



Cherokee Nation Tribal Perspectives on Superfund

2003 National Site Assessment
Symposium

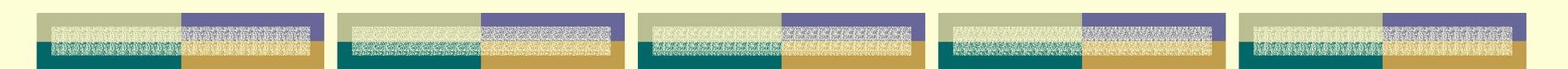
Jason White

Background on the Cherokee Nation



The Cherokee Nation has a service area that encompasses 14 counties in Northeastern Oklahoma.

As of November 2002, the Cherokee Nation has an enrollment of 232,928 citizens, of which 117,316 citizens live in the Cherokee Nation service area.

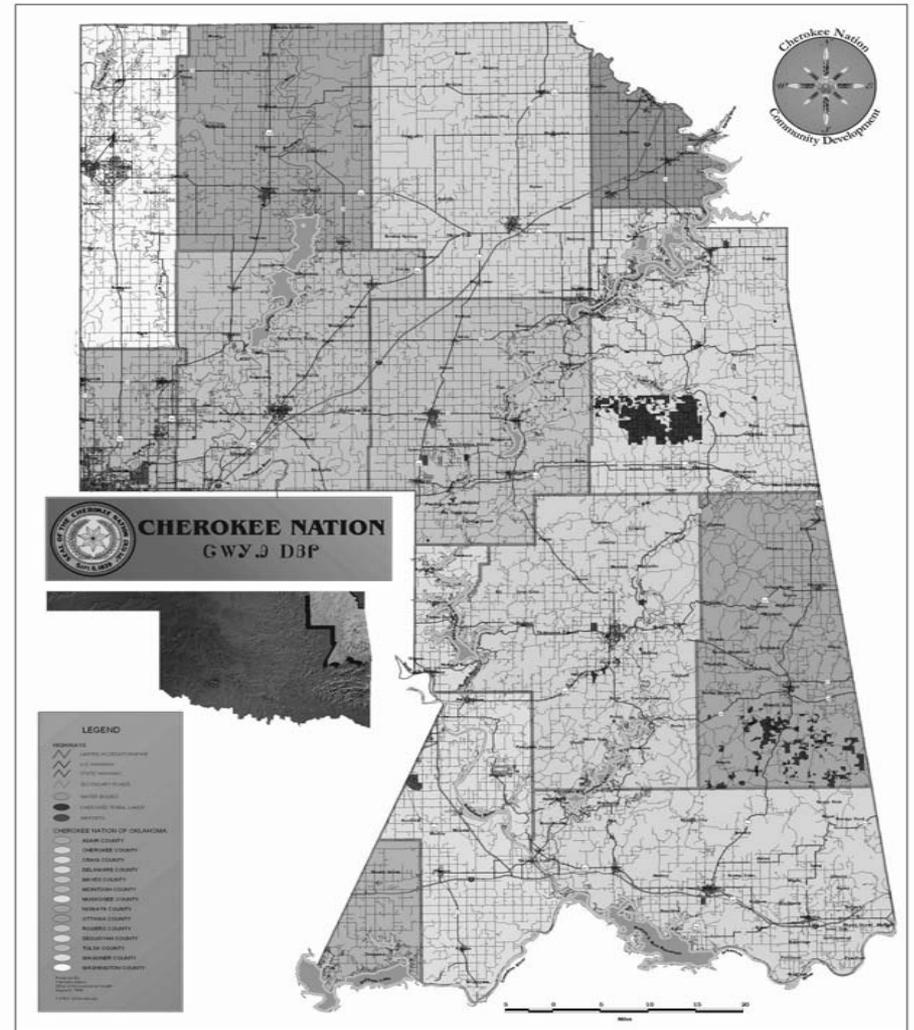


Superfund Program

In 1990, Cherokee Nation became the second tribe in the United States to sign an EPA Superfund Memorandum of Agreement. This established a Superfund program through the Cherokee Nation's Hazardous Waste Management Office, now the Office of Environmental Services.



- Within Cherokee Nation's 14 county area:
- There are over 265 CERCLIS sites
- 3 NPL Sites
- 2 NRC Sites





Cherokee Nation's Superfund Program

- Our Superfund Program looks at sites that are either on tribal or allotted lands, or which may impact tribal lands, allotted lands, tribal members, or natural and cultural resources of a tribe.
 - Our program evaluated 33 PA's and 23 SI's within the Fiscal years 1991-1992.
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*Inter-Tribal Environmental Council
was established in October 1992*



*Cherokee Nation's Office of
Environmental Services serves as
the lead agent*

*ITEC provides Superfund and other
environmental services to 32 ITEC
Members from Oklahoma and Texas*



Inter-Tribal Environmental Council

Member Tribes

Absentee-Shawnee

Alabama-Quassarte

Alabama-Coushatta (TX)

Apache

Caddo

Cherokee

Cheyenne-Arapaho

Citizen Potawatomi

Comanche

Muscogee (Creek)

Delaware Nation

Delaware Tribe

Eastern Shawnee

Fort Sill Apache

Iowa

Kaw

Kialegee

Kickapoo

Kiowa

Miami

Modoc

Otoe-Missouria

Ottawa

Pawnee

Peoria

Ponca

Sac & Fox

Seminole

Seneca-Cayuga

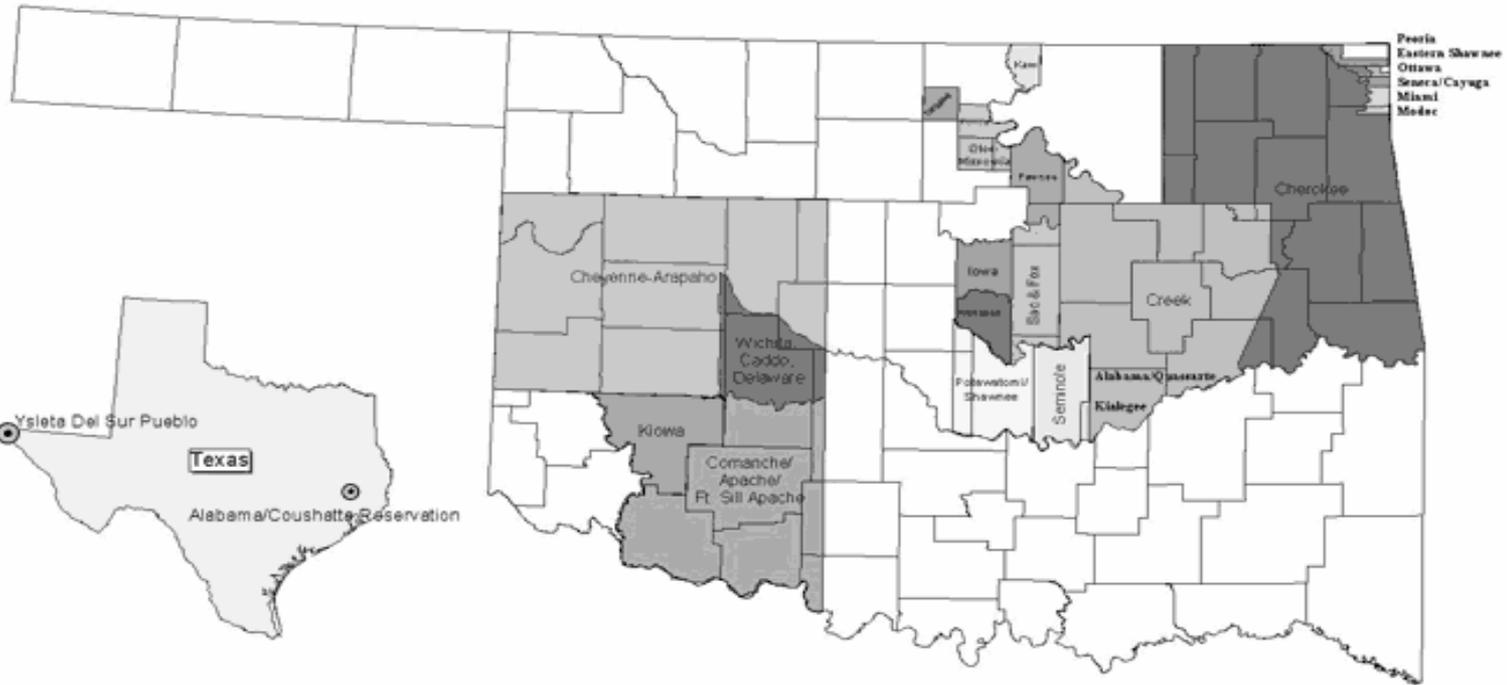
Tonkawa

Wichita & Affiliated Tribes

Ysleta del Sur Pueblo (TX)



Inter-Tribal Environmental Council (ITEC) 32 Member Tribes



Peoria
 Eastern Shawnee
 Ottawa
 Seneca/Cayuga
 Miami
 Modoc

Ysleta Del Sur Pueblo
 Texas
 Alabama/Coushatta Reservation

ITEC Member Tribes	
Alabama-Shawnee	Kiowa
Alabama/Coushatta (TX)	Modoc
Alabama/Quapaw	Muscogee
Apache	Oneida
Caddo	Ottawa
Cherokee	Pawnee
Cheyenne-Arapaho	Peoria
Chickasaw	Ponca
Comanche	Sac & Fox
Creek	Seminole
Eastern Delaware	Seneca/Cayuga
Eastern Shawnee	Texas
Ft. Sill Apache	Wichita and Ft. Sill Apache
Iowa	Wichita
Kar	Ysleta Del Sur Pueblo
Kickapoo	
Kichayo	





Superfund Program

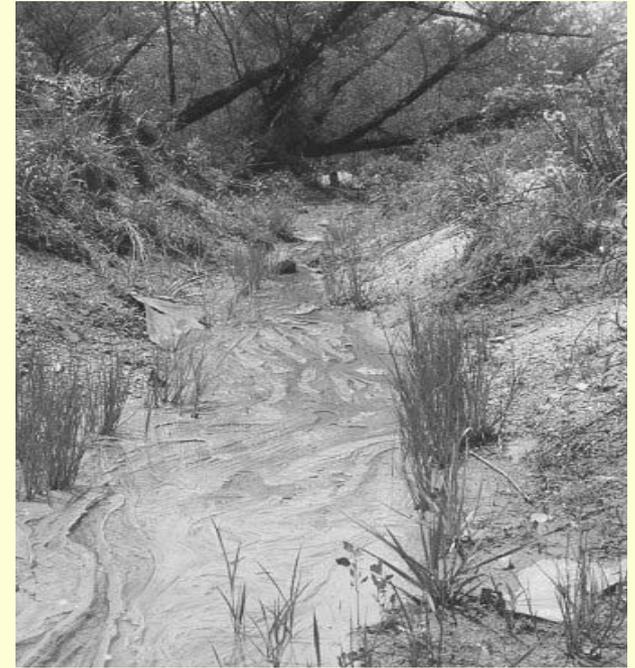
- As of today, 135 sites have been evaluated
 - 121 Preliminary Assessments
 - 59 Site Investigations
 - 4 Site Investigation Prioritization Reports
 - 8 Pre-Cerclis screenings
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5 management assistance projects at NPL sites impacting ITEC tribes, including...

- Tar Creek
- Oklahoma Refining Company
- Hudson Refinery
- Tulsa Fuel and Manufacturing
- Basin Refinery



Tar Creek Superfund Site

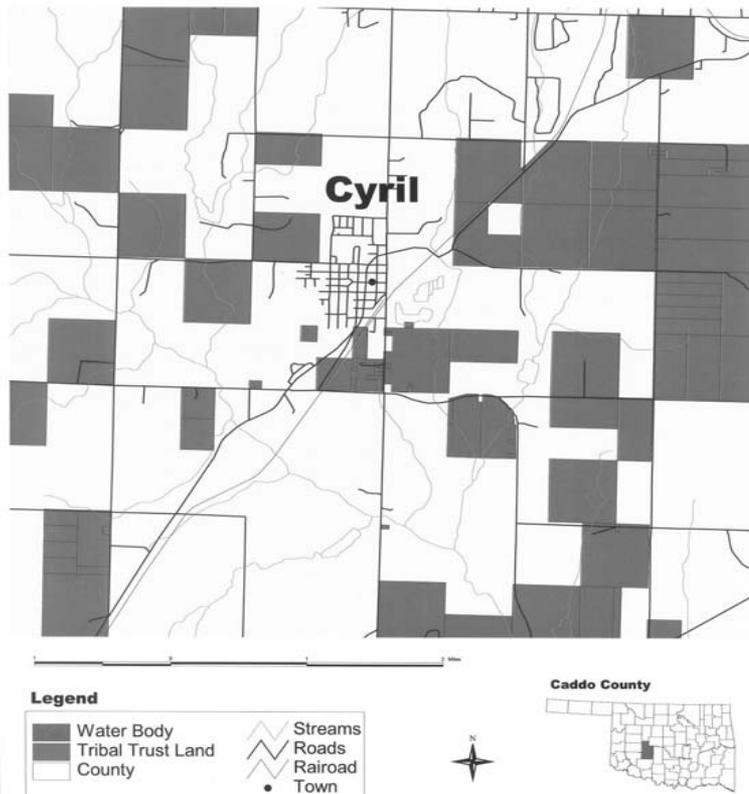


Oklahoma Refining Company Superfund Site



Oklahoma Refining Company

**Tribal Trust Land
Near the Town of Cyril, OK
(In Caddo, OK)**





Tribal Risk Assessment

Risk assessment must account for unique ways tribal members use watershed resources for food, recreation, & cultural & ceremonial purposes

Tribal cultural values and environmental concerns may not be adequately addressed in risk assessment protocols of SI, HRS, RI/FS

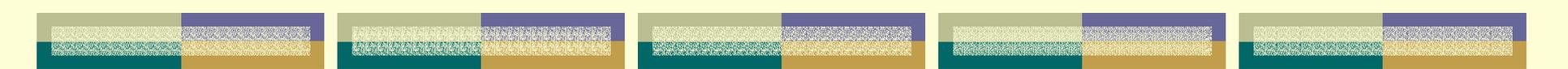




Superfund is an important issue for Tribes. According the research from National Tribal Environmental Council over 430 NPL sites are on, adjacent or within 50 miles of Indian Lands. (This information does not include deleted sites or Federal Facilities)

What does this mean? It means that over a third of the NPL listed sites have the potential to impact Tribes.

- Establishes the need to review off-reservation or Tribal boundaries, direct or indirect impacts to Tribal lands (reservations, allotments, trust lands, resources & populations
 - Review impacts to lands or resources to which tribes have treaty rights for hunting, fishing, and ceremonial uses.
 - Evaluate unique impacts to populations using such resources in ways that general population would not.
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Tribal Consultation

Tribes need to be consulted at all stages of the site assessment, removal, and remediation to ensure tribal interests are addressed.

Important to consult with Tribes directly (not thru BIA) thru Chief/Chairperson, council, and/or Tribal natural resources or environmental programs.

Tribal representatives participate thru Tribal consortia and organizations to address various environmental issues (e.g., Tribal Operations Committee, Regional Tribal Operations Committee, TASWER, ITEC, NTEC, ITC of Arizona, Regional Tribal Summits with EPA).





Tribal Involvement

Tribes need to be recognized as sovereign governments

Open government to government communication is essential.

Tribal consultation and Tribal involvement needs to happen early and often.

Tribes should be involved in decisions about sites that may impact their resources.

Important to remember that Tribes may have different views on the extent of cleanup and restoration of NPL sites. (Example: healing the site for the Tribal community versus meeting regulatory cleanup requirements) Tribes need cleanup criteria that protects Tribal Traditional Lifeway activities, including the use of Tribal resources for cultural, subsistence and ceremonial purposes.

