THE VALUE OF EPA AND TRIBES
WORKING TOGETHER AS PARTNERS

The National Pesticide Tribal Program:

Achieving Public Health and Environmental Protection in Indian Country and Alaska Native Villages









United States Environmental Protection Agency

Office of Pesticide Programs (7506P)
Washington, DC 20460

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Contents

Front cover photos: **First row, left to right:** Applicators of Navajo Agricultural Products Industry wear proper protective equipment to treat for rodent control; EPA Staff and Hutterite farmer conducting Worker Protection Standard Inspection on Blackfeet Reservation; EPA Athens Lab employee on Poarch Band of Creek Indians reservation in Alabama demonstrating to two tribal members how to test soil for pesticides residues**. Second row, left to right:** Confederated Salish & Kootenai Tribes Pesticide Circuit Rider conducts a worker protection safety inspection at tribal greenhouse; Confederated Salish & Kootenai tribes Pesticide Circuit Rider presentation on Circuit Riders; Colorado River Indian Tribe members disposing of pesticides. **Third row, left to right:** EPA employee conducting Integrated Pest Management training to tribal pesticide managers; Confederated Salish & Kootenai Tribe and USGS conducting surface water sampling; Santee Sioux Nation Environmental Coordinator, Niobrara, NB.

A Message from Steve Owens, EPA Assistant Administrator for Prevention, Pesticides and Toxic Substances

Dear Readers:

EPA has a long history of supporting tribal pesticide programs. EPA Administrator, Lisa Jackson reaffirmed this agency's 1984 Indian Policy on July 22, 2009. That policy put in place the framework and principles by which the EPA's relationship with tribes and our support for tribal programs are realized. Through the Policy, EPA recognizes the right of tribes as sovereign governments to self-determination and acknowledges the federal government's trust responsibility to tribes. EPA works with tribes on a government-to-government basis to protect the land, air and water in Indian country.

This brochure describes the priorities, challenges and successes of the Tribes, EPA, and stakeholders in the broad and complex arena of the National Pesticide Tribal Program. It describes how EPA and tribes work together as partners to achieve public health and environmental protection in Indian Country. Case studies of successful tribal pesticide programs are provided, and some key needs and program priorities are identified.

I am extremely honored to have been chosen by President Obama to be the Assistant Administrator for the Office of Prevention, Pesticides and Toxic Substances. From my experience as the former director of the Arizona Department of Environmental Quality, I had the opportunity to work with tribal governments on a daily basis, and I understand first-hand the challenges tribes face. I am strongly committed to continuing EPA's support for tribal pesticide programs. The pesticide issues that affect tribes today will require 21st century solutions and approaches. Together we must improve upon our past efforts and focus our program goals on the overriding goal of protecting human health and the environment in Indian Country. To achieve this we must make the most efficient use of the resources available. We will continue to work closely with our tribal partners to achieve better protection in Indian Country and ensure the safety of all people.

Thank you for taking the time to read about the National Pesticide Tribal Program and the value of EPA and tribes working together.

Steve Owens

General Statistics

2.5 million American Indians and Alaska Natives (2000 Census).

564 Federally recognized tribes (Bureau of Indian Affairs).

66 million acres of trust land in Indian country.

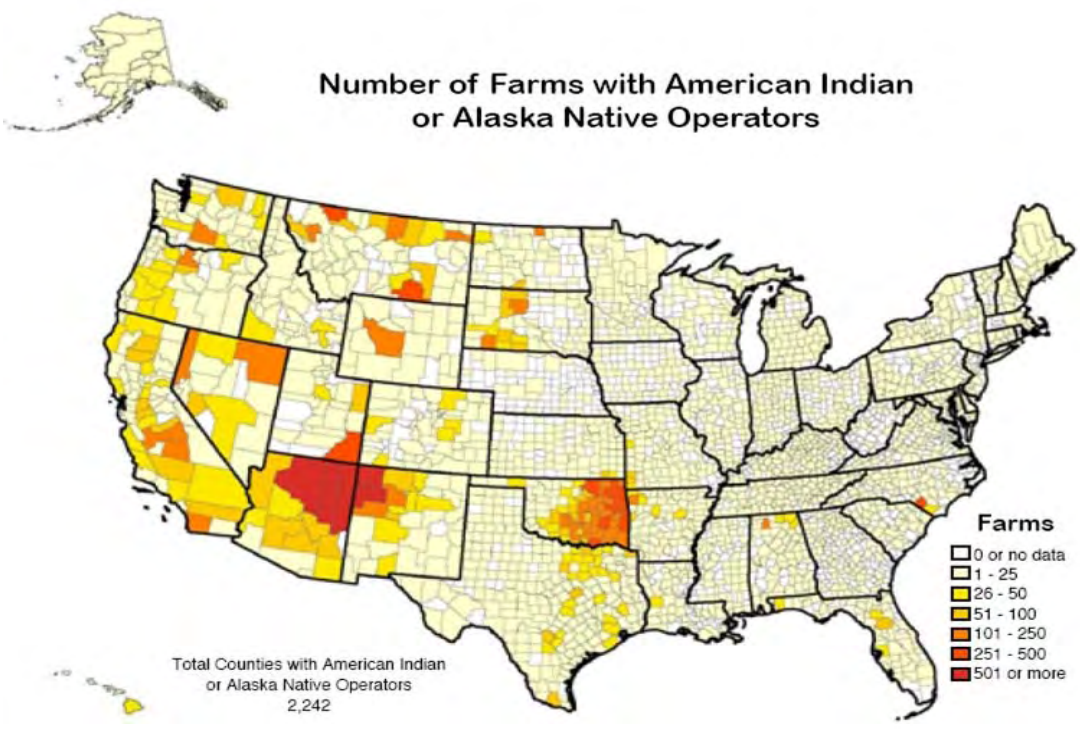
Tribal Poverty rate is about **23%**, compared to the national average of 12.5%.

Agricultural Statistics

There are a total of **79,703** American Indian or Alaska Native operators on **61,472** farms and ranches across the United States.

American Indian farm operators are more likely than their counterparts nationwide to report farming as their primary occupation, to derive a larger portion of their overall income from farming, and to own all of the land that they operate, rather than renting or leasing land. Farmworkers and their families have a high potential for exposure to pesticides.

The states with the highest percentage of American Indian principal operators are Arizona (**53.9** percent), New Mexico (**21.5** percent), Nevada (**12.5** percent),



Pesticides are designed to harm insects, weeds, disease-causing organisms and other pests and, if not used properly, they have the potential to harm people and the environment. EPA's Office of Pesticide Programs is responsible for ensuring that pesticides will not cause unreasonable adverse effects on human health or the environment.

EPA's Indian Policy

"In carrying out our responsibilities on Indian reservations, the fundamental objective of the Environmental Protection Agency is to protect human health and the environment. The keynote of this effort will be to give special consideration to Tribal interest in making Agency policy, and to [e]nsure the close involvement of Tribal Governments in making decisions and managing environmental programs affecting reservation lands."

Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. EPA has this goal for all communities and persons across this Nation, including tribal communities.

Introduction

In the United States, there are 564 federally recognized Indian tribes, with a population of 2.5 million American Indians and Alaska Natives; and there are approximately 66 million acres of trust land. Cultural practices, subsistence diets, location, and economic status can create special concerns from pesticide exposure for Native Americans living in Indian country. Unique jurisdictional issues and resource needs can complicate the ability to address pesticide risk issues and work toward the goal of protecting human health and the environment in Indian country.

The federal government has a special relationship with federally recognized tribes, which retain important aspects of sovereignty over their members and territories. Federal policy in the United States recognizes this sovereignty and stresses government-to-government relations between the United States and tribal governments.

National Pesticide Tribal Program Strategic Goals

The primary goal of the National Pesticide Tribal Program is to help protect human health and the environment by ensuring pesticides and alternatives are available in Indian country and can be used according to label directions without causing unreasonable risks. An additional goal is to consider the unique exposures and cultural practices that pertain to tribes. The Program uses a mix of tools, activities, and programs to protect tribal members from potential pesticide risks:

- Risk assessment and risk management through pesticide registration
- Frontline program implementation (e.g., grants, guidance, training, and technical assistance)
- Policy development and interpretation
- Advocacy and liaison
- Consultation
- Program performance accountability

Nature of Unique Challenges

Indian country is defined by statute at 18 U.S.C. and includes all land within reservation boundaries, dependent Indian communities, and allotments. Under the statutory definition, Indian country includes lands held in trust for tribes even if those lands have not been formally designated as reservations. Many tribes are in remote locations. According to recent reports by the U.S. Census Bureau and U.S. Indian Health Service:

- 43% of the Indian population resides in rural areas, with greater potential for exposure to agricultural pesticides—compared to 21% of the U.S. population as a whole.
- A number of jurisdictional issues affect tribes, i.e., uniqueness of treaties, the patchwork of tribal and non-tribal land ownership within Indian country, tribal law, and court decisions can make managing and resolving environmental issues more complex.
- Many tribes have limited staff, funding, and equipment to devote to pesticide-related activities, and many tribes face difficulties hiring and retaining qualified personnel.
- The general population of Indian country has larger families, less health insurance, and a poverty level nearly twice that of the rest of the U.S. population.
- Because of varying practices among tribes, accurate data on tribal pesticide use are difficult to obtain, which makes measuring program progress and successes difficult.

Statutory Mandate

The National Pesticide Tribal Program is undertaken consistent with the federal government's trust responsibility to federally recognized tribes, including consultation with tribes on actions affecting Indian country, government-to-government relationship with tribes, and EPA's authorizing statutes and implementing regulations and policies.

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) addresses the sale, distribution, use, and labeling of pesticides, as well as the certification and training of pesticide applicators, among other things. EPA generally is the primary enforcement authority for pesticide use violations in Indian country. But several tribes have cooperative agreements with EPA to help enforce FIFRA.

Under FIFRA section 23, EPA may enter into cooperative agreements with tribes. These agreements may include provisions for tribes to assist EPA in ensuring compliance with FIFRA by obtaining federal inspector credentials, conducting inspections, and recommending enforcement actions to EPA. Additionally, some tribes have their own inspection and enforcement authorities to ensure compliance with their own pesticide codes and ordinances.

Means to Ensure Protection in Indian Country:

1. Effective Partnerships

To meet program challenges and succeed in achieving health and environmental protection goals, a number of organizations collectively work with tribes. EPA works with tribal governments to implement pesticide programs under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and provides tribes expertise, knowledge, and opportunities for partnership when pesticide issues affect Indian country. EPA provides funding to some tribes to offer pesticide education, technical assistance, and compliance and enforcement, and to develop and implement pesticide programs under tribal law. Each EPA Regional Office coordinates tribal programs within its respective region, except for Region 3, which does not currently contain federally-recognized tribes.

The Office of Pesticide Programs' (OPP) efforts related to tribes and pesticides are carried out in conjunction with EPA's Office of Enforcement and Compliance Assurance (OECA), Office of Science Coordination and Policy, Office of General Counsel, American Indian Environmental Office, EPA Regional Offices, and other federal agencies. EPA also works extensively with the Tribal Pesticide Program Council (TPPC), an organization funded by OPP and representing almost 40 tribes, as our primary forum for maintaining effective tribal partnerships on a national level.

About the Tribal Pesticide Program Council

The Tribal Pesticide Program Council (TPPC) is a forum where tribal pesticide and environmental officials can raise pesticide program implementation issues to EPA, offer input on national pesticide policy that affects tribes, offers a network for tribal pesticide officials to share information, and promote and enhance tribal pesticide program development. The expected outcomes of working with the TPPC include:

- Increased partnerships between EPA and tribes involved in various aspects of pesticide regulatory programs;
- Improved understanding for EPA on tribal pesticide concerns to more effectively protect human health and the environment in Indian country and Alaska Native Villages; and
- Enhanced capabilities of tribal participants through increased knowledge of how to implement quality pesticide programs, leading to better protection of human health and the environment in Indian country and Alaska Native Villages.

Photo: OPP and TPPC at annual meeting

The Coeur d'Alene Circuit-Rider

EPA Region 10 provides funding through a Cooperative Agreement to the Coeur d'Alene Tribe located in northern Idaho to conduct pesticide program activities on behalf of EPA within that reservation, as well as for five other participating tribes in northern Idaho (Kootenai, Nez Perce) and eastern Washington (Colville, Spokane, and Kalispel). Eric Gjevre, who has served in the Coeur d'Alene Circuit-Rider position for over 10 years, conducts inspections to assure that pesticides are sold and used properly within the six reservations. Eric also provides technical assistance, education and training on the legal and safe use of pesticides.

Eric works closely with Idaho and Washington State pesticide agencies on cross-jurisdictional issues and to share training opportunities.

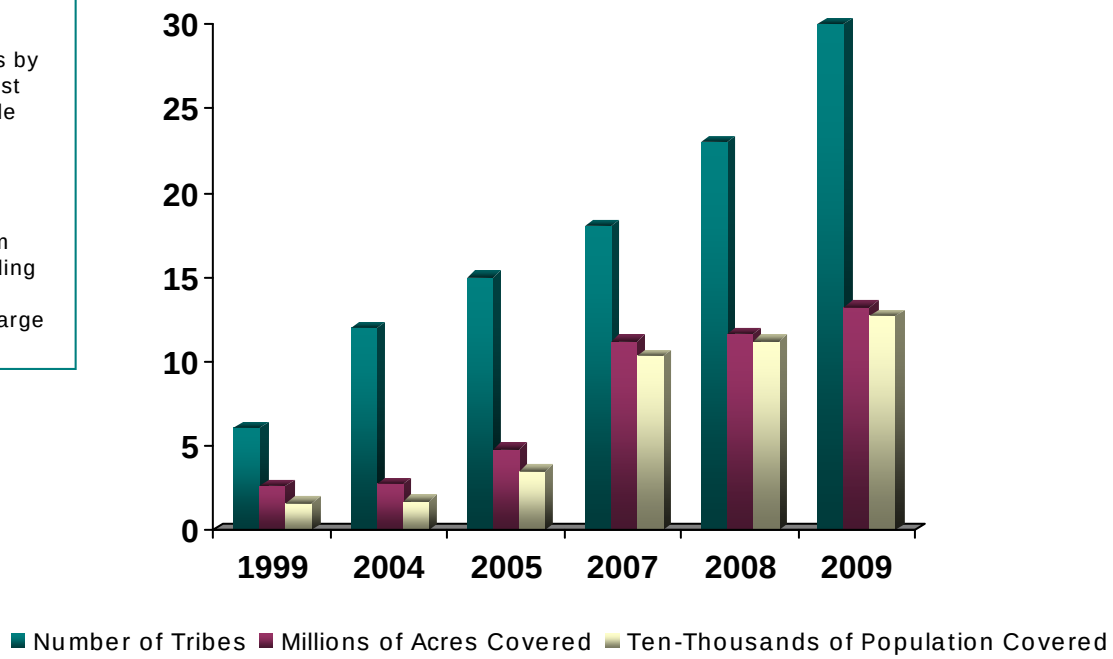
This Circuit Rider program benefits participating tribes by providing low cost or no cost access to a trained pesticide specialist who can provide pesticide education and compliance monitoring activities within their Reservations. The program also benefits EPA by providing cost-effective pesticide program coverage over a large geographic area of Indian

2. Working Efficiently

To make the most efficient use of limited resources, the National Tribal Pesticide Program pursues policies and approaches that can address the most serious pesticide concerns and benefit the most tribes. For example, OPP distributes funds to the EPA Regional Offices to support tribal pesticide programs using a needs-based formula that accounts for the number of federally recognized tribes, and the total population and acreage in Indian country in each region. Tribes and EPA are preparing Pesticide Use Assessments to help identify pesticide-related concerns in Indian country and prioritize our efforts. In addition, we are developing training and circuit rider programs that can benefit multiple tribes, where appropriate. Circuit riders maximize our resources because one tribal pesticide expert can offer several tribes pesticide technical assistance, education, training, and in some cases, assistance with assuring compliance with pesticide laws and regulations. This initiative has allowed significant increases in program coverage — an increase in the number of tribes, population, and acreage covered — meaning information on how to safely use pesticide products travels farther and faster (see chart below). To date, eight tribal circuit riders have been established, providing program coverage for 30 tribes and more than 330,000 people on more than 12.8 million acres.

Between 2007 and 2009, EPA funded four new pesticide tribal circuit riders, covering an additional 13 tribes, 283,000 people and approximately 7.9 million acres in Indian country.

Expanded Tribal Coverage by Promoting Multi-Tribal Circuit Riders



Tribal Exposure to Pesticides:

- Agricultural pesticide use.
- Pesticide spray drift for workers and for those living close to agricultural fields.
- Special exposure scenarios, e.g., subsistence diet and exposure to pesticide-treated cultural artifacts.
- Pesticide use in schools and community buildings.
- Pesticides in water resources.
- Pesticides used in homes to control pests.
- Illegal disposal of old or unused pesticides.

3. Targeted Risk Assessment and Risk Management

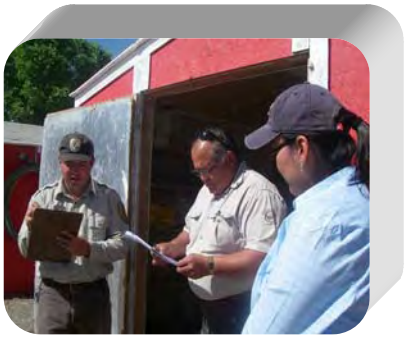
Tribal members may be subject to different pesticide risks than other Americans because of unique tribal lifestyles and exposure patterns. OPP works to consider and address these factors when registering pesticides:

- EPA has considered tribes and other subpopulations in risk assessments, including consideration of factors such as atypical pesticide use patterns, differences in diets (e.g., subsistence diets, traditional foods, and other differences in food consumption), and bioaccumulation (especially for subsistence fishermen and breast milk).
- EPA's risk assessment for the pesticide lindane specifically addressed concerns of Arctic tribal members. EPA also worked with the Indian Health Service to phase out the use of lindane in shampoo to control lice.
- Exposure to Persistent Organic Pollutants (POPs) can adversely impact on tribal traditional lifeways, particularly in Alaska. These products are generally no longer used in the United States. However, POPs migrating through the air from other countries are deposited in the Arctic, contaminating the food chain. OPP's efforts to eliminate lindane use in the United States are expected to reduce the production of lindane in other countries, which should result in reduced deposits in the Arctic.
- To ensure better science, EPA is developing exposure assessment tools, such as the *Tribal LifeLine* software. This software is intended to provide databases and models that allow risk assessors to consider the traditional diets and activities of tribes. The *Tribal LifeLine* Project will provide regulators with the tools to better characterize exposure and risk for focused populations and will build capacity within the Native American communities for informed decision-making about health and environmental concerns. Although the impetus for the project has been better science for tribal populations, the software is valuable for use with any focused population (e.g., farm workers, sports fishers, and coastal communities with high fish consumption).

4. Protective Frontline Implementation

Action at the point of pesticide use is critical to whether the Pesticide Program is successful at translating the intended risk mitigation of our regulatory mandates, licensing actions, and policies into real world protection of human health and the environment in Indian country. Examples of these activities include:

Personal protective equipment is demonstrated at Pesticide Inspector Residential Training (PIRT).



Pesticide Inspection on the Colorado River Indian Tribe (CRIT) reservation.

- **Focused Assistance.** EPA regions work with tribes to build capacity to implement tribal pesticide programs. Activities include pesticide training, risk communication, and technical assistance. Improved tribal understanding of program requirements, operational processes, recent actions, and emerging issues allows tribes to be more effective in their protection activities.

- **Funding helps support local programs.** EPA funds cooperative agreements and grants with tribes for pesticide program implementation to enable tribes to support effective pesticide risk management. This funding is used for a variety of tribal activities, including training, outreach, and education, and encouraging integrated pest management. For example, EPA Region 2 recently entered into a Performance Partnership Agreement (PPG) with the St. Regis Mohawk Tribe and provided funding to evaluate potential pesticide concerns as well as to establish a pesticide outreach and education program unique to the Mohawk community's culture and values. EPA also awards cooperative agreement grant funding to support tribal pesticide enforcement activities to address pesticide use in Indian country. The purpose of a tribal pesticide enforcement program is to conduct compliance and enforcement activities under FIFRA or to ensure compliance with tribal pesticide codes.

- **Direct Implementation.** EPA generally has pesticide program implementation and enforcement responsibility and seeks tribal partnership to support that work.

- **Enforcement and compliance training provides tribes with knowledge and experience to implement effective pesticide enforcement and compliance programs in Indian country.** OECA provides Pesticide Inspector Residential Training (PIRT) courses annually for state and tribal inspectors. All PIRT courses include training to improve basic inspection skills, mock inspections and worker safety. In 2008, OECA developed a tribal-specific PIRT course in Structural Pest Control. Participants were tribal inspectors who conduct pesticide use inspections and investigations to assure that pesticides are sold, distributed, and used in accordance with federal and tribal pesticide laws. This course provided information about conducting use inspections and investigations for pesticides used in structures such as schools and other buildings. OECA also offers the Tribal Compliance Assistance Center at http://www.epa.gov/tribalcompliance/. This is a Web-based tool that serves as resource for tribes to access comprehensive, easy-to-understand compliance information targeted specifically for environmental issues in Indian country.

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Representative Tribal Pesticide Protection Activities

Case Study: Collaboration Promotes Expertise and Efficiency

It's essential that all tribal pesticide programs, especially a one-man-show like many tribes operate, including Salt River Pima-Maricopa Indian Community (SRPMIC), reach out to one another and outside agencies to pool resources, and work with the allocated grant funds. All of these tribal programs, SRPMIC included, are at some intermediate growth stage and look outside to the horizon for opportunities to learn from others facilitating their growth to successful maturity.

- Mark Aaron, Indian Community Senior Environmental Specialist, Pesticides and Hazardous Substances, Salt River Pima-Maricopa Indian Community, AZ Environmental Protection and Natural Resources Division

The regulation and use of pesticide products are complex programs. Sharing knowledge and collaborative learning opportunities can accelerate development of program expertise, thereby enhancing protection. SRPMIC has aggressively pursued such opportunities.

Mark Aaron has established a network with the two Arizona agencies that regulate pesticides (Arizona Department of Agriculture and the Office of Pest Management), the Navajo Nation, Gila River Indian Community (GRIC), and the Colorado River Indian Tribes (CRIT). The Arizona Department of Agriculture and the Office of Pest Management have scheduled special training sessions for tribal inspectors at the SRPMIC's requests. Mark has been allowed to shadow inspectors who coordinate personnel within their agencies to answer questions regarding verification of state licensure, product registration verification, and compliance and enforcement actions they have taken in their jurisdiction, and to provide forms, boilerplate language, and training manuals.

Mark has also attended multi-agency inspections with GRIC coordinated by EPA as a training exercise at producer establishments, and joined the Navajo Nation on State of Arizona follow-up inspections, and WPS and maintenance yard inspections. He has shadowed CRIT on an inspection and attended meetings with agricultural applicators to provide Worker Protection Standard compliance awareness. CRIT has also provided Mark with an in-depth look at how it manages its database of 1080-Notice of Intent Pesticide Applications, which allows CRIT to plan an effective schedule of daily inspections before arriving on site.

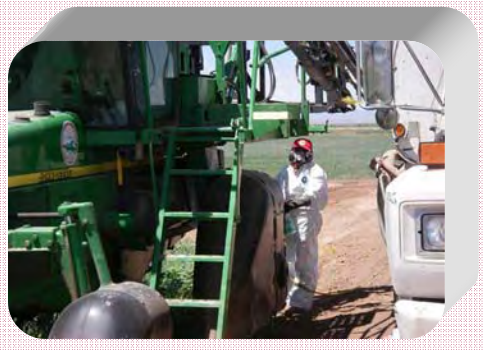
Case Study: Federal Assistance Grants Produce Beneficial Environmental Results

Collaborative protection efforts are enhanced by effective resource support to advance critical projects. For example, with federal assistance grants, the Navajo Nation EPA Pesticide Enforcement Program (NNEPA) conducts compliance inspection, monitoring, and investigations on Navajo Nation, and has achieved some significant accomplishments. Inspections have resulted in multiple instances of violations that were corrected, including:

- Application of pesticides at a residential construction site without proper personal protective equipment.
- Herbicide treatments at several electrical substations without proper personal protective equipment, and reentry into treated areas before specified time.
- Spot treatment of areas in an occupied office building that were prohibited by the label.
- Illegal disposal of a pesticide.
- Herbicide application at oil wells, around tank batteries, with improper application equipment.

EPA Region 9 has assisted the Navajo EPA Pesticide Program in funding a position for an individual to work within the Navajo EPA Pesticide Program to:

- Improve the USEPA/NNEPA Program inspection process.
- Provide their inspectors with the knowledge and skills needed to successfully meet program goals and enrich the dialogue between the USEPA and NNEPA, and
- Assist the NNEPA in its development of vital pesticide enforcement documents.



Colorado River Indian Tribes (CRIT) photo of applicator wearing proper personal protective equipment during agricultural pesticide application.

Case Study: Compliance Assistance and Outreach Programs Reduce Violations

Protection through education and timely information exchange are important tools to help growers minimize pesticide risks. The Colorado River Indian Tribes (CRIT) pesticide program conducts a comprehensive compliance assistance and outreach program for all the agri-business in the community.

One tool CRIT provides to growers is a check list identifying the components necessary to be compliant with tribal and federal codes and regulations and to perform a self-evaluation of its current operations. At a pre-determined date, pesticide inspectors review the self-assessment check list with the participant, point out areas of concern, and answer any questions by the participant. Both parties then agree on the amount of time necessary to address targeted areas for improvement.

With cooperation from farmers, pesticide dealers, applicators, inspectors, pesticide control advisors (PCAs), and local agri-businesses, CRIT has developed a Pesticide Tracking System to provide inspectors with the necessary information needed to proactively deal with pesticide issues. The system allows CRIT to identify and track pesticide aerial, chemigation, and ground applications in every single agricultural field of the 85,000 acres that are currently under production.

CRIT is also able to track tribal and state pesticide certifications and permit expiration dates of dealers, PCAs, growers, pesticide handlers, and applicators. Information in the tracking system is also portable by way of laptop computers in vehicles that inspectors carry in the field. This allows pesticide staff to observe an application in progress and identify the field and the grower in real time. They can then look at the Pesticide Tracking System, and verify if a form 1080, Notice of Intent, has been submitted for that application.

Pesticide compliance assistance information is available for tribes at www.epa.gov/tribalcompliance/currentaffairs.html.

Worker Protection Safety Training conducted at Colorado River Indian Tribes (CRIT) farm.

Case Study: Tribe Uses Grant to Establish School IPM Program to Control Pests and Reduce Pesticide Use

In 2002, EPA provided a grant to support the development of an integrated pest management (IPM) pilot project in the Salt River Pima-Maricopa Indian Community schools. The funds provided in that grant were used by the tribe to perform an IPM assessment to identify the extent of the pest issues in their community schools and to identify strategies for ecologically sound pest management approaches, such as:

- Improved hygiene standards.
- Exclusion methods.
- Habitat manipulation.
- Biological control species, such as ladybugs, mantids, geckos, and housecats.
- Selection of target specific control products that have low toxicity and environmental impact, such as insect growth regulators
- Non-chemical pest control products, such as glue boards and ultraviolet lights.

The goals of this pilot were a 90% reduction in chemical pesticide usage in the piloted schools, an 85% reduction in pests, a better understanding of IPM, the ability to further implement an IPM program in tribal schools, and the knowledge to implement IPM methods in tribal homes within the Salt River Pima-Maricopa Indian Community.

EPA Region 8 staff conducting IPM training for tribal inspectors at local school. Proper food storage in school's kitchen is discussed.

Colorado River Indian Tribe (CRIT) shreds pesticide containers for recycling at the Woods Crop Dusting facility.

USGS Water Sampling: EPA Region 8, USGS, and Confederated Salish & Kootenai Tribes (CSKT) Personnel.

Protective Frontline Implementation continued...

- **Training improves the effectiveness and efficiency of tribal programs and the TPPC.** In the spring of 2009, OPP offered a course targeted specifically to tribal environmental and pesticide program managers and TPPC members through the Pesticide Regulatory Education Program (PREP). The goal of this course was to provide training in leadership, management, and program skills that could benefit both the individual tribal programs and the TPPC organization as a whole.
- **Clear and effective guidance leads to improved environmental protection.** OPP developed guidance on meeting pesticide container and containment requirements in Indian country. Information like this can be useful for programs such as the pesticide container recycling program implemented by the Colorado River Indian Tribe (CRIT), which provided a central location for farmers to dispose of their used pesticide containers free of charge. Currently, with the cooperation of applicators and farmers, a total of 24 tons of plastic pesticide containers have been removed from the reservation for recycling, avoiding the need to burn or landfill these containers. This program provides a way to avoid air, water, and soil contamination.
- **Good data are essential for sound decision-making.** EPA Region 9 and the Albuquerque District of U.S. Geological Survey (USGS) jointly funded a Groundwater Vulnerability and Aquifer Sensitivity Study with the Navajo Nation to help obtain information on the nature and severity of potential water quality concerns due to pesticide use. This study, which was conducted as part of the Navajo Nation's Pesticide and Groundwater Management Plan, included information on geology, precipitation, soil properties, slope of the land surface, and the location of stream courses. This information is useful to help identify potential for pesticide contamination and areas to focus on remediation.

Confederated Salish & Kootenai Tribes:
Water Quality Monitoring

Within the reservation boundary of the Confederated Salish & Kootenai Tribes (CSKT), there are approximately 180,000 acres of rivers, lakes, streams, and wetlands. Pesticide applications to nearby orchards and farms may impact water quality through runoff and agricultural return flows. In addition, non-native fish and vegetation are often controlled through direct pesticide applications to water. EPA and the U.S. Geological Survey awarded a grant to CSKT to begin baseline water quality monitoring. The data generated from these types of baseline monitoring projects can direct a tribe to areas that may be impacting water quality and help to focus outreach and inspection activities within the areas of greatest concern.

Native Americans weaving plants to make baskets.

Policy Development and Interpretation in Navajo Indian Country

The implementation of a Federal Plan for the Certification of Restricted Use Pesticide Applicators in Navajo Indian country provides federal certification allowing individuals possessing a valid certification with the states of Arizona and Utah to legally apply restricted use pesticides within the exterior boundaries of the Navajo Nation, including the satellite reservations.

A Memorandum of Understanding has been established between USEPA Region 9, Navajo Nation, Arizona State Department of Agriculture, Arizona Office of Pest Management, and the Utah State Department of Agriculture Pesticide Program.

More information can be found at http://www.epa.gov/oppfead1/safety/applicators/2007/navajo.htm.

- **Special Projects.** The Agency also welcomes opportunities to collaborate with tribal organizations. OPP worked with the California Basketweavers Association to develop a brochure informing tribal basketweavers about potential exposure to pesticides while collecting native plants and weaving baskets.

5. Policy Development and Interpretation

EPA has developed several policies in recent years to help assure equal access to pesticide tools for growers in Indian country and equal protection of human health and the environment. We rely on the TPPC to help identify where policies or programs need to be developed to address pesticide issues in Indian country. EPA gives special consideration to tribal interests in making Agency policy and honors tribal sovereignty through government-to-government consultation with federally recognized tribes on issues that may affect tribes and Indian country. Two recent examples are:

- **Use of Pesticides for Emergency Use and Special Local Needs.** FIFRA is silent on whether the benefits of emergency (FIFRA sec. 18) or special local need (FIFRA sec. 24(c)) pesticide products are available to tribes and farmers in Indian country. With considerable help and input from the TPPC, EPA instituted a three-year, nationwide pilot program ensuring that, under certain conditions, pesticide users in Indian country have the same access to emergency and special local need pesticide products that are available outside of Indian country. Tribes may exercise their sovereignty by electing not to participate in the pilot program. Visit http://www.epa.gov/oppfead1/tribes/pilot-project.htm.
- **Certification and Training of Pesticide Applicators.** In most cases, restricted use pesticides (RUPs) are not available for use in Indian country because of the lack of approved tribal certification plans/programs. EPA is developing options to make RUP certification available in Indian country nationwide. This will help ensure growers in Indian country have access to the same pest control tools available outside Indian country, and that applicators are properly trained to use these hazardous pesticide products safely.

Attention to structural pest control is an important effort where there are large housing complexes in Indian Country that are treated on a regular basis.

6. Program Performance Accountability

Government agencies must ensure the maximum return on our investment of public funds, focus on the greatest concerns, work toward achieving strategic goals, and monitor our performance. For these reasons, performance requirements and accountability are built into tribal cooperative agreements.

OPP measures our progress in Indian country by tracking increases in the Pesticide Tribal Program coverage for the number of acres, tribes, and people living in Indian country. We are also investigating other ways to measure environmental gains in Indian country. For example, we believe that Pesticide Use Assessments in Indian country that help identify tribal needs and set priorities may also be useful in measuring the performance of the Program. These assessments could also replace the needs-based formula currently used to determine resource allocations. Finally, multiple activities targeted at reducing pesticide risk in areas of high concern could be developed based on the outcome of the assessments.

7. Next steps in Indian country

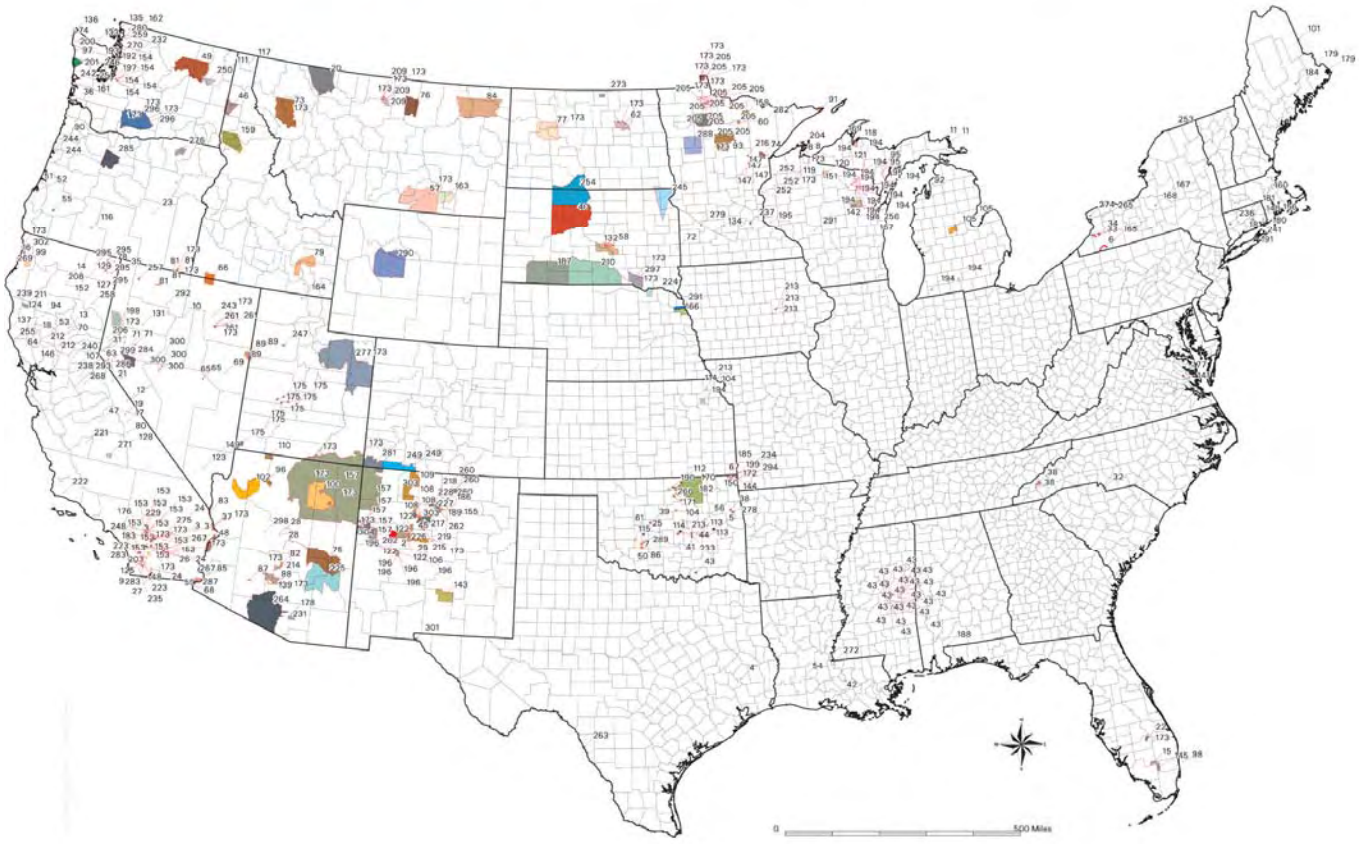
Tribes, EPA, and other stakeholders face many challenges because the National Pesticide Tribal Program is broad and complex. We've made good progress in addressing some key needs and program priorities with the resources available.

Nonetheless, there still remains work to be done. For example, out of the 562 federally recognized tribes, only about 30 have pesticide cooperative agreements with EPA. We need to continue effective planning and efficient program management to target resources and attention to the highest needs. Working with tribal partners, we can achieve better protection and meet the challenges of the 21st century.

Visit EPA's Tribal Portal at www.epa.gov/tribal.

Here you can access all EPA related tribal information.

Indian Reservations in the Continental United States



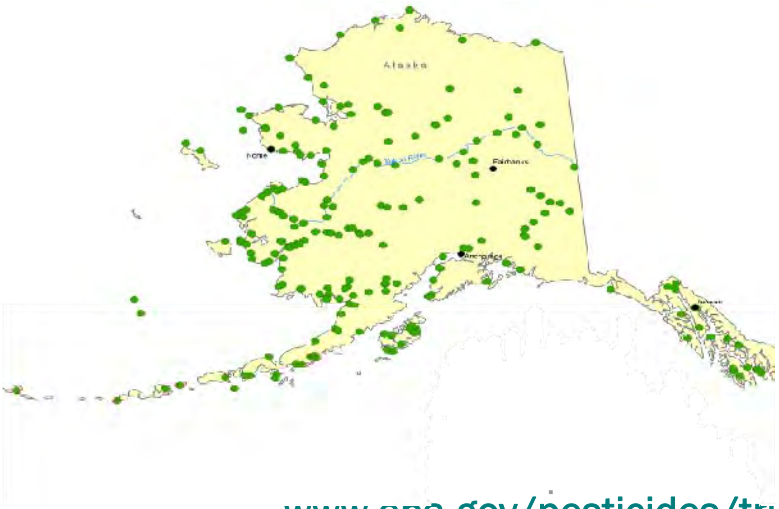
Map of Indian Reservations in the Continental United States

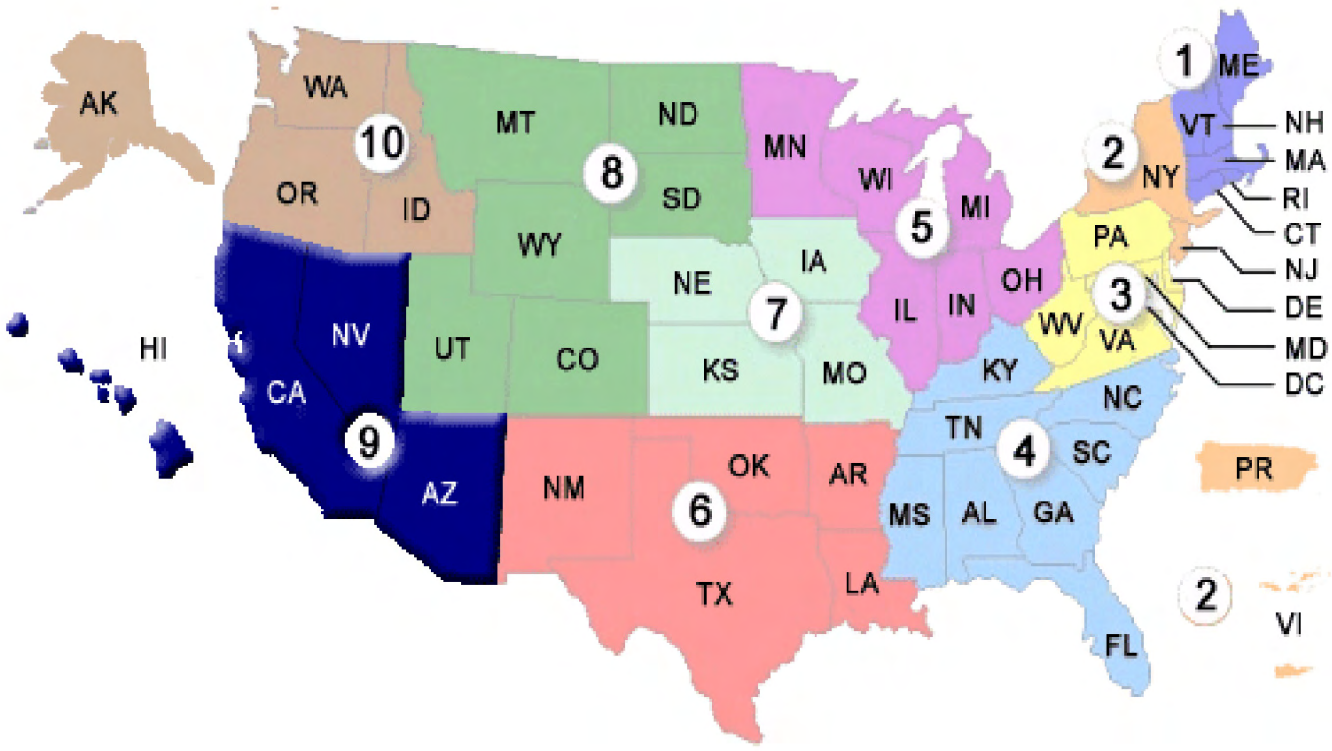
This map shows the location of Federal Indian Reservations in the continental United States, with numbers indicating the locations. The key to the reservation names is available at http://www.nps.gov/history/nagpra/DOCUMENTS/ResMapIndex.htm

Map of Indian Reservations in Alaska

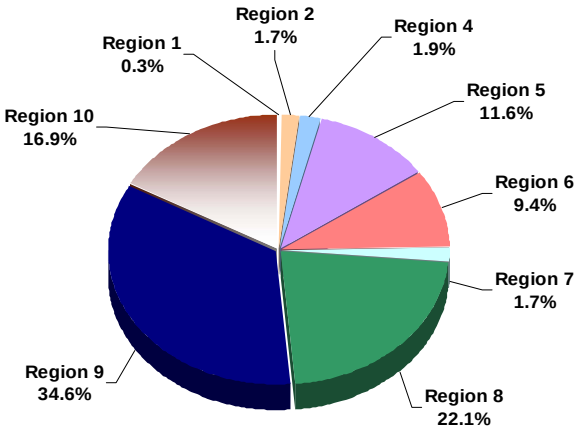
This map shows the reservations in Alaska and the green dots represent the federally recognized tribes and Native Villages.

Map of Indian Reservations in Alaska

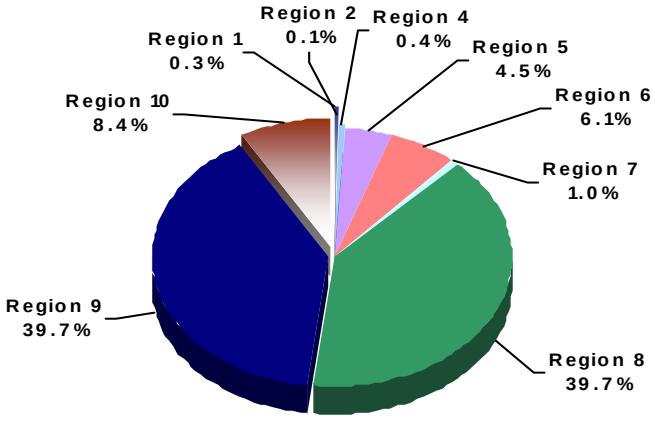




Tribal Population in Each EPA Region



Tribal Land in Each EPA Region



EPA Headquarters Pesticide Tribal Program Offices

- Office of Pesticide Programs (7506P), 1200 Pennsylvania Avenue NW Washington, DC 20460
- Office of Pollution Prevention and Toxic Substances (7101M) 1200 Pennsylvania Avenue NW Washington, DC 20460
- Office of Enforcement and Compliance Assurance(2225A), 1200 Pennsylvania Avenue NW Washington, DC 20460

EPA Regional Pesticide Tribal Program Offices

Region 1 (ME, VT, NH, MA, RI, CT,)	U.S. EPA Region 1 1 Congress Street, Suite 1100 Mail Code SEP Boston, MA 02114 617-918-1535	**Region 2** (NY, NJ, VI, PR)	U.S. EPA Region 2 Raritan Depot 2890 Woodbridge Avenue Mail Code 500MS500 Edison, NJ 08837 732-321-6769
Region 3 (DC, DE, MD, PA, WV, VA)	Currently no federally recognized tribes are in Region 3	**Region 4** (AL, FL, KY, GA, MS, NC, SC, TN)	U.S. EPA Region 4 61 Forsyth Street, S.W. Atlanta, GA 30303 404-562-9171
Region 5 (IL, IN, MN, MI, OH, WI)	U.S. EPA Region 5 77 West Jackson Blvd Mail Code LC-8J Chicago, IL 60604 312-886-5994	**Region 6** (AR, LA, NM, OK, TX)	U.S. EPA Region 6 1445 Ross Avenue, Suite 1200 Mail Code 6PDP Dallas, TX 75202 214-665-7564
Region 7 (KS, IA, MO, NE)	U.S. EPA Region 7 901 North Fifth Street Mail Code WWPDTOPE Kansas City, KS 66101 913-551-7139	**Region 8** (CO, MT, ND, SD, UT, WY)	U.S. EPA Region 8 1595 Wynkoop St. Mail Code 8P-P3T Denver, CO 80202 303-312-6020
Region 9 (AZ, CA, HI, NV)	U.S. EPA Region 9 75 Hawthorne Street Mail Code CED-5 San Francisco, CA 94105 415-947-4217	**Region 10** (AK, ID, OR, WA)	U.S. EPA Region 10 1200 Sixth Avenue, Suite 900 Mail Code OCE-084 Seattle, WA 98101 206-553-0682

Sources for Facts and Figures

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- **Map of Indian Reservations in the Continental United States:** http://www.nps.gov/history/nagpra/DOCUMENTS/RESERV.PDF
- **Map of Alaska Native Villages:** Bureau of Indian Affairs. September, 2002 Indian Lands and Native Entities in the United States (IND3_2002)
- **Number of federally recognized tribes and acres:** Bureau of Indian Affairs at http://www.doi.gov/bia/ and www.doi.gov/facts.html
- **Acres of trust land:** Bureau of Indian Affairs at http://www.doi.gov/bia/ and www.doi.gov/facts.html
- **Population of tribes:** Census Bureau Table 2 at http://www.census.gov/prod/2002pubs/c2kbr01-15.pdf
- **Facts on Indian Population:** Indian Health Service, January 2008 at http://info.ihs.gov/Population.asp
- **Numbers of Americans With and Without Health Insurance Rise:** U.S. Census Bureau, Income Stable, Poverty Up, Census Bureau Reports, New Release, August 2004 at http://www.census.gov/Press-Release/www/releases/archives/income_wealth/002484.html
- **Fact Sheets on American Indian Demographics:** Census of Agriculture at http://www.agcensus.usda.gov/Publications/2007/Online_Highlights/Fact_Sheets/Demographics/American_Indian_Fact_Sheet.pdf