



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

TRIBAL CONSULTATION ANNUAL REPORT

July 1, 2015 – June 30, 2016

Agency Overview

The Arizona Legislature established the Arizona Department of Environmental Quality (ADEQ) as the state’s environmental regulatory agency under the Environmental Quality Act of 1986. ADEQ’s mission is to protect and enhance public health and the environment in Arizona. The department achieves this mission by administering the state’s environmental laws and delegated federal programs to prevent pollution of the air, water and land, and to ensure clean-up of such pollution when it occurs.

The Vision of the agency is to lead Arizona and the nation in protecting and enhancing the environment and improving the quality of life for the people of our state.

The department is composed of four programs: air quality, water quality, waste, and administration. Together, the programs carry out the core functions of the agency: monitoring and assessment, pollution control, compliance management, clean-ups, policy development, education and outreach. These core functions are delivered for the citizens of Arizona within the context of the state’s unique environment and culture.

Tribal Consultation Activities

ADEQ continues to collaborate with the 22 Tribes of Arizona and operate consistent with its Tribal Consultation Policy. The following table presents ADEQ’s efforts to meet the goals set forth in its policy.

Policy Goal	Objective	Activity and Performance Measure
Work cooperatively with Arizona Tribes to increase EPA funds for environmental activities within the State so that additional funds are available for Tribes.	On July 15, 2015, ITCA requested a Letter of Support for a Grant application they are pursuing to conduct HHW collection events benefiting the San Carlos Apache, White Mountain Apache, Navajo and Hopi Tribes.	Letter of Support provided along with a commitment from ADEQ to provide resources and reference materials at the events.

Policy Goal	Objective	Activity and Performance Measure
Share appropriate technical information and data with Tribes. ADEQ requests that Tribes share appropriate technical data with ADEQ as well.	On July 15, 2015, ITCA requested copies of SOPs developed by AQD for the monitoring equipment's they use. ITCA wants to use them as resources for Tribal programs.	Standard Operating Procedures were provided to ITCA
Share appropriate technical information and data with Tribes. ADEQ requests that Tribes share appropriate technical data with ADEQ as well.	On July 17, 2015, Navajo Nation reached out to ADEQ because of recently obtained Drinking water data showing elevated levels of uranium	Tolani Lake Enterprise has been collecting uranium samples along the Puerco River (mostly within the Navajo Nation) with Environmental Justice Grant funding from EPA. A sample of a public water system's water exceeded the Maximum Contaminant Level. ADEQ was asked for data and information related to that water system. A conference call was held on July 22.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On July 20, 2015, the Navajo Tribe requested help in making contact with a recycler for 30 pallets of e-waste.	With ADEQ help, the Tribe was able to reach E-Waste Harvesters for recycling coordination.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On July 20, 2015, the Navajo Tribe requested assistance with waste tire disposal options.	ADEQ helped arrange free waste tire disposal at the Apache County Regional Landfill for a tire cleanup project by the Kinlichee Chapter.
Open training programs to Tribal officials and Tribal staff whenever possible.	On July 23, 2015, CRIT staff requested to participate in Yuma RCRA training on Aug 10-11.	City of Yuma said list is full already, so MAM requested that they be added to waiting list.
Share appropriate technical information and data with Tribes. ADEQ requests that Tribes share appropriate technical data with ADEQ as well.	On August 5, 2015, the Hopi Tribe requested outreach materials for an abandoned vehicle cleanup project.	A Hopi Village was seeking existing outreach materials for an abandoned vehicle cleanup project. An EPA guidance document was forwarded to the village to the village's complete satisfaction.

Policy Goal	Objective	Activity and Performance Measure
Open training programs to Tribal officials and Tribal staff whenever possible.	On August 12, 2015, the ITCA requested Indoor Air Quality walkthru assistance, and Children's Environmental Health meet and Greet	Introduced Shaina White (ITCA) to EPA IAQ staff and they set up a walk thru with her via Mansel Nelson (NAU)
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On August 13, 2015 received a Request for Assistance from the Hopi Tribe	A Hopi Village asked for help in obtaining approval for collecting electronic waste and transporting it to ADEQ's e-waste recycling event, in Show Low. The event recycler was contacted and gave approval.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On August 27, 2015, received a Request for Information from the Navajo Tribe	BFJ: A Navajo school district (Kayenta) inquired about paper shredding opportunities. After some research, a response was given.
Share appropriate technical information and data with Tribes. ADEQ requests that Tribes share appropriate technical data with ADEQ as well.	On August 28, 2015, ADEQ Director briefed ITCA's Tribal Leadership on Gold King Mine Spill.	ADEQ share sampling results and steps taken in response to the Gold King Mine Spill.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On August 28, 2015, received a Request for Assistance from the Navajo Tribe	The Padres Mesa Ranch (owners of the Navajo Beef label) asked for help in researching impacts from cattle exposed to drinking water high in uranium.
Work cooperatively with interested Tribes to develop State and Tribal capacity so that each Tribe, within its jurisdiction, can assume full responsibility for federal environmental programs.	On August 29, 2015, ADEQ partnered with White Mountain Apache on e-waste event	ADEQ partnered with the White Mountain Apache Tribe's Environmental Protection Office for the 7th Annual e-waste recycling event in show Low. Four students and a teacher from Alchesay High School volunteered as event workers.

Policy Goal	Objective	Activity and Performance Measure
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On August 31, 2015, received a Request for Information from the White Mountain Apache Tribe	The HIS hospital in Whiteriver inquired about recycling opportunities for various types of materials. Some options were discussed.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On September 9, 2015, received a Request for Assistance from the Navajo Tribe	The Kayenta Township and Kayenta Chapter would like information and ideas to help expand its "Keep Kayenta Beautiful" Program. A conference call was held with the Township on 9/21.
Work cooperatively with interested Tribes to develop State and Tribal capacity so that each Tribe, within its jurisdiction, can assume full responsibility for federal environmental programs.	On September 18, 2015, a Tribal Environmental Roundtable was held at ADEQ	Members from the 22 Arizona Tribes were invited to an all-day roundtable for open discussions on environmental concerns affecting all of Arizona. Inspections checklists and other resources were provided to attendees on flash drives.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On September 28,, 2015, received a Request for Information from the Hopi Tribe	The Tribe asked additional questions about electronic waste recycling opportunities. Information was supplied and follow-up will be conducted.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On September 29, 2015, received a Request for Assistance from the Navajo Tribe	The Padres Mesa Ranch (owners of the Navajo Beef label) asked for follow up assistance in reviewing water sample results for livestock wells.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On September 30, 2015, received a Request for Information from the Navajo Tribe	The Ganado School District requested electronic waste recycling information, which was supplied.

Policy Goal	Objective	Activity and Performance Measure
Work cooperatively with interested Tribes to develop State and Tribal capacity so that each Tribe, within its jurisdiction, can assume full responsibility for federal environmental programs.	On October 1, 2015, received a Request for Information from the White Mountain Apache, Navajo, and Hopi Tribes	Indian Health Services requested help in scheduling drinking water training for Tribal operators, in such a manner that it doesn't conflict with ADEQ workshops.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On October 1, 2015, received a Request for Assistance from the Colorado River Indian Tribe	The EPO water staff said that the Town of Parker has storm drains which empty into the CRIT Main Canal, a diversion of the Colorado River. Is it permitted under MS4 or "Indian Country," and had follow-up question asking who does regulate their stormwater discharges.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On October 14, 2015, received a Request for Information from the ITCA	The ITCA asked ADEQ Northeast Arizona Community Liaison about options for a White Mountain Apache Tribe E-Waste Recycling Program. Ideas and information were provided.
Share appropriate technical information and data with Tribes. ADEQ requests that Tribes share appropriate technical data with ADEQ as well.	On October 14, 2015, received a Request for Assistance from the Navajo Tribe	The Sanders Unified School District asked for ADEQ to attend 9/22 and 10/14 public meetings. Byron James, ADEQ Northeast Arizona Community Liaison attended and helped address questions about uranium in drinking water.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On October 19, 2015, received a Request for Assistance from the Navajo Tribe	The Bureau of Indian Education (out of Tuba City) requested information on establishing an e-waste collection event. Some information was supplied and follow up will be conducted in coming weeks.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On October 27, 2015, received a Request for Assistance from the Navajo Tribe	Navajo Nation EPA asked for information to help the Chinle Unified School District recycle unwanted fluorescent tubes. Information was forwarded to NNEPA and the District.

Policy Goal	Objective	Activity and Performance Measure
Open training programs to Tribal officials and Tribal staff whenever possible.	On October 29, GRIC requested a meeting to discuss flag program coordination	Met and began our FLAG Program partnership
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On November 2, 2015, received a Request for Assistance from the White Mountain Apache Tribe	The Tribe EPO asked about cost effective ways to dispose of TV waste. A list of the 3 certified e-waste recyclers was provided with an offer to follow up soon.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On November 13, 2015, received a Request for Assistance from the White Mountain Apache Tribe	The Tribe lost its Grade 3 Water Treatment operator and asked for ADEQ input on how to advertise for the position. Three suggestions were provided.
Share appropriate technical information and data with Tribes. ADEQ requests that Tribes share appropriate technical data with ADEQ as well.	On November 20, 2015, received a Request for Assistance from the BIE and Navajo Tribe	The BIE is under pressure to recycle e-waste from many schools near Four Corners. Questions about how to initiate the planning for an e-waste event were addressed.
Share appropriate technical information and data with Tribes. ADEQ requests that Tribes share appropriate technical data with ADEQ as well.	On December 3, 2015, participated in a Public Meeting to discuss uranium contamination in Sanders.	ADEQ and ADHS attended a public meeting to update the Park Estates community on the status of the Arizona Windsong Public Water System and ADHS' health consultation for the community.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On November 20, 2015, received a Request for Assistance from the Navajo Tribe	The Tribe asked for ideas about options for household hazardous waste disposal in the Window Rock area. Some ideas were presented for consideration.
Share appropriate technical information and data with Tribes. ADEQ requests that Tribes share appropriate technical data with ADEQ as well.	On January 4, 2016, received a Request for Information from the White Mountain Apache Tribe	Althea Walker requesting list of GRIC participants

Policy Goal	Objective	Activity and Performance Measure
Open training programs to Tribal officials and Tribal staff whenever possible.	On January 28, 2016 received a Request for Air Quality & Health Presenter	Althea Walker requested a presentation on air quality and the health effects of Diesel Exhaust. She was referred to AAC and Al Brown. She was able to schedule Al to present
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On February 11, 2016, received a Complaint Referral from the Navajo Tribe.	NNEPA asked that ADEQ respond to a citizen's used oil burning complaint (Sanders area) because it is on private land. ADEQ's NE Arizona Community Liaison facilitated an internal conference call to coordinate the agency's actions. Further information was requested from NNEPA, and the complaint was documented in ADEQ's database on 3/9/2016.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On February 29, 2016, received a Request for Information from the Navajo Tribe	BFJ: The Kayenta Unified School District needed some information for e-waste recycling. Some ideas were discussed.
Share appropriate technical information and data with Tribes. ADEQ requests that Tribes share appropriate technical data with ADEQ as well.	On March 4, 2016, received a Request to participate in Earth Day Celebration from GRIC.	ADEQ attended and hosted a booth
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On March 24, 2016, received a Request for Information from the Navajo Tribe	BFJ: Q: Can ADEQ sponsor a free e-waste event in Chinle? I described the current status of e-waste recycling and supplied recycler contact information.
Share appropriate technical information and data with Tribes. ADEQ requests that Tribes share appropriate technical data with ADEQ as well.	On March 31, 2016, received a Request for Information from the Salt River Pima Maricopa Indian Community	BFJ: The Salt River-Pima Indian Community is seeking to help the Hopi Tribe evaluate recycling options. I responded to questions about recycling opportunities in Northeastern Arizona.

Policy Goal	Objective	Activity and Performance Measure
Open training programs to Tribal officials and Tribal staff whenever possible.	On March 26, 2016, received a Request for Information from the Navajo Tribe	ADEQ requested to make a presentation on the Revised Total Coliform Rule at the Navajo Nation Drinking Water Conference. Additionally, ADEQ will be conducting practice Operator Certification exams at the conference
Open training programs to Tribal officials and Tribal staff whenever possible.	On May 4 2016, received a requests tp provide training on the flag program to San Xavier Mission School	JAC- Worked with Ruban Cu;K Baak and Shirley Kalinowski to train school on flag program and how to read AQ forecasts and other Air quality data
Open training programs to Tribal officials and Tribal staff whenever possible.	On May 4 2016, received a requests tp provide training on the flag program t Indian Oasis School	Jac- Worked with Ruban Cu;K Baak and Alyssa Covington to train school on flag program and how to read AQ forecasts and other Air quality data They will be using Pima County & Possibly Pinal County and the Tribes AQ data depending on school location. Note: Tribe has 1 EBAM is requesting two more. The nearest DEQ monitors are in Tucson and Green Valley
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On May 5, 2016, received a Requested Information from Tohono O'odham Nation	Jac- Contacted PDEQ and asked Beth if they could subscribe Ruban and applicable flag program schools to receive advisories and AQ data. She agreed but stated they changed their process and no longer send 2 times a day the daily air quality data- they only send out advisories but it is not a formal forecast. She advised schools to check their AQ webpage twice a day and fly the flags based on the AQI readings. Click here to see air index values for Tucson and Eastern Pima County http://webcms.pima.gov/cms/one.aspx?portalId=169&pageId=61365
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On May 16, 2016, received a Request for Information from the Navajo Tribe	The Tribe asked certain tire shops located within the Navajo Reservation to register with ADEQ, and notified ADEQ of such. Coordination with the Tribe included a June 6 conference call.

Revisions to Tribal Consultation Policy

In FY 2016, ADEQ began a detailed review its Tribal Consultation Policy, which has been in effect since April 28, 2003. Additional research is necessary to work out jurisdictional issues with the federal Environmental Protection Agency (EPA). Coordination meetings between ADEQ and EPA will be scheduled during FY17.

For questions or more information, please contact:

Ian Bingham, Ombudsman and Tribal Liaison
Arizona Department of Environmental Quality
Phone: 602-771-4322
Fax: 602-771-2251
Email: ldb@azdeq.gov