



TRIBAL CONSULTATION ANNUAL REPORT

FISCAL YEAR 2024
JULY 1, 2023 - JUNE 30, 2024



Annual Tribal Progress Report for the FY2024 Reporting Period July 1, 2023 – June 30, 2024

1. **Agency Overview** – The Arizona Department of Environmental Quality (ADEQ) administers the state’s environmental laws and delegated federal programs to prevent air, water and land pollution and ensure cleanup when it does occur. Under the Environmental Quality Act of 1986, the Arizona State Legislature created ADEQ in 1987 as the state’s cabinet-level environmental agency. ADEQ is composed of three environmental programs: Air Quality, Water Quality and Waste, with functional units responsible for technical, operational and policy support. ADEQ carries out several core functions: planning, permitting, compliance management, monitoring, assessment, cleanups and outreach and employs approximately 500 people working throughout the state.
2. **Highlights** –
 - a. **Increased Visibility and Technical Assistance:** ADEQ has increased its visibility and accessibility to Arizona’s 22 federally recognized Tribes this year. The Green Neighbor Environmental Board (Board) selected Christy Begay, Environmental Director for the San Carlos Apache membership, to support the Board’s interest in Tribal affairs. We facilitated this appointment by sending this opportunity to Arizona’s 22 federally recognized Tribes providing background about the Board’s mission and interest to add an Arizona Tribal member to the Board. The Board also has Tribal members from California, New Mexico, and Texas border states.
 - b. **Ak-Chin Indian Community (Ak-Chin) Collaboration and Partnership:** During consultations and technical meetings with Ak-Chin leadership and Environmental staff regarding the City of Casa Grande Wastewater Treatment Plant Arizona Pollutant Discharge Elimination System (AZPDES) permit, we understood the Community's concerns about intermittent flooding in the Santa Cruz Wash that could impact tribal land. AZPDES permits include protections for Waters of the United States (WOTUS) and non-WOTUS protected surface waters. In Arizona Administrative Code (A.A.C.) R18-11, Santa Cruz Wash is listed as “Historically Regulated as WOTUS and in Need of Confirmation.” The WOTUS status for Santa Cruz Wash is unclear under the U.S. Supreme Court’s Sackett decision. Regardless, the Clean Water Act (CWA) 208 program for designated areas, in particular the Central Arizona Council of Governments (CAG), the regional council of governments for Gila and Pinal Counties has responsibility for water management planning activities in certain designated areas <https://azdeq.gov/designated-planning-agencies-arizona>. Therefore, we organized a site visit including key representatives from ADOT, Pinal County

Engineering, and the City of Casa Grande to determine if there are any flood mitigation measures to help reduce flooding in the Santa Cruz Wash that continues onto Ak-Chin’s wash and land.

- c. **Hopi Tribe Site Visit:** ADEQ’s Tribal Liaison and Brownfields Coordinator met with the Director of Environment and staff to review the benefits of the Brownfields program. Brownfields are abandoned or underutilized properties where reuse is complicated by actual or perceived environmental contamination. The spaces may include sites contaminated by hazardous substances, petroleum or mine-scarred land. The highlight was that the site visit confirmed eligibility for Hopi to apply for the funding through our Brownfields Assistance Program for two separate locations on Hopi land. The process to complete demolition of the blighted buildings would proceed when EPA funding is obtained.
- d. **Tribal Awards from ADEQ:** Kaibab Band of Paiute and Gila River Indian Community (GRIC) were awarded hazmat equipment supplies through the Emergency Response Fund. The fund is established consisting of monies appropriated by the legislature for purposes described in Title 49, Chapter 1, Article 2. Additionally, ADEQ recognized the first Tribe in Arizona to be awarded a Voluntary Environmental Stewardship Award (VESP) during its Earth Day event. Deputy Director Peters presented the VESP recognition certificate to Governor Lewis. The recognition was related to the Community’s partnership with the Army Corps of Engineers and Bureau of Reclamation that resulted in the installation of solar panels over around 15 miles of canals, that conserves more than 8 million acre-feet of water from evaporative losses while harnessing enough renewable energy to serve 600 Arizona homes annually.
- e. **Earth Day Events:** Our representatives supported five Tribal Earth Day events by attending and hosting interactive education booths.

3. Goals in FY25:

- a. Increase Tribal outreach to further develop effective working relationships
- b. Update the Tribal Consultation and Collaboration policy in FY2025
- c. In-Person visit to each of the 22 Federally-recognized Tribes

- 4. **Tribal Consultation Policy Revisions** – The Tribal Consultation and Collaboration policy was updated in May 2022.
- 5. **Tribal Consultation** – Refer to Table 1 of this Annual Report.
- 6. **Tribal Engagement** – Refer to Table 2 of this Annual Report.
- 7. **Collaborative Events** – Refer to Table 3 of this Annual Report.

**Table 1
Tribal Consultation**

Date	Tribe Name	Description
November 7, 2023	San Carlos Apache Tribe (SCAT)	Consultation with the San Carlos Council, the Tribe’s governing body, proposed for ADEQ to convene to consult directly and in person with them on its efforts to promulgate Total Maximum Daily Loads (TMDLs) for Queen Creek. The Tribe also stated in their letter that they welcome informal consultation between staff members of the Tribe and ADEQ, that is open, transparent, and accountable.
November 7, 2023	SCAT	Consultation when our Surface Water Quality Improvement team presented the work planned for the TMDL project in Queen Creek basin.
November 21, 2023	Ak-Chin	Our Deputy Director, Water Quality Division Director, and Tribal Liaison visited the Community to discuss the City of Casa Grande wastewater permit conditions with the Chairman and Tribal Council members for feedback.
March 20, 2024	Havasupai Tribe (Havasupai)	Deputy Director Peters, Water and Air Quality Division Directors, and Tribal Liaison joined Region 9 Environmental Protection Agency leadership to meet in person for Consultation with the Tribal Council regarding their concerns pertaining to the Pinyon Plain Mine.
March 21, 2024	Tohono O’odham Nation (TON)	ADEQ met virtually with TON for consultation regarding the Copper World Aquifer Protection Permit.
May 14, 2024	SCAT	We were invited to a Special Session Consultation meeting to present the Safford Water Reclamation Facility and Resolution Copper Water Recycled permits.
May 28, 2024	Pascua Yaqui Tribe (PYT)	Deputy Director Peters, Water and Air Quality Division Directors, and Tribal Liaison met the PYT Council in Consultation providing an overview of the Copper World Aquifer Protection Program (APP) draft permit.

Table 2
Tribal Engagement

Date	Tribe Name	Description
May 20th to June 6, 2024	Tribes and Counties	ADEQ’s Emergency Response Unit (ERU) provided information regarding Hazardous Materials Emergency Preparedness Grant, Emergency Response Fund, State Emergency Response Commission/Tribal Emergency Response Commission and Local Emergency Planning Committee/Tribal Emergency Planning Committee.
July 1, 2024	Ak-Chin	ADEQ and the Arizona Department of Transportation (ADOT) met in person at Ak-Chin to discuss potential opportunities through ADOT to help mitigate the significance of flooding on Ak-Chin’s land from offsite runoff.
July 26, 2023	Hualapai	ADEQ’s ERU provided \$11,900 from the Hazardous Materials Emergency Preparedness Grant to Hualapai Tribes Fire and EMS Department within the tri-county area. The Tribes planned on using these funds for Hazmat IQ above below the line Hazmat training.
August 8, 2023	Fort Yuma-Quechan Tribe (Quechan) and Cocopah Indian Tribe (Cocopah)	ADEQ sent a letter to each Tribe regarding Yuma Ozone Maintenance Re-Designation and Motor Vehicle Emissions Budget (MVEB) as part of a re-designation request. We inquired on how each Tribe preferred to engage regarding the status of the MVEB and the methodology with which to build the budget.
August 23, 2023	Navajo Nation (NN)	ADEQ’s Chief Science Officer presented an update to the Navajo County Board of Supervisors about ADEQ’s plans regarding PFAS in drinking water. A Supervisor with the Navajo County Board of Supervisors; also a Navajo Tribal member, raised a question about PFAS in drinking water for the tribes. We followed up and steered him toward the EPA because the PFAS data coming from the tribes has remained private and we do not have access to that data.
August 24, 2024	Ak-Chin	The City of Casa Grande Wastewater Treatment Plant draft AZPDES permit was provided to The Ak-Chin Indian Community’s outside counsel and Environmental Program Manager for review and comment. The Ak-Chin leadership held a follow up meeting with ADEQ’s Water Quality Director and Tribal Liaison on August 24, 2023.

Date	Tribe Name	Description
August 24, 2023	Gila River Indian Community (GRIC)	Applied for ADEQ-ERU's Emergency Response Fund. The fund is established consisting of monies appropriated by the legislature for the purchase of hazmat incident equipment to better prepare first responders when deploying to a hazmat incident.
August 24, 2023	GRIC	ADEQ's ERU provided training to the Gila River Fire Marshal regarding Tier II Chemical Inventory platform, reviewed the Fire Department's roles and responsibilities regarding the Emergency Planning and Community Right-to-Know Act (EPCRA) and 40 CFR 370.10.
September 5, 2023	Hualapai	Hualapai Fire Department was awarded \$11,900 through the Hazardous Materials Emergency Preparedness Grant to fund two Above/Below the Line Hazmat Classes. Twenty-one first responders attended the training that they would otherwise not be able to attend due to lack of funding.
September 19, 2023	Cocopah	ADEQ's Air Quality Division's planning team presented the Yuma Ozone Maintenance & Re-Designation Plan.
October 23, 2023	White Mountain Apache Tribe (WMAT) PYT Hopi TON San Xavier District Pueblo of Zuni Mescalero Apache Tribe	Hudbay Minerals (Copper World mine - ADEQ offered consultation regarding air and water permit applications below that the Department received from Hudbay Minerals (Copper World mine), located in Eastern Pima County: – Air Quality Permit - Class II New – Aquifer Protection Program (APP) Permit
October 23, 2023	WMAT PYT Hopi TON San Xavier District Pueblo of Zuni Mescalero Apache Tribe	South32 Hermosa Mine - ADEQ offered consultation regarding the Air Quality Permit - Class I application the department received from South32 Hermosa Mine, located in southeast Santa Cruz County.
November 14, 2023	Cocopah	ADEQ Water Quality Division representatives met virtually with Cocopah's Environmental Director to answer questions regarding a wastewater discharge permit issued to the City of Yuma.
November 22, 2023	SCAT	ADEQ representatives met with SCAT's Environmental manager and legal counsel regarding the Safford Water Reclamation Facility permit.

Date	Tribe Name	Description
December 6, 2023	WMAT	ADEQ's Community Liaison manager and Recycling Coordinator worked with the White Mountain Apache Tribe to help connect them with the Town of Pinetop-Lakeside to become a spoke in the regional hub & spoke recycling system. WMAT was able to establish a working relationship to allow Tribal members to recycle with Pinetop-Lakeside.
Jan 1-July 31, 2024	Emergency Response Fund (ERF) Awards - GRIC and Kaibab	Kaibab Band of Paiute and GRIC were awarded hazmat equipment supplies through the ERF. The fund is established consisting of monies appropriated by the legislature for purposes of Title 49, Chapter 1, Article 2.
January 3, 2024	WMAT	<p>ADEQ submitted a letter of support to the Environmental Protection Agency (EPA) regarding the efforts of the White Mountain Apache Tribe Environmental Protection Office (WMAT EPO) to become a spoke in the Pinetop-Lakeside Regional Hub and Spoke Recycling System. ADEQ has worked with Arizona State University (ASU) and the Town of Pinetop-Lakeside to identify an efficient recycling program that will work for the northeast region of Arizona. The Hub and Spoke model will be the first intentional hub and spoke model developed in Arizona and will help to divert more materials from landfills to feed a circular economy.</p> <p>The General Assistance Program (GAP) funds will allow WMAT EPO to collect paper and cardboard in its community and provide those materials to the Town of Pinetop-Lakeside to be recycled. WMAT EPO will be able to test the collection of a couple of commodities with the hope of expanding to other materials currently collected by the Town of Pinetop-Lakeside.</p>
<p>April 2024</p> <p>April 19</p> <p>April 20</p> <p>April 20</p> <p>April 22</p> <p>April 26</p>	<p>ADEQ supported the following Tribal Earth Day events:</p> <p>GRIC</p> <p>Cocopah</p> <p>Salt River Pima-Maricopa Indian Community (SRPMIC)</p> <p>Hopi</p> <p>Ak-Chin</p>	ADEQ representatives were pleased to support Tribes on their celebration day. We shared citizen science exhibits and Brownfields program funding opportunities.

Date	Tribe Name	Description
April 19, 2024	GRIC	ADEQ was pleased to support GRICs Community Earth Day celebration. During the event, our Deputy Director presented an environmental leadership recognition to Governor Lewis through our Voluntary Environmental Stewardship Program. This recognition was related to the Community’s partnership with the Army Corps of Engineers and Bureau of Reclamation that resulted in the installation of solar panels over around 15 miles of canals, that conserves more than 8 million acre-feet of water from evaporative losses while harnessing enough renewable energy to serve 600 Arizona homes annually.
May 1, 2024	Hualapai	Snow Bowl Ski Resort - runoff surface water sampling request for assistance. ADEQ Citizen Science program volunteers were suggested to assist the Tribe with the sampling. We also provided analytical methods for constituents of concern.
May 16, 2024	Hopi	ADEQ and Hopi’s Environmental Director had an informal virtual meeting regarding our Brownfields, Citizen Science, and Recycling Programs and provided an overview of Tribal eligibility for funding.
June 5, 2024	GRIC	The GRIC Department of Environmental Quality (GDEQ) Director requested an informal meeting for ADEQ to review the Global Water Palo Verde Campus 1 Water Reclamation Facility and a discussion about the current status of the Ozone reclassification from moderate to serious in Maricopa County.
June 21, 2024	Hopi	As a follow up from ADEQ’s and Hopi’s virtual meeting on May 16th regarding the Brownfields program funding eligibility criteria, our Tribal Liaison and Brownfields Coordinator visited with Hopi’s Environmental Director and staff representatives. Hopi’s Environmental Director opened the meeting with an overview of two separate blighted building locations that they planned to apply for funding and escorted us on a tour of each location and our Brownfields Coordinator was able to determine that the Tribe should apply for funding.
June 7, 2024	Tonto Apache Tribe	Outside counsel reached out to us regarding the status of the City of Payson tetrachloroethylene (PCE) Water Quality Assurance Revolving Fund (WQARF) Site remediation (cleanup) status. We held a virtual meeting to discuss the status of the site cleanup results.

Date	Tribe Name	Description
June 18, 2024	NN	ADEQ staff held interactive public input meetings in Phoenix, Tucson and Flagstaff along with a final virtual meeting to gather regional challenges across Arizona that would help develop the statewide Solid Waste Management Plan.
June 20, 2024	SCAT	
June 21, 2024	WMAT	
June 25, 2024	TON	

**Table 3
Collaborative Events**

Date	Organization / Event Name	Description
August 11, 2023	ITCA Tribal Leaders' Water Policy Council Meeting & Colorado River Tribal Roundtable Meeting	ADEQ's Director and Water Quality Deputy Director provided an update regarding the Aquifer Water Quality Standards Rulemaking plan.
August 2023	Green Neighbor Environmental Board (GNEB or Board)	<p>The GNEB is an independent federal advisory committee. Its mission is to advise the President and Congress of the United States on good neighbor practices along the U.S. border with Mexico. Its recommendations are focused on environmental infrastructure needs within the U.S. states contiguous to Mexico. The Board had Tribal representation from California, New Mexico, and Texas and needed a Tribal representative from Arizona.</p> <p>The Board approached ADEQ to support them by sending a letter to the 22 Federally recognized tribes of Arizona to inform them that the GNEB was seeking nominees / applicants to serve on the Board's next term. The Board selected SCAT's Environmental Director to serve the next 2-year term.</p>
September 5, 2023	Hualapai	Hualapai Fire Department was awarded \$11,900 through the Hazardous Materials Emergency Preparedness Grant to fund two Above/Below the Line Hazmat Classes. Twenty-one first responders attended the training that they would otherwise not be able to attend due to lack of funding.
October 24 - 26, 2023	EPA Region 9 Tribal / EPA Conference	<p>ADEQ's Director presented at the conference about our Tribal Engagement and Consultation practices.</p> <p>We also supported an EPA-led panel that covered Federal and State Authorities and Programs for Groundwater Protection. ADEQ's Principal Hydrogeologist had the opportunity to participate on the panel by presenting an overview of Arizona's Groundwater Protection program.</p>
November 9, 2023	American Indian Chamber of Commerce of Arizona	ADEQ joined as a member of this organization for the benefit of learning from speakers and networking.
December 21, 2023	Indian Health Services (IHS)	Our Air Quality Smoke Management team met with IHS to review processes used to monitor smoke from wildfires and prescribed burns.

Date	Organization / Event Name	Description
March 19 and April 17, 2024	Uranium Working Group (UWG) Meetings Regarding Pinyon Plain Mine (Mine)	<p>UWG meetings were led by Coconino County. The focus was on Tribal and public concerns regarding the Mine. The primary attendees were representatives from Federal, State, and Local government agencies, and 7 Tribes. ADEQ’s Deputy Director spoke at both meetings along with the Water , Air Quality Divisions Directors and Tribal Liaison. We coordinated an effort with the participating government agencies to prepare a list of government agencies and their respective roles and responsibilities as it pertains to the Mine. The information was posted on the following webpages:</p> <ul style="list-style-type: none"> • Water Quality “Permit of Interest”: azdeq.gov/WQD/PinyonPlainMine • Air Quality “Permit of Interest”: azdeq.gov/AQD/PinyonPlainMine
May 22, 2024	Inter Tribal Council of Arizona (ITCA)	During the ITCA Solid Waste Working Group Session, ADEQ’s Recycling Coordinator presented on the EPA Solid Waste Infrastructure for Recycling (SWIFR) project to develop a statewide Solid Waste Management Plan encouraging Tribes to attend public input meetings to voice their challenges with various material streams.
Weekly Cadence	ADEQ ERU Training Notifications to Arizona Tribes	The training notifications include local and national Hazmat opportunities.
Weekly Cadence	ADEQ ERU Incident Notifications to Arizona Tribes	ADEQ ERU sends notifications to the Tribes that include local and national Hazmat training opportunities, Hazardous Materials Emergency Preparedness Grant funding availability, Emergency Response Fund availability, Federal Appeal Court information, Hazardous Materials Conference information, U.S. Chemical Safety and Hazard Investigation Board (CSB), Federal Energy Regulatory Commission (FERC), American Chemistry Council (ACC), Chemical Facility Anti-Terrorism Standards (CFATS), Cybersecurity * Infrastructure Security Agency (CISA), State Emergency Response Commission (SERC), Tribal Emergency Response Commission (TERC), U.S. Environmental Protection Agency (EPA), US Dept. of Homeland Security, Federal Emergency Management Administration, and National Incident Management System (NIMS) updates and information.



Len Drago
 ADEQ Ombudsman / Tribal Liaison
 602-771-2288