

EPA Announces Settlement with the Department of the Interior to Resolve Violations at DOI Schools in Indian Country

The U.S. Environmental Protection Agency (EPA) recently announced a comprehensive settlement with the Department of the Interior (DOI) to address alleged violations of waste, water, air, toxics and community right-to-know laws at schools and public water systems in Indian Country owned, operated, or the legal responsibility of DOI's Indian Affairs Office. The settlement will protect students' health and the health of communities in Indian Country by reducing potential exposure to environmental hazards.

"Children are more vulnerable to environmental exposures than adults, which is why ensuring that schools provide safe, healthy learning environments for our children, particularly in tribal communities, is a top priority for EPA," said Cynthia Giles, assistant administrator for EPA's Office of Enforcement and Compliance Assurance. "Today's landmark settlement will help strengthen public health and environmental protection in Indian Country and will improve environmental management practices at federally managed tribal schools."

Under the settlement, the DOI's Indian Affairs Office, comprised of the Bureau of Indian Affairs (BIA) and the Bureau of Indian Education (BIE), will correct all of the alleged violations at 72 schools and 27 water systems. DOI will implement an environmental compliance auditing

program and an environmental management system (EMS), designed to improve environmental practices at all of its BIE schools and BIA public water systems serving these schools. DOI has also agreed to install a solar energy system which will serve a school located in the Grand Canyon. The solar energy project will help ensure a more reliable source of electricity for the school and local community. DOI will also pay a civil penalty of \$234,844, which it must spend to correct violations of the Asbestos Hazard Emergency Response Act (AHERA) at its schools.

EPA conducted compliance inspections and data reviews at more than 100 BIE/BIA schools and public water systems. The settlement addresses all alleged violations under the Resource Conservation and Recovery Act, the Safe Drinking Water Act, the Clean Air Act, the Clean Water Act, the Emergency Planning and Community-Right-to-Know Act, the Toxic Substances Control Act's PCB provisions, and AHERA.

The settlement affects 60 tribes throughout the U.S. which have DOI Office of Indian Affairs schools or public water systems on or near their tribal lands. Consistent with EPA's consultation process with tribes, EPA consulted with the 60 tribes affected prior to finalization of the settlement agreement.

HUD Awards \$15.6 Million to Native American Communities as Part of Its New Rural Innovation Fund

The U.S. Department of Housing and Urban Development recently awarded \$15.6 million to 27 tribes or tribal communities throughout 10 states to address distressed housing conditions and concentrated poverty. HUD Secretary Shaun Donovan said the grants from HUD's new Rural Innovation Fund promote an "entrepreneurial approach" to affordable housing and economic development in rural areas. Native American communities or tribes received 55% of the \$28 million in national rural housing funds that Donovan announced as he was joined by tribal leaders in New Mexico.

"Rural America is vast and diverse, and different communities face different challenges and opportunities," said Donovan. "Because there is no 'one-size-fits-all' approach to strengthening rural communities, this funding provides flexible resources to address either housing or economic development needs, or both. This is especially important for communities that may have more limited access to resources because of their distant locations. These are catalytic projects that will have an impact on their communities for generations

to come." Donovan added, "Nationwide, the poverty rate for American Indians is more than twice the average for all non-Indians, making economic development particularly crucial in these communities."

For example, the Atmautluak Traditional Council in Alaska will train a construction workforce in green, energy-efficient new construction. The Lac Courte Oreilles Band of Lake Superior Chippewa Indians in Wisconsin will create a visitors center to promote tribal businesses and provide a venue for the work of local crafts and tradespersons. Walking Shield, Inc. of California will locate and redirect surplus military houses on the Malmstrom Air Force Base to the Rocky Boy Indian reservation in Montana, creating jobs in the process.

HUD's new Rural Innovation Fund offers grants of up to \$2 million to support innovative housing and economic development activities in 19 states throughout the country. HUD received 307 applications from 48 states for over \$236 million, almost 10 times the amount available. Eligible applicants were federally recognized Indian tribes,

state housing finance agencies (HFAs), state community development agencies, local rural non-profit organizations, community development corporations, or consortia of these groups. Grantees can use their grant funding to support a variety of housing and economic development activities including construction, preparation of plans, land acquisition, demolition, homeownership counseling, and financial assistance.

HUD awarded Rural Innovation Fund grants in three categories nationwide, and Native American tribes or entities were competitive in all three categories:

Comprehensive Grants – Seven Comprehensive grants nationwide, in which grantees have examined the social, housing and economic needs and resources of their target areas and made proposals that address these needs through activities that will have sustained benefit and resources after HUD assistance is used. The maximum grant amount was \$2,000,000 for this category. Tribal communities received three comprehensive grants.

Single Purpose Grants – 31 Single Purpose grants nationwide, for more targeted initiatives, which typi-

cally focus primarily on either housing or economic development. The maximum award amount was \$300,000 for this category. Tribal communities received 16 single purpose grants.

Economic Development and Entrepreneurship for Federally Recognized Tribes – Eight Indian Economic Development and Entrepreneurship grants nationwide, awarded from \$5 million set aside for applications for federally recognized Indian tribes. The maximum award amount was \$800,000 for this category.

Highlights of the awards nationwide include:

- 19 states are represented among the service areas, including Alaska and Puerto Rico.
- 789 housing units are proposed for low income beneficiaries nationwide.
- 655 total jobs will be created through activities assisted by the grants nationwide. Jobs include 178 construction jobs and 460 permanent jobs nationwide.
- Grantees have proposed to leverage over \$18 million in other funds for their respective projects. ♣

NTGCR

NATIONAL TRIBAL GAMING COMMISSIONERS/REGULATORS CONFERENCE

September 13-15, 2011
Chukchansi Gold Resort & Casino
Coarsegold, CA

CHUKCHANSI
Gold Resort & Casino

For more information, visit: www.NTGCR.com
Call Dawn Reiter at (920) 737-2814 or email: dawnr@thehillgroup.org.