



CORTINA BAND OF INDIANS
CORTINA INDIAN RANCHERIA
WINTUN TRIBE

P.O. BOX 1630
WILLIAMS, CA 95987

March 12, 2004

Wayne Nastri
Regional Administrator
U. S. EPA Region IX
75 Hawthorne Street
San Francisco, CA 94105

Subject: proposing Unclassifiable designation in regards to PM.

Dear Mr. Nastri,

The Cortina Band of Wintun Indians, officially known as the Cortina Indian Rancheria of Wintun Indians of California ("Band"), a federally recognized tribe, in exercising our inherent sovereign authority over our air shed, recommends that all lands within the Cortina Rancheria ("Rancheria") be classified as unclassifiable areas for Particulate Matter ("PM") pursuant to the National Ambient Air Quality Standards ("NAAQS").

The Rancheria was established by order of the Secretary of Interior on June 26, 1907, setting aside 160 acres for the exclusive use of the Band. Subsequently, the Band acquired an additional 480 acres by or of the Secretary on July 20, 1907. The Band is based on this square mile Rancheria in North Central California. The Band is recognized and organized under the provisions of the Indian Reorganization Act, pursuant to the development of its constitution and bylaws, which were approved by the Secretary of the Interior on August 10, 1973.

The Rancheria lies in southwestern Colusa County, California, approximately 70 miles northwest of Sacramento. The Rancheria is situated in the territory formerly occupied by the ethnographic Patwin, the southernmost of the three linguistic divisions of the Wintun People. Settlement of the area by "outsiders" along the Sacramento River includes accounts as early as 1846 and by 1900, only two Indian villages remained (Ott, 1979).

Since the 1940's, few tribal members have lived on the Rancheria. After a new Bureau of Indian Affairs road was constructed in 1987, access by car became possible, electric service was provided, and home construction began. This single lane all-weather road connects the Rancheria to State Highway 20, which lies a few miles to the north and west of the Rancheria. State Highway 20 is an east-west route between the Central Valley and the coast. The nearest major route serving the general area is Interstate 5, some 17 miles to the east of the Rancheria. The nearest towns are Arbuckle, located approximately 13 miles to the east, and Williams, which is approximately 15 miles to the northwest.

Although, no PM_{2.5} monitoring has been conducted on the reservation we believe that because of our geographical location we possibly meet the PM_{2.5} standards. The monitoring stations nearest to the Rancheria, as listed on EPA's website, is the site in Colusa, California. Colusa is approximately one hour away and sits on the Sacramento Valley floor at about seven (7) feet above sea level.

The Band's goals are to maintain the best air quality and strive to protect the air resources for future generations. We also would like to recommend all (tribal) territories that are contiguous or that the tribe holds interest to, be designated as unclassifiable. Below are the reasons for the basis of our request:

- Insufficient Monitoring Data. Monitoring for PM₁₀ has been commenced under an approved QAPP. We are able to retrofit to 2.5 and amend our current QAPP.

IPSB
- AGSSID
add to Docket
no response

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- Data Gaps exist throughout Indian Country, we are attempting to change that, if funding allows.
 - Monitoring data used for designations are located at a different elevation than the Rancheria. The monitor sits on the Valley floor. Our monitor is at an elevation of 640 Feet above sea level.
 - Meteorological data needed. The Rancheria is located on the westerly rim of the Sacramento Valley and is affected by different wind flows. The tribe does receive air flow from the west as it comes into the valley and this information is reflected in our Emissions Inventory, which we are currently in the process of posting on the National EI data base.
 - Meteorological Data Not Consistent with Actual Area under Consideration.
 - Arguably Proposed Tribal Implementation Plan will be more stringent than that of (state's) State Implementation Plan (whose standards are to be developed).
 - Rancheria is located in rural Area where there are no Major Sources

Thank you for your time in reviewing this matter. If you have, any questions regarding these recommendations please contact **Kesner C. Flores Jr.**, at (530) 473-3318.

Respectfully,



Elaine Patterson, Chair
Cortina Band of Wintun Indians, Cortina
Indian Rancheria

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