

*Richard F. Narcia*  
GOVERNOR



*Mary V. Thomas*  
LIEUTENANT GOVERNOR

*Gila River Indian Community*  
EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

June 17, 2004

Wayne Nastri  
Regional Administrator  
U.S. Environmental Protection Agency-Region 9  
75 Hawthorne Street  
San Francisco, CA. 94105-3901

RE: PM 2.5 Designation Recommendation for the Gila River Indian Community

Dear Mr. Nastri,

Thank you for the opportunity to submit a recommendation for the areas under the Gila River Indian Community's jurisdiction for the PM 2.5 National Ambient Air Quality Standard. In accordance with provisions of the Clean Air Act, the Gila River Indian Community (GRIC or Community) recommends that the U.S. Environmental Protection Agency designate the air quality management area within Community exterior boundaries as unclassifiable for the PM 2.5 National Ambient Air Quality Standard. This management area includes all GRIC lands within both Maricopa and Pinal Counties.

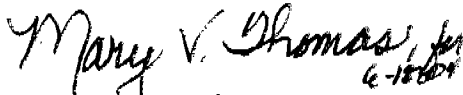
The Community, with support from GRIC Tribal Council (see attached resolution), makes this recommendation based on several factors. Current monitoring data for fine particulate matter collected since March, 2002 by the GRIC Department of Environmental Quality indicates the Community's air quality is well within the required standard for PM 2.5. In fact, monitoring data for the State of Arizona suggests fine particulates are not a problem for the state and a violation has never occurred. Though a third year of data from the Community is required to make a designation recommendation of attainment for PM 2.5, GRIC does not anticipate elevated levels from sources on or off the Community. Until the additional monitoring data can be collected for PM 2.5, GRIC is recommending a designation of unclassifiable. An Emissions Inventory of the various pollution sources within the Community was performed in 1997. Though PM 2.5 was not one of the pollutants estimated in the inventory, sources most likely to emit significant levels of fine particulates are not present at GRIC.

This designation recommendation incorporates the same GRIC boundaries established through the process of receiving an eligibility determination for implementing Clean Air Act programs (the Treatment as a State status) in accordance with the Tribal Authority Rule and the Clean Air Act. In April of 1999, GRIC applied for and received eligibility

under Section 105 of the Clean Air Act from EPA to receive funding to develop an ongoing air quality program. The Community has actively taken on the responsibility of protecting human health and the environment by drafting a Tribal Implementation Plan (TIP) to regulate both major and minor sources of air pollution at GRIC. The TIP allows the tribe to exercise its rights and responsibilities as a sovereign nation.

The Gila River Indian Community looks forward to continuing our work with EPA to find the optimum strategies for the protection of human health and the environment.

Sincerely,

A handwritten signature in cursive script that reads "Mary V. Thomas". To the right of the signature, there is a date "6-18-04" written in a smaller, less legible cursive.

Richard P. Narcia  
Governor

- cc: GRIC Council members  
Janet Napolitano, Governor, State of Arizona  
Doug McDaniel, EPA Region 9  
Colleen McKaughan, EPA Region 9  
Steve Page, OAQPS  
Laura McKelvey, OAQPS  
Steve Owens, ADEQ  
Dennis Smith, MAG  
Don Gabrielson, Pinal County AQCD  
Al Brown, MCESD  
Pat Mariella, GRIC DEQ

Attachments: GRIC PM 2.5 Monitoring Data  
GRIC Council Resolution GR-37-04



# GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85247

RESOLUTION GR-37-04

**A RESOLUTION RECOMMENDING THAT THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY DESIGNATE THE GILA RIVER INDIAN COMMUNITY AS UNCLASSIFIABLE FOR THE FINE PARTICULATE MATTER NATIONAL AMBIENT AIR QUALITY STANDARD**

**WHEREAS,** the Gila River Indian Community (the "Community") is highly committed to the protection of human health and the environment; and

**WHEREAS,** the Community has jurisdiction over more than 374,000 acres in central Arizona; and

**WHEREAS,** the Community has developed a Department of Environmental Quality to manage and protect human health and the environment and has received an eligibility determination from the U.S. Environmental Protection Agency (EPA) to implement Clean Air Act programs within the exterior boundaries of the Community as a separate and sovereign jurisdiction; and

**WHEREAS,** sources of fine particulate matter (PM<sub>2.5</sub>) from within the Community do not cause nor contribute to violations of the PM<sub>2.5</sub> National Ambient Air Quality Standard (NAAQS), nor is the Community receptor for excess levels of PM<sub>2.5</sub> generated elsewhere; and

**WHEREAS,** there are no significant sources located within the Community which have the potential for causing violations of the PM<sub>2.5</sub> NAAQS; and

**WHEREAS,** data collected for two years at two PM<sub>2.5</sub> monitoring sites within the Community have measured levels well within the NAAQS; and

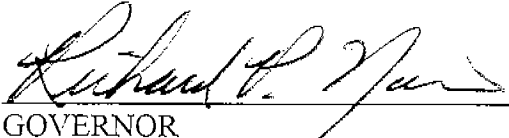
**WHEREAS,** fine particulates are not a significant problem in the State of Arizona and to date, no monitoring sites within the State have measured violations of the PM<sub>2.5</sub> NAAQS;

**NOW, THEREFORE BE IT RESOLVED**, that the Gila River Indian Community Council hereby strongly recommends that the United States Environmental Protection Agency designate the entire Gila River Indian Community as unclassifiable under the PM<sub>2.5</sub> NAAQS.

**CERTIFICATION**

Pursuant to authority contained in Article XV, Section 1, (a), (1), (7), (9), (18) and Section 4 of the amended Constitution and Bylaws of the Gila River Indian Community, ratified by the Tribe January 22, 1960 and approved by the Secretary of the Interior on March 17, 1960, the foregoing Resolution was adopted this 7th day of April, 2004, at a Regular Community Council Meeting held in District 3, Sacaton, AZ, at which a quorum of 13 Members were present by a vote of: 13 FOR; 0 OPPOSE; 0 ABSTAIN; 4 ABSENT; 0 VACANCY.

GILA RIVER INDIAN COMMUNITY

  
GOVERNOR

ATTEST:

  
COMMUNITY COUNCIL SECRETARY

APR 10 2004  
11:10 AM  
GILA RIVER INDIAN COMMUNITY