# A Transition Document for the Regional Administrator Regarding the Indian Environmental Programs of the Region 6 United States Environmental Protection Agency

Submitted by the Tribes of Louisiana, Texas, Oklahoma and Pueblos and Tribes of New Mexico

## I. Introduction

This document has been prepared by the EPA Region 6 Tribal Caucus as an introduction for you Mr. McQueen, the newly appointed Regional Administrator, to whom we express our sincere congratulations and heartfelt desire to work with in a cooperative and collaborative manner to continue the work to maintain and improve the environment in the world around us. Stewardship, conservation and preservation are strong tribal values because:

- Tribal people rely upon healthy and safe ecosystems to sustain their health, traditional lifeways, treaty rights, and ceremonial and cultural practices.
- Tribal people who depend on subsistence practices are exposed to contaminated plants, fish and wildlife.
- Supporting tribal lifestyles requires restraint and environmental protection.
- Mining, Oil and Gas and other resource extractions result in health disparities in Native Communities.

Tribal governments respond to complex, serious challenges with well-managed, cost- effective environmental programs that reinforce tribal sovereignty, protect important resources, and underscore the value of tribal self-determination. Still there are vast unmet needs.

## II. Tribes and Pueblos within US EPA Region 6

Within the EPA Region 6 states of Louisiana, Arkansas, Texas, Oklahoma and New Mexico, there are 66 federally recognized tribal governments with approximately 750,000 enrolled tribal members on 5 million acres of tribal land. 38 tribes are located in Oklahoma, 4 in Louisiana, and 2 tribes and 1 Pueblo are in Texas. New Mexico is home to 19 Pueblos, 2 Apache tribes, and part of the Navajo Nation (Navajo Nation's EPA program is administered in Region 9). There are shared values and goals, with differences in language, customs, and heritage.

Federal law recognizes that tribes are self-governing nations that predate the United States Constitution. There are common attributes that form the unique relationship between tribes and the United States Government, briefly summarized in this section.

### *Tribal Sovereignty*

Each tribe has a sovereign status unique to its individual culture, traditions, and distinct form of government. Tribal sovereignty includes the primary responsibility and authority to protect lands, population, and ways of life.

All major federal environmental laws recognize tribal sovereignty and most of them authorize the EPA to delegate federal regulatory authority to tribes under these laws. The exception is the Resource Conservation and Recovery Act (RCRA) wherein Tribes are defined in the same context as municipalities. Similar to states, tribal ability to develop capacity relies on federal funding to develop and adopt air quality and/or water quality standards, to develop monitoring capabilities, to develop and implement codes and regulations, and to enforce those codes and regulations. The exercise of this ability is an inherent right of a sovereign nation.

Pueblo Governors in front of the White House in 1922 after defeating the Bursum Bill, protecting land rights

***Trust Responsibility***

Federal trust responsibility is an obligation arising from treaties, statutes, executive orders, case law, presidential memoranda, and the historical relationship between the United States and Indian tribes. In a broad sense, trust responsibility relates to the United States' unique legal and political relationship with individual Indian tribal governments.

The federal Indian trust responsibility is a moral and legal duty on the part of the United States to protect Indian land and resources, fulfill treaty obligations, and to carry out the mandates of federal law for the benefit of American Indian tribes and Alaska Natives. As a federal agency, the EPA shares a role in fulfilling this trust relationship.

***EPA and the Government-to-Government Relationship***

In 1984, EPA became the first federal agency to adopt a formal Indian Policy of working with federally recognized tribes on a government-to-government basis. The genesis of EPA Indian Policy stems from federal recognition of the inherent sovereignty of tribal governments. Tribal sovereignty includes the primary responsibility and authority to protect tribal lands and populations. EPA Indian Policy is consistent with the federal policy that supports tribal self-governance and government-to-government relationships. These principles are the foundation for the federal and tribal partnership to protect human health and the environment in Indian Country. This Policy of consultation was reiterated in November 6, 2000 through Executive Order 13175, charging all agencies to engage in meaningful consultation and collaboration with tribal officials.

An important feature of the government-to-government relationship is defined by the direct consultation, coordination, and collaboration between individual tribes and the U.S. government. Government-to-government consultation takes place when duly authorized decision-makers discuss issues and reach resolutions that mutually satisfy the roles and responsibilities of the consulting entities. Consultation should not be viewed as a one-time course of action; rather consultation is a process that demands ongoing communication, information sharing, discussion and resolution. Despite the U.S. EPA's Indian Policy establishing a government-to-government relationship with individual tribes and Executive Orders 12875 and 13175 calling for the direct consultation, collaboration, and coordination between the U.S. government and tribal governments, the communication process needs improvement at all levels of the agency to the mutual benefit of all involved. Part of this improvement must include timely and meaningful tribal input during the development of regulation, policy, guidance and other documents which directly affect tribal values and program operations.

*Administrator Pruitt reaffirms EPA's 1984 Indian Policy October 2017*

*Santa Clara Pueblo June 2011 after Las Conchas fire*

*Historic meeting of Taos Pueblo delegation with President Richard M. Nixon on July 8, 1970 when the President pledged his support for the return of Blue Lake to Taos Pueblo*

***Land Status***

A complex issue to be aware of is the difference in land status among the Tribes and Pueblos in Region 6. Indian Land is defined by various legal processes and terms (Treaties, Spanish Land Grants, Executive Orders, Federal Legislation, Land Allotments, Restricted Fee, Trust, Simple Fee etc.) which create not only widely varied legal status for tribal lands, but also differences in size and available resources resulting in variations of environmental protection priorities for each tribe or pueblo. It is a complex subject but the individual pueblos or tribes and Region 6 Office of Environmental Justice, Tribal and International Affairs (OEJTIA) staff can provide much depth and experience to supplement your knowledge of land issues. The Region 6 OEJTIA office will be a resource to you in explaining these and other tribal issues.

***National Tribal Operations Committee (NTOC/NTC) and Regional Tribal Operations Committee (RTOC)***

In 1992, the EPA formed a NTOC which provides a process for tribal leaders to meet with the EPA Administrator and Assistant Administrators on a regular basis. In 2016, efforts to improve regional and national budgets resulted in a concerted development in creating a NTOC Budget Matrix workbook. This workbook, developed as a cooperative effort between Region 6 RTOC and NTOC, provides structured information on EPA programs and funding.

The Region 6 RTOC charter establishes tribal leaders as the representatives and the tribal environmental directors (or other designee) as the alternate. Tribal leaders may be unable to participate in the RTOC meetings because of their full schedules. Because of this, tribal environmental directors generally form the tribal caucus of the RTOC. While the RTOC meetings can be meaningful and productive it is important to acknowledge that they do not replace or constitute government-to-government consultation.

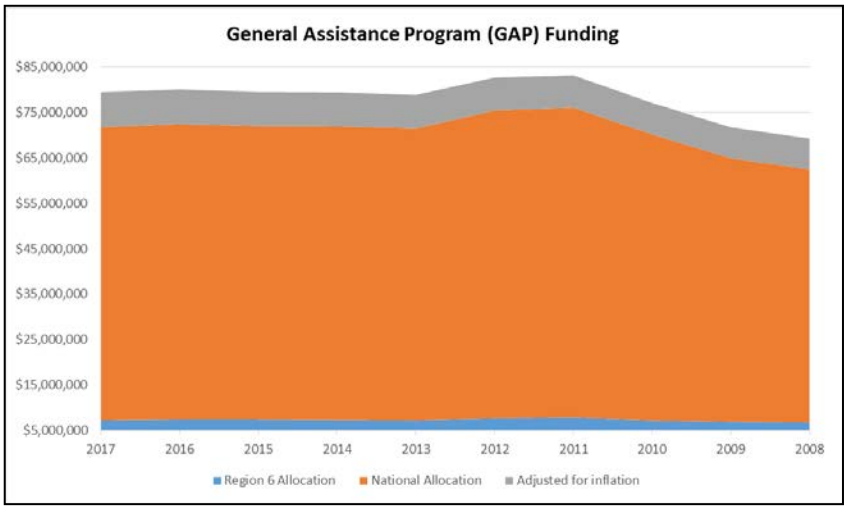
EPA, Tribal Leadership and Staff participate in the Annual Region 6 Tribal Summit and RTOC Meetings

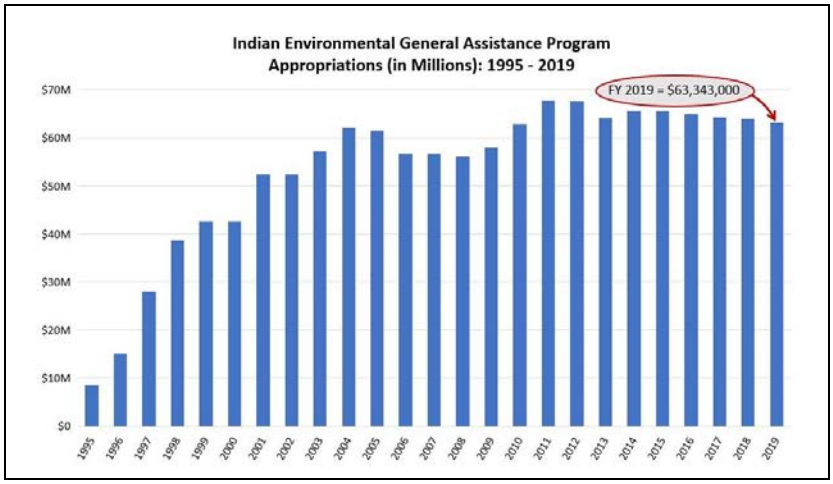
## III. Programs, Issues, and Challenges in EPA Region 6

Tribal environmental programs in EPA Region 6 face many different obstacles in establishing formal environmental protection programs for their lands. This section identifies some of the key issues and barriers to success in establishing an environmental protection program. It is important to focus on these barriers because with proper attention and partnership, these obstacles can be overcome and environmental protection success stories will result. It is also important to realize how each tribal program working in the various media (air, water, land) make great strides in helping to protect human health and the environment throughout Region 6.

***Indian General Assistance Program (GAP)***

GAP funding is the primary source of funding provided by EPA to tribes to partially fulfill the federal government's trust responsibilities to tribes nationwide. Tribes use GAP to establish and operate basic environmental programs and to develop the needed technical capacity to address tribal needs and concerns. Insufficient and inflexible GAP funding impairs program development and prevents tribes from meeting increasing costs and challenges. Unfortunately, nationally, GAP funding levels have been flat since 2012 and have decreased from 2017 to 2019 nationally and in the region.




Because tribal programs within Region 6 begin with varying levels of expertise and experience, the EPA GAP policy must allow flexible implementation, enabling programs to advance rapidly or focus on general capacity building.

The GAP Guidance document, as proposed, causes concern among tribes, the RTOC, and NTOC regarding potential limitations to the GAP program. Tribes are opposed to restrictions to currently allowable programmatic activities such as recycling and illegal dump cleanup. This is especially true in the area of Integrated Solid Waste Management. The flexibility to manage all aspects of solid waste must remain constant. Deregulation is a priority for this administration, and it would be counter-intuitive to place additional restrictions and barriers to growth for tribes.

"The NTC recommends EPA revise the GAP Guidance to include language located in the 2016 Omnibus Appropriations Bill, which closely mirrors the language, integrity, and intent of the 1992 GAP Statute for implementing a solid waste program. The 2016 Omnibus Appropriations Bills included language for a new program that allows for funding for already approved EPA programs. The NTC believes that this language reflects the need for flexibility in the 1992 GAP Statute for tribes to fund their EPA programs at 100% in light of stagnant or reduced funding for a specific program." *National Tribal Caucus Transition Document 2016*

## LAND

### *Enforcement and Compliance*

The EPA Policy for the Administration of Environmental Programs on Indian Reservations (1984 Indian Policy) describes the relationship between the Agency and tribal governments. At the core of this relationship is the understanding that Indian tribes are the primary environmental standard setters and regulators within Indian country. This understanding must be backed by consistent funding levels from EPA demonstrating that tribes are the primary environmental regulators on tribal land, consistent with EPA's 2018-2022 Strategic Planning Goal 2, Cooperative Federalism.

### *Solid Waste*

Tribal solid waste concerns include efficient management of transfer stations in primarily rural areas. Access to cost effective recycling, cleaning and education around illegal dumping, and proper disposal of household hazardous and electronic waste (e-waste) are concerns common to Region 6 tribes. Coordinating efforts between individual tribes, state entities, intertribal consortia [Inter-Tribal Environmental Council (ITEC) and Eight Northern Indian Pueblos Council-Office of Environmental Technical Assistance (ENIPC-OETA)] and the Indian Health Service (IHS) we are able to address and track illegal dumping. In March of 2018 the EPA Region 6 Tribal Solid Waste Office reported 820 open dumps in the IHS database, 470 active and 350 inactive. Funding for community outreach, clean ups and enforcement is needed to combat this prevalent issue.

Illegal dumping is a concern in Indian Country requiring training, outreach, equipment, and funding to address

Solid Waste Trainings held through the InterTribal Environmental Council (ITEC)

E-waste collection event held at the Pueblo of San Felipe. 26,210 pounds of e-waste removed for proper disposal

Wyandotte Nation Lost Creek Recycle Center RENIE the Recycle Robot, a visual aid with curriculum to help children in learning the importance of recycling

***Superfund***

Superfund sites throughout the United States have direct impacts upon tribal communities, resources, culture and traditions. It is vital to engage tribes from the beginning in all aspects of Superfund Site Assessment and decision making process, including site assessment activities to identify, screen, sample, and prioritize contaminated sites. As a result of increased tribal involvement and improved tribal/federal communication, EPA Headquarters created, with tribal participation, the "Tribal Consultation Policy for the EPA Superfund Program". This policy should be a living document and used in training and employee orientation.

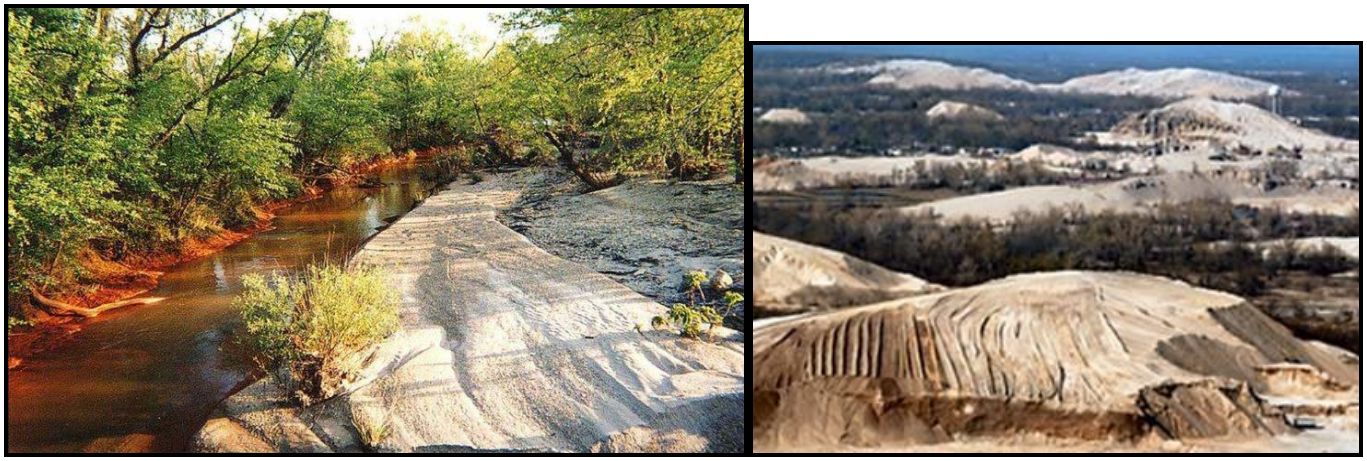
EPA Region 6 Superfund Program has been funding tribes impacted by contamination from Superfund sites through superfund cooperative agreements and has helped tribes be involved with the Superfund process. Continued support and funding is critical to the involvement of tribes at Superfund sites; and there is a need to create and assist tribes with cooperative agreements for new Superfund sites. There is a continued need for training and technical support for the tribes impacted by Superfund sites. In addition to agreements with tribes for sites within their jurisdiction, assistance should be provided to those tribes that have lands adjacent to, or potentially impacted by these sites.

There are several Superfund sites in Region 6 which impact tribes:

- Jackpile-Paguate Uranium Mine- formerly the world's largest uranium mine
- Tar Creek- one of the largest lead and zinc mining operations
- NM Uranium Mining Belt including Grants Mining District and Rio Puerco Mine
- North Railroad Avenue Plume Superfund Site
- Oklahoma Refining Company
- Hudson Refinery
- Wilcox Oil Company
- Tulsa Fuels and Manufacturing
- Henryetta Iron and Metals (proposed for NPL)
- San Mateo Creek Basin (proposed for NPL)

The U.S. Environmental Protection Agency (EPA) Office of Inspector General (OIG) plans to investigate the integrity of the Agency's use of institutional controls to prevent human exposure at Superfund sites. OIG will evaluate whether the EPA's Superfund institutional controls meet the goal of preventing human exposure to contaminants at Superfund sites. Tribes are interested in this evaluation.

Jackpile-Paguate Uranium Mine during operation in approximately 1960, and present, Pueblo of Laguna



Tar Creek Superfund Site, Quapaw Tribe

***Underground Storage Tanks***

Currently there are over 300 active USTs in Region 6 Indian Country representing economic development opportunities as well as millions of gallons of petroleum products and potential threats to groundwater quality, health and the environment. Individual tribal UST programs and tribal consortia such as the Inter-Tribal Environmental Council (ITEC) and Eight Northern Indian Pueblos (ENIPC) Office of Environmental Technical Assistance (OETA) UST Programs provide on-the-ground technical assistance and training resulting in increased compliance rates and environmental stewardship. The value of this technical assistance is shown by the improved compliance rates for tribal facilities operating Underground Storage Tanks. The compliance rate for tribal UST's in Region 6 was 86% for FY16 and 88% for FY17. The new regulations have caused these compliance rates to fluctuate, however, Region 6 compliance rates are typically the highest across the nation. Continued EPA Region 6 support for UST and Leaking UST programs will serve to protect important economic and ground water resources.

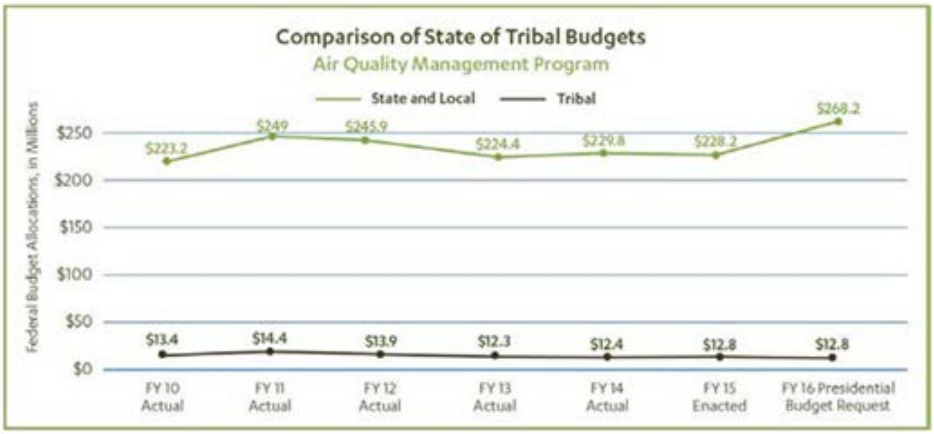
Region 6 intertribal consortia ENIPC-OETA and ITEC provide UST technical assistance, resulting in high compliance rates

***Brownfields***

Region 6 Tribal and Inter-Tribal Consortia Brownfields Programs create opportunities for tribes to participate in the redevelopment of abandoned buildings in their tribal communities. Tribal staff perform assessments and remediation on Brownfields sites, and provide technical assistance in a streamlined and cost-effect manner. Accomplishments have been realized through targeted outreach activities, site-specific assessments and safe cleanup activities. Continued EPA Region 6 support of Tribal Brownfields Programs will promote economic development, create jobs and revitalize abandoned or underutilized properties in the tribal lands of Region 6. The Kickapoo Tribe of Oklahoma, Absentee Shawnee of Oklahoma, Choctaw Nation Oklahoma, Muskogee Creek, Pueblo of Zuni, Pueblo Acoma, Pueblo of Cochiti, Pueblo of Taos, Pueblo of Santa Clara, Pueblo of Laguna ITEC and ENIPC-OETA currently or recently have Brownfields Tribal Response undertakings.

Successful Brownfields property revitalization project, Fort Sill Apache Nation

## AIR




Air Quality funding for tribes vs. states from 2016 NTC Transition Document

***Indoor Air Quality***

The impact of indoor air quality on Native American populations has only begun to be explored. Mainstream indoor air quality studies do not take into account variables that may impact tribal populations, such as the effects of various traditional activities upon air quality, and air quality in

homes heated with wood, and in sub-standard homes in Indian Country. Conclusions of indoor air quality studies focusing on other ethnicities cannot necessarily be generalized to tribal populations. Funding is needed for tribal indoor air programs to conduct research pertinent to the populations they serve.

- Many tribal members within EPA Region 6 reside in modern and Housing and Urban Development (HUD) housing; however, there are tribal members that reside in more traditional Native American homes where woodstoves are the primary source for heating and cooking.
- The susceptible groups of elderly and youth comprise a large portion of tribal populations.
- Indoor air pollution can result in acute to chronic human health conditions.
- Substandard housing conditions can expose families to mold growth, radon, and other indoor air pollutants. Tribal homes are proportionately smaller and house large extended and multi-generational families. Microbial airborne disease vectors, and their effects on indoor air quality must be addressed, in a culturally appropriate manner.
- Funding and properly trained tribal environmental professionals are required to perform the monitoring, assessment, and outreach to educate tribal communities about the potential causes and effects of indoor air pollution.
- Funding sources and technical assistance across multiple federal agencies for implementing solutions to indoor air issues must be accessible, including EPA, IHS, HUD, U.S. Department of Agriculture, and Centers for Disease Control.
- Tribal set-aside funding mechanisms for indoor air quality programs should be established.

Jicarilla Apache Nation Radon Program

***Ambient Air***

Air Quality on tribal land is generally good, but ever-growing cities, regional haze, point source including national laboratories, energy development and industry all pose threats to air quality in Indian Country. There is limited funding for tribal air quality projects in Region 6. Adequate funding is appropriate and necessary to ensure protection of ambient air quality for preservation of traditional tribal viewscapes and health of our tribal communities. The three biggest programmatic needs are adequate funding, air quality training and acquisition of monitoring equipment.

Currently many tribal environmental programs do not operate an air program, instead GAP personnel are tasked with identifying and responding to air quality issues including changes to policies, regulatory requirements, and permitting. This does not provide adequate protection from stationary and mobile source emissions, toxic emissions, and regional haze.

From the National Tribal Air Association (NTAA) 2019 Status of Tribal Air Report, there are seven Region 6 tribes operating air monitoring stations, five tribes have completed Emissions Inventories, and nine tribes have major sources of pollution on their tribal lands. Treatment as State (TAS): 7 tribes with TAS under CAA §105, 4 tribes under CAA §107(d)(3); 5 tribes under CAA §126 and 7 tribes under CAA §505(a)(2) These authorities allow tribes to receive funding, notices and to make recommendations on permitting for potential sources of air pollution, a significant contributor to health problems and disparities.

The Cherokee Nation Air Program, through ITEC, provides ambient air monitoring support and technical assistance

## WATER

***Drinking Water Systems***

Kickapoo Tribe of Oklahoma
Public Water Supply well

A strategic regional goal of the EPA was by year 2015 that "80% of the population served by community water systems in Indian Country will receive drinking water that meets all applicable health-based drinking water standards". By the end of 2015 the goal was met with 86%. There are currently approximately 85 public drinking water systems regulated by EPA Region 6 on tribal lands. Maintaining safe drinking water systems will continue to be a challenge. Tribal programs are tasked to provide oversight and attend training to meet drinking water monitoring

requirements. In Region 6, as in other Regions, the infrastructure needs on tribal lands far outweigh the funding resources and technical expertise available. Increased tribal population, increased O&M needs of aging infrastructure and water systems, and need for technical training will continue to provide challenges for tribal drinking water systems in meeting compliance with drinking water standards.

***Wastewater Systems***

Today, some wastewater systems are at the end of their aging infrastructure cycle due to undersized wastewater systems such as lagoons. Alternate treatment options are expensive, require capital investment, increased regulation, oversight, and highly trained staff. These challenges become a community expansion obstacle and public health concern. A suggested approach is to ensure more viable and "shovel ready" projects by efficient use of monies from the Clean Water Indian Set Aside fund for the direct benefit of Region 6 tribes.

Wastewater Lagoons Pueblo of Isleta

Wastewater Treatment Plant, Pueblo of San Felipe

***Water Quality***

The Clean Water Act §106 program is the core path for tribes and pueblos in Region 6 to establish and implement Clean Water Act (CWA) programs supporting water quality. The CWA§319 program supports activities related to non-point source pollution. To participate in the CWA program, tribes must apply for and receive Treatment as a State (TAS) for grant funding and for authority to implement tribal water quality standards.

Surface water quality sampling, Pueblo of San Felipe

The importance of healthy water ecology to native communities is demonstrated by the fact that 50 of the 66 tribes in Region 6 have TAS authority for CWA§106 and 13 with TAS for Section 319 programs. 12 pueblos or tribes in New Mexico and 1 Oklahoma tribe have EPA-approved Water Quality Standards (WQS) for surface water within their exterior boundaries.

As sovereign governments, pueblo and tribes may set standards which are stricter or better tailored for site specific conditions. Tribes in Oklahoma have experienced difficulties in achieving EPA approved WQS due to requirements promulgated in a 2005 'Midnight Rider' which was attached to National Transportation Bill, requiring the Tribes in Oklahoma to obtain permission from the state to exercise this authority.

***Indigenous Lifeways and Tribal Voices on Climate Change***

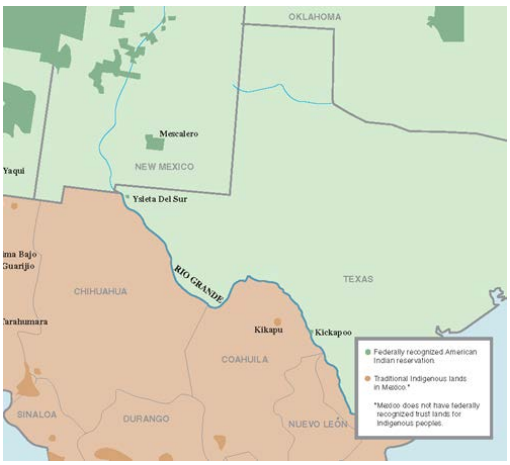
The May 2008 United Nations Permanent Forum on Indigenous Issues put a human face on the issue of climate change and its impacts on Indigenous peoples in a special theme session, "Climate change, bio-cultural diversity and livelihoods: the stewardship role of indigenous peoples and new challenges." Whether you believe in climate change due to human interaction and abuse of the natural systems, there is no denying that whatever process is in play, weather is changing by shifting patterns and increasing in intensity with severe consequences and discernible observations have tracked and characterized the changes and the ensuing impacts.

Indigenous peoples have their own systems of knowledge for observing, collecting, categorizing, recording, using, disseminating and revising information and concepts that explain how the world works. We use our knowledge systems to ensure the success of our communities' health, livelihood and self-determination. We speak of our relationship to the earth in terms of caretaking and stewardship. Seeing the world and all its intrinsic parts holistically stems from an understanding created from centuries of collective memory knowledge. The world view is an all-inclusive approach, where all attributes and characteristics are seen as interlocked and ever reacting.

Climate change, or dynamic environmental vulnerability, poses threats and dangers to the survival of indigenous and tribal communities worldwide. Tribal communities are among the first to face the direct consequences of climate change, owning to their dependence upon, and close relationship with the environment and its resources. The loss of resources can result in loss of tradition.

Tribal communities are among the most vulnerable communities in North America. Tribes are prodigiously susceptible to climate change impacts because of their dependence upon a specific geographic area for their livelihoods, the degree to which those geographic areas embody climate-sensitive environments. Tribes generally have fewer resources from which to prepare for, respond to, and recover from natural hazards, including those related to climate change. The disproportionate vulnerability of tribes to climate change affects EPA's Environmental Justice mission to protect human health and the environment in disadvantaged communities such as the ones that exist in EPA Region 6 Indian country.

***Border Issues***




There are two tribes in EPA Region 6 located along the international border between the United States and Mexico: Ysleta Del Sur Pueblo and the Kickapoo Traditional Tribe of Texas. Both tribes face unique challenges due to their proximity to the border, including impacts on culture, as traditionally these tribal communities have moved freely between tribal lands on each side of the US/Mexico border. Shared concerns which center on environmental impacts have led to regional planning and pursuit of meaningful working relationships with municipal agencies. A regional approach requires greater participation from governments on both sides of the border. The Tribes along the border vary from rural isolation to full encapsulation within cities. Environmental issues often require a regional approach. Even though a national border may bisect the regional airshed, it cannot stop pollution.

Efforts to unify environmental approaches like the EPA Border 2020 initiative have worked to strengthen international efforts in assessing and protecting environmental and cultural interests for Tribes and border communities. It is essential that these efforts are supported with funding, diplomacy, and must include and encourage tribal government participation.

***NEPA and Environmental Justice***

The National Environmental Policy Act (NEPA) was signed into law on January 1, 1970, establishing national environmental policy and goals for the protection, maintenance, and enhancement of the environment, and provides a process for implementing these goals within the federal agencies.

Under the NEPA process, tribes must be invited to comment when federal action may affect tribal or ancestral tribal lands, cultural sites and values. Stakeholder tribes in the affected area are to be notified in the NEPA and National Historic Preservation Act (NHPA) consultation process to give tribes the opportunity to evaluate the impact to their lands and people. Timely and consistent notification to tribes continues to need improvement from federal agencies. In light of Executive Order 3355 streamlining NEPA, it is even more crucial that federal agencies including the EPA perform timely and meaningful tribal consultation to ensure NEPA determinations are correctly made.

"Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" (EO 12898) directs each Federal Agency to "make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations," including tribal populations.

The February 1994 Presidential Memorandum accompanying EO 12898 emphasizes the importance of using the NEPA review processes to promote environmental justice. It directs federal agencies to analyze the environmental effects, including human health, economic, and social effects, of their proposed actions on minority and low-income communities.

However, it is apparent that many times tribes are not included in the NEPA and NHPA process, or tribal consultation and communication is a "check off the box", especially in the rush for energy extraction and transmission priorities, resulting in adverse effects on these communities. Anytime there is a Federal undertaking, or any undertaking being funded with federal dollars, affected tribes, as stakeholders in the undertaking, must to be informed and given the opportunity for meaningful and timely consultation.

All Pueblo Council of Governors (APCG) www.apcg.org

## IV. Culture and Tradition

Cultural preservation among the Indian tribes of the United States is a critical component of our identity and survival. The tribes in Region 6 have their origins from areas as diverse as the wetlands of Florida, mountains of Georgia and the Carolinas, shores of the Great Lakes, open plains of the Midwest and Texas, and cliffs of volcanic tuft in the Rocky Mountains. Through migration, war, drought, forced relocation and termination policies, some tribes are now located in areas that were once unfamiliar and harsh, but have become thriving tribal communities that have maintained traditions and adopted others. The system of beliefs and practices known and unknown stem from thousands of years of living as a part of our environment and adapting to internal and external changes throughout history.

It is critical to be aware that tribal culture and traditions are not simply arcane practices or a part of mere pageantry. The perpetual responsibility for the protection of our lands and the duties we perform to meet this task are taken very seriously. Ultimately, "program authorization" to protect surface water does not come from EPA, as tribes have taken steps to protect pristine waters and lands for centuries. The knowledge that these resources are scarce and are impacted by internal and external influences directs tribal environmental program development and interaction between the programs and EPA Region 6. As the new Regional Administrator, you are now in a position to significantly assist EPA and Tribes in fulfilling this eternal obligation.