



SHINGLE SPRINGS BAND OF MIWOK INDIANS

Shingle Springs Rancheria, (Verona) Tract, California
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RESOLUTION 2016-71

SUBJECT: APPROVAL OF SSBMI ENVIRONMENTAL MANAGEMENT PLAN.

WHEREAS, the Shingle Springs Band of Miwok Indians (the "Tribe") is a federally recognized Indian tribe eligible for the special programs and services provided by the United States to Indians because of their status as Indians and is recognized as possessing powers of self-government; and

WHEREAS, the Shingle Springs Tribal Council is the duly-elected governing body of the Tribe and is authorized to act on behalf of the Tribe; and

WHEREAS, the Tribal Council desires to renew the Tribe's participation in the General Assistance Program ("GAP") grant administered by the United States Environmental Protection Agency ("EPA"); and

WHEREAS, in order to participate in the GAP grant the Tribe is required to agree to an EPA Tribal Environmental Plan; and

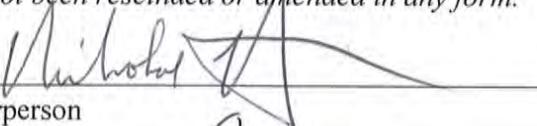
WHEREAS, the Tribal Council has reviewed the attached "Environmental Management Plan" and has determined that it is consistent with the Tribes goals for management of its land.

NOW THEREFORE, BE IT RESOLVED that the Tribal Council hereby approves the attached "Environmental Management Plan" as described above, and authorizes the Chairman or his designee to execute any and all documents and agreements necessary as may be required to give effect to the transactions, herein contemplated, and to take such other actions as may hereby be necessary and appropriate to carry out the obligations there under.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

CERTIFICATION

As a duly-elected official of the Shingle Springs Band of Miwok Indians, I do hereby certify that, at a meeting duly called, noticed, and convened on the 27th day of October, 2016 at which time a quorum of 7 was present, this resolution was duly adopted by a vote of 7 FOR, 0 AGAINST, 0 ABSTAINED, and said resolution has not been rescinded or amended in any form.



Chairperson

October 27, 2016

Date

ATTEST:



Secretary

October 27, 2016

Date

SHINGLE SPRINGS BAND OF MIWOK INDIANS

ENVIRONMENTAL MANAGEMENT PLAN

9/27/ 2016
Shingle Springs Band of Miwok Indians
5281 Honpie Rd.
Placerville, CA 95667

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SECTION 1.0

INTRODUCTION

1.1 AUTHORITY

This policy is established by the Shingle Springs Band of Miwok Indians Tribal Council, the elected governing body of the General Membership, in accordance with the Articles of Association, Article III, Section 1 of the Shingle Springs Band of Miwok Indians.

1.2 ENVIRONMENTAL MANAGEMENT PLAN

The Tribal Government of the Shingle Springs Band of Miwok Indians has adopted the following goal for this Environmental Management Plan:

Allow the Tribe to meet the needs of its members in an environmentally responsible manner and priorities listed below. (Guidebook for building Tribal Environmental Program Capacity)

1.3 APPLICABILITY

This Environmental Management Plan contains five sections: (1) Introduction, (2) Background, (3) Environmental Management Plan, (4) Protection of Federally Listed Species and Associated Habitats and (5) Administration and Funding.

The Introduction section of this plan is intended to provide the reader with the Environmental Management Goal as it relates the environmental protection on Shingle Springs Band of Miwok Indians tribal lands. The goal provides guidance in developing the environmental plan.

The Background section of this plan is intended to provide information about the Tribe, how the Rancheria was established, and a synopsis of existing environmental regulations, laws and/or agreements that apply to the Tribe. The Background section also contains a list of existing environmental studies or related documents that have been or are currently being developed for the Tribe.

The Environmental Management Plan (Section 3.0) addresses the following environmental issues, not in order of priority, identified by the Tribal EPA as being of importance:

- Wastewater Disposal (Appendix I Section D)
- Solid Waste Management (Appendix I Section E)
- Air Quality (Appendix I Section C)
- Traffic Effects on Environment (25 CFR Part 170)
- Resource Management (53 IAM)

- Water Quality (Appendix I Section D)
- Cultural Resources Management (36 CFR Part 800)

Each issue is assigned a “Level of Importance” as identified by the Tribal EPA. The Level of Importance rating ranges from low to high. This rating system is intended to provide guidance to the Tribal Council for allocation of Financial and staffing resources. Each environmental category also contains a brief discussion of the issues faced by the Tribe, and a focused statement as to the environmental concern raised. Lastly, Environmental Plan Objectives are identified to provide program guidance to the Tribe.

The Protection of Federally Listed Species and Associated Habitats section addresses the protection of important habitats that exist on the Tribe’s property east of Sacramento and the Tribe’s plan to manage these resources consistent with its status as a sovereign government.

The Administration and Funding section of this plan identifies existing Tribal resources available to implement the Environmental Management Plan and assigns responsibilities to program managers. This Section also provides a partial list of funding and technical assistance programs that can be used to develop necessary studies, ordinances, and monitoring programs as part of this Plan.

SECTION 2.0

BACKGROUND

2.1 BACKGROUND

The Tribe and its members are descendants of the Miwok and Maidu Indians that inhabited the central part of California for thousands of years until contact with Europeans. In 1916, a special Indian Agent, Mr. John T. Terrell, working for the department of the Interior conducted a census of Indians living in Sutter and Sacramento Counties in California and found a number of Indian families living in depressed conditions along the Sacramento River and in and around Sacramento. Upon identifying these Indians and their needs, Mr. Terrell set about trying to acquire land for these “homeless” Indians in El Dorado County, California on the site, which is now the Shingle Springs Rancheria. Finally, in 1920, under the authority of the Indian Homeless Acts of June 21, 1906 and April 30, 1908, Mr. Terrell was able to obtain a deed for the 160-acre Shingle Springs Rancheria for the use and occupancy of the Sacramento-Verona Band of Homeless Indians.

From 1920 until the mid-1970s, the Sacramento-Verona band of Homeless Indians never occupied or used the Shingle Springs Rancheria. In August of 1970, BIA notified the members of the Tribe for which it had records of their right to use and occupy the Shingle Springs Rancheria. In November of that year, a meeting was held to discuss the possible sale or use of the Rancheria. In the meeting, the BIA explained the status of the Rancheria including the fact that the site was land locked. The BIA then gave the Tribe four options, one of which was, to organize under Articles of Association and setup home sites on the Rancheria. The BIA would then purchase an easement through the privately owned lands that surrounded the Rancheria in order to provide access to the site. The BIA also promised to help provide utility service to the site. Ultimately, the tribe chose this option.

The Tribes Articles of Association were adopted by the Tribe in June, 19, 1976 and approved by the Secretary of the interior on December 10, 1976. At the same time, the Tribe official Federal designation/ name was changed from the Sacramento-Verona Band of Homeless Indians, to the Shingle Springs Band of Miwok Indians. Over time the land base of the Tribe has grown to over 425 acres surrounding the original 160-acre parcel.

Time and acculturation have affected the ability to continue a way of life handed down from past generations. However, Indian people are survivalist and akin to adaptation. The impacts upon traditional resources whether by pollution or encroachment has required finding modern ways of maintaining the Tribe’s economy for a sustainable future. As the Shingle Springs Band of Miwok Indians looks to the future and steadily makes economic gains for the good of the Tribal Community, there is also a need to retain a world view, interrelationships, and culture that uniquely define Indian people.

This is the balance reflected in the Environmental Management Plan, which conveys an understanding of ancestral customs and values while balancing the immediate and projected needs of the community and the sustainable management of natural and environmental resources.

2.2 EXISTING ENVIRONMENTAL REGULATIONS

Currently all of the environmental regulations that the tribe has are contained in the Tribe's Environmental Codes.

ARTICLE I. PURPOSE.

The Tribal Council of the Shingle Springs Band of Miwok Indians ("Tribe") enacts the following Environmental Code in order to protect and preserve the Shingle Springs Rancheria and any other lands held in fee or in trust for the benefit of the Tribe (hereinafter collectively referred to as "Tribal Lands") This Environmental Code establishes minimum procedures necessary to provide a safe and habitable homeland for members of the Tribe, present and future generations, by monitoring environmental impacts.

ARTICLE II. DEFINITIONS AND ADMINISTRATION.

(A) DEFINITIONS.

Wherever used in this Code, the following terms shall have the following meaning:

1. **"Code"** shall mean this Environmental Code.
2. **"Composting"** refers to the process of converting vegetable matter and green waste into a mixture of organic matter used to improve soil structure and provide nutrients to plants through decomposition.
3. **"Daylighting"** refers to any water from septic system coming to the surface.
4. **"Environmental Department"** shall mean the Tribal Environmental Department.
5. **"Environmental Review"** means any environmental assessment, environmental impact report or similar environmental study prepared in connection with a project.
6. **"EPA"** shall mean the United States Environmental Protection Agency.
7. **"Feasible"** means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

8. **“Hazardous Waste”** is a liquid, solid, contained gas, or sludge that contains properties that are dangerous to human health or the environment.
9. **“Household Hazardous Waste”** includes, but is not limited to, paint, used motor oil, used antifreeze, household cleaners, etc.
10. **“Resident”** refers to any individual who resides on Tribal Land.
11. **“Solid Waste”** refers to waste including, but not limited to, household waste, non-compostable garden waste, lumber, debris, and abandoned items.
12. **“Title 22 Water”** refers to highly treated wastewater used for non-potable beneficial uses.
13. **“Tribal Council”** refers to the governing body of the Tribe.

(B) ADMINISTRATION.

The Tribal Council shall administer the provisions of this Code. The duties of the Shingle Springs Tribal Council with respect to this Code shall include all of the following:

1. To administer and enforce the provisions of this Code;
2. To delegate responsibilities contained within this Code to the appropriate Tribal Department, Program, Board or Committee;
3. Propose and approve future amendments to this Code, as it deems necessary;
4. To keep such records as may be required.

ARTICLE III. WATER.

(A) TITLE 22 RECLAIMED WATER.

1. Typical and appropriate uses for Title 22 Reclaimed Water include, but are not limited to, landscape irrigation, industrial processing (cooling towers), dust control on construction sites and toilet flushing. It is not appropriate to use Title 22 Reclaimed Water for human or animal consumption.
2. If a Resident wishes to utilize Title 22 Reclaimed Water on their parcel and they do not already have access, they may contact the Tribal Environmental Department to start the set up process.
3. Title 22 water sources must use identification markers and/or signs in order to prevent human or animal consumption.

(B) WASTE WATER.

1. The Tribe operates a Waste Water Treatment Plant which shall process all waste water except for that of those residents still using septic tanks.
2. Only existing septic tanks are allowed and all future homes and developments must utilize the Waste Water Treatment Plant.

3. If an event occurs that could impact water quality on Tribal Land, the Waste Water Treatment Plant must immediately notify the Tribal Administrator.

(C) WATER QUALITY.

1. The Environmental Department shall monitor waterways on Tribal Lands.
2. In the event of a spill of any substance that may affect water quality on Tribal Lands the Environmental Department is to be notified immediately so they can assist in the cleanup of the material.
3. Environmental Department staff shall ensure the repairs and maintenance of creek beds in order to control unchannelized flow.
4. No person may throw or dispose of any waste in any stream, channel or other body of water on Tribal Lands.

ARTICLE IV. WASTE.

(A) SEPTIC SYSTEMS.

1. The Environmental Department shall make available information to Residents regarding the proper and regular maintenance of their specific septic system.
2. Residents shall report any Daylighting or odor to the Environmental Department as soon as possible following discovery. The Environmental Department shall respond to these reports and evaluate the potential failure of the system. If the Environmental Department determines that corrective action is required, they shall assist the resident mitigating the situation.
3. There shall be no new septic tanks placed on Tribal Lands as all new developments should be utilizing the Waste Water Treatment Plant.

(B) SOLID WASTE.

1. Each Resident living on Tribal Lands will be responsible for keeping their parcel, in a neat and sanitary condition which includes, but is not limited to, keeping said parcel free from solid waste.
2. Solid waste must be disposed of appropriately. No person, employee, firm, or corporation or enterprise shall dispose of Solid Waste on Tribal Land.

(C) HAZARDOUS WASTE.

1. No person, employee, firm, or corporation or enterprise shall throw or dispose of Hazardous Waste on Tribal Lands.
2. The Tribal Environmental Department strongly encourages those living on Tribal Lands to try and find ways to reduce the amount of household hazardous waste used including, but not limited to, using safer organic alternatives when available, using all of the material before disposing of an empty container and/or contacting the Tribal Environmental Department to assist in disposing of hazardous materials.

(D) GREEN WASTE.

Composting is encouraged and the Tribal Environmental Department will make available for Residents information on composting. No Resident may scatter green waste on their premises unless it has undergone the composting process.

(E) RECYCLING.

The Tribal Environmental Department shall develop a recycling program with assistance from local disposal companies, the EPA and other tribes. This recycling program may include, but is not limited to having, a plan for recycling aluminum cans, paper (newspaper, typing, etc.), glass, motor oil, oil filters, tires, plastics, batteries and any other products as deemed necessary.

ARTICLE V. AIR.

(A) BURNING.

1. Residents may burn non-toxic waste in open pits provided all burning does not interfere with the health or peaceful enjoyment of other Residents.
2. The following is a list of safety precautions to employ which will reduce the chances that an uncontrolled fire will occur:
 - i. For maximum safety, pile size should be four (4) foot in diameter or less;
 - ii. Flammable materials and vegetation should be cleared away within a ten (10) foot radius of the pile;
 - iii. Only burn close to a water supply;
 - iv. Only burn when an adult is in attendance;
 - v. Ensure that the fire is completely extinguished before leaving the area.
3. At times larger fires may occur in traditional structures or areas such as a roundhouses, sweat lodges or dance arbors. The leader of the ceremony, dance, etc. is responsible for exercising good judgment as it pertains to fire safety.
4. In the performance of their regular duties, the Tribal Facilities Department may have larger fires or burn piles. The Tribal Facilities Department Director is responsible for exercising good judgment as it pertains to fire safety.

(B) AIR QUALITY EDUCATION.

The Tribal Environmental Department shall make available information for Tribal Members about the air quality effects of land use/transportation on Tribal Lands. The information may include flyers, community workshops, brochures and articles in the monthly newsletter.

(C) DUST.

All construction activities taking place on Tribal Lands shall perform all the following practices to reduce dust when applicable:

1. Water all active construction areas as needed;

2. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two (2) feet of space below the top of the truck bed;
3. Pave, apply water, or apply (non-toxic) soil stabilizers on all unpaved areas and staging areas at construction sites;
4. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten (10) days or more);
5. Enclose, cover, water, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.);
6. Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
7. Replant vegetation in disturbed areas as quickly as possible.

ARTICLE VI. NATURAL RESOURCES.

(A) TIMBER.

Any harvesting of wood shall be done in accordance with the Shingle Springs Rancheria Fuel Wood Policy Statement, regulations set forth in 25 CFR Part 163 and the National Indian Forest Resources Management Act. In addition, the following provisions apply to all timber cutting:

1. Trees cleared from all development projects shall be used for fuel wood for Residents.
2. If a Resident has a dead or down tree on their property, they may contact the Facilities Director to ask for the grounds crew come out to remove it.

ARTICLE VII. ENVIRONMENTAL REVIEW PROCESS FOR NEW DEVELOPMENT.

(A) ENVIRONMENTAL DEPARTMENT.

Any time heavy equipment is going to be used to dig, the Tribal Department completing or contracting the construction must notify and communicate with the Tribal Environmental Department to ensure that the any possible negative effect of construction on Tribal Lands can be appropriately mitigated.

(B) FACILITIES DEPARTMENT.

Any time heavy equipment is going to be used to dig, the Tribal Department completing or contracting the construction must notify and communicate with the Tribal Facilities Department to ensure that no utility lines will be damaged while digging.

(C) CULTURAL RESOURCES DEPARTMENT.

Any time heavy equipment is going to be used to dig, the Tribal Department completing or contracting the construction must notify and communicate with the Tribes Cultural Resource Department to ensure that no culturally significant areas will be disturbed.

(D) ENVIRONMENTAL REVIEW.

Prior to the commencement of any project, the Environmental Department may prepare or, in certain circumstances, be required to review a project's environmental impacts.

1. If the Tribe does an environmental review, the document shall be prepared by person(s) qualified by training, education or experience to make the required analysis.
2. The environmental review shall include at a minimum: a description of the proposed project, a description of the proposed area(s) that may be affected by the proposed project, information regarding the significant adverse environmental impacts of the proposed project, if any, and proposed mitigation measures to lessen or avoid significant adverse on-reservation environmental impacts of the proposed project if any.
3. The environmental review may also include information required by certain granting agencies, including information which documents compliance with other rules and regulations.

2.2.2 OTHER FEDERAL REGULATIONS

In addition to the Tribe's environmental protection ordinances, activities on Tribal lands are also subject to the following federal laws:

1. Federal Clean Air Act
2. Federal Clean Water Act
3. Federal Endangered Species Act
4. National Historic Preservation Act

Projects proposed on Tribal lands subject to federal funding or approval will also be subject to compliance with the National Environmental Policy Act (NEPA) and NEPA-related laws and authorities. Compliance with NEPA for tribal projects may result in mitigation measures to be implemented by the Tribal Government. Mitigation measures are designed to assure that potential environmental impacts from Tribal projects are avoided or minimized.

2.3 RELATED ENVIRONMENTAL STUDIES

The following is a list of environmental studies or related documents that have been developed or are being developed for the Tribe:

1. Shingle Springs Rancheria Solid Waste Management Plan. (Analytical Environmental Services)
2. Physical Land-Use Plan. (Visions Enterprises. 1992.)

3. Shingle Springs Ground Water Report. (AES – Analytical Environmental Services. 2002.)
4. Preliminary Draft Tribal Environmental Impact Report – Shingle Springs Rancheria Casino Development Project. (Lead Agency. 2007.)
5. Multi-Purpose Water Resources Investigation: Shingle Springs Rancheria. Tribal Council and U.S. Bureau of Indian Affairs. (OTT Water Engineers, Inc. 1979.)
6. Shingle Springs Rancheria Solid Waste Transfer Station Feasibility Study. (Analytical Environmental Services. 2005.)
7. Shingle Springs Rancheria Environmental Assessment. (Environmental Science Associates. 1998.)
8. Wastewater Treatment Feasibility Study For Shingle Springs Rancheria. (7-H Technical Services Group. 2000.)
9. Shingle Springs Rancheria U.S. Department of Housing and Urban Development (HUD) Environmental Assessment. (Environmental Science Associates. 1999.)
10. Shingle Springs Rancheria Roadway and Casino Environmental Assessment. (Environmental Science Associates. 1999.)
11. Shingle Springs Interchange Project. FINAL Environmental Impact Report/ Environmental Assessment. Volume II Comments and Responses to Comments. (Cal Trans. 2002.)
12. Acorn Creek Watershed Restoration Project Plan Outline. (Natural Investigations Company. 2011.)
13. Delineation of Waters of the United States Report for the Shingle Springs Rancheria. (Natural Investigations Company. 2008.)
14. Shingle Springs Rancheria Band of Miwok Indians Non-Point Source Assessment Report. (Shingle Springs Rancheria Environmental Protection Department. 2008.)
15. Physical Land-Use Plan (Visions Enterprises. 1992.)
16. Quality Assurance Project Plan Baseline Surface Water Quality Monitoring. (Shingle Springs Environmental Program-Shingle Springs Band of Miwok Indians and Analytical Environmental Services. 2010.)

17. Stormwater Pollution Prevention Plan – Shingle Springs Rancheria. (NOA Environmental.)
18. Shingle Springs Rancheria U.S. Department of Housing and Urban Development (HUD) Environmental Assessment. (Environmental Science Associates. 1999.)
19. Shingle Springs Rancheria Health Clinic and Residential Development 104.14 Fee-To- Trust Environmental Assessment. (U.S. Department of the Interior, Bureau of Indian Affairs and AES (Analytical Environmental Services. 2002.)
20. Environmental Overview Shingle Springs Residential Four-Parcel, 20.00 Acre Fee-To-Trust. (Bureau of Indian Affairs Pacific Region Office. 2014.)

SECTION 3.0

ENVIRONMENTAL MANAGEMENT PLAN

3.1 INTRODUCTION

This section of the Plan addresses various environmental management issues, not necessarily in order of priority, that have been identified by the Tribal EPA as being important. The environmental issues addressed within this section include:

- Wastewater Disposal
- Solid Waste Management
- Air Quality
- Traffic Effects on Environment
- Resource Management
- Water Quality
- Cultural Resources
- Emergency Response

A goal is provided for each environmental category to highlight the intent of the Tribal Government as it relates to the particular issue. Each and every goal stated within this section is consistent with the overall Goal identified in Section 1.0 of this Plan.

A “Level of Importance” rating is included within each category. The rating of low, medium or high is intended to convey the current and relative level of importance the Tribal EPA assigns to each issue. Obviously, the rating of the issues will change with time as they are explored by the Tribe or are dealt with through implementation of this Plan. As with any environmental plan, it is the intent that this Plan be updated at regular intervals. As necessary, but no less than every five years, is recommended. Each updated Plan will reassess a new Level of Importance rating to the issues.

Each environmental category contains a brief description of the existing conditions and associated issues. This information was developed for review of existing material, site visits, and interviews, of Tribal environmental staff. Following the background discussion, a concise statement (or two) outlining the environmental issue is provided to clearly identify the issue that the Tribal EPA will address within the plan. Existing tribal regulations are then identified to provide an overview of the existing ordinance provisions that would be applicable to this issue. This is important so that redundant rules and/or regulations are not prescribed by the Plan. In some instances, existing ordinance provisions are enough to address the environmental issue. However, in some instances they may not be enough and/or enforcement capability may not be adequate. Where this is the case, a recommendation is made in the Objectives section of the Plan to “step-up” enforcement of the existing ordinance. The final section contains objectives that will assist the Tribal Government in meeting the overall environmental goal identified in Section 1.0 of this Plan.

3.1.1 TRIBAL ENVIRONMENTAL POLICY AND ORDINANCES

It is the recommendation of this Environmental Management Plan to expand the existing Environmental Codes.

3.2 WASTEWATER DISPOSAL

WASTEWATER GOAL

Provide existing and future residences, businesses, and Tribal enterprises with adequate and safe wastewater disposal in an environmentally friendly manner.

LEVEL OF IMPORTANCE RATING: High

WASTEWATER BACKGROUND

Delivery of adequate water and sewer service is necessary to support the growth of residential and economic development that is expected on the Rancheria in the future. Increased development over the years has resulted in more impervious surfaces and pollution generating activity, resulting in greater potential pollutant loads that occurred previously. These factors are leading to a deterioration of ecological functions, ecosystems, and water quality on the Rancheria.

Sewage on the Rancheria is collected and treated by the Shingle Spring Rancheria Waste Water Treatment plant or by individual septic systems. Red Hawk Casino oversees the operation and maintenance of the treatment plant. The waste water is run through membrane bioreactors (MBRs) and is treated to the highest state and federal standards.

At Red Hawk Casino and the Rancheria, the MBR treatment facility provides water for toilet flushing, landscape irrigation, and subsurface disposal (which helps replenish groundwater). In addition, recycled water spray fields help reduce the risk of wildfires in summer by maintaining a greenbelt where there would otherwise be dry tinder. Making use of this recycled water reduces the demand for potable water, helping to keep water rates down for everyone and helping to maintain environmental integrity.

ENVIRONMENTAL ISSUES – WASTEWATER

Environmental issues associated with wastewater disposal include potential impacts to water resources, both surface and groundwater, and potential human health issues and nuisance odors. It is the responsibility of the Tribe to maintain wastewater lines on its

property. The Tribe recognizes that deteriorated and faulty wastewater systems pose the risk of causing groundwater and soil contamination.

EXISTING TRIBAL REGULATIONS

Wastewater management ensuring water quality is addressed briefly in Article III and IV of the Tribe's Environmental Codes, as described in Section 2.2 of this Environmental Management Plan.

WASTEWATER OBJECTIVES

A. Prior to building structures for human occupancy on Tribal land that is not connected to municipal wastewater systems, complete an engineering and feasibility study for the treatment and disposal of wastewater.

B. Seek funding sources/options to implement the recommendations of the engineering and feasibility study.

C. Assure that development and working wastewater disposal plans for future commercial development do not compromise the recommended alternative of the engineering and feasibility study.

D. Ensure all land, current or future, over which the Tribe has jurisdiction does not contain inefficient or leaking wastewater lines.

E. To the extent practicable, infrastructure extensions should be short to conserve land and reduce the area of disturbance. Significant natural areas should be avoided to the extent feasible.

F. Wastewater should be disposed of in a manner that does not affect human health or create nuisances.

3.3 SOLID WASTE

SOLID WASTE GOAL

Assure that solid waste generated by Tribal residences and businesses on Tribal land is disposed in an environmentally sound manner that achieves a high rate of recycle/reuse.

LEVEL OF IMPORTANCE RATING: High

SOLID WASTE BACKGROUND

The Tribe's properties in Placerville and Shingle Springs receive curbside solid waste disposal services. Recycling and green waste is also available. Solid waste collection services are currently provided by El Dorado Waste Disposal in Placerville. There is no other choice for solid waste collection in our area. El Dorado Waste Disposal is responsible for overseeing the El Dorado County material recovery facility, regulating the solid waste collectors, and implementing solid waste reduction programs in El Dorado County. El Dorado Disposal is located at 4100 Throwaway Way in Placerville CA. The Tribe's properties are located within the El Dorado County area, but are not offered local or residential incentives due to incentives being sponsored by the county and they do not consider us part of the county.

ENVIRONMENTAL ISSUES –SOLID WASTE

Open burning on Tribal property is currently an issue. Residents tend to have open burn pits on their parcels. Open burning is addresses in the Tribe's environmental ordinances. Open burning affects air quality and human health. Human health issues are amplified when residents of, or visitors to, Tribal lands are burdened with respiratory conditions.

A lack of adequate recycling and reuse also contributes to the continued depletion of the earth's natural resources. Recycling is addressed in the Tribe's environmental ordinances. Open dumping is currently a problem.

Hazardous Waste accumulation and improper disposal is an issue that also contributes to the continued depletion of the earth's natural resources. Hazardous waste is addressed in the Tribes environmental ordinances. Improper storing and disposal is currently a problem.

EXISTING TRIBAL REGULATIONS

The Tribal Government currently regulates solid waste disposal within its Environmental Codes Article IV as described in Section 2.2 of this Environmental Management Plan.

SOLID WASTE OBJECTIVES

A. Develop a Shingle Springs Band of Miwok Recycling Program with assistance from local solid waste disposal providers, the U.S. Environmental Protection Agency, and other agencies. This recycling program should focus not only on typical recycled material (i.e., aluminum cans, paper, glass), but also used motor oil, oil filters, used tires, appliances junk vehicles and other materials.

B. Evaluate the need to develop and implement a recycling component of a comprehensive Environmental Protection Ordinance. This component would establish a recycling program, outline roles, responsibilities, policies and procedures, and generally outline Tribal regulations related to proper solid waste handling.

C. Develop a Tribal educational outreach program that educates Tribal residents about materials that can be recycled, placed into trash containers, and the health consequences of not following sound disposal principals. Utilize free materials available from the EPA where applicable.

D. Offer composting workshops to residents and house visits to help start their compost areas.

E. Examine the full range of solid waste disposal service alternatives, including funding mechanisms. Utilize EPA GAP funds to establish and implement a recycling program within the overall solid waste disposal program. (NOTE: Implementation of solid waste reduction programs recently became an eligible activity under EPA's GAP program).

F. Prepare and adopt an integrated solid waste management plan, consistent with the Environmental Policy Act, existing ordinances, or new consolidated environmental protection ordinance.

3.4 AIR QUALITY

AIR QUALITY GOAL

Protect and improve air quality within the Rancheria to the maximum extent possible.

LEVEL OF IMPORTANCE RATING: High

ODORS

At this time, there is one facility on the Tribe's property that generate detectable offensive odors. The existing odor is coming from our waste water treatment plant.

AIR QUALITY BACKGROUND

Local air quality is regulated by the El Dorado County Air Quality Management District (AQMD). The El Dorado County AQMD and California Air Resources Board (CARB) collect ambient air quality data through a network of air monitoring stations in and surrounding El Dorado County. The Tribe's current land holdings lie within the Mountain Counties Air Basin (MCAB). The MCAB covers the mountainous area of the central and northern Sierra Nevada Mountains, from Plumas County south to Mariposa. Elevation ranges from several hundred feet in the foothills, to over 10,000 feet along the Sierra coast. El Dorado County has mild, rainy winter weather from November through March, and warm to hot, dry weather from May through September. The physiographic features giving shape to the MCAB are the Coast Range to the west, the Sierra Nevada to

the east, and the Cascade Range to the north. These mountain ranges channel winds through the Mountain Counties but also inhibit dispersion of pollutant emissions.

As required by the Federal Clean Air Act (FCAA), the EPA established National Ambient Air Quality Standards (NAAQS) for six “criteria” air pollutants, including ozone [O₃], carbon monoxide [CO], nitrogen dioxide [NO₂], sulfur dioxide [SO₂], suspended particulate matter [PM₁₀], and lead [Pb]. Ozone is an invisible pollutant formed by chemical reactions involving nitrogen oxides, reactive hydrocarbons and sunlight. It is a powerful respiratory irritant that can cause coughing, shortness of breath, headaches, fatigue and lung damage, especially among children, the elderly, the ill and people who exercise outdoors. Ozone also damages plants, including agricultural crops, and degrades manufactured materials such as rubber and paint. Particulate matter is the fine mineral, metal, soot, smoke and dust particles suspended in the air. For health reasons, we are most concerned with inhalant particulate matter less than 10 microns in diameter (PM₁₀), which can permanently lodge in the deepest, most sensitive areas of the lung and cause respiratory and other health problems.

Regional airflows are affected by the mountains and hills, which direct surface air flows, cause shallow vertical mixing, and create areas of high pollutant concentrations by hindering dispersion. Inversion layers, where warm air overlays cooler air, frequently occur and trap pollutants close to the ground. In the winter, these conditions can lead to CO “hotspots” along heavily traveled roads and at busy intersections. During summer’s longer daylight hours, stagnant air, high temperatures, and plentiful sunshine provide the conditions and energy for the photochemical reaction between reactive organic compounds (ROG) and oxides of nitrogen (NO_x) that results in the formation of ozone (O₃). Because of its long formation time, ozone is a regional pollutant rather than a local hotspot problem.

In the summer, the strong upwind valley air flowing into the basin from the Central Valley to the west is an effective transport medium for ozone precursors and ozone generated in the Bay Area and the Sacramento and San Joaquin valleys. These transported pollutants predominate as the cause of ozone in the MCAB and are largely responsible for the exceedances of the state and federal ozone AAQS in the MCAB. The California Air Resources Board (ARB) has officially designated the MCAB as “ozone impacted” by transport from those areas

TOXIC AIR CONTAMINANTS

Toxic air contaminants are pollutants that are associated with acute, chronic, or carcinogenic effects and for which an ambient air quality standard has been established or, in the case of carcinogens, is appropriate.

ENVIRONMENTAL ISSUES-AIR QUALITY

Future human health and nuisance conditions could result with the development of commercial enterprises and new homes on Tribal land. This will especially be a concern if residential occupation of Tribal land occurs together with commercial development. Short-term construction issues associated with dust emissions and long-term operational issues such as dust and carbon monoxide emissions may affect residents.

EXISTING TRIBAL REGULATIONS

The Tribal Government currently regulates on air quality within its Environmental Codes Article V as described in Section 2.2 of this Environmental Management Plan.

AIR QUALITY OBJECTIVES

- A. Assure that the Tribal EPA staff has review and comment responsibility over development proposals to assure compliance with future Tribal regulations that relate to air quality.
- B. Develop an Air Quality component of a consolidated Environmental Protection Ordinance.
- C. Evaluate the need to include provisions within the Air Quality regulations that address reseeding or covering of soils exposed as a result of construction or tree removal projects.
- D. Evaluate the need to include specific enforcement provisions within the Air Quality regulations that address air pollution control measures during construction activities.
- E. Create an educational program that focuses on air quality issues associated with land use and transportation. This program should include attendance at appropriate educational workshops, meetings with AQMD planners, the EPA, as well as other tribal planners and environmental professionals. The goal of this program should be to educate Tribal EPA staff about the air quality effects of land use/transportation decisions on the Rancheria.
- F. Participate in regional educational efforts aimed at improving air quality, such as notifying residents and on-Rancheria businesses during "Spare the Air" days designated by the AQMD.
- G. Employ standards Best Management Practices to reduce impacts to air quality and implement a monitoring program for construction and operational emissions related to commercial development on Tribal land.
- H. Employ Best Available Control Technologies (BACT) to any new stationary sources of air pollution on Tribal lands.

3.5 TRAFFIC EFFECTS ON ENVIRONMENT

TRAFFIC GOAL

Provide a safe, efficient, open and environmentally sensitive transportation system for the movement of people and goods on lands or to/from lands which the Tribe has or may acquire jurisdiction.

LEVEL OF IMPORTANCE RATING: *Medium*

TRAFFIC BACKGROUND

The Tribe owns multiple properties within El Dorado County. The Tribal Business offices, Shingle Springs Health and Wellness Center and a majority of tribal housing is located off of Red Hawk Parkway in Placerville CA. The Tribe also owns land located across highway 50 off of Shingle Springs Rd. This land is currently being used for tribal recreational activities and a small portion is being developed by the Business Development Board. Lastly, the tribe owns over 40 acres of land located off Rainbow way.

ENVIRONMENTAL ISSUES-TRAFFIC

All roads located on the main piece of the Rancheria are maintained by the tribe through grants. The other roads that the tribal parcels are located on are maintained by the county and home owners associations. Potential adverse environmental impacts include, but are not limited to potential soil and water contamination due to the increase in motor vehicle use on the site, air quality impacts, and safety issues, leaking fluids from improperly maintained or aging vehicles often pose threats to the local environment when dust and stormwater runoff collect hydrocarbons and transport them to local waterways. Idling vehicles from traffic congestion can cause localized carbon monoxide problems.

EXISTING TRIBAL REGULATIONS

The Tribal Government currently has no regulations with regard to traffic. The Tribe is addressing traffic issues.

TRAFFIC OBJECTIVES

- A. Investigate the significance of the effects of motorized vehicle traffic on Tribal lands and the nearby affected environment (air quality, noise, litter, fluid leakage) for all Tribal actions which have the potential to result in impacts;
- B. Develop traffic regulations to manage present and future conditions. These regulations could include Level of Service designations for present and future Tribal roadways;

- C. Educate the Tribal community and employees of the Tribe on the maintenance of vehicles
- D. Meet and coordinate with the Bureau of Indian Affairs and Caltrans to address the problem of roadway maintenance and emergency access on Tribal lands.
- E. Design and construct permanent pollutant filters, naturally vegetated or otherwise, near natural drainage/urban interfaces throughout the Tribe's land.
- F. To the extent possible, direct existing and future sources of urban runoff toward existing vegetation buffers or detention ponds prior to entering drainages courses.
- G. Explore funding opportunities to prepare a Transportation Plan.
- H. Plan for public transit service to and from the Tribe's land and/or explore options for establishing a Tribal transit service and include specific provisions in the Tribe's Transportation Plan.
- I. Provide incentives for Rancheria employees, residents, and casino patrons to utilize public transportation to and from the Rancheria.
- J. Mitigate the potentially significant effects of Tribal projects on local roadways and intersections.
- K. Work cooperatively with local, state and federal governmental agencies, as well as other tribes to accomplish these traffic objectives.
- L. Explore the need for traffic control personnel for any large special events on Tribal lands.

3.6 RESOURCES MANAGEMENT

RESOURCE MANAGEMENT GOAL

Preserve, protect and enhance natural habitat areas on lands over which the Tribe has or may acquire jurisdiction, including creek and riparian corridors, oak woodlands, wetlands and scenic vistas.

LEVEL OF IMPORTANCE RATING: *High*

RESOURCE MANAGEMENT BACKGROUND

The Tribe's property contains a considerable amount of natural resources. The Tribes properties contain a wetland, relatively large segments of creeks, a small pond, and numerous trees within its riparian corridor.

ENVIRONMENTAL ISSUES-RESOURCE MANAGEMENT

Wetlands are a vital element in the biosphere, but they are disappearing and being degraded rapidly. Until recently, they have been regarded by many as nuisances to be drained, cleared, filled, or inundated. Now we have begun to realize that in their natural state wetlands produce numerous benefits, which are irreplaceable if lost or can only be replaced at great expense. Wetland functions include regulation of water flows for flood control, storing water and buffering the effects of storms, filtering and purifying water, and providing essential habitat for flora and fauna. Wetlands and native oak trees were a food source and of cultural significance to the Shingle Springs Band of Miwok Indians indigenous to the area and are still utilized by some Native Americans. The Tribe believes that these wetlands and oak trees represent significant natural features that warrant protection.

As the Tribe's land base grows, so will the pressure for land development and resource extraction to meet the needs of Tribal members. As with all land managers, the Tribe will face the challenge of providing growth and opportunity to meet the needs of its members while maintaining environmental quality.

EXISTING TRIBAL REGULATIONS

The Tribal Government currently regulates some resource management within its Environmental Codes Article VI as described in Section 2.2 of this Environmental Management Plan.

RESOURCE MANAGEMENT OBJECTIVES

- A. Determine windbreak and visual buffer needs of Rancheria residents and the Tribal Government.
- B. Develop a plan, to be adopted by the Tribal Council that addresses existing and future resource extraction demands and alternative methods to meet this demand. This plan should also include a public outreach program that provides Rancheria residents with: (1) clear guidelines to be followed for harvesting resources on the Rancheria, and (2) the environmental and monetary effects of not following the regulations.
- C. Based on objectives above, explore the need to clarify, tighten, and create enforcement mechanisms (via a consolidated Tribal Environmental Protection Ordinance) of resource extraction permit requirements.

D. Develop and adopt policy regarding vegetation removal resulting from development projects and implement policy by incorporating specific regulations into the Environmental Protection Ordinance.

E. Conduct comprehensive environmental inventory of Tribal lands not previously inventoried. Inventories should identify all natural resources present on Tribal land and identify opportunities and constraints with regards to future development or resource extraction. Recent, color aerial photographs and GIS layers should be utilized to the extent possible.

F. Consider surveying all significant riparian habitats, drainages, oak trees, wetlands, scenic vistas, and other natural areas within land over which the Tribe has or may acquire jurisdiction with the intent to establish permanent building exclusion areas.

3.7 WATER QUALITY

WATER QUALITY GOAL

Assure that the various existing and planned uses on lands over which the Tribe has jurisdiction or may acquire jurisdiction promote the maintenance of a high level of water quality within the Tribe's waterways and groundwater basins.

LEVEL OF IMPORTANCE RATING: *High*

WATER QUALITY BACKGROUND

Currently, the Tribe's properties receive safe drinking water from El Dorado Irrigation District (EID). EID is responsible for ensuring that water delivered complies with the Safe Drinking Water Act (SDWA). The SDWA, which celebrates its 25th anniversary in 1999, is the main federal law that ensures the quality of Americans' drinking water. Under SDWA, EPA sets standards for drinking water quality and oversees the states, localities, and water suppliers who implement those standards. In 1996, Congress amended the SDWA to emphasize sound science and risk-based standard setting, small water supply system flexibility and technical assistance, community-empowered source water assessment and protection, public right-to-know, and water system infrastructure assistance through a multi-billion-dollar state revolving loan fund. EID must also comply with California's safe drinking water regulations.

The Rancheria area is located within the overall South Fork American River Basin (Hydrologic Unit 514.32) as identified within the Central Valley Regional Water Quality Control Board's Water Quality Control Plan (Basin Plan). Surface runoff from over 1,100 miles of surface waterways within this watershed flows into Folsom Reservoir

(California River Assessment, 1999). More locally, the Rancheria is located in the Weber Creek Watershed that contains the Slate Creek tributary and Dry Creek tributary. Weber Creek drains an approximate watershed area of 97.6 square miles and feeds into the South Fork American River just above Folsom Reservoir (California River Assessment, 1999).

The Rancheria is located within four separate sub-basins or sub-watersheds: Crystal Creek watershed; Acorn Creek watershed; unnamed tributary watershed of Slate Creek; and Tennessee Creek watershed. Approximately one-third of the Rancheria is located within the Crystal Creek watershed, an intermittent tributary of Slate Creek. This tributary flows generally north and is a vegetated swale in its upper reaches that is dry most of the year and channels runoff only during periods of precipitation. The Red Hawk Casino and associated buildings and roads drain to a subterranean stormwater detention facility that discharges to Crystal Creek just upstream of the Koto Road crossing of Crystal Creek. Corrugated metal pipe culverts allow road crossings at 2 places.

Approximately one-third of the Rancheria is located within the Acorn Creek watershed, an ephemeral tributary of Crystal Creek / Slate Creek.

The eastern portion of the Rancheria drains directly to Slate Creek. The northeast corner of the Rancheria drains directly to Slate Creek. The southeast drainage leads directly to the main channel of Slate Creek after first becoming intercepted by a drainage channel running parallel to the north side of US 50 along the west-bound Red Hawk Parkway off-ramp, then passing through a culvert under US 50 and then flowing eastward toward Slate Creek. Tennessee creek runs along the west side of the parcel located off Shingle Springs Road.

A very small portion of the Rancheria in the southwest corner flows to an unnamed tributary of Tennessee Creek, which is tributary to Dry Creek.

ENVIRONMENTAL ISSUES-WATER QUALITY

Water quality could be impacted by “daylighting” resulting from inadequate septic systems, failure of on-site wastewater treatment and disposal systems, as well as stream crossings, road cuts, and construction activities. New development will bring urban runoff and the Tribe will be challenged to control pollutants at their sources. Pesticides, herbicides, insecticides, rodenticides, and other chemicals have the potential to pollute local ground and surface water. Water quality monitoring is much needed.

EXISTING TRIBAL REGULATIONS

The Tribe’s Environmental Codes address drinking water and surface water quality. These codes are summarized in Section 2.2 of this Environmental Management Plan.

WATER QUALITY OBJECTIVES

A. Implement the Wastewater Objectives.

B. Coordinate with Indian Health Services to develop a Water Monitoring Program for the Tribe's water resources. This program should include: (1) an inventory of the Tribe's water resources to determine baseline water quality, and (2) measures to be implemented during and after construction activities.

C. Include specific Best Management Practices within a consolidated Environmental Protection Ordinance.

D. Consider adopting a "no net loss" wetlands policy and include the specifics contained in the Water Quality Ordinance within a consolidated Environmental Protection Ordinance.

E. Create development rules that encourage clustered development and minimize land coverage, especially near water resources.

F. Conduct an information campaign to encourage members, future residents, or landscape employees to avoid over-watering of lawns and gardens.

G. Fix and clean vehicles at commercial washes, which filter and recycle water, and keep paint and other construction materials out of storm drains.

H. Implement the strong enforcement provisions included in the Health and Safety and water Quality Ordinance and place within a comprehensive Environmental Protection Ordinance.

I. Consider creating a Code Enforcement Officer position within the Tribal Government and include the inspection for leaky trash bins in parking lots, erosion at construction sites, outdoor washing of commercial equipment and any other activity that puts polluted runoff in drainage ways to the inspection checklist.

J. Commission grading, drainage, and erosion control plans for all development within Tribal lands or lands acquired by the Tribe. Discourage large unsightly detention basins in favor of wider, unlined drainage channels that mimic serpentine creeks. Aquatic plants should absorb pollutants and streamside vegetation should attract wildlife and turn flood control projects into a productive natural areas.

K. Ensure that all fill material placed within floodplains is clean.

L. Consider increasing the maximum distance between wells and waste disposal systems to 100 feet or more.

M. Prepare a Water Quality Assurance Plan, which includes provisions for monitoring water quality on Tribal lands.

3.8 CULTURAL RESOURCES

CULTURAL RESOURCES MISSION

“To assume responsibility and stewardship for all cultural remains and artifacts of the Miwok and Maidu Indians that inhabited the central part of California: To preserve, document, record and educate tribal members and non-tribal members on traditional and cultural tribal and oral history; Teaching and increasing the understanding and knowledge of the culture and traditions and the way of tribal life; Handing down our traditional teachings of respect to repatriation of our ancestors; Support the continuity of the Tribe's culture for future generations;”

LEVEL OF IMPORTANCE RATING: *High*

Protection of Cultural Resources:

It is the goal of the Tribe to promote the preservation and protection of Cultural Resources on and off tribal lands and aboriginal territories. We accomplish this goal by providing tribal monitors to not only sensitive areas of concern but to areas that may yield any type of Cultural finds.

Some sites are important to the entire Tribal membership while others have special meaning /importance to specific families. The best way the sites can be sustained is to preserve and protect the natural areas on the Rancheria in a manner that does not identify the specifics of the Cultural area/site. In many ways, environmental and cultural protection is one in the same and the interdependence between the two should be acknowledged.

Cultural Resource Objectives/Goals:

- A. Protect cultural resources and support enduring Tribal traditions on and off the Rancheria
- B. Protect and restore the unique wildlife and plant communities on the Rancheria that are important to Tribal traditions and cultural practices
- C. Protect and restore access to culturally identified areas for Tribal cultural and traditional practices
- D. Preserve historical Rancheria buildings and site

3.9 EMERGENCY RESPONCE

EMERGENCY RESPONCE GOAL

Assure that manmade or natural disasters are treated with full safety considerations on the Tribe's land are handled and maintained with of a high level of response.

LEVEL OF IMPORTANCE RATING: *High*

EMERGENCY RESPONSE BACKGROUND

The Tribe recognizes the possibility of all natural and manmade emergencies; these issues will be addressed with the Tribes internal procedures.

SECTION 4.0

PROTECTION OF FEDERALLY LISTED SPECIES AND ASSOCIATED HABITATS

4.1 INTRODUCTION

This section of the Plan addresses the protection of federally listed species and their habitats on the Tribe's 400+/- acre property. Due to the presence of seasonal wetlands and riparian of trees within the property, the Tribe believes this issue warrants special attention.

4.2 BACKGROUND

Potential habitat for federally listed species occurring within the Tribe's 400+/- acre property seasonal wetlands, wetland and riparian of trees. The protection and conservation of these habitat types is important to the Tribe and other governments. A discussion of these habitat types is provided below.

4.2.1 POTENTIAL HABITAT FOR FEDERALLY LISTED SPECIES

SEASONAL WETLAND

A Seasonal wetland is present on the 400+/- acre property. These features are characterized as shallow depressions that remain saturated for a sufficient period of time to seasonally support wetland vegetation, but do not support the vegetation community typically associated with vernal pools. Characteristic vegetation within the seasonal wetlands are attached in (attachment 1) and are tolerant of seasonally saturated conditions. Wildlife values of the seasonal wetlands habitat provide resources for wildlife and support a variety of sensitive plants.

WETLAND SWALE

The wetland swales are characterized as linear, shallow topographic depressions that interconnect and drain the wetland habitats and collect surface runoff from other areas of the property. Vegetated portions of the wetland swales support a species composition similar to that of the seasonal wetlands, as well as species found in the adjacent grasslands.

RIPPARION OF TREES

The riparian of trees is the interface between land and our streams. Plant habitats and communities along the river margins and banks are called riparian vegetation, characterized by hydrophilic plants. Riparian zones are important in ecology, environmental management, and civil engineering because of their role in soil conservation, their habitat biodiversity, and the influence they have on fauna and aquatic ecosystems, including grasslands, woodlands, wetlands, or even non-vegetative areas. Characteristic vegetation within the riparian of trees are attached in (attachment 1)

WOODLAND AREA

A woodland is a low-density forest forming open habitats with plenty of sunlight and limited shade. Woodlands may support an understory of shrubs and herbaceous plants including grasses. Woodland may form a transition to shrub land under drier conditions or during early stages of primary or secondary succession. Higher density areas of trees with a largely closed canopy that provides extensive and nearly continuous shade are referred to as forests. Characteristic vegetation within the woodlands are attached in (attachment 1)

4.2.2 FEDERALLY LISTED SPECIES

Based upon a review of regionally occurring special-status species, relevant literature and field assessments, the 400+/- acre property represents potential habitat for federally listed species, including the longhorn beetle (*Desmocerus californicus*) and the California Red Legged Frog (*Rana draytonii*) even though they have never been visibly seen.

4.2.3 SECRETARIAL ORDER No. 3206

Secretarial Order No. 3206, *American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act*, governs the manner in which agencies within the Department of Interior and Department of Commerce work with federally recognized tribes to protect threatened or endangered species. Secretarial Order No. 3206 (Order) was issued by the Secretary of the Interior and the Secretary of Commerce pursuant to the Endangered Species Act of 1973, 16 U.S.C. 1531, as amended, the federal-tribal trust relationship, and other federal law.

Specifically, the Order clarifies the responsibilities of the component agencies, bureaus and offices of the Department of the Interior and the Department of Commerce, when actions taken under authority of the ESA and associated implementing regulations affect, or may affect, Indian lands, tribal trust resources, or the exercise of American Indian tribal rights, as defined in the Order. The Order further acknowledges the trust responsibility and treaty obligations of the United States toward Indian tribes and tribal members and its government-to-government relationship in dealing with tribes. Accordingly, the Departments must carry out their responsibilities under the ESA in a manner that harmonizes the federal trust responsibility to tribes, tribal sovereignty, and statutory missions of the Departments, and that strives to ensure that Indian tribes do not bear a disproportionate burden for the conservation of federally listed species, so as to avoid or minimize the potential for conflict and confrontation.

The Order states that the unique and distinctive political relationship between the United States and Indian tribes is defined by treaties, statutes, executive orders, judicial decisions, and agreements, and differentiates tribes from other entities that deal with, or are affected by, the federal government. This relationship has given rise to a special federal trust responsibility, involving the legal responsibilities and obligations of the United States toward Indian tribes and the application of fiduciary standards of due care with respect to Indian lands, tribal trust resources, and the exercise of tribal rights.

Under the Order, federal agencies must recognize the importance of tribal self-governance and the protocols of a government-to-government relationship with Indian

tribes. Long-standing congressional and administrative policies promote tribal self-government, self-sufficiency, and self-determination, recognizing and endorsing the fundamental rights of tribes to set their own priorities and make decisions affecting their resources and distinctive ways of life. Each agency must recognize and respect, and must consider, the value that tribal traditional knowledge provides to tribal and federal land management decision-making and tribal resource management activities. The Order also states that each agency must recognize that Indian tribes are governmental sovereigns; inherent in this sovereign authority is the power to make and enforce laws, administer justice, manage and control Indian lands, exercise tribal rights and protect tribal trust resources. Each department must be sensitive to the fact that Indian cultures, religions, and spirituality often involve ceremonial and medicinal uses of plants, animals, and specific geographic places.

The Order states that Indian lands are not federal public lands or part of the public domain, and are not subject to federal public land laws. They were retained by tribes or were set aside for tribal use pursuant to treaties, statutes, judicial decisions, executive orders or agreements. These lands are managed by Indian tribes in accordance with tribal goals and objectives, within the framework of applicable laws. Because of the unique government-to-government relationship between Indian tribes and the United States, the agencies and affected Indian tribes need to establish and maintain effective working relationships and mutual partnerships to promote the conservation of sensitive species (including candidate, proposed and listed species) and the health of ecosystems upon which they depend. Such relationships should focus on cooperative assistance, consultation, the sharing of information, and the creation of government-to-government partnerships to promote healthy ecosystems. In facilitating a government-to-government relationship, the Departments may work with intertribal organizations, to the extent such organizations are authorized by their member tribes to carry out resource management responsibilities.

RESPONSIBILITIES

To achieve the objectives of Secretarial Order No. 3206, the heads of all agencies, bureaus and offices within the Department of the Interior, and the Administrator of the National Oceanic and Atmospheric Administration (NOAA) within the Department of Commerce, are responsible for ensuring that the following principles are followed:

Principle 1. Work directly with Indian tribes on a government-to-government basis to promote healthy ecosystems.

Principle 2. Recognize that Indian lands are not subject to the same controls as federal public lands.

Principle 3. Assist Indian tribes in developing and expanding tribal programs so that health ecosystems are promoted and conservation restrictions are unnecessary.

(A) Take Affirmative steps to assist Indian tribes in developing and expanding tribal programs that promote healthy ecosystems.

- (B) Recognize that Indian tribes are appropriate governmental entities to manage their lands and tribal trust resources.
- (C) Support tribal measures that preclude the need for conservation restrictions.

Principle 4. Be sensitive to Indian culture, religion and spirituality.

Principle 5. Make available to Indian tribes information related to tribal trust resources and Indian lands, and, facilitate the mutual exchange of information, and strive to protect sensitive tribal information from disclosure.

The Appendix to Secretarial Order No. 3206 states that it shall be the responsibility of each Service's regional and field offices to maintain a current list of tribal contact persons within each Region, and to ensure that meaningful government-to-government communication occurs regarding actions to be taken under the ESA.

4.3 MANAGEMENT OBJECTIVES

4.3.1 FEDERALLY LISTED SPECIES PROTECTION GOAL

Provide a means whereby the habitats upon which endangered and threatened species depend may be conserved and provide a program for the conservation of such species and take actions that are appropriate to achieve this goal.

LEVEL OF IMPORTANCE RATING: *High*

4.3.2 EXISTING TRIBAL REGULATIONS

The Tribe's Environmental Codes contains regulations regarding the protection of wetland habitats. However, no specific regulations exist with regard to federally listed species and associated habitats.

4.3.3 MANAGEMENT OBJECTIVES

- A. Avoid, reduce, or minimize the impacts of future projects on federally listed species and associated habitats.
- B. Work to restore and maintain healthy ecosystems and enhance Tribal management plans that may affect federally listed species.
- C. Provide notification to, use the expertise of, and solicit information from the USFWS and other federal agencies to protect federally listed species.
- D. Protect federally listed species on lands that the federal government holds in trust for the Tribe.

- E. Prevent the direct or indirect “take” of federally listed species to the extent feasible.
- F. Conduct environmental studies and prepare environmental documents for all Tribal projects, which have the potential to affect federally listed species.
- G. Consider all environmental documents prior to approving Tribal projects that may adversely affect federally listed species.
- H. Where potentially significant impacts are identified, incorporate specific mitigation measures into new Tribal projects prior to and during construction.
- I. Comply with all applicable federal environmental laws, particularly the Endangered Species Act.
- J. Seek funding sources/options to implement the recommendations of this management program.

4.4 CONSULTATION WITH ENVIRONMENTAL OFFICE

Any developer, Tribal or non-Tribal that wishes to turn dirt for new construction or any other land use must first consult with the Environmental Department to determine if there is a potential to adversely affect federally listed species or their habitats. The Environmental Department shall contact the USFWS for technical assistance in determining potential impacts and an appropriate course of action. If it is determined by the Environmental Department, after consulting the USFWS, that no potential exists, no further action is necessary with regard to federally listed species. If it is determined that the potential for an adverse affect does exist, the applicant of the Environmental Department shall contact a qualified biologist to survey the habitat and determine the presence/absence of federally listed species, or choose to assume that federally listed species occur within the subject habitat. Depending on the magnitude of potential impacts, programmatic and/or project specific mitigation measures shall be required by the Environmental Department. Project-specific mitigation measures can be required by the Environmental Department and are encouraged as part of any given project.

SECTION 5.0

ADMINISTRATION AND FUNDING

5.1 ADMINISTRATION

The current structure of the Tribal Government includes the following positions that would be available to implement the provisions of this plan:

- Manager, Environmental Department
- Environmental Outreach, Environmental Department
- Tech I, Environmental Department
- Tech II, Environmental Department

The Environmental office will be assigned the leadership role in the implementation of this Environmental Management Plan. The Manager, Environmental Department will be responsible for the overall management and oversight of the Environmental Program, which includes coordination, tracking, managing data, and submitting program activity reports for each of the studies and programs enumerated within this Plan.

5.2 FUNDING

An existing resource that can be used for funding research is the *Tribal Environmental and Natural Resource Assistance Handbook (March 1999)*. This handbook was developed by the Domestic Policy Council Working Group on American Indians and Alaska Natives. Some of the financial assistance programs that could be used by the Tribe in the implementation of this Environmental Management Plan are profiled below:

U.S. EPA, Office of Enforcement and Compliance Assurance (OECA): Tribal Municipal Solid Waste Programs. EPA headquarters provides funds to the nine EPA Regions where federally recognized Tribes exist. The EPA Regions may provide funds directly to Tribal governments or use the money to support EPA programs that support Tribal municipal solid waste activities. The purpose of the assistance is to aid Tribal governments in addressing existing solid waste programs and/or designing new ones. The funds provide the Tribal governments the opportunity to adopt or integrate existing solid waste management programs or try innovative approaches to establishing deterrents to pollution and greater compliance with the solid waste requirements of Resource Conservation and Recovery Act.

U.S. EPA, Office of Environmental Justice: Environmental Justice Small Grants. The purpose of the assistance is to assist Tribal governments that are working on local solutions to local environmental justice issues.

U.S.D.A. Forest Service: Stewardship Incentive Program. The purpose of the assistance is to provide cost-sharing to eligible non-industrial landowners for tree planting and improvement, establishing windbreaks, protecting soil and water, improving fish and wildlife habitat, aesthetics, and forest recreation.

U.S.D.A. Forest Service: Forest Stewardship Program. The purpose of the program is to assist in the preparation of landowner forest stewardship plans to meet the landowner objectives, and to address actions needed to protect and enhance soil, water, range, aesthetics, recreation, timber, and fish and wildlife resources.

U.S.D.A. Rural Utility Service: Technical Assistance and Training Grants. The purpose of the assistance is to provide technical assistance and training to associations located in rural areas and to cities and towns with populations of 10,000 or less. Assistance may be provided to identify and evaluate solutions to water and waste disposal problems, to improve the operation and maintenance of existing water and waste disposal facilities, and to assist associations in preparing applications for water and waste disposal facilities.

- Develop and enhance the Tribal environmental regulatory infrastructure required to support a Tribal environmental program, and to regulate and enforce environmental activities on Indian lands pursuant to federal and Indian law,
- Develop regulations, ordinances and laws to protect the environment,
- Develop the technical and program capacity to carry out a comprehensive Tribal environmental program and perform essential environmental program functions,
- Promote environmental training and education of Tribal employees,
- Develop and technical and program capability to meet Tribal and federal regulatory requirements,
- Develop technical and program capability to monitor compliance and enforcement of Tribal environmental regulations, ordinances, and laws, and
- Ensure the Tribal court system enforcement requirements are developed in concert with and support the Tribe's comprehensive environmental program.

U.S.D.A Natural Resources Conservation Service: Watershed Projects. The purpose of the financial and technical assistance is to help cities, towns, Indian Tribes and rural areas stimulate economic growth through watershed projects to control flooding, erosion, and siltation. Projects may include reservoir construction, flood control dams, and diversion channels for irrigation.

U.S.D.A. Natural Resources Conservation Service: Plant Material Centers. The Plant Material Centers provide "seed" plants that are religiously and culturally significant to Indian people. Eligible recipients include anyone interested in reestablishing native plants.

U.S.D.A. Natural Resources Conservation Service: Wetland Reserve Program. The purpose of the financial and technical assistance is to help landowners restore wetlands in

exchange for retiring marginal agricultural land. Landowners who choose to participate in WRP may sell conservation easements or enter into a cost-share restoration agreement with the USDA to restore and protect wetlands.

U.S. Health and Human Services, HIS, Office of Environmental Health and Engineering: Sanitation Facilities Construction Program (SFC): The purpose of the financial and technical assistance is promote the cooperative development and continued operation of safe water, wastewater, and solid waste systems for Indian communities.

U.S. Department of Interior, Fish and Wildlife Service: Partners for Wildlife. The purpose of the financial assistance is to improve and protect fish and wildlife habitat on private lands through alliances.

U.S. Department of Interior, Fish and Wildlife Service: North American Wetlands Conservation Act. The purpose of the financial assistance is to support efforts to promote wetlands conservation and associated habitats for migratory birds and other wildlife species.

U.S. Department of Interior, Fish and Wildlife Service: Tribal Landowner Incentive Program. The purpose of the financial assistance is to supplement the existing landowner incentive programs that provide technical or financial assistance to private landowners to benefit species at risk.

U.S. Department of Interior, Fish and Wildlife Service: Tribal Wildlife Grants- for Federally Recognized Tribes. The purpose of the program is to support development of wildlife conservation plans and on-the-ground conservation projects.

U.S. Department of Interior, Fish and Wildlife Service: Cooperative Conservation Initiative. The purpose of the financial assistance is to support efforts to restore natural resources and establish or expand wildlife habitat.

Federal Highway Administration: Congestion Mitigation and Air Quality Improvement Program. The purpose of this financial assistance is to fund projects and programs for areas that do not meet the National Ambient Air Quality Standards. Eligible projects include those that will reduce transportation-related emissions, such as transit improvements, travel demand management strategies, traffic flow improvements, and public fleet conversions to cleaner fuels.

Federal Highway Administration: Bicycle Transportation and Pedestrian Walkways. The purpose of this financial assistance is to promote the increased use of bikes and walking as transportation modes. Bicycle and pedestrian projects may be on- or off-road facilities.

U.S. EPA, Office of Science and Technology: CWA Section 303-Water Quality Standards. The purpose of this financial assistance is to fund Tribes developing water

quality standards that are composed of designated uses of bodies of water, narrative and numeric criteria, and anti-degradation procedures.

U.S. EPA, Office of Wastewater Management: CWA Section 106-Water Pollution Control Grants. The purpose of this financial assistance is to fund Tribes developing water quality standards that are composed of designated uses of bodies of water, narrative and numeric criteria, and anti-degradation procedures.

The use of the above-mentioned programs, as well as other resources, would assist the Tribe in developing the necessary studies, ordinances and implementation programs that will result in a successful environment program.

Areas of Involvement Shingle Springs Rancheria

The U.S. Environmental Protection Agency (EPA) has the responsibility for managing federal environmental programs in Indian Country, unless and until tribes have assumed regulatory and program management authorities. As set forth in EPA's 1984 Indian Policy, the Agency will assist interested tribal governments in assuming regulatory and program management responsibilities for those programs that have delegable responsibilities. EPA recognizes that because it will take time and resources for tribes to assume regulatory responsibilities, there will be a period of time during which EPA is primarily responsible for managing federal environmental programs in Indian Country. For those regulatory and program management responsibilities that cannot be assumed by tribal governments, the Agency will continue to ensure implementation on tribal lands.

In carrying out its responsibilities in Indian Country, EPA's fundamental objective is to protect human health and the environment. EPA recognizes tribal governments as sovereign entities with primary authority and responsibility for tribal populations. EPA's Indian Policy recognizes the Agency's commitment to working with tribes on a government-to-government basis in making decisions to carry out program responsibilities in Indian Country. As with other responsibilities carried out by EPA, the Agency's efforts to undertake direct implementation are constrained by the availability of resources and the limitations of federal statutory and regulatory authorities. Given these constraints, EPA's direct implementation efforts will focus on areas of greatest significance to the protection of human health and the environment. Working under the principles of the EPA Indian Policy and on priority problems that have been identified, EPA believes that over time, environmental quality in Indian Country can be significantly enhanced.

EPA is actively engaged with the Shingle Springs Rancheria in the following areas:

- **GAP- Tribe uses GAP to assist in all environmental planning activities. The Tribe utilizes GAP to conduct community outreach and education, extensive collaboration and consultation with other Federal agencies on environmental issues, and other activities to support building environmental capacity.**
- **Solid Waste-Waste management is a high priority for the Tribe and the Tribe can benefit from developing an approved Integrated Solid Waste Management Plan to help identify goals, approaches and opportunities for improvement.**
- **Clean Water Act 106-Tribe has a QAPP and has been doing sampling to develop baseline water quality data.**
- **Clean Water Act 319-Tribe has been working with EPA to begin implementing nonpoint source programs to protect Tribal waters.**
- **Water-The Shingle Springs Rancheria Water System serves the casino, wastewater treatment plant, tribal office building, recreational area with a pool, and 25 residences. The water supply is purchased surface water from the El Dorado Irrigation District. and is inspected by EPA, last inspect in 2012.**

In addition, the Agency has Direct Implementation responsibilities on Tribal Lands as follows:

Clean Air Act (CAA)

Designations: The Agency issues national ambient air quality standards (NAAQS) for carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter (PM10 and PM2.5), and sulfur dioxide. The NAAQS are reviewed every five years, and when updated, a designation must be made for each

reservation. When a new or revised NAAQS is issued, EPA has the responsibility to designate geographic areas as nonattainment (area does not meet the standard) or attainment/unclassifiable (area meets the standard or area cannot be classified on the basis of available information). The Tribe is in a nonattainment area for 1-hour Ozone, 8-hour Ozone and PM2.5.

Tribal Implementation Plans (TIPs): TIPs are a collection of regulations (including emission limits, monitoring requirements, enforcement programs) that will be used to achieve and maintain NAAQS. EPA has developed NAAQS for carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide. For the tribal lands that are not in attainment for the new standard and have major sources, a TIP may need to be developed. No TIP is currently being developed for the Tribe.

Permitting and Enforcement: Where tribes have not assumed permitting authority, and are in an attainment area, EPA has the responsibility to issue prevention of significant deterioration (PSD) construction permits for new major facilities and major modifications to existing major facilities. Under the Tribal New Source Review Rule, finalized in 2011, EPA also has the responsibility to issue construction and operating permits for “minor” sources on tribal lands. After construction is complete, operating permits (also known as Part 71 permits) are required for facilities that are classified as “major” or meet other criteria. Major sources are those that emit, or have the potential to emit on an annual basis, at least 100 tons of any air pollutant or ten tons of a hazardous air pollutant (or lower thresholds if the source is in an area with poor air quality). The permits specify what requirements apply to the facility and what actions the facility must take to comply with those requirements. For more information on permits issued, see the “Regulated Facilities” section of this document. Where tribes have not assumed CAA authority, inspections will be conducted to determine if specific major facilities/sites are meeting CAA requirements. Based on the inspections, appropriate enforcement action will be taken on sources with applicable requirements.

Risk Management Planning: Under Section 112(r) of the CAA, certain facilities required to report under SARA Title III also must submit to the Agency risk management plans (RMPs) which outline risks posed to the surrounding community and measures in place to mitigate those risks and/or respond to emergencies at the facility. The Agency has the responsibility to verify that the RMPs contain the necessary components and are adequate.

NESHAP: The National Emissions Standards for Hazardous Air Pollutants: The NESHAPS program is part of EPA’s strategy to regulate air toxics from area sources. The emissions standards cover a range of industrial sectors or source categories promulgated by EPA.

Clean Water Act (CWA)

Water Quality Standards: Water quality standards (WQS) are requirements that: (1) specify the uses of a particular water body; (2) establish the criteria that are necessary to protect those uses; and (3) establish a policy for protecting existing water quality. Once developed, WQS are the mechanism that is used to implement water quality programs (such as setting effluent limitations for discharge permits). Where tribes have not developed their own WQS and received EPA approval, the Agency has the responsibility to provide federal WQS coverage.

Permitting: Under Section 402 of the CWA, facilities which discharge pollutants into surface waters must apply for and receive a National Pollutant Discharge Elimination System (NPDES) permit from

EPA. The permit specifies effluent limitations, facility operational requirements, and monitoring and reporting requirements. Depending upon the facility, EPA also ensures that the permitting action complies with the National Environmental Policy Act, Endangered Species Act, National Historic Preservation Act, and other applicable Federal cross-cutting authorities.

Stormwater Discharge Permitting: The CWA requires NPDES permits for storm-water discharges associated with industrial or construction activity. The Phase I Rule regulates discharges from municipal separate storm-sewer systems with populations of at least 100,000 and 11 categories of industrial activity, including construction sites that disturb five or more acres. The Phase II Rule expands coverage to include storm-water discharges from small municipal separate storm sewer systems and discharge from construction sites between one-five acres.

NPDES Permits Inspection, Compliance Assistance, and Enforcement: Agency reviews discharge monitoring reports (DMRs) from facilities, and quarterly noncompliance reports (QNCRs) from state agencies. Inspections can be carried out to verify that NPDES requirements are met. Based on the compliance tracking and inspections, enforcement actions may be taken as appropriate.

Water Quality Certification: Under Section 401 of the CWA, any applicant for a federal license/permit to conduct an activity which may result in a discharge into navigable waters must obtain certification that such discharge will comply with the CWA. For tribes that have not assumed CWA Section 401 authority, the Agency is responsible for issuing the required certifications. Any federal permit or license can potentially require certification, but the most common is a CWA Section 404 permit for the discharge of dredged or fill material (another is Federal Energy Regulatory Commission (FERC) relicensing for hydroelectric dams).

Dredge and Fill Permitting: Under Section 404 of the CWA, a permit is required for the discharge of dredged or fill material into wetlands and streams, including those that may be seasonally dry. For tribes that have not assumed Section 404 of the CWA, the Army Corps of Engineers is the federal permitting authority. EPA's role is to review and provide comments on proposed Section 404 permits, to prohibit discharges that would be unacceptably damaging, and to take enforcement action for unpermitted discharges.

Wetlands Inspection, Compliance Assistance, and Enforcement: When instances of noncompliance with Section 404 of the CWA are discovered on reservations where tribes have not assumed Section 404 authority, the Agency or the Army Corps of Engineers may conduct inspections and take enforcement action, as appropriate.

Oil Spill Response: Under Section 311 of the CWA, the Agency is required to respond to releases into navigable waters of petroleum products that pose a threat to human health and the environment. The Agency has the responsibility under CWA Section 311 to oversee clean up.

Oil Storage Facilities Inspection, Compliance Assistance, and Enforcement: Under Section 311 of the Clean Water Act, above ground oil storage facilities must prepare a spill prevention, control and counter-measures (SPCC) plan. The Agency has the responsibility to verify that the plans contain the necessary components and are adequate.

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

Hazardous Waste Releases Database: The Agency maintains the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS), an inventory of locations where hazardous wastes are believed to have been released. With every action taken at a particular site, CERCLIS is updated to reflect current site status. CERCLIS is available on-line at www.epa.gov/superfund/sites/topics.

Emergency Response: When notified of a release of hazardous substances to the environment, EPA has authority to coordinate an immediate response to clean-up and/or contain the hazardous substances.

Site Remediation: The most serious hazardous waste sites are placed on the National Priority List (NPL) and targeted for clean-up first. The Agency will coordinate the process to clean-up the NPL sites identified in Region 9 Indian Country.

Emergency Planning and Community Right to Know Act (EPCRA)

SARA Title III Inspections, Compliance Assistance, and Enforcement: Under SARA Title III amendments to CERCLA, any facility that produces, uses, or stores particular chemicals in a quantity greater than the threshold planning quantities must meet certain emergency reporting requirements. Reports are to be submitted to the tribal emergency response commission (TERC) or the formal EPCRA organization (including local emergency response commission) selected by the tribe, and the local fire department. If these reports have not been submitted, EPA can take enforcement actions. SARA Title III also sets forth requirements for creation of such response commissions and places obligations on the TERC for emergency planning and exercising those plans. A recent administrative law judge decision in EPA Region 3 indicates that the latter steps need to be in place in order for enforcement actions to be supported against a challenge in court.

Regulated Facility Inspections, Compliance Assistance, and Enforcement: Under Section 313, an owner or operator of a regulated facility must report to EPA and the state, environmental releases, off-site transfers, and particular information required by the Pollution Prevention Act for specific toxic chemicals listed by statute/regulation that were manufactured, processed, or otherwise used in quantities exceeding an established threshold quantity during a calendar year. This information is stored in a database known as the Toxic Release Inventory. Such reports are to be filed by July 1st for the preceding calendar year. The Agency conducts inspections and issues enforcement actions to achieve compliance.

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

Operate Certification Program: Under FIFRA, applicators must be certified as competent to apply restricted use pesticides in accordance with national standards. Applicator training includes safe pesticide use, label comprehension, pesticide application equipment and techniques, environmental hazards, pesticide product information, and laws/regulations. For tribes that have not assumed federal programs and have not entered into agreements with the state, the Agency has the responsibility to assure that applicators of restricted use pesticides operating in Indian Country have the necessary training on pesticide use and integrated pest management, and are certified to apply restricted use pesticides.

Enforce Establishment Compliance: Under FIFRA, pesticide products must be registered with EPA before they can be sold and distributed. Any establishment that produces a pesticide or pesticide active ingredient must be registered with EPA. FIFRA also imposes reporting and recordkeeping requirements on certain establishments. EPA conducts inspections at producing and retail establishments, and any

other establishment that distributes pesticides, to ensure proper registration, labeling, formulation, reporting, and recordkeeping.

Enforce Pesticide Use Compliance: Under FIFRA, all registered pesticides have labels which include precautions, warnings and use directions. An applicator who does not fully comply with the label requirements is in violation of FIFRA. Product labels for pesticides registered for use on farms, forests, nurseries and greenhouses, will cite the requirement to follow the Worker Protection Standards (WPS). Agricultural establishments and commercial establishments who use such pesticide products must adhere to some or all of the use requirements under the WPS. The Agency is responsible for verifying that pesticides are being used in accordance with their labels, and if not, take appropriate enforcement action.

Enforce Endangered Species Protection Program: Under FIFRA, pesticide labels instruct users to comply with the limitations set forth in each county endangered species bulletin. EPA has the responsibility to assure that pesticide users comply with the stated label limitations.

Enforce the Pesticide and Groundwater Management Plan Rule: Under the Rule, states and tribes are required to develop a pesticide management plan (PMP) to protect groundwater from the pesticide active ingredients atrazine, simazine, alachlor and metolachlor. If PMPs are not developed and approved by EPA, the use of these pesticide active ingredients will be prohibited on the reservation. If a tribe elects not to develop a PMP, the Agency will enforce the use prohibition.

Resource Conservation and Recovery Act (RCRA)

Hazardous Waste Reporting and Notification: Under Sections 3002-3003 of RCRA, facilities that handle (generate, store, transport, etc.) hazardous wastes must notify EPA and receive a RCRA identification number. A waste is considered hazardous if it possesses at least one of four characteristics (ignitability, corrosivity, reactivity, or toxicity), or EPA has determined it is a "listed hazardous waste." EPA maintains information on hazardous waste handlers in Region 9 Indian Country.

Hazardous Waste Permitting: Under Section 3005 of RCRA, facilities that treat, store, and/or dispose of hazardous waste must receive a federal operating permit. The permits specify applicable requirements and what actions the facility must take to comply with those requirements.

Hazardous Waste Inspections, Compliance Assistance, and Enforcement: Under Section 3007 of RCRA, inspections will be performed to verify that facilities are meeting RCRA requirements. Compliance assistance will be offered to help facilities maintain compliance. If required, appropriate enforcement action will be taken to ensure facilities are in compliance.

Solid Waste Inspections, Compliance Assistance, and Enforcement: Inspections will be performed to verify that construction/demolition landfills are in compliance with 40 CFR Part 257 and municipal solid waste landfills are in compliance with 40 CFR Part 258. Compliance assistance will be offered to help facilities maintain compliance. If required, appropriate enforcement action will be taken to ensure facilities are in compliance.

Underground Storage Tank (UST) Reporting and Notification: Under Section 9002 of RCRA, there are reporting requirements for the following occasions: at the time of UST installation, when a suspected release occurs, when corrective actions are taken, and when the UST is permanently closed. Section 9002 of RCRA explicitly states all tank notifications must be sent to the implementing state agency,

however; Region 9 maintains this information for Indian Country. Proposed UST regulatory changes are anticipated in the near future which will change UST Notification to include changes in UST ownership.

UST Inspections, Compliance Assistance, and Enforcement: Under Section 9005 of RCRA, facilities will be inspected to verify that the USTs are in compliance with the federal requirements for operation and maintenance. EPA will offer compliance assistance to help facilities maintain compliance, and take appropriate enforcement actions to ensure facilities are in compliance.

Corrective Action Oversight: The Agency will provide oversight during the remediation of leaking underground storage tanks (LUSTs).

Safe Drinking Water Act (SDWA)

Monitor Public Water Supplies: Under the SDWA, public water supplies are required to monitor drinking water in accordance with national standards, and meet maximum contaminant level (MCL) and treatment requirements. Monitoring reports are submitted to the Agency for compliance review, tracking, and input into the national database. The Region 9 goal is at least 90% of the tribal community water systems will be in full compliance with monitoring and reporting requirements.

Enforce Public Water Supply Requirements: Instances of noncompliance with monitoring, MCL, or reporting requirements will be followed-up on, and appropriate enforcement action taken. The national EPA goal is at least 95% of the population served by tribal community water systems will be provided drinking water that meets all EPA health-based standards.

Underground Injection Control Regulation: Under the SDWA, the Agency has the responsibility to prohibit underground injection control (UIC) wells that are not permitted or authorized by rule. The owner/operator of a well is required to obtain a permit or be authorized by rule in order to operate. The Agency issues permits for the following types of UIC wells: Class I (hazardous and nonhazardous waste), Class II (oil/gas production related), Class III (extraction of minerals), and one type of Class V (spent-brine return flow).

Underground Injection Control Inspection, Compliance Assistance, and Enforcement: Under the SDWA, the Agency has established national requirements for proper operation and closure of UIC wells. The Agency has the responsibility to assure that all regulated UIC wells are in compliance.

Toxic Substances Control Act (TSCA)

Pre-1978 Housing: Section 1018 of TSCA requires disclosure of information concerning lead-based paint and lead-based paint hazards before the sale or lease of target housing built before 1978. The Agency has the responsibility to ensure that proper disclosure is occurring on tribal lands.

Lead Paint Training, Accreditation, and Certification Program: Section 402 of TSCA requires accreditation of lead-based paint training programs, certification of individuals and firms engaged in lead-based paint activities, and work practice standards for performing such activities. The Agency has the responsibility to ensure that individuals and firms performing lead-based paint activities (inspections, risk assessments and abatement) in Indian Country have the necessary training and certification.

Lead Paint Inspections, Compliance Assistance, and Enforcement: Section 406(b) of TSCA requires that compensated renovators distribute information on lead-based paint and lead-based paint hazards to owners and occupants of most pre-1978 residential housing before beginning renovations. The Agency has the responsibility to ensure that the required information is distributed prior to renovation in Indian Country.

Asbestos Inspections, Compliance Assistance, and Enforcement: The Asbestos Hazard Emergency Response Act (AHERA) requires schools to be inspected for asbestos-containing building materials, to develop management plans, and implement response actions in K-12 schools. The statute also requires other persons to comply with the requirements of AHERA or any rule or order issued under AHERA. The Agency is responsible for overseeing compliance with AHERA and for providing outreach and technical assistance. The Model Accreditation Plan requires mandatory training and accreditation for all persons who inspect for and who design and conduct response actions regarding asbestos-containing building materials in school, public, and commercial buildings. The training includes how to properly identify asbestos, as well as, the proper techniques and procedures to prevent releases of asbestos. Training and accreditation can be obtained through the following sources: EPA-approved tribal accreditation program, EPA-approved state accreditation program, EPA-approved accreditation program administered by private companies.

Polychlorinated Biphenyl (PCB) Inspections, Compliance Assistance and Enforcement: TSCA regulations include a ban on the manufacture, processing, and distribution in commerce of PCBs, as well as, requirements for proper use, storage, disposal, recordkeeping, and marking. The Agency conducts inspections to ensure compliance with these regulations.

PCB Remediation: PCB regulations require the proper disposal of PCBs and/or PCB contaminated material by a permitted facility (e.g. incinerator or landfill). There are also regulations governing the remediation of PCBs that were improperly disposed or spilled.

Core TSCA Inspections, Compliance Assistance, and Enforcement: TSCA provides the Agency with authorities to control, including prohibit any aspect of commerce, those chemical substances and mixtures which present an unreasonable risk of injury to health or the environment, and to take action with respect to chemical substances and mixtures which are imminent hazards. Such aspects of commerce include the manufacture, processing, labeling, processing, distribution, importation, storage, testing, use, exportation, disposal, and/or recordkeeping of chemical substances and mixtures. The Agency ensures compliance with the statutory and regulatory requirements of core TSCA through inspections and enforcement actions.

**Shingle Springs Rancheria
Regulated Facilities List**
Generated 2/10/2016

The following information was generated by the U.S. EPA on 2/10/2016 and validated by Darin Ruddy Shingle Springs Rancheria Environmental Department on 10/12/2016.

The purpose of this section is to provide an outline of how EPA Region 9 and the Tribe will work in partnership to ensure that federal environmental programs are implemented within the Reservation and consistent with EPA statutory and regulatory requirements. The current universe of facilities on tribal lands regulated by the EPA is summarized and the corresponding tribal and federal implementation roles/responsibilities are defined for the next four years.

Please note that this section does not attempt to characterize all federal authorities that may be implemented on Tribal lands. As new regulated facilities are proposed or new federal requirements are promulgated, or conditions on the Reservation change, EPA may exercise additional regulatory authorities or provide other assistance to the Tribe. Instead, this document defines for a particular time frame a list of specific activities in response to the existing inventory of regulated facilities and activities.

In accordance with the Agency’s policies related to working with tribal governments, including the 1984 EPA Indian Policy, Executive Order 13175 *Consultation and Coordination with Indian Tribal Governments*, and EPA Policy on Consultation and Coordination with Indian Tribes, EPA will promote and facilitate communication and consultation with appropriate tribal leaders and staff as it implements its programs. EPA will use best efforts to ensure that outreach, information exchange, and requests for tribal input will occur early in any Agency process that may affect the Tribe. Full consideration will be given to the concerns of the Tribe.

Protecting Ambient Air Quality

Primary Federal Statute: Clean Air Act (CAA)

Approved Federal Authorities: 105

Federally Regulated Facilities within the Reservation	
Major sources (PSD/Part 71 Permits)	<i>None</i>
Minor sources	<i>None</i>

National Ambient Air Quality Standards Attainment Status
<i>The Tribe is located in an airshed in nonattainment for PM 2.5, 1 hour Ozone, 8-hour Ozone.</i>

Status of Emissions Inventories Submitted for Reservation

Inventory Category	Date Submitted	National Emissions Inventory
Major Source - Stationary source that emits or has the potential to emit any pollutant regulated under the CAA at a significant emission rate, as defined by 40 CFR 70.	<i>n/a</i>	<i>n/a</i>
Minor Source - Facility site that does not qualify as a major source.	<i>n/a</i>	<i>n/a</i>
Area Source – Sources that emit in a non-point way such as paint fumes	<i>n/a</i>	<i>n/a</i>
On-road Sources - Vehicles used on roads for transportation of passengers or freight, also called "on-highway."	<i>n/a</i>	<i>n/a</i>
Non-road Sources - Vehicles and equipment that operate off public roadways or highways.	<i>n/a</i>	<i>n/a</i>

Protecting Surface Water, Wetlands, and Drinking Water

Primary Federal Statutes: *Clean Water Act (CWA), Safe Drinking Water Act (SDWA)*

Approved Federal Authorities: *CWA Section 106, CWA Section 319, CWA Section 104(b)(3)*

Federally Regulated Facilities On Trust Parcels

National Pollutant Discharge Elimination System (NPDES) permits	<i>None</i>
Municipal separate storm sewer systems (MS4s) and multi-sector general permits (MSGPs) for industrial facilities	<i>None</i>
NPDES storm water construction general permits	<i>None</i>
Facilities/sites subject to Section 404 review	<i>None</i>
Public water supply systems	<i>There are 1 Public Water Systems on the Reservation: Red Hawk Casino serves 8,500 people.</i>
Underground injection control wells	<i>None</i>

Water Quality Standards Status

Tribe has not indicated plans to submit TAS package for consideration within the period of this ETEP

Managing Wastes and Underground Storage Tanks

Primary Federal Statute: Resource Conservation and Recovery Act (RCRA)

Approved Federal Authorities: None

Federally Regulated Facilities within the Reservation	
RCRA C treatment, storage, disposal facilities	<i>None</i>
RCRA C hazardous waste generators	<i>None</i>
RCRA D solid waste disposal facilities	<i>None</i>
RCRA I underground storage tanks	<i>None</i>
RCRA I leaking underground storage tanks	<i>None</i>

Open Dumps Currently Inventoried on Reservation	
Reported to wSTARS Operation and Maintenance Data System	<i>None</i>

Site Response and Emergency Preparedness Planning

Primary Federal Statutes: Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); Emergency Planning and Community Right-to-Know Act (EPCRA); Small Business Liability Relief and Brownfields Revitalization Act; CAA; CWA

Approved Federal Authorities: *None*

Federally Regulated Facilities for Emergency Planning	
Facilities that must report to LEPC/TERC (EPCRA)	<i>None</i>
Facilities required to develop a risk management plan under CAA Section 112(r)	<i>None</i>
Oil storage facilities regulated under Spill Prevention Control and Counter Measures (SPCC) Rule (CWA Section 311)	<i>None</i>

Contaminated Sites Addressed Under CERCLA	
Emergency response and removal actions	<i>None</i>
Site assessment and NPL site remediation	<i>None</i>

Contaminated Sites Addressed Under Non-CERCLA Authorities	
Targeted Brownfields Assessment projects	<i>None</i>
Number of potential Brownfields sites inventoried and/or assessed	<i>None</i>

Formal Organization under EPCRA	
	<i>None</i>

Managing Pesticides and Toxics (Lead-Based Paint and Asbestos)

Primary Federal Statutes: Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); EPCRA; Toxic Substances Control Act (TSCA); Asbestos Hazard Emergency Response Act (AHERA)

Approved Federal Authorities: TSCA Section 1040 (Lead-Based Paint)

Federally Regulated Sites and/or Facilities	
Registered pesticide producing establishments	<i>None</i>
Retail establishments selling regulated pesticides	<i>None</i>
Facilities (i.e., bulk agrichemical establishments) that must comply with the container containment requirements	<i>None</i>
Level/type of pesticide use activity on Reservation	<i>None</i>
Facilities that must report under the Toxic Release Inventory (EPRCA Section 313)	<i>None</i>
Amount of pre-1978 housing and child-occupied facilities (pre-school, daycare, etc.)	<i>Not inventoried</i>
K-12 schools	<i>None</i>

Indicators of Core Administrative Capacities (AC)

- AC 1 Organizational system for the environmental program that defines staff roles and responsibilities, describes the relationship of the environmental program to tribal leadership and other departments, and includes supporting personnel management policies/procedures. (B.2.1)
- AC 2 Staff with appropriate skills, knowledge and experience to manage the environmental program. (B.2.2)
- AC 3 Training plan for staff that reflects the capacity-building priorities for the environmental program. (B.2.3)
- AC 4 Program evaluation system for use in determining whether program objectives are met, fiscal resources are appropriately managed, and assistance award requirements satisfied. (B.2.4)
- AC 5 Intergovernmental agreements (tribal, federal, state, local) necessary to implement the environmental program. (B.2.5)
- AC 6 Written procedures similar to the Administrative Procedure Act to ensure meaningful involvement and fair treatment in public participation. (B.2.6)
- AC 7 Organizational filing/records retention system and policies (paper and electronic). (B.2.7)
- AC 8 Policies and procedures to coordinate tribal environmental protection programs with other tribal government initiatives (e.g., transportation, housing, infrastructure, economic development, and natural resource management). (B.2.8)

Indicators of Core Financial Management Capacities (FC)

- FC 1 A statement by the appropriate tribal financial department demonstrating that the tribe's accounting system, internal controls, and financial reporting procedures adhere to the requirements found in 40 C.F.R. § 31 "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments"; 40 C.F.R. § 35 "Environmental Program Grants for Tribes"; 2 C.F.R., § 225 "Cost Principles for State, Local and Indian Tribal Governments" (formerly OMB Circular A-87); and OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." (B.3.1)
- FC 2 A statement by the appropriate tribal financial department demonstrating that the tribe has a procurement procedure that meets the minimum requirements for purchasing systems as outlined in 40 C.F.R. § 31. (B.3.2)
- FC 3 Written procedure for tracking (including final disposition) equipment and supplies acquired by the environmental program in compliance with 40 C.F.R. § 31. (B.3.3)
- FC 4 Written procedure that describes how the environmental program will coordinate with other tribal departments to satisfy grant terms and conditions and reporting requirements (for example, application development/review/approval, creation and submission of required reports, maintenance of official file, closeout of award). (B.3.4)
- FC 5 Current indirect cost rate agreement. (B.3.5)
- FC 6 Tribe demonstrates proficiency in processing financial payment requests, submits required annual Federal Financial Reports, and performs annual financial audits as required. (B.3.6)

Indicators of Core Information Management Capacities (IC)

- IC 1 Written procedure for establishing an official file for each assistance award that contains all documentation from application through final closeout and that requires record retention in

- compliance with 40 C.F.R. Part 31, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments." (B.4.1)
- IC 2 Written inventory of administrative and technical procedures, policies, regulations, or other guidelines developed to implement the environmental program. (B.4.2)
- IC 3 System to store and organize data and information collected or generated by the environmental program for future use in characterizing environmental and human health conditions, responding to information requests, developing environmental projects/initiatives, or other project management data systems. (B.4.3)
- IC 4 Exchanging and/or sharing data through the National Environmental Information Exchange Network. (B.4.4)
- IC 5 Written policies and procedures for protecting sensitive tribal environmental and human health data (e.g., traditional ecological knowledge and cultural resources). (B.4.5)
- IC 6 Environmental mapping (Geographic Information System) capabilities. (B.4.6)

Indicators of a Baseline Needs Assessment (NA)

- NA 1 A current baseline needs assessment or comparable planning document, such as a tribal Integrated Resource Management Plan, tribal environmental inventory, natural resource assessment that reflects: (1) environmental resources needing protection; (2) known information about existing/potential threats to human health and the environment within the tribe's area; (3) an evaluation of the potential impact of these threats to tribal members and resources (4) strategic plan with long term program development and implementation goals identified; and (5) prioritization of activities by the environmental program to address identified threats. (B.5.1)

Indicators of Core Public Participation, Community Involvement, Education, and Communication Capacities (PP)

- PP 1 Program to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of tribal programs, policies, and activities on minority populations and low-income populations within the tribe's area of program responsibility. (B.6.1)
- PP 2 Outreach methods that will be used to reach and solicit input from potentially affected communities and groups. (B.6.2)
- PP 3 Environmental Education/Outreach plans and (or) curricula. (B.6.3)
- PP 4 Format for public notices, press releases, and other types of communications. (B.6.4)
- PP 5 Methods that will be used to identify public concerns and respond to issues raised. (B.6.5)
- PP 6 Contact lists for other governmental entities and types of information that will be shared. (B.6.6)
- PP 7 Methods to conduct general public education, awareness, community engagement, and information exchange on issues related to human health and the environment. (B.6.7)
- PP 8 Methods for collaborating and sharing information with other tribal, federal, state, and local governments, or with other organizations. (B.6.8)
- PP 9 Tribal consultation policies and procedures. (B.6.9)
- PP 10 Development of tribal community-based advisory groups to assist with planning and implementation of the tribal environmental program. (B.6.10)

Establishing Core Legal Capacities (LC)

Indicators of Legal Capacity:

- LC 1 A statement by tribal legal counsel demonstrating that the tribe has authority to pass and enforce laws/ordinances to protect human health and the environment. (B.7.1)
- LC 2 A statement by tribal legal counsel demonstrating that tribal government authority provides the tribe with power to enjoin activities determined to be harmful to the health or welfare of persons or the environment.(B.7.2)
- LC 3 A dedicated section of the tribe's laws/codes/ordinances for environmental protection program activities that establish standards, permitting processes, certification requirements, compliance assurance, and enforcement procedures. (B.7.3)
- LC 4 A program to provide compliance assistance to regulated entities to promote an understanding of applicable environmental requirements and assist them in attaining and maintaining compliance. (B.7.4)
- LC 5 Documentation supporting the tribe's claim of interests to usual and accustomed areas and to cultural resources potentially affected by environmental protection activities. (B. 7.5)
- LC 6 Interagency Agreements or Memoranda of Understanding with other tribal, federal, state, or local governments regarding environmental protection. (B.7.6)

Compliance Monitoring Program Indicators (MP):

- MP 1 Procedures and systems for maintaining an inventory of regulated entities or activities. (B.7.7)
- MP 2 Procedures to train and provide credentials to authorized compliance monitoring personnel. (B.7.8)
- MP 3 A program to require regulated entities to keep records, review records, and provide applicable records to the tribe. (B.7.9)
- MP 4 Incentives and voluntary reporting of noncompliance that encourages compliance and environmental stewardship. (B.7.10)
- MP 5 Procedures for receipt, evaluation, retention and investigation for possible enforcement of all notices and reports required of regulated entities. (B.7.11)
- MP 6 Procedures and resources to assure adequate coverage of regulated entities through compliance monitoring activities. Compliance monitoring activities, including inspections, should be conducted to: (a) determine compliance with applicable program requirements, including but not limited to permit conditions; (b) document noncompliance; (c) verify the accuracy of information required to be reported or maintained by the regulated entity; and (d) verify the adequacy of sampling, monitoring, and other methods used to develop the information submitted. (B.7.12)
- MP 7 A program to enter a site potentially subject to regulation – or in which records relevant to applicable program requirements are kept – in order to copy records, inspect, monitor emissions or take samples, or otherwise investigate compliance. (B.7.13)
- MP 8 Procedures to ensure that compliance monitoring activity is conducted in a manner (e.g., using “chain of custody” procedures for samples taken from a regulated entity) that will produce evidence admissible in enforcement proceedings or court. (B.7.14)
- MP 9 Procedures for encouraging public reporting of violations, including a mechanism for the public to submit such reports, and for ensuring proper consideration of citizen tips and complaints.(B.7.15)

Enforcement Program Indicators (EP):

- EP 1 A program to immediately and effectively enjoin any activity that may present an imminent and substantial endangerment to public health or the environment. (B.7.16)
- EP 2 A program to restrain unauthorized activity, compel compliance with applicable requirements, and impose injunctive relief to remedy noncompliance. (B.7.17)
- EP 3 A program to compel regulated entities to submit reports and provide documents to the tribe for the purpose of assessing compliance with applicable requirements. (B.7.18)
- EP 4 A program to compel regulated entities to conduct monitoring or sampling and provide results to the tribe for the purpose of assessing compliance with applicable requirements. (B.7.19)
- EP 5 A program to assess or sue to recover civil penalties appropriate to the violation. (B.7.20)
- EP 6 A program to assess penalties for violations of applicable requirements, such as fines or imprisonment for environmental crimes. (B.7.21)

Indicators of Core Technical and Analytical Capacities (TAC)

- TAC 1 Quality assurance and management plans. (B.8.1)
- TAC 2 Intergovernmental agreements with other jurisdictions related to environmental protection. (B.8.2)
- TAC 3 Funding from other sources. (B.8.3)
- TAC 4 Environmental monitoring/sampling programs. (B.8.4)

Indicators of Air Quality Program Capacity (AQ)

- AQ 1 Tribe has established a staffing plan (position description and recruitment/retention/promotion plan) for who will serve as tribal air quality/indoor air quality program coordinator(s). (C.3.1)
- AQ 2 Staff has completed appropriate training and acquired baseline knowledge and skills related to the CAA (become familiar with the major goals, programs, and requirements of the CAA; the national structure for implementing the CAA; and the EPA regional personnel and organization). (C.3.2)
- AQ 3 Staff has completed appropriate indoor air quality training and acquired skills related to indoor air quality (e.g., Healthy Homes training). (C.3.3)
- AQ 4 Tribe has established a program to meaningfully participate in air quality management programs administered by other tribal, federal, state, or local governments (including reviewing and commenting on air quality standards and facility permit actions). (C.3.4)
- AQ 5 Tribe is receiving funding under the CAA or other related EPA media specific program. (C.3.5)
- AQ 6 Tribe has completed an emissions inventory and submitted to the National Emissions Inventory Database. (C.3.6)
- AQ 7 Tribe has developed an air monitoring strategy and associated quality assurance project plan. (C.3.7)
- AQ 8 Tribe has established a program to collect and upload quality assured ambient air monitoring data into the Air Quality System (AQS) database. (C.3.8)
- AQ 9 Tribe has completed a report analyzing air quality and radiation hazard issues impacting the tribe and evaluated air pollution control options (identifies air pollution sources and known levels of emissions, defines potential human health and environmental impacts of current air quality, and provides recommendations for action). (C.3.9)
- AQ 10 Tribe has completed an indoor air quality assessment and report. (C.3.10)
- AQ 11 Tribe has established a radon program that tests residential and other occupied structures for radon, identifies those above the EPA action level, and conducts outreach and education in the community. (C.3.11)

- AQ 12 Tribe has prepared a report recommending actions to improve indoor air quality and reduce levels for radon, mold, moisture, and environmental pollutants. (C.3.12)
- AQ 13 Tribe has incorporated indoor air quality improvements or features as part of building renovation programs (e.g., weatherization and rehabilitation) and new construction. (C.3.13)
- AQ 14 Tribe has developed a climate change vulnerability/risk assessment. (C.3.14)
- AQ 15 Tribe has developed a climate change preparedness/adaptation program (e.g., zoning rules and regulations; tax incentives; building codes/design standards; utility rates/fee setting; public safety rules and regulations; outreach and education; emergency management powers). (C.3.15)
- AQ 16 Tribe has established a Diesel Emissions Reduction Program (identified diesel engine use; evaluated short- and long-term priorities for reduction of emissions; selected implementation options such as installing diesel retrofit devices with verified technologies on school buses, maintaining/repairing/rebuilding engines, replacing older vehicles/equipment with more efficient engines or engines that run on cleaner fuel, improve operational strategies). (C.3.16)
- AQ 17 Tribe has established energy efficiency policies and program(s) (e.g., building design standards/codes, ENERGY STAR initiatives for government operations and tribal housing). (C.3.17)
- AQ 18 Tribe has established an air toxics program (capacity to: monitor for acid and mercury deposition; sample subsistence food sources to measure the accumulation of toxics; partner with other jurisdictions on assessment projects; communicate potential threats to community members; implement actions to reduce sources of air toxics pollution). (C.3.18)
- AQ 19 Tribe has established community outreach/education programs, including air quality advisory system (e.g., indoor air quality, radon, diesel emissions reduction, burn barrels, wood smoke, anti-idling, greenhouse gas and ozone depleting substance reduction, climate change, and radiation hazards). (C.3.19)
- AQ 20 Tribe has established intergovernmental partnerships with federal, state, local, and tribal governments to address air quality issues, including climate change, and radiation hazards (e.g., memoranda of understanding, interagency agreements). (C.3.20)
- AQ 21 Tribe has established a program to comply with Federal Air Rules for Indian Reservations (FARR) requirements, where applicable. (C.3.21)
- AQ 22 Tribe has developed and promulgated air quality standards. (C.3.22)
- AQ 23 Tribe has developed a Tribal Implementation Plan (TIP) under CAA Section 301 to identify sources of air pollution and to determine what reductions are necessary to meet air quality standards. (C.3.23)
- AQ 24 Tribe has developed/submitted request to redesignate a reservation as a CAA Class I area. (C.3.24)
- AQ 25 Tribe has developed/submitted recommendations on designations for new National Ambient Air Quality Standards. (C.3.25)
- AQ 26 Tribe has established program to assist EPA with implementing the federal CAA program (e.g., assisting the Agency to develop/update an inventory of regulated entities, compliance assistance activities for regulated entities, obtaining federal inspection credentials to inspect regulated entities, and assisting EPA to draft permits for regulated entities). (C.3.26)
- AQ 27 Tribe has submitted application under the Tribal Authority Rule (TAR) requesting approval of specific CAA programs. (C.3.27)
- AQ 28 Tribe has developed program to implement a Title V operating permit program for major sources of air pollution. (C.3.28)
- AQ 29 Tribe has developed program to implement new source review permitting program for minor sources of air pollution. (C.3.29)

- AQ 30 Tribe has enacted ambient air quality and/or radiation hazard laws, codes, and/or regulations with effective compliance assurance and enforcement provisions that are at least as stringent as the federal statutes. (C.3.30)
- AQ 31 Tribe has enacted green building codes, guidelines and/or protocols that promote healthier indoor air quality and apply these practices to new and retrofitted buildings. (C.3.31)
- AQ 32 Tribe has established a program to conduct indoor air quality outreach, education, and/or training for tribal government personnel and/or community members. (C.3.32)
- AQ 33 Tribe has enacted indoor air quality laws, codes, and/or regulations with effective compliance assurance and enforcement provisions. (C.3.33)
- AQ 34 Tribe has developed a program to provide compliance assurance (including inspections) and enforcement (e.g., work with regulated community system operators to determine if appropriate training and certification has been obtained, and, if not, assist with acquiring such training and/or certification). (C.3.34)

Indicators of Water Quality Program Capacity (WP)

General Tribal Water Program Indicators

- WP 1 Tribe has established a staffing plan (position description and recruitment/retention/promotion plan) for who will serve as tribal water quality program coordinator. (D.3.1)
- WP 2 Staff has completed training and acquired baseline knowledge and skills related to the CWA and SDWA (e.g., become familiar with the major goals, programs, and requirements of the CWA and SDWA; the national structure for implementing the CWA and SDWA; and the EPA regional personnel and organization). (D.3.2)
- WP 3 Tribe has established a program to meaningfully participate in water quality management programs administered by other tribal, federal, state, or local governments (including reviewing and commenting on technical water documents, water quality standards, and facility permit actions). (D.3.3)
- WP 4 Tribe is receiving funding under the CWA, SDWA, or other related EPA media specific program. (D.3.4)
- WP 5 Tribe has identified its water resources and associated environmental and human health issues (including: inventories of regulated entities; discharge points requiring NPDES permits; facilities requiring Spill Prevention, Control, and Countermeasure (SPCC) plans; sensitive ecosystems). (D.3.5)
- WP 6 Tribe has established community outreach/education programs related to water quality and/or protecting health through safe drinking water (e.g., fish consumption advisory system, water efficiency, nonpoint source pollution best management practices, infrastructure needs for water and wastewater utilities, and wetlands restoration activities). (D.3.6)
- WP 7 Tribe has established water efficiency policies and program(s) (e.g., building design standards/codes, WaterSense initiatives for government operations, water use restrictions). (D.3.7)
- WP 8 Tribe has established intergovernmental partnerships with federal, state, local, and tribal governments to address water quality or drinking water issues (e.g., memoranda of understanding, interagency agreements). (D.3.8)

Indicators Related to the Clean Water Act (WQ)

Water Quality Monitoring Program Indicators

- WQ 1 Tribe has completed a water quality assessment report that analyzes water quality issues impacting the tribe and evaluated water pollution control options (e.g., identifies dischargers and types/amounts of discharge, defines potential human health and environmental impacts of current water quality, provides recommendations for action, identifies water program financial needs, and identifies water quality program goals, objectives, and milestones). (D.3.9)
- WQ 2 Tribe has developed a water quality monitoring strategy. (D.3.10)
- WQ 3 Tribe has developed quality assurance project plan (QAPP) associated with the water quality monitoring strategy. (D.3.11)
- WQ 4 Tribe has established data management functions for its water quality monitoring data, including a program to collect and upload all required quality assured surface monitoring data into WQX/STORET database where applicable. (D.3.12)
- WQ 5 Tribe has developed a water quality monitoring program. (D.3.13)
- WQ 6 Tribe has submitted complete TAS package for 106 grant eligibility. (D.3.14)

Nonpoint Source (NPS) Program Indicators (NPS)

- NPS 1 Tribe has worked with other stakeholders in the watershed to develop a watershed based plan that identifies nonpoint source pollution problems and options for best management practices. (D.3.15)
- NPS 2 Tribe has submitted an eligibility package for CWA Section 319, including a TAS package and a Nonpoint Source Assessment Report and Management Plan. (D.3.16)

Wetlands Program Indicators (WPI)

- WPI 1 Tribe has developed a Wetlands Program Plan. (D.3.17)
- WPI 2 Tribe has developed a wetlands protection program pursuing one or more of the core wetland program elements (Monitoring & Assessment, Regulation, Voluntary Restoration & Protection, and Water Quality Standards for Wetlands). (D.3.18)

Water Quality Standards Indicators (WQI)

- WQI 1 Tribe has developed and promulgated tribal water quality standards, including designated uses for tribal waters. (D.3.19)

Indicators for Impaired Waters Identification/Listing and Total Maximum Daily Loads (TMDLs) Programs (IW)

- IW 1 Tribe has established a program to provide water quality-related data and information on geographically-relevant waters to EPA. (D.3.20)
- IW 2 Tribe has established a program to review and comment on water quality reports, TMDLs, and other watershed-based planning efforts undertaken by other government agencies (federal, state, local, or tribal). (D.3.21)
- IW 3 Tribe has established a program to assess water quality conditions, including comparing water quality monitoring information and data against applicable water quality standards. (D.3.22)

Water Quality Permitting, Compliance, and Enforcement Program Indicators (WQP)

- WQP 1 Tribe has established a program to assist EPA with implementing the federal CWA programs (e.g., compliance assurance activities for regulated entities, obtaining federal inspection credentials to inspect regulated entities, and assisting EPA to draft permits for regulated entities). (D.3.23)
- WQP 2 Tribe has developed the funding structure and legal framework (e.g., laws, codes, and/or regulations with effective enforcement provisions that are at least as stringent as the CWA) to implement a permit program. (D.3.24)
- WQP 3 Tribe has established a program to permit facilities discharging to tribal waters. (D.3.25)
- WQP 4 Tribe has established a program to provide compliance assurance (including inspections) and enforcement for a tribal permit program. (D.3.26)

Indicators to pursue only if seeking EPA-approved CWA TAS authority (TAS)

- TAS 1 Tribe has developed and submitted a TAS package for EPA-approved WQS program. (D.3.27)
- TAS 2 Tribe has developed and submitted a TAS package for EPA-approved NPDES program. (D.3.28)
- TAS 3 Tribe has developed and submitted a TAS package for a CWA Section 401 certification program. (D.3.29)
- TAS 4 Tribe has developed and submitted a TAS package for a CWA Section 404 dredge and fill permit program. (D.3.30)
- TAS 5 Tribe has established a program (including modeling) to develop TMDLs and other water quality based planning efforts. (D.3.31)
- TAS 6 EPA-approved Water Quality Standards are in place. (D.3.32)
- TAS 7 Tribe has established program to monitor federally-approved surface and/or wetlands water quality standards and perform triennial review. (D.3.33)

Indicators Related to the Safe Drinking Water Act (GW)

Ground Water and Source Water Protection Program Indicators

- GW 1 Tribe has delineated source water protection areas. (D.3.34)
- GW 2 Tribe has developed source water assessment and protection plan/wellhead protection plans for community water supplies. (D.3.35)

Drinking Water Permitting, Compliance, and Enforcement Program Indicators

- DW 1 Tribe has established a program to assist EPA with implementing the federal Public Water System Supervision (PWSS) program (e.g., compliance assurance activities, obtaining federal inspection credentials, and assisting EPA to draft permits). (D.3.36)
- DW 2 Tribe has established a program to assist EPA with implementing the federal Underground Injection Control (UIC) program (e.g., compliance assurance activities, obtaining federal inspection credentials, and assisting EPA to draft permits). (D.3.37)
- DW 3 Tribe reports quality assured Underground Injection Control (UIC) inventory information to EPA (especially Class V wells). (D.3.38)

Indicators to pursue only if seeking EPA-approved SDWA program delegation authority (SDW)

- SDW 1 Tribe has developed the funding structure and legal framework (e.g., laws, codes, and/or regulations with effective enforcement provisions that are at least as stringent as the SDWA) to implement the primary drinking water enforcement program (primacy). (D.3.39)
- SDW 2 Tribe has primacy for implementing the Public Water Supervision System (PWSS) program (SDWA Section 1451). (D.3.40)
- SDW 3 Tribe has developed and submitted a draft authorization package to EPA for approval to enforce federal UIC requirements and manage injection wells on tribal lands. (D.3.41)
- SDW 4 Tribe has primacy for implementing Underground Injection Control wells regulatory program. (D.3.42)

Indicators of Tribal Waste Management and UST Program Capacity (TW)

- TW 1 Tribe has established a staffing plan (position description and recruitment/retention/promotion plan) for who will serve as tribal waste management program coordinator(s). (E.3.1)
- TW 2 Staff has completed appropriate training and acquired baseline knowledge and skills related to the relevant areas of RCRA (become familiar with the major goals, programs, and requirements of the RCRA; the national structure for implementing the RCRA; and the EPA regional personnel and organization). (E.3.2)
- TW 3 Tribe has established a program to meaningfully participate in waste management programs administered by other tribal, federal, state, or local governments (including reviewing and commenting on waste disposal facility permits and applicable waste management regulations). (E.3.3)
- TW 4 Tribe is receiving funding under the RCRA or other related EPA media specific program. (E.3.4)
- TW 5 Tribe is conducting community education and outreach activities to assess community knowledge and interest in source reduction, alternatives for managing household hazardous waste, recycling, composting, and the use of green materials in tribal construction and to promote the use of such integrated solid waste management systems. (E.3.5)
- TW 6 Tribe has completed a waste assessment (e.g., a waste stream characterization study of the solid and hazardous waste management practices, facilities, and issues in the community; effectiveness of current waste management system(s); waste collection and disposal options; and associated costs). (E.3.6)
- TW 7 Tribe has a tribally-approved Integrated Waste Management Plan (IWMP). (E.3.7)
- TW 8 Tribe has established a program to provide waste minimization, recycling, household hazardous waste collection, used oil collection, junk vehicle removal, bulk waste/appliance/electronic waste collection, and/or composting. (E.3.8)
- TW 9 Tribe has established co-management roles through an intergovernmental agreement with a municipal government (e.g., Memorandum of Understanding or other mechanism) regarding landfill management where both governments have a stake. (E.3.9)
- TW 10 Tribe has completed a solid waste facility plan/feasibility study. (E.3.10)
- TW 11 Tribe has completed an open dump inventory and submitted to EPA and IHS for inclusion in the w/STARS database (including: GPS location; estimated size/volume; contents/type of waste; estimated distance to nearest homes, surface water and groundwater; estimated project costs; and site name). (E.3.11)
- TW 12 Sites included in the open dump inventory have a health hazard ranking score. (E.3.12)
- TW 13 Tribe has coordinated with EPA to ensure accuracy of EPA's regulated hazardous waste facility inventory and operating status. (E.3.13)
- TW 14 Tribe has coordinated with EPA to ensure accuracy of EPA's regulated UST & LUST facility inventory and operating status. (E.3.14)

- TW 15 Tribe has established capacity to provide information to EPA that may be used to conduct compliance monitoring inspections or in a RCRA § 3008, § 7003, § 4005(c)(2), or § 9006 enforcement action. (E.3.15)
- TW 16 Tribe has established a program to assist EPA with implementing the federal RCRA program(s)(e.g., assisting the Agency to conduct compliance assistance activities for regulated entities, obtaining federal inspection credentials to inspect regulated entities, and assisting EPA to draft permits for regulated entities). (E.3.16)
- TW 17 Tribe has enacted waste management and/or UST laws, codes, and/or regulations with effective compliance assurance and enforcement mechanisms (including anti-littering provisions and protocols to address small-scale dumping/burning activities; siting/operating requirements for USTs that are at least as stringent as the federal program). (E.3.17)
- TW 18 Tribe has established a compliance monitoring and enforcement strategy for the tribe's solid and hazardous waste management laws, codes, and/or regulations. (E.3.18)
- TW 19 Tribe has established mechanisms to assure a financially sustainable waste management program, including financing for trash collection services (e.g., fee for service, tribal government funding of trash collection services, or other cost recovery systems). (E.3.19)
- TW 20 Tribal staff is leading circuit rider, train the trainer, and peer-match programs. (E.3.20)

Indicators of Chemical Safety and Pollution Prevention Program Capacity (CS)

- CS 1 Staff has established a staffing plan (position description and recruitment/retention/promotion plan) for who will serve as tribal program coordinator(s). (G.3.1)
- CS 2 Staff has completed appropriate training and acquired baseline knowledge and skills related to TSCA (including AHERA and lead paint programs), FIFRA, and pollution prevention (e.g., become familiar with: the major goals, programs, and requirements related to TSCA and FIFRA; the national structure for implementing these programs; and the EPA regional personnel and organization). (G.3.2)
- CS 3 Tribe is receiving funding under FIFRA, TSCA, Pollution Prevention Act, or other similar program to support projects or programs related to managing chemical safety and pollution prevention. (G.3.3)
- CS 4 Tribe has completed an asbestos, pesticides, lead-based paint, and pesticides needs assessment that: collects and evaluates existing data on pesticide use and other relevant factors; assesses the need to develop related projects and/or programs; and evaluates short-term and long-term options to address those identified needs. (G.3.4)
- CS 5 Tribal staff has acquired necessary training/accreditation/certification to conduct lead-based paint hazard evaluations at pre-1978 tribal housing/pre-1978 child occupied facilities. (G.3.5)
- CS 6 Tribe has developed Quality Assurance Plan (QAP) to cover sampling and analysis activities and secured EPA approval for QAP before conducting physical sampling, blood testing, or other investigations. (G.3.6)
- CS 7 Tribe has established community outreach/education programs. (G.3.7)
- CS 8 Tribe has established mechanisms to provide meaningful opportunities for public participation / community involvement to identify concerns related to chemical safety and pollution prevention and/or solicit input on decisions. (G.3.8)
- CS 9 Tribe has completed inventory of all pre-1978 target housing and child occupied buildings and gathered information on the presence of lead-based paint and/or lead-based paint hazards in or around these buildings. (G.3.9)

- CS 10 Tribe has completed an inventory of asbestos (in accordance with the AHERA), pesticides, and toxics in K-12 schools. (G.3.10)
- CS 11 Tribe has adopted a pollution prevention strategy and/or policy (e.g., integrate pollution prevention practices through government services, policies, and initiatives; establish environmentally preferable purchasing standards, green building codes/standards, greenhouse gas emission reduction targets; reduction targets for the use of hazardous materials; establish an integrated pest management program; and adopt natural resources protection policies/procedures). (G.3.11)
- CS 12 Tribe is meaningfully participating in programs administered by other tribal, federal, state, or local governments. (G.3.12)
- CS 13 Tribe has established an EPA-tribal MOA/MOU or interagency agreement concerning joint implementation of FIFRA, TSCA, or other authorities. (G.3.13)
- CS 14 Tribe has established a program to implement lead abatement and Renovation, Repair and Painting (RRP) program. (G.3.14)
- CS 15 Tribe has established certification and training plan for restricted use pesticide applicators (commercial and private) to educate applicators and control restricted use pesticides in Indian country. (G.3.15)
- CS 16 Tribe has established a training/accreditation/certification program similar to TSCA Section 402 for individuals and firms engaged in lead-paint activities and for asbestos related accredited training under AHERA requirements (i.e., a model accreditation plan). (G.3.16)
- CS 17 Tribe has established a Pesticides Field Program, including identification of possible pesticide inspection targets and pesticide-specific issues to determine the kind of approach needed to address concerns related to the use and sale of pesticides. (G.3.17)
- CS 18 Tribe has established a pesticides compliance assurance and enforcement program under which a tribal inspector completes all required training and, upon EPA approval, obtains federal credentials to conduct inspections of the regulated community (e.g., pesticide applicators, marketplaces that sell pesticides, etc.) to determine compliance with FIFRA or tribal pesticide regulations. (G.3.18)
- CS 19 Tribe has established a compliance assurance and enforcement program similar to TSCA Section 406(b) that requires distribution of information on lead-based paint hazards. (G.3.19)
- CS 20 Tribe has established a compliance assurance and enforcement program for tribal laws and regulations to manage asbestos, pesticides, toxics, or other chemical risks that are at least as stringent as the applicable federal statutes. (G.3.20)
- CS 21 Tribal staff has capacity to lead circuit rider, train the trainer, and peer-match programs. (G.3.21)
- CS 22 Tribe has enacted tribal laws, codes, and regulations with effective compliance assurance and enforcement provisions to manage asbestos, pesticides, toxics, or other chemical risks that are at least as stringent as the applicable federal statutes. (G.3.22)

2016 SSBMI Plant Inventory
GENERAL RESERVATION
AND OTHER OWNED PARCELS, EL DORADO COUNTY
(Alphabetical by common name)

Angelica- Lomatium

Baltic rush – Juncus balticus

Blackberry- Rubus ssp. both native and non native blackberry appear at various areas.

Himalayan Blackberry – Rubus armeniacus

Bedstraw- Galium Species

Buck Brush – Cenothus cuneatus

Buckeye –Aesculus ca.

Buckthorn- Cenothus ssp.

Bur-chervil – Anthriscus Caucalis

California Poppy - Eschscholzia californica

Canary grass – phalaris sp.

Cedar - Cedrus

Chamise- Adenostoma fasciculatum

Chickweed-Stellaria

Clarkia

Cluster Lilies- Brodiaea

Coyote Bush- Baccharis pilularis

Coyote Mint- Monardella villosa

Curly Dock – Rumex crispus

Dandelion - Taraxacum

Elderberry - *Sambucus*

El Dorado Bedstraw- *Galium californicum* ssp. *Sierra*;FE

Filaree – *Erodium botrys*

Fremont's Cottonwood- *Populus fremontii* ssp.

Giant Chain Fern - *Wood Wardia*

Gray Pine- *Pinus sabiniana*

Grey Willow *Salix Glauca*

Hedgehog dog tail grass – *Taeniatherum medusae*

Hoary Coffeeberry – *Rhamnus tomentella*

Honeysuckle- *Lonicera* ssp.

Hyssop loosestrife – *lythrum hyssopifolia*

Indian Lettuce- *Claytonia*

Italian ryegrass – *Lolium multiflorum*

Ithuriel's Spear - *Triteleia Laxa*

Juniper - *Juniperus*

Lilies- *Lilium* ssp. unspecified as of yet.

Lupine- *Lupinus* ssp.

Lyne's ragwort – *Packera layneae*;FT

Madrone - *Arbutus menziesii*

Manzanita, White-leaf – *Arctostaphylos Viscida*

Mediterranean barley- *Hordeum marinum*

Medusahead Grass – *Taeniatherum caput-medusae*

Mistletoe-*Phoradendron villosum*

Moth Mullien (*Verbascum blattaria*)
Mugwort- *Artemisia douglassii*
Mullein- *Verbascum Thapsus*
Oak Blue- *Q douglasii*
Oak Black-*Q. kelloggii*
Oak Canyon live – *Quercus chrysolepis*
Oak Interior live- *Q. wislizenii*
Oak White Valley-*Q. lobata*
Pearly Everlasting - *Anaphalis margaritacea*
Pennyroyal- *Mentha pulegium*
Perforate St John's-wort - *Hypericum perforatum*
Pine Hill- *Ceanothus roderickii*;FE
Pine Hill Flannel Bush- *Fremontodendron decumbens*;FE
Poison Oak – *Toxicodendron diversilobum*
Ponderosa Pine – *Pinus ponderosa*
Raspberry- *Rubus ca.*
Redstem Filaree – *Erodium cicutarium*
Ripgut Brome – *Bromus diandrus*
St. John's Wort - *Hypericum*
Shepherd's Purse - *Capsella bursa-pastoris*
Sheep Sorrel – *Rumex acetosella*
Skunk cabbage-*Lysichiton americanus*
Soaproot –*Chlorogalum angustifolium* or *C. grandiflorum*

Soft Brome- *Bromus Hordeaceus*

Spearmint- *Mentha spicata*

Spike Rush – *Eleocharis acicularis*

Spiny-fruit buttercup – *Ranunculus*

Stebbins' morning glory – *calystegia stebbinssi*; FE

Storkbill Filaree – *Erodium botrys*

Toad Rush – *Juncus bufonius*

Toyon-*Heteromeles arbutifolia*

Tree of heaven – *Ailanthus altissima*

Vtech – *Vicia Species*

Wild Mustard - *Brassica*

Wild Oats – *Avena fatua*

Willow –*Salix*

Willow Narrow leafed – *Salix exigua*

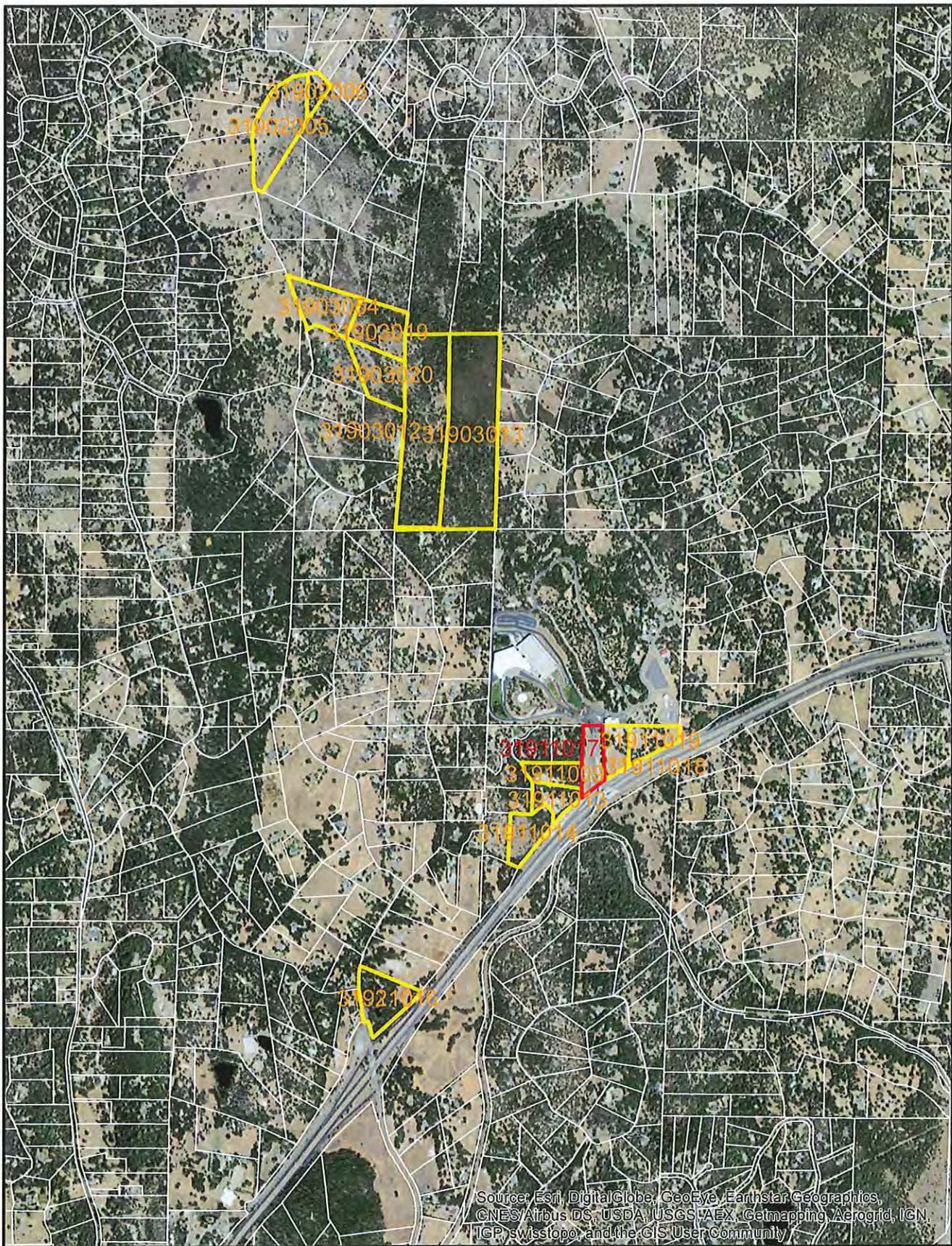
Willow Pacific – *Salix Lucida*

Winter Vtech – *Vicia Villosa*

Yarrow- *Achillea millefolium*

Yellow Star-thistle – *Centaurea solstitialis*

Yerba Santa- *Eriodictyon*

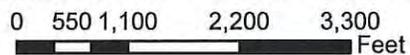


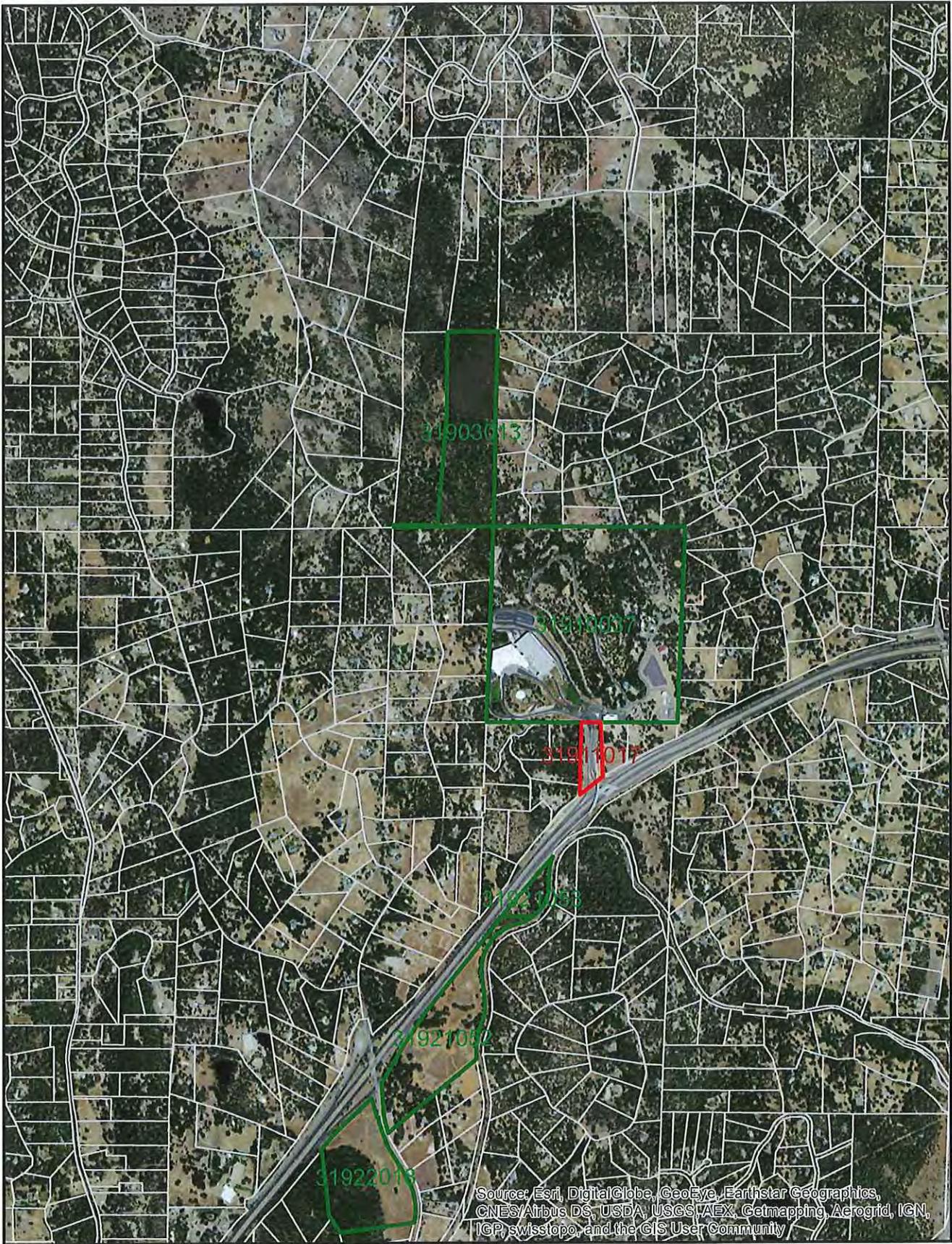
SSBMI Area Parcels

County of El Dorado
State of California

Legend

- Overpass
- Fee Land

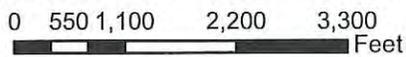




SSBMI Area Parcels

County of El Dorado

State of California



Legend

- Overpass
- Trust Land