programs will be placing more emphasis on outreach and education about natural disasters in the future.



**Left:** Solano Fire; **Middle & Right:** Monsoon flooding; *Tohono O’odham Nation, Sells, AZ*

The Tohono O’odham Nation had several wildfires from March through July; however it was the Solano Fire that threatened the Nations natural resources as well as the Kitt Peak National Observatory. The Solano Fire burned 2,500 hundred acres and took approximately 9 nine days to extinguish with 293 personnel from various agencies throughout the Southwest.

Additionally, from July through September 2007, the Tohono O'odham Nation experienced a total of seven major storms during the monsoon season. The storms severely damaged fifteen homes, one business and completely destroyed two homes. The Sells flood in July was responsible for destroying a bridge on state highway 86 that runs through the Nation and for devastating several homes. The bridge repair work will take approximately two months and has resulted in the road closure for all through traffic with the exception of local deliveries. The Tohono O'odham Office of Emergency Management continues to conduct assessment of residential units.

### ***Border 2012 Projects Funded in 2007***

There are few tribal projects, in comparison with the rest of the Border Region, that are funded with Border 2012 funds. Because of the difficulty of obtaining funding, tribes in the U.S. hesitate to spend their energy to apply for funding they rarely receive. Below is a short list of projects selected for funding in the last year:

Border 2012:

- San Francisquito drinking water infrastructure
- Tohono O'odham tri-national emergency preparedness plan
- Baja California Indigenous Community solid waste management plan and model

Tribal Border Infrastructure projects selected for funding:

- Santa Ysabel waterline extension to serve 3 homes that haul water
- Tohono O'odham well upgrades to protect water source from surface water contamination
- Torres Martinez water main intertie to replace source contaminated with arsenic
- Torres Martinez sewer design to eliminate public health and environmental threats posed by large wastewater ponds within the boundary of the reservation

EPA Office of International Affairs

- Provide drinking water improvements to Baja California Indigenous communities

This year the indigenous communities in Mexico have access to direct funding within the Border 2012 Program. Previously, Indigenous communities in Mexico were required to be sponsored by a U.S. tribe or non-profit to serve as a fiscal agent, however, with the Border Environmental Cooperation Commission (BECC) now being the facilitator of border funds, tribes on both sides of the Border have yet to fully assess if this is beneficial to them and their needs.

The last section of this report focuses on some new and ongoing issues faced by Border Tribal communities. These concerns are not insignificant, but we prefer to focus on the positive and remind ourselves how much we do and how far we have come with limited resources. A few of our key issues include:

Goal 1-Water:

- ✓ Access to safe drinking water and basic sanitation
- ✓ Groundwater contamination and water supply
- ✓ Wastewater treatment and management

Goal 2-Air:

- ✓ Priority funding for Tribes in non-attainment areas
- ✓ Funding for indoor air

Goal 3-Waste:

- ✓ Proliferation of illegal dumps
- ✓ Trash burning
- ✓ Undocumented migrant waste
- ✓ Appropriate solid waste management plans and recycling

Goal 4-Environmental Health:

- ✓ Unknown worker exposure to pesticides
- ✓ High bacteria count in river waters
- ✓ Asthma and respiratory problems from indoor air and unpaved roads

Goal 5-Chemical Exposure:

- ✓ Tri-national response plans and emergency preparedness

Goal 6-Environmental Stewardship:

- ✓ Global climate change
- ✓ Sustainable development

## ***Coordination with Border 2012 Workgroups and Taskforces***

The U.S.-Mexico Border Region is home to 12 million people and extends more than 2,000 miles (3,100 kilometers) from the Gulf of Mexico to the Pacific Ocean. As a result of the 1983 La Paz Agreement on Cooperation for the Protection and Improvement of the Environment in the Border Area both the U.S. and Mexico determined that the "border region" would extend 62.5 miles (100 kilometers) on each side of the international border. This diverse area includes large deserts, numerous mountain ranges, rivers, wetlands, large estuaries, and shared aquifers.



Tribal and Indigenous participants at the 2007 National Coordinators' Meeting held in San Antonio, TX.

There are a total of twenty-six (26) tribes in the U.S., seven (7) indigenous communities in Baja California recognized by Mexico, and eight (8) O'odham in Sonora, recognized by Mexico and the Tohono O'odham Nation. Arizona and California both have Tribal Border Liaisons that work with tribes in the Border Region of Region 9 covering 24 of the U.S. tribes and with the indigenous communities in Sonora and Baja California, Mexico.

In the beginning, the relationship between the tribes/indigenous communities and the task forces was tenuous with neither

knowing exactly where or how they were to work together. There has been an increase in tribal participation in some of the task forces including the first appointment of a Tribal Co-chair for the San Diego/Tijuana Air Task Force in California. We also had a remarkable turnout at the 2007 National Coordinators' Meeting in San Antonio, Texas.

### ***Tribal Caucus Meetings***

Every year Arizona and California Border Tribal Liaisons hold a Tribal Border Caucus Meeting to meet with tribes and indigenous communities to share information about the successes and issues that are affecting their communities. All border tribes and indigenous communities are welcomed to attend the Caucus meetings. The information gathered is translated into this report which is distributed at the annual National Coordinators' Meeting.

# ***Border 2012 Tribal Accomplishments***

## ***Goal 1:***

### ***Reduce Water Contamination***

#### ***Water Infrastructure***

Since its inception in 1996, the program has provided \$30.4M for 46 projects for 16 tribes, providing safe drinking water and/or basic sanitation for 8,117 homes at a cost of \$3,745 per home. On the U.S. side of the border, tribes have been improving their water and sanitation to protect their communities and reservations. With funds from EPA's Tribal Border Infrastructure Program and supplemental tribal funding, U.S. Tribes completed several water and wastewater infrastructure projects.

Three tribes that were the first to capture the technology of advanced membrane water systems (NBR and SBR) technology were Sycuan, Barona and Viejas Bands of Kumeyaay. Each tribal system includes the entire community's water and wastewater. The Viejas Band of Kumeyaay received an award from the American Water Works Association. Each tribe fully funded their own systems.



Leaking Campo Water Tank, *Campo Band of Kumeyaay Nation, Campo, CA*

The Campo Band of the Kumeyaay Nation received authorization to replace a failing water tank. The new tank will replace the existing 70,000-gallon old tank that is at risk of catastrophic failure because some of the anchor bolts are corroded due to numerous leaks. The new tank is under construction and the project is expected to be completed by the end of November 2008.

Last year, the La Jolla Band of Luiseño Indians (La Jolla) developed and installed a lagoon to treat septic tank waste, funded by the Border 2012 Infrastructure program. Indian Health Service (IHS) created as-builts for all septic tanks and the tribe has a database of tank details. Rural Community Assistance Corporation (RCAC) conducted septic tank inspection trainings for neighboring tribes. La Jolla began inspecting the community septic systems and systems serving multiple homes.



**Left:** Waste water lagoons; **Right:** La Jolla Septic Pump Truck; *La Jolla Band of Luiseño Indians, Pauma Valley, CA*

La Jolla has also purchased a new septic pumper truck and is working to complete a business plan. The purpose of the business is to provide funds for the facility's Operation and Maintenance (O&M) costs and to reduce septic pumping costs to



residents. La Jolla residents are the only ones currently having their septic tanks pumped by the Tribe at this time. After the 2007 wildfire, La Jolla pumped the septic tanks of the burned houses, treating the waste at the lagoon, which miraculously did not burn. Several neighboring tribes are interested in collaborating with La Jolla to have septic tank waste treated at the Tribe's facility. The San Diego Foundation contributed funds for the project, including funding Walking Shield, an Indian Assistance organization, which will mobilize the Military Readiness Reserve to repair culverts on the access road to the tank site. Operators have been trained on how to switch the water system to generator. This training was effective during the wildfires.

San Jose de la Zorra, a Kumeyaay indigenous community in Baja California, Mexico, has finished the restoration of 7 hand dug wells for community members who were unable to be connected to the new system due to being so far out of the community. These wells were taken down to a depth of approximately 15 meters and fitted with sanitary seals and lids. Additionally, 6 new household storage tanks were constructed to complement these improved wells. Although resources have run out and 1 well still needs to be completed along with the need to buy 8 new pumps and disinfection systems need to be put into place, these households are at least receiving water from a deeper and cleaner source.

San Francisquito, an O'odham indigenous community in Sonora, Mexico, receives drinking water from an irrigation well contaminated with total and fecal coliforms and arsenic at 16ppb (all exceedances of US drinking water standards). With funds from EPA's Office of International Affairs, a new well will be drilled for the community to provide safe drinking water. Additional funds are needed to improve the water storage tank and distribution system. The Tohono O'odham Nation has invited Mexico's Commission for the Development of Indigenous Peoples (CDI) to participate in the project; much like



**Left:** Water tank; **Right:** current well; *San Francisquito, O'odham Community, Sonora Mexico*

CDI participated in providing safe drinking water to the Indigenous communities in Baja California. A site visit occurred on August 1, 2008 with participants from USEPA, Indian Health Service, University of Arizona Bi-national Center, Comisión Nacional del Agua (CONAGUA) and BECC to tour the water system. BECC and CNA will now develop alternatives to utilize the funding to improve the water system. They plan to visit the community in the very near future to select the best proposed alternative.

*Asset Management*

La Jolla worked with RCAC to complete a detailed O&M plan for the new iron and manganese water filtration facility. The Tribe is currently working to complete an O&M plan for the new wastewater facility.

With funding and assistance from CDI, Baja California State Government and US EPA, the Indigenous communities of San Antonio Necua and San Jose de la Zorra in Baja California

received water systems that put in new wells and piped water to the outside of the homes. This last year, they received O&M training for their new water systems as well as completed Standard Operating Procedure manuals for each new system. Community health promoters have been working with families to document if community health has improved from having better access to cleaner water.

Both communities have toured water systems at the Pauma-Yuima Band of Mission Indians, La Jolla Band of Luiseño Indians and Pechanga Band of Luiseño Indians. They have also had water masters from several US Tribes assist them with their new systems. They are planning on visiting the Sycuan Band of Kumeyaay's water/wastewater system in the near future.

### *Water Resource Protection*

The Campo Band of Kumeyaay Environmental Protection Agency Tribal staff completed the planting phase of Rock Drop Project funded by USDA Natural Resource Conservation Service. Over 60 Willow grafts were placed in and around the Rock Drop site to reinforce rock structure engineering – an historic practice utilized by the Kumeyaay for pond making or pooling has been found to be an effective storage practice.



Erosion Control Project, *Campo Band of the Kumeyaay Nation, Campo, CA*

The Los Coyotes Band of Indians, with funding from non-point source 319 funds, is completing a spring redevelopment project. With the assistance of funding from IHS, and the help of Rural Water Works, the Tribe will complete a source water protection plan on the main well.

**Lower Colorado River Limitrophe Project:** Over the past few years the Cocopah Indian Nation (Cocopah) has been working on restoring one of North America's top ten most endangered rivers: The Lower Colorado River Limitrophe. Twelve of the 23-mile long Limitrophe is on Cocopah land, and 10 miles are on Bureau of Reclamation land managed by the Bureau of Land Management (BLM). Both the Bureau of Indian Affairs (BIA) and BLM have provided funds enabling the Cocopah Tribe to restore 200 acres of riparian habitat by removing salt cedar and restoring native cottonwood, willow and mesquite. An additional 150 acres has been restored with funds from the Department of Homeland Security, U.S. Fish and Wildlife Service and National Fish and Wildlife Foundation.

The National Wildlife Federation (NWF) and the Tribe is working on developing a Long-Range Lower Colorado River Limitrophe Management Plan. A draft of the plan will be done this year. Cocopah and NWF have participated in a variety of discussion meetings with state and federal agencies, local community groups, and other stakeholders involved in the management and protection of the Colorado River Limitrophe to develop memorandum of understandings (MOU). Overlapping ownership and management jurisdictions in the Limitrophe has necessarily made for slow progress. Participants hope to formulate a MOU outlining shared management objectives for the Limitrophe. It is anticipated to be completed this year.

**Torres Martinez Wetland Project:** In 2001, the Torres Martinez Desert Cahuilla Indians (Torres Martinez) began the task of finding a solution to the dwindling Salton Sea and loss of water. Over a seven-year effort to bring back water to the Salton Sea, the Tribe now has an 85-acre Pilot Wetland Project, situated at the North End of the Salton Sea that is a lush wetland of plants, fish and more than 135 species of birds.

In 2005, the seven excavated ponds, which are up to 6 feet deep and 20 acres wide received water. Young tilapia, mosquito fish and mollies were released to control insects. Native palm trees have been planted and willows and cottonwoods are beginning to spring up on their own. There are herons nesting on the islands and a bald eagle has taken up residence with the many ospreys living in the area. Torres Martinez would like to open this area to the public for eco-tourism in November 2008 as the California Everglades. The Tribe is building a cultural center and amphitheater near the entrance of the project.

Torres Martinez received \$2.3 million for this project from U.S. EPA, the State of California and the U.S. Bureau of Reclamation. The majority of the Tribe's 24,800 acre Reservation is situated in the White Water River watershed and includes over 11,000 acres under the Salton Sea, and provides the Tribe with over 12 miles of shoreline along the north and west sides of the Sea. The Whitewater River and Salton Sea are listed on the Impaired Water Bodies List of the United States for pathogens, selenium, metals, nutrients, salinity, total dissolved solids, and chlorides.

The Sea is currently home to over 450 species of birds on the Pacific Migratory Flyway and has used this area as habitat for generations. The implementation of the State of California 4.4 Plan and the Quantification Settlement Agreement is the impetus for this project because the Sea will recede and expose pollutant laden land, creating new water quality and air quality problems.

## ***Goal 2:***

### ***Reduce Air Pollution***

As tribes watch populations increase in the border cities and observe urban sprawl, increased air degradation affect their communities. Some tribes are taking steps to mitigate these affects as much as possible.

In the Border Region on the U.S. side, Tribes conduct air monitoring activities under the Clean Air Act (CAA), General Assistance Program Grant (GAP) funding or partially fund their program with tribal funds, if they have economic development to do so. Current activities include, but are not limited to: monitoring for basic meteorological data and pollutants such as particulate matter (PM), ozone, air toxics, sulfur dioxide and nitrogen oxides. A couple of examples are the La Jolla Band of Luiseño Indians and the Tohono O'odham Nation who are currently funded through GAP this year and will start to receive a CAA-103 grant next fiscal year.

The following Tribes conduct air monitoring activities: Pechanga Band of Luiseño Indians, Pala Band of Mission Indians, Campo Band of the Kumeyaay Nation, La Posta Band of Mission Indians, Manzanita Band of Mission Indians, La Jolla Band of Luiseño Indians, Torres Martinez Desert Cahuilla Indians, and Ysleta del Sur Pueblo.

Several Tribes have monitored air quality since 1997, gathering data on PM-10, PM-2.5 and ozone. Some Tribes provide daily information on air quality to their community and schools via websites, biweekly air quality index newsletters, and council meetings. Some Tribes are uploading data to the federal air quality systems (AQS) database. During the 2007 October Wildfires in the San Diego County Area, the tribal monitoring stations provided crucial real-time data to the communities on air quality and assisted the tribal governments in making decisions affecting their communities.



Campo EPA Air Technician changes filter on the PM<sub>10</sub> monitor near Tribal Offices, *Campo Band of the Kumeyaay Nation, Campo, CA*

The La Jolla Band of Luiseño Indians (La Jolla) and the Pala Band of Mission Indians (Pala) have been collaborating on an air quality study at the La Jolla Indian Reservation. The quality assurance program plan (QAPP) was approved and Pala's E-Bam portable air monitoring equipment has been installed at La Jolla. A cooperative agreement was entered into and the Pala staff helps the La Jolla staff in calibrating the equipment on a monthly basis as required. La Jolla will receive its own EPA grant beginning October 1, 2008. Pala also has an additional portable monitoring station that will be used to test various locations on the reservation for suitability as a permanent monitoring site. The current air monitoring station at Pala will have to be moved within the next year. Finding and moving to a new permanent site is part of Pala's work plan for the next fiscal year. Once the permanent site has been selected the E-Bam unit will be available for loan to another tribe, as was done with La Jolla.

Pala began entering information into the AQS system toward the middle of FY 07-08. This will be a six month trial to see if there are any problems associated with the AQS program. Assuming that no problems arise, Pala anticipates continued data input to the AQS system in the future.

Three tribes, the Pala Band of Mission Indians, The Pechanga Band of Luiseño Indians and La Jolla Band of Luiseño Indians submitted recommendations to the U.S. Environmental Protection Agency (EPA) regarding air designations for PM 2.5 on their Tribal lands and worked with EPA on the designation process. No formal declaration has been received from EPA yet.

In Arizona, the Border Liaison Mechanism Subgroup / Ambos Nogales Air Quality Task Force only covers the urban Nogales area and gives little interest to the rural areas dealing with air pollution impacts from farming and Mexico. However, in August 2006 the Tohono O'odham Nation (Nation) was invited to present its Air Quality issues. As a result of the presentation, the Nation was encouraged to submit a proposal through the Task Force on one of its air quality issues. The Arizona Department of Environmental Quality also indicated that they would provide technical support in conducting air sampling.

In San Antonio Necua, most of the trash is incinerated in areas that are close to schools and homes. With the assistance of Native Cultures Institute (CUNA), education and outreach is being done in the community to educate about the dangers of burning trash and how it is harmful not only to the people, but to the air they breathe.

On May 8, 2007, the Campo Band of the Kumeyaay Nation announced it's joining of the Climate Registry (TCR) with 2 tribes, 30 states, 2 Canadian provinces and 6 Mexico states so far. TCR will set the standards for measuring, tracking and verifying emissions of greenhouse gases (GHGs), the gases that cause climate change. The Registry will also provide the measurement and reporting infrastructure to support voluntary, mandatory, market-based and emission reduction programs that are consistent across borders and industry sectors. The Registry began entering data in August 2008.

### **Goal 3:**

#### ***Reduce Land Contamination***

As Tribes expand their waste collection programs, from transfer stations or electronic waste collection, they have seen a marked reduction of waste left in the communities. However, illegal dumping from outside sources continues to be an issue for all the Tribes. The cost of hauling large items to the dump is a major factor in reducing solid waste sites on tribal lands. To lighten the cost burden, some Tribes with collection areas are offering services at their transfer station to the surrounding communities for a small fee if necessary.



**Left:** entry way; **Center left:** oak tree saved to maintain natural elements at station; **Center right & end:** location of 40 yard bins, red arrows show where the 40-yard roll offs will be placed; *Pala Band of Mission Indians, Pala, CA*

**Pala Transfer Station:** The Tribal Transfer station officially opened on May 9, 2008. The Tribe decided to open the facility to the general public, charging a minimal fee to dump trash. The Tribe has already obtained state certification for a buy back center allowing for the purchase and marketing of commonly recycled items such as aluminum, glass, cardboard, paper, and metal.



**Left & left center:** storage containers for recyclable items prior to baling and employees ready the baler for use; **Right & right center:** cardboard baler; **Bottom:** cardboard being baled and finished product; *Pala Band of Mission Indians, Pala, CA*

At the entrance into the facility, the vacant concrete pad will have a guard shack where customers will check in. A volume calculation of any trash to be disposed of will be taken here. Then customers can pay in the office. An Oak Tree was saved as part of the construction project to maintain the natural elements of the site. The roll off bins will be below ground surface and customers will be able to push their recyclables from the floor directly into the containers.



**Left:** green waste and composting area; **Middle & Right:** hazardous waste storage areas; *Pala Band of Mission Indians, Pala, CA*

The baler can bale all of the various types of recyclable items. The finished bale is then taken with a forklift and stored until the distributor picks it up to be sent off site for recycling.

Two large hazardous waste storage bins will be placed in the hazardous waste storage area for collection and storage of hazardous waste. All employees at the transfer station will be HAZWOPER trained according to their duties. Supervisors are required to have a 40-hour certification and regular employees are required to have a 24-hour certification.

**Torres Martinez Solid Waste Collaborative:** The mission of the Torres Martinez Solid Waste Collaborative (the Collaborative) is to clean up and prevent illegal dumping on the Torres Martinez Reservation in Thermal, California. The Collaborative is comprised of 25 federal, state, and local agencies, the Torres Martinez Tribal Government and non-profit organizations in the area.

Since its inception in April 2006, the Collaborative has closed all major dumps and successfully prevented the creation of new dumps on the reservation. Dump fires have been virtually

eliminated. The Collaborative has also cleaned over 20 of the 27 original dumps and put access controls in place to prevent future dumping. The Collaborative has initiated targeted Brownfields assessments to facilitate productive reuse of former dump sites.

In February 2007, EPA completed a hazardous waste cleanup of the 25-acre Fillmore Street Dumpsite. EPA removed approximately 100 cubic yards of unburned CCA-treated wood stakes, 1,600 pounds of waste oil and sludge, 1,400 tons of burnt ash materials and 400 pounds of asbestos-cement piping from the site for disposal. EPA also installed access controls and signage.

**Fillmore Street Dump Cleanup:** In May 2007, California Integrated Waste Management Board (CIWMB) removed the remaining solid waste from the site, including 1,700 tons of trash/debris, 65 tons of waste tires, 35 tons of metal debris, 22 units of lead-acid batteries, and 4 gallons of motor oil. The Torres Martinez Tribe, EPA and BIA are assessing the site to determine possible redevelopment uses such as sod or food crops.



**Left:** Fillmore Street dump site before EPA and CIWMB cleanups; **Right:** after cleanup with mulch from Torlaw site. Torres Martinez Desert Cahuilla Indians, Thermal, CA

**Small Dumpsites:** At EPA's request, a private company spent \$150,000 to chip and remove 870 illegally dumped date palm trees. The company consulted with the Riverside County Agriculture Commissioner to make sure the chips were beneficially reused as mulch at a local agricultural facility. The tribal environmental department also cleaned up three sites in Fall 2007. In all, 20 of the original 27 dumpsites have been closed and cleaned up.

**Grape Stake Cleanup:** The California Department of Toxic Substances Control (DTSC) worked with tribal officials and the Riverside County Waste Management Division to remove 100 tons of CCA (chromium, copper and arsenic) treated grape stakes that had been dumped 200 yards from the kindergarten through 12th grade Mega School in Thermal. In addition, DTSC successfully worked with a Coachella Valley grower and their contractors to forge a cooperative agreement with Colmax Energy to utilize the untreated cross-members of grape stakes as bio-fuel for energy production. By removing the non-hazardous cross-members prior to disposal, the growers will help reduce the volume of hazardous treated-wood waste that is placed in permitted landfills, while at the same time reducing disposal costs to growers and health risks to the community. DTSC began planning enforcement training for Riverside County Code Enforcement staff in Spring 2008, and now has a fact sheet available online ([http://www.dtsc.ca.gov/HazardousWaste/Treated\\_Wood\\_Waste.cfm](http://www.dtsc.ca.gov/HazardousWaste/Treated_Wood_Waste.cfm)).

In summer 2007, EPA completed enforcement agreements with two trailer park operators for solid waste violations. The operator of the Oasis Mobile Home Park resolved federal waste



**Left:** before trailer park waste management; **Middle:** after EPA enforcement; **Left:** Grape stake and other vineyard waste. *Torres Martinez Desert Cahuilla Indians, Thermal, CA.*

violations with an agreement to pay an \$11,000 civil penalty. The operators of the Desert Mobile Home Park also resolved federal waste violations with an agreement to pay a \$1,525 penalty and conduct a community-wide cleanup event. Both agreements require that the operators properly dispose of all waste; institute a weekly waste pick-up and solid waste management program; and, distribute a fact sheet to all households in the trailer park informing them how and where to properly dispose of special types of waste. The Desert Mobile Home Park held a community-wide household hazardous waste collection event on October 20, 2007, where community members could bring lead-acid batteries, washers and dryers, refrigerators, condensers and scrap metal; computer hard drives, keyboards, mattresses, microwaves, TVs, computer monitors, and used oil. These materials were then taken to the appropriate recycling and disposal facilities.

CIWMB completed its cleanup of the Mt. San Diego Dump site in April 2007. The site was used for several years by a non-tribal member to run an illegal landfill. The Torres Martinez Tribe applied for and received a Targeted Brownfields Assessment grant to analyze potential future uses for the remaining inert material. EPA's Brownfields Program is working with the Army Corps of Engineers to test options including growing different types of sod or food crops, or providing fill for future home sites.



*Mt. San Diego Dump Site Cleanup.  
Torres Martinez Desert Cahuilla  
Indians, Thermal, CA*

*Community Outreach:* The Outreach Taskforce distributed over 500 posters and flyers promoting proper recycling and waste disposal habits to cities, stores, growers, haulers, and landscapers in the Coachella Valley. Members of the taskforce also participated in a Trashbusters community-wide cleanup event on October 6, 2007. In addition, the taskforce worked with the Hi-Lo Golf Course Association to include information in its October newsletter on appropriate golf course green waste disposal.

The Infrastructure Development Taskforce made great strides in 2007. The Torres Martinez Reservation launched the Torres Martinez Collaborative Web site to keep the community up-to-date on the Collaborative's activities. The web site serves two purposes: 1) to act as a central



clearinghouse for tracking open and closed dump sites on the reservation; and 2) to exhibit the outreach materials created by collaborative members.

Torres Martinez applied for and received EPA Targeted Brownfields Assessment funding to inventory, characterize and assess the Mt. San Diego and Fillmore Street sites for redevelopment. The tribe is working closely with EPA to conduct Brownfields assessments and to return former dump sites to productive reuse. Beneficial reuse of the land will not only prevent future illegal dumping, but will create economic opportunities. The tribe also released a request for proposals in August 2007 to update its integrated solid waste management plan and conduct a waste stream analysis, both important to improving waste management on the reservation and planning for the future.

The La Jolla Band of Luiseño Indians has started an electronics waste recycling program at their transfer station. No funding was required for this program, it is free and the company picks up the waste. Thanks to businesses like Earth Recyclers ([www.earthrecyclers.com](http://www.earthrecyclers.com)) many tribes are now starting to offer electronic waste collection at no charge and continue to have successful electronic waste recycling events like La Jolla and the Pala Reservations.



**Left:** cars collected that burned in the 2007 wildfires; **Middle:** Adams Steel crushing cars for removal; **Right:** removal of propane cylinders and other items from the fires; *La Jolla Band of Luiseño Indians, Pauma Valley, CA.*

La Jolla also does an annual cleanup event for white good items and scrap metal cleanup, funded by EPA and the San Diego Foundation. With the assistance of Adams Steel, the Tribe has been successful in removing large amounts of metal. Last year, La Jolla hauled away 8-40 cubic yard dumpsters and collected 50 white good items (fridges, stoves, etc.). After the fires, the Tribe hauled away 170 burned vehicles and recycled a large quantity of metals. Funds from the recycling helped La Jolla meet its 25% share requirement of FEMA. EPA assisted with hazardous materials cleanup (batteries, paint cans, etc.). The Tribe has removed 90% of the debris from the 49 burned homes from the 2007 October wildfires.

La Jolla is also in the process of creating a California certified beverage redemption facility. The Tribe has received funding through a grant from the EPA to create the certified CRV facility, which will accept aluminum, plastics, and paper. La Jolla believes this will help reduce the number of beverage containers being discarded in trashcans or as litter found along the riverbanks and surrounding environment.

The Tohono O'odham Nation (Nation) continues to remove vehicles and trash that are left behind by smugglers and undocumented migrants. Over the last few years, the Nation identified hundreds of abandoned vehicles and with funds from Border 2012 the Nation has removed vehicles and waste from the remote Vamori Wash, a usually dry creek bed that winds from Mexico to the Tohono O'odham Nation and back to Mexico. Last year the Nation identified and geo-positioned more than 220 abandoned vehicles and was able to remove 109 remote vehicles for recycling. In addition, the Nation removed 1,231 bags of abandoned trash and recovered 235 bicycles for refurbishment for an “at risk youth” organization.

The Nation is a participant in a border-wide clean-up strategy led by the Arizona Department of Environmental Quality (ADEQ) with the participation of stakeholders including other Tribes and public and private organizations. ADEQ has developed a draft strategy document however has not yet held a stakeholders meeting to finalize.

With funding from Indian Health Service and the California Integrated Waste Management Board, the Campo Band of the Kumeyaay Nation has cleaned up three illegal dumpsites on the Reservation. Waste was transported from several small sites to a central location for transport off Reservation to an approved landfill facility.

The Pala Band of Mission Indians continues to monitor the Gregory Canyon Landfill project. Landfills being placed near tribal lands are a common occurrence. Successful litigation has slowed this project, that if built would endanger their ground water and drinking water supply, protected sensitive habitats, as well as a Luiseño sacred site.

Ysleta del Sur Pueblo has a recycling program that has been embraced by the community. The Pueblo is also working on a solid waste program.



**Left:** before trash removal in wash; **Right:** after trash removal in wash; a 200 liter can gives the community a place to put trash; *San Antonio Necua Kumiai Community, Baja California, Mexico.*

In Baja California, the community of San Antonio Necua is working with CUNA, the Native Cultures Institute of Baja California, to find ways to clean up an illegal dump that sits outside their community. Currently, these communities do not have solid waste plans in place and individual households burn all trash generated in their community. Over time, the

waste stream has changed, i.e. now there is rubber, plastic, metal and other items that leave toxic remnants behind after they are burned. This poses a threat of contamination to wells and groundwater as well as contributes to air pollution.

The Los Coyotes Band of Indians started a tribal wide recycling program. Containers (95 gallon) are placed near homes and environmental interns check the containers and empty them when

needed. Currently the recyclable materials are hauled down the mountain into town. The Tribe purchased the recycling containers with EPA General Assistance Program grant funding. Los Coyotes also has white goods and scrap metals hauled away at no cost. The private hauler hired one person from the reservation to work with the company.

San Antonio Necua has met with the municipal authorities of Ensenada and as a temporary alternative to the dumping situation has requested bags for trash bins. The municipality of Ensenada came and picked up the trash in the 200 liter drums temporarily after completion of clean-up. Necua is completing a trash cleanup project with the Secretaria de Medio Ambiente y Recursos Naturales (SEMARNAT) that has cleaned up 3 hectares in the center of the community. Fortunately there was removal of waste from a dried up stream bed near the community which shortly after the cleanup filled with flowing water due to one of the heaviest rainfalls seen in recent years. This project is also generating work in the community through the temporary employment program (PET).

The next objectives for solid waste management in Necua are to develop an integrated waste management plan; finance a waste management program for a basic transfer station with separation of recyclables and organic waste; staff the transfer station with a tribal representative for the operation and maintenance; educate the community about the importance of the transfer station; establish a working relationship with the local municipal authorities, non-profit organizations and U.S. Tribes on how to dispose of waste; and, empower community members and provide a safe way to dispose of trash.

#### ***Goal 4:***

##### ***Improve Environmental Health***

All aspects of what tribal people do in their tribal environmental programs or communities are done with the goal of protecting public health and the environment. This is accomplished through actions such as environmental education and outreach, capacity building for both environmental and health programs, developing integrated pest management plans, analyzing water affected by non-point sources and other pollutants, monitoring air quality and air related illnesses, participating in outside programs and many other activities which enhance public health while protecting tribal lands.

In 2007, the Native American Environmental Protection Coalition and the San Diego Foundation collaborated on a Tribal Environmental Health Collaborative (TEHC) involving tribes in San Diego County. This Collaborative has been active for 13 months and is funded by the California Endowment. There is a gap in understanding between health and the environment and this group is trying to reduce that gap. An environmental health specialist from Indian Health Service (IHS) is working with NAEPC in the TEHC, and discussing environmental health collaboration and environmental health issues. One of the most recent concerns of the tribes involved in this collaborative is the affects of lead on their young children in the communities. This is of paramount concern where there is pre-1978 housing but also in areas where structures or cars were burned in the October 2007 wildfires.

Also in 2007, the La Jolla Band of Luiseño Indians started the first Tribal Pandemic Influenza Workgroup. This workgroup consists of the San Diego County Health Office out of Escondido and several tribes from the area. The group meets once a month.

NAEPC has been working with its Member Tribes, many of them Border Tribes, on setting up community assessments for potential pesticide use. Pesticides are not given much thought unless they directly impact a person and there is the misconception that pesticide use only applies to agricultural areas. However, structures are a concern as well and making sure the applicators are applying the pesticide properly is paramount. Some U.S. Tribes in the border region have taken steps to ensure that any pesticide applied on their lands is applied properly. Both the Pauma-Yuima Band of Indians and the Pala Band of Mission Indians have active pesticide programs. The Pala Band’s program is run entirely on tribal funding.

The “Water and Sanitation Improvements Project” sponsored by Border 2012 was also completed in San Jose de la Zorra and San Antonio Necua in May 2008. Each of these



**Top Left:** restroom being constructed; **Top Right:** completed structure; *San Jose de la Zorra, Baja California, Mexico.* **Bottom Left:** restrooms being constructed; **Bottom Right:** inside view of restrooms; *San Antonio Necua, Baja California, Mexico.*



communities completed new sanitary facilities, centrally located in their communities, in order to improve the tribal members’ access to clean and environmentally friendly restroom facilities. These structures include, separate men and women’s restrooms and showers as well as laundry hook-ups. These new facilities were installed with septic systems and a grey water system for the laundry is in the process of being designed and installed.

CUNA is currently completing a comprehensive project titled “Water Quality as an Environmental Health

Indicator in Two Baja California Indigenous Communities Associated with New Drinking Water Infrastructure Systems”, sponsored by the Pan American Health Organization (PAHO).

Environmental Health surveys were implemented by community *promotoras* twice a month over a period of ten months in San Jose de la Zorra and San Antonio Necua, both of whom have recently received new water infrastructure systems. Concurrently, water samples for bacteriological contaminants were taken twice monthly from the well source water and three to four additional points within the community, including the distribution line, household tap and household storage container. Along with this bacteriological water quality data, samples were taken from multiple points in each community to analyze for viruses such as *entero* and hepatitis A. Both surveys and water quality are currently being analyzed and statistically compared to a

previous study done in these communities with the older infrastructure in place. Preliminary results are showing a decrease in the amount of gastrointestinal illnesses and improved health within the communities after the installation of a new drinking water infrastructure. The project will be finished at the end of August 2008 and final results will be disseminated at the Annual Region 9 meeting as well as the American Public Health Association (APHA) conference to be held in San Diego in October 2008.

### ***Goal 5:***

#### ***Enhance Joint Readiness for Environmental Response***

There are many Tribes in California and Arizona that have fire stations that respond to emergencies. Most are part of local Community Emergency Response Teams (CERT) and have their own Tribal Emergency Response Teams (TERT). In the last year, there has been an increase in the number of U.S. Border Tribes in California that have approved or pending approval of pre-disaster mitigation plans: La Jolla Band of Luiseño Indians, Pala Band of Mission Indians, Pechanga Band of Luiseno Indians, San Pasqual Band of Mission Indians, Ysleta del Sur Pueblo, Rincon Band of Luiseno Indians and the La Posta Band of Mission Indians; all have approved or pending approval mitigation plans.

As we witnessed this past year, following a major disaster, reservations and tribal communities have to rely upon their own services for fire and medical protection. During the October 2007 wildfires, many of the tribal communities were on their own in fighting the fires. Thankfully, several of the tribes impacted by the fires have either permanent or volunteer fire stations. Tribal firefighters were the first responders and thanks to them, there was no loss of life within the tribal communities. The La Jolla and Rincon Band of Luiseño Indians were the two tribal communities most heavily impacted by the fires, losing over 100 structures (most in homes). During this time of emergency, tribes from all over the southern California area provided equipment, rooms for displaced people, and other support to everyone, tribal and non-tribal.

On June 14, 2008, the Tohono O'odham Chair Ned Norris and Governors Napolitano and Bours of Sonora Mexico committed to developing a Tri-national emergency response plan during the AZ/Mexican Commission Emergency Management Committee meeting in Phoenix, Arizona. This is an historic commitment that formally brings tribal nations into the Border 2012 Emergency Preparedness and Sister City Plan program. The Tri-national plan concept was first introduced during the 2006 Inland Joint Response Team meeting. Tohono Nation leaders credit the strategic funding support provided by Border 2012 as the crucial leveraging required to bring the Tri-national plan to this key milestone success.

### ***Goal 6:***

#### ***Improve Environmental Performance through Compliance, Enforcement, Pollution Prevention and Promotion of Environmental Stewardship***

Last year, the indigenous community of San Antonio Necua in Baja California embarked upon an eco-tourism venture for tourists in order to assist them in preserving the environmental

integrity of the community and surrounding area while capitalizing on their cultural assets and preserving this knowledge. The National Commission for Development of Indigenous Peoples (CDI) has invested \$150,000 to construct a building for a Community Museum and a set of restrooms. This project is scheduled to be completed in 2009 and will include a traditional Kumiai botanical garden. The eco-tourism, while teaching environmental stewardship and preserving environmental and cultural values, generates some employment for the community.

**Ysleta del Sur Pueblo Grasslands Project:**



**Left:** YDSP setting vegetation points; **Right:** Grassland Project area – grassland mixed with creosote, Ysleta del Sur Pueblo, El Paso, Texas.

Currently the YDSP, NRCS, and TXPWD have been conducting base-line assessments consisting of vegetation and wildlife surveys. By having this base-line data we expect to see an increase of good vegetation and more wildlife as the project progresses.

This property consists of roughly 3,600 acres, and consists of low areas and mountainous area, practically inaccessible by vehicle. There are only two developed roads to get around so horses are used to aid in much of the field work that has to be done. We have two quarter horses, “Pinto” and “Scout.” Together we are able to reduce the amount of vehicular traffic stomping on the grasses by using the horses. We also rely on the help of other tribal members who also own horses to come out and help with any of the field work that has to get done.

This area is especially important to the people of YDSP because these are traditional hunting and gathering grounds. The Environmental Management Office (EMO) in cooperation with other agencies like the Texas Parks and Wildlife Department (TXPWD) and Natural Resource Conservation Service (NRCS) would like to rehab and conserve this area so that tribal members can still utilize it like they have for years.



Much of the southwest at one time was a vast fertile grassland. As a result of settling the west, along with overgrazing, much of the grasses were lost. The desert has become what we know and see today. Conservation practices like the one Ysleta del Sur Pueblo (YDSP) is doing will help bring back some of the grasses, in hopes that it will look like it once did.

Partnership for YDSP Grasslands Restoration Project, Ysleta del Sur Pueblo, El Paso, Texas

The vegetation surveys consist of going out to the field and surveying how much of the vegetation available is good enough to sustain wildlife. We can calculate numbers such as these by gathering information like canopy cover, percent cover, number of plants per acre, etc. Photos are taken of transects to have a visual of the area and gauge its success. These transects are located in and around the heavily brush filled areas of the 3,600 acres.

TXPWD assists us in doing the wildlife surveys and also helps by pointing out important factors of the terrain that need to be taken care of or improved to keep, maintain, or increase the number of wildlife in the area. We are currently surveying the wild birds in the area. Birds such as the Black-throated sparrow, the Cactus wren, Scaled quail, and the Blue-gray gnat catcher, among others have been seen. Larger wildlife such as Mule deer has also been spotted on the property.

For many Tribes, holding Earth Day events has been going on for many years. During these events, tribal members participate in reservation wide clean ups, environmental educational booths are provided by state, county, city and other local environmental resources and everyone participates in learning activities.



California Tribal Earth Days, **Top & Center:** La Jolla Earth Day; **Top Right:** Pala Cupa Days, **Bottom Row:** La Posta Earth Day.

## ***Border 2012 Tribal Concerns***

### ***Goal 1:***

#### ***Reduce Water Contamination***

The cost of safe drinking water and basic sanitation for tribes continues to rise due to increasing drinking water requirements, population growth, and inflation. Tribes request that funding for this highly successful program continue, despite the anticipated decrease in the Border Environment Infrastructure Fund.



Trash pit and latrine at a Community Member's home; *San Jose de la Zorra, Baja California, Mexico*

In some areas, water infrastructure needs are beginning to be met, but many tribes still have poor sanitation conditions adjacent to their communities. Indigenous communities in Baja California tend to be among the poorest and most isolated populations of this arid region, with little or no water or wastewater infrastructure. The usual source of drinking water for many community members is still untreated surface water from springs, shallow wells or creeks. Although there has been some success in building infrastructure in the indigenous communities in Baja California and Sonora, there are still communities with drinking water sources that are

contaminated by livestock and wildlife, dead animals or by poorly located out-houses and other wastewater disposal systems.

San Antonio Necua completed their new drinking water system in 2007, but since its completion it has been plagued with problems because there are pieces missing, the location of the well is not producing enough water, and there were several contractors in the building of the well, complicating the repair process and costing more money than the community can afford. The well is unable to produce enough water for the entire community and must be rationed for the areas of the community that are able to receive the water. Because the system is currently not functioning properly, most community members have gone back to drinking from the contaminated spring source or are forced to purchase expensive bottled water and the risk for gastrointestinal diseases may begin to increase. It is imperative that this system be evaluated for defects and repaired as soon as possible not only for the sake of public health but in order to protect the current investment and prevent its further deterioration.



Community member gathering drinking water from contaminated spring source; *San Antonio Necua, Baja California, México (picture by Ángel Granados©)*

San Jose de la Zorra has been able to fix and improve several hand-dug wells in their community however there were insufficient funds to completely finish at least two of the wells that supply water to four different households. There was also not enough funding to provide for the pumps, disinfection or filtration systems and some piping is still needed to take the water from the storage tanks to the property lines. The community is working with Engineers without Borders





**Left:** Unfinished hand-dug well and Engineers Without Borders, San Jose de la Zorra, Baja California, México (picture by Ángel Granados©)

and CUNA to try and resolve some of these issues and has also submitted another proposal to Border 2012.

Wastewater management is an area that has not been adequately addressed in the indigenous communities in Mexico. Almost 100% of these communities use simple unlined pit latrines that are poorly located near homes and are possible threats to the shallow groundwater in such communities as San Jose de la Zorra.

Due to the houses in many of these communities being so spread out, it may not be possible to have a central wastewater system and individual septic or improved latrines would need to be installed at the households in order to improve wastewater treatment in these communities.

Operation and maintenance (O&M) of water systems is still crucial to providing safe drinking water. Tribes, in both the U.S. and Mexico, have significant funding needs to properly operate and maintain their drinking water and wastewater systems. These O&M needs have resulted in public health and safety hazards, regulatory compliance violations, and increased infrastructure costs as facilities age prematurely. Many of the tribal water systems have volunteer or part-time operators because there is not enough revenue to pay a full-time staff person. For example, Santa Catarina in Baja California has a new system, but no capacity building assistance. This makes the life of a new system a short one. In the U.S., some tribes have water systems that receive minimal testing, if any at all, because they are not listed as public water systems.

In Texas, the Ysleta del Sur Pueblo are unable to utilize the Rio Grande River as they once traditionally did because the water is drained for irrigation. The lack of water in the Rio Grande has become a water quality issue for the Pueblo.

Groundwater contamination continues to remain a concern for tribes and indigenous communities. Assessments are still needed on old trash burning pits for their potential to contaminate groundwater.

Tribes in the U.S. are still working to have perchlorate removed from their drinking water aquifers. Perchlorate is both a naturally occurring and man-made chemical. Most of the perchlorate manufactured in the United States is used as the primary ingredient of solid rocket propellant. However, wastes from the manufacturer and improper disposal of perchlorate-containing chemicals are increasingly being discovered in soil and water.

In Imperial County, California, the New River is still plagued by high pollution from sewer and pesticides and the subsequent impacts of its discharge into the Salton Sea. The impacts on this river affect tribes in the U.S. Border Region and Mexico.

The Cocopah Indian Tribe and Cucapá Indigenous communities remain negatively impacted by the decreased flows and water quality into the Lower Colorado River delta region. To date, nothing has been done to alleviate this issue.

In San Antonio Necua, uncontrolled sand mining and water extraction for the growing city of Ensenada continues to deplete the quality and quantity of drinking water in this small community and the surrounding Guadalupe Valley.

## ***Goal 2:***

### ***Reduce Air Pollution***

Of the 26 Border Tribes in the United States, less than one-third monitor or will be monitoring for particulate matter, ozone, air toxics, sulfur dioxide and nitrogen oxides under the Clean Air Act (CAA) 103 funding and supplemental funding from the General Assistance Program (GAP) grant. Since there continues to be a decrease in funding under CAA 103 and 105, many Border Tribes are conducting basic air tasks under GAP program funding to obtain baseline information to conduct air emission inventories for their communities.

U.S. tribes in the Border Region who are in non-attainment areas for Ozone, PM-10, PM-2.5 should be prioritized for clean air act funding.

Tribes request that more emphasis be placed on indoor air pollution. There is little funding or understanding of this problem. In some cases, buildings in tribal and indigenous communities have mold where children go to school or play. In other cases, where U.S. tribes have been successful in building new homes because of economic development, there is the problem of homes being “too well sealed” and poorly ventilated.

When tribes are asked to respond to upcoming rules and regulations, it is requested EPA provide adequate notification, adequate time for training prior to a comment period, funding for travel to the meeting or set-up meetings in Indian Country, and have specific information on how revisions and rules will affect tribes on an individual basis. No comment is usually taken to mean not concerned or uninterested, which is untrue.

More interest needs to be given to the rural areas and air pollution impacts from dirt roads and farming. Tribes and indigenous communities would like to see monitoring for air pollution in the rural areas.

In the communities of Baja California, Mexico, trash burning is still a way of life. Without adequate resources to remove trash from their communities, many members burn trash in pits located very near their homes. The plastics and other toxins in the trash are generating fumes which not only contaminate the outdoor air, but make their way into the windows of the nearby houses. It is critical to provide not only a better method for solid waste management, but provide outreach and education to tribal members on the dangers of burning trash that may contain toxins.

### **Goal 3:**

#### ***Reduce Land Contamination***

In the past year, some funding has been provided to remove some of the illegal dumps but tribes and indigenous communities still struggle to halt the illegal and indiscriminate burning of trash, dumping of cars, and illegal drug lab waste. Proper training for forensic information collection to document illegal dumps and build enforceable cases, providing legal credence when pressing charges against illegal dumpers, is needed.

Some inroads have been made into stopping illegal dumpers, such as the formation of the Torres Martinez Solid Waste Collaborative and both the La Jolla Band of Luiseño Indians and the Pala Band of Mission Indians setting up transfer stations and amnesty days; however, where illegal dumps may not be as prominent, U.S. tribes are funding and coordinating most illegal clean ups on their lands. A few Border Tribes in California have been successful in procuring funding from the State to operate a “California Redemption Value” center, but other tribes in the U.S., such as in Texas, are having difficulty in procuring funding to establish the needed facilities.

The October 2007 wildfires left a great deal of debris and much of it still needs to be cleaned up. Testing is required where houses, cars and hazardous materials burned. New homes are being built on the old home sites but testing soil for lead, asbestos and



other hazardous materials is not being done. Without adequate testing of these areas, families are exposed to potential risks that could be otherwise avoided.

The indigenous communities in Mexico continue looking for viable avenues for recycling materials and managing solid waste. These communities need a solid waste management plan, a transfer station and a recycling center. Though they are currently collecting material for recycling, funding assistance is needed for equipment, developing solid waste and economic plans and having reliable roads to transport material out. San Antonio Necua, in Baja California, was approved to receive funding through the BECC for a transfer station, but the project has been stalled due to a disagreement on the final work plan. While the BECC feels a landfill is the best viable option for this small community, due to community practices and beliefs, a landfill is not wanted by the community. It is critical for there to be appropriate communication and understanding of the community needs in order for the best possible projects to be implemented.

The Tohono O’odham Nation (Nation) requires on-going assistance to remove undocumented migrant (migrant) waste. While the Nation has completed several successful migrant waste clean-up projects and will participate in developing a border-wide cleanup strategy, there is still as much as 6 tons of UDM waste dumped on the Reservation every day. This problem does not

only affect the Tohono O’odham Nation, but others as well. Other tribes in Arizona, California and Texas still see migrants cross their Reservations and are continually engaged in a cleanup of dumpsites. Besides migrant trash, Border Tribes are also dealing with trash left over from the Department of Defense and Border Patrol.

Last year, the Tohono O’odham Nation worked to stop the construction of the proposed CEGIR Hazardous Waste Landfill in Sonora, Mexico near the O’odham Village of Quitovac. This project is currently on hold, but has not been completely removed from the prospect of being constructed. The Nation, with support from U.S. EPA continues to request formal meetings with SEMARNAT and the Municipal of Sonoita to address the land use permit.

Communication and collaboration with tribes and indigenous communities is crucial when citing landfill sites in the border area. In Southern California, the proposed landfill in Gregory Canyon is still being considered by San Diego County. Tribes in the San Luis Rey watershed do not want the landfill because it is being placed near the river and has a high potential to impact the Tribes’ underground drinking water sources. Tribes continue to fight against the project.

#### ***Goal 4:***

#### ***Improve Environmental Health***

Bronchial and asthma ailments continue to increase in tribal and indigenous communities in our children and elders. In the U.S. it is sometimes difficult to obtain air quality data from Indian Health Service (IHS) and it is lacking or completely absent in the indigenous communities of Mexico. In Mexico, most roads are still dirt, wood burning stoves are commonly used, and trash is almost always burned close to homes. All of these issues, along with being near Maquiladoras (Mexican Corporations operating under a maquila program approved by the Mexican Secretariat of Commerce and Industrial Development (SECOFI)), and other urban areas and a lack of access to regular health care put these communities at greater risk for respiratory problems.



Fire pit still used for trash at a Community Member’s home; *San Jose de la Zorra, Baja California, Mexico.*

Very little knowledge or epidemiological information surrounding environmental health concerns such as asthma in these communities has been gathered in order to assist them in defining ways to reduce exposures. Funding is needed for outdoor and indoor air monitoring to better assess these potential risks.

Near the Indigenous community of San Antonio Necua, in Baja California, there are storage tanks from the local vineyards that are on the boundaries of the community that discharge unknown contents directly into the ground. Community members are concerned that these tanks may contain pesticides and/or other chemicals that could contaminate their drinking water. There is a lack of data on

pesticide use and storage amongst vineyards and farms located very close to these communities and this could possibly be a threat to the public health through various exposures (e.g. drinking

water, plants used for cultural practices, food, etc.). To date, there has not been any progress on this issue.

The community continues to burn old grape vines for fuel sources inside and outside of their homes. Burning the retired vines could potentially release pesticides, which were applied to the vines while growing, into the air exposing community members to toxics. It is known in the U.S. wooden grape stakes are pressure-treated, containing arsenic and chromate copper arsenate (CCA). U.S. growers are not allowed to burn them, transport them to a domestic landfill or mulch them for biomass because they are considered hazardous waste. However, in Mexico there are no strict regulations and many of these communities are aware of the contaminate danger but lack the resources to obtain other appropriate fuel material for domestic needs.

Worker pesticide and other chemical exposure rates remain largely unknown in tribal and indigenous communities in the U.S. and Mexico. Workshops that have been held for the clinics and physicians still have not included tribal health services or promotoras. It is important for tribal health service providers to be aware of possible exposures and be able to assist in diagnosing pesticide poisonings.

The quality of water in tribal and indigenous communities affects every aspect of daily life. The Cucapá Indigenous community of El Mayor in Baja California bathes in the Rio Hardy and has high rates of skin rashes. In 2006, Border 2012 funded water quality monitoring data which revealed extremely high bacteria counts in the River (*E.coli* counts of 2,419 mpn/100ml). The Cucapá are still waiting for something to be done to protect the public health of the community.

Outreach and education on environmental health and prevention of illness due to environmental exposures is still in critical need in all tribal communities. As tribal lifeways and cultural practices are different in every community, it is also very important to understand how environmental health prevention and interventions can be appropriately implemented in order to best protect the public health of border tribal communities.

### ***Goal 5:***

#### ***Enhance Joint Readiness for Environmental Response***

Tribes are not adequately prepared to handle chemical releases or acts of terrorism that may occur on their lands. After the meeting that was held in Mexico City, Mexico to discuss the Border 2012 mid-point refinements, it was made clear that U.S. EPA will not be responding to incidents of national security that occur on the Border, even if on Tribal lands. This prompted tribes to ask who would be responsible for cleanup if such an event occurred. To date, there has been no clear answer and tribes request this issue to be clarified.

Only one tribe, the Tohono O'odham Nation, has succeeded in receiving a commitment from its state governors to work on setting up a tri-national emergency response plan and agreement to address its needs along its 75 miles of reservation that borders Mexico. There needs to be tri-national collaboration for emergency planning and response, information sharing and timely public notification and warning with all border tribes.

Last year there was the concern of possible construction of a hazardous waste facility near one of the O'odham communities in Sonora. There was a lack of communication between the Mexican government, the Tohono O'odham Nation and the U.S. EPA. This has been resolved to a certain extent, however, in Baja California, there is a compressed natural gas line being placed to carry the fuel from Mexico to the U.S. There has been no communication with the indigenous or rural communities in the area. This concern was brought up at the National Coordinators' Meeting in San Antonio, Texas and the indigenous communities still await an answer more than a year later.



Tribes would like to see some of the table top exercises that are conducted in the Border Region take place on tribal lands so that emergency personnel can fully understand the obstacles that face communities in remote areas. Memorandum of Agreements may be necessary between the tribes and other entities to ensure security, cooperation, and access to emergency equipment. Many tribes have functioning fire departments, but unfortunately do not always have the cooperation of the federal, state and local governments and are generally not included in the planning for response to emergency events. In the event of an emergency, tribes will be the last to receive

assistance. Communication on this front needs to be improved. This was evident with the 2007 California Wildfires. Most communication occurred between tribes when equipment and assistance was needed to fight the fires and keep necessary resources intact.

### **Goal 6:**

#### ***Improve Environmental Performance: through Compliance, Enforcement, Pollution Prevention and Promotion of Environmental Stewardship***

Tribal people rely on their environment, with its natural and cultural resources, to teach their children so that knowledge may be passed on to future generations. Tribes and indigenous communities are incorporating sustainable development ideas within their communities and teaching outside visitors about the need to preserve important resources. This has become more crucial as the results of global climate change become more evident.

It is unfortunate that so many communities, corporations and government agencies do not truly understand how important it is to maintain balance with the environment. More needs to be done with environmental stewardship. It is commendable that some companies try to reduce pollution, but others are still allowed to pollute. Money and economics, typically, are the weight in any final decision making and it does not always favor the Earth.

Environmental capacity building is an important and integral part of tribal and indigenous communities. The tribal communities will continue to strive to protect their land and resources.



Yusnai “beautiful eyes” in Paipai

### ***Conclusion***

This report would not have been possible without the participation of the Border Tribes and Indigenous communities that reside within the border area and EPA Region 9 Staff.

This report is not complete. There is always more to add, discuss and accomplish in our communities. If for no other reasons, our fight for cleaner environments and healthier communities lies in our future generations, and the continuation of our culture.



***Report Assembled By:***  
Native American Environmental Protection Coalition



***Input Received From:***

Campo Band of the Kumeyaay Nation  
CUNA Instituto de Culturas Nativas de B.C.A.C  
La Jolla Band of Luiseño Indians  
Los Coyotes Band of Indians  
Pala Band of Mission Indians  
Sycuan Band of Kumeyaay Indians  
Tohono O'odham Nation  
Viejas Band of Kumeyaay Indians  
Ysleta del Sur Pueblo of Texas  
U.S. EPA Region 9