

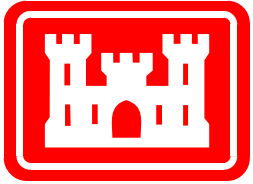
**National Defense Industrial Association
2006 Joint Services Environmental
Management Conference**

**What is the
Native American Lands Environmental
Mitigation Program (NALEMP)?**

Denver, CO

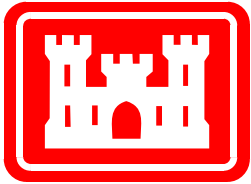
22 March 2006

**Bob Lubbert and Kimberly Dailey Bond
Environmental Support Team
HQ, US Army Corps of Engineers (CEMP-DE)
(202) 761- 7504 and (202) 761-1302**



Topics

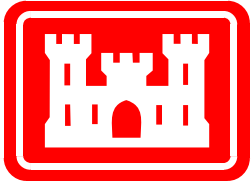
- **Purpose**
- **Program Background, Policy and Funding History**
- **Site Screening and Decision Making Process**
- **Project Eligibility**
- **NALEMP Organization**
- **Cooperative Agreements (CA) in Lower 48 and Alaska**
- **Typical NALEMP CA Projects**
- **Other Training and Outreach Through NALEMP**
- **Summary**



The DoD American Indian & Alaska Native Policy

Purpose:

- Acknowledge DoD's trust responsibility
- Implement the President's 1994 Memorandum on Government-to-Government Relations
- Clarify legal requirements
- Build stronger relationships with the Indian community

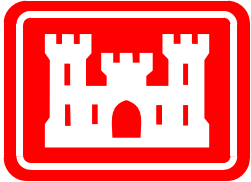


Section 8040 of the FY06 Defense Appropriations Act directs:

“... not less than \$10M shall be made available only for the mitigation of environmental impacts, including:

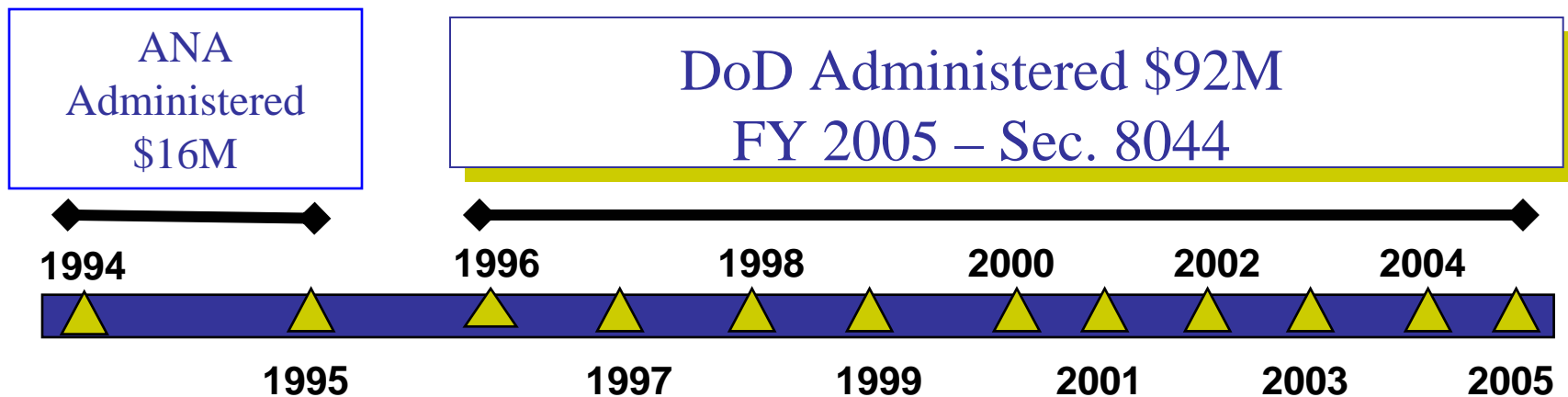
- Training & technical assistance to tribes,
- Related administrative support
- The gathering of information
- Documenting of environmental damage,
- System for prioritization of mitigation
- Cost to complete estimates for mitigation,

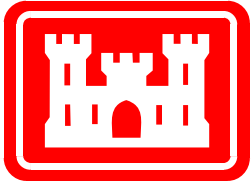
on Indian Lands resulting from DoD activities



Funding History

- Appropriations began in 1993
- Program administered by Administration for Native Americans (ANA) 1994-1995
- DoD Created NALEMP in 1996



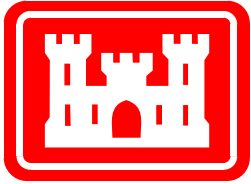


Background & the DoD American Indian & Alaska Native Policy

- **Indian Population 4 million**
- **There are 566 Federally Recognized Tribes**
- **Over 56.2 million acres held in trust**
- **DoD has direct relationship with Tribes**

Policy Built on Four Principles:

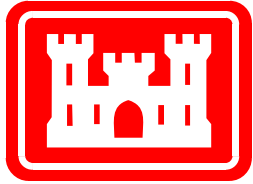
1. **Trust Responsibilities**
2. **Government to Government Relations**
3. **Consultation**
4. **Natural and Cultural Resource Protection**



Site Screening Criteria

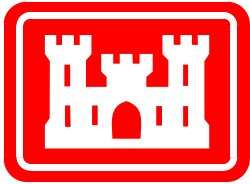
Tribal Unique Considerations

- **Health, Safety, & Environment**
 - Contamination, UXO, Abandoned Structures and Debris
- **Life-ways Issues**
 - Impacts and access to traditional and subsistence items
- **Economic Consideration**
 - Access to natural resources for commercial use
 - Access to land for development
- **Programmatic Consideration**
 - Impacts to Tribal Programs
 - Leveraging Opportunities



Decision - Making Process

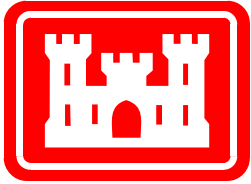
- **Annual site screening**
- **Long list of potential CA projects for fiscal year**
- **Pre-proposals for the long list of potential CA projects**
- **Short list of CA projects for the fiscal year**



NALEMP Eligibility

For a project to be eligible for NALEMP, it must address an environmental impact that;

- affects a federally recognized tribe
- affects lands held in trust or protected status by the federal government for a tribe or tribal member, or lands conveyed under the Alaska Native Claims Settlement Act
- is the result of past DoD military activities; and
- is neither eligible for, nor included in, current DoD environmental programs (including FUDS activities not programmed for at least the next 3 years)



NALEMP Organization

DoD

Paul Lumley

- Senior Tribal Liaison

USACE HQ

Kimberly Dailey Bond

- Program management
- Budgeting
- District Management
- Memorandum and Cooperative Agreement Review

Paul Pressman

- Program Legal Counsel
- Memorandum and Cooperative Agreement Legal Review

USACE DISTRICT

Alaska

- 5 staff

Albuquerque

- 2 staff

Los Angeles

- 1 staff

Omaha

- 2 staff

Sacramento

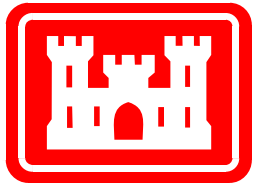
- 1 staff

Seattle

- 1 staff

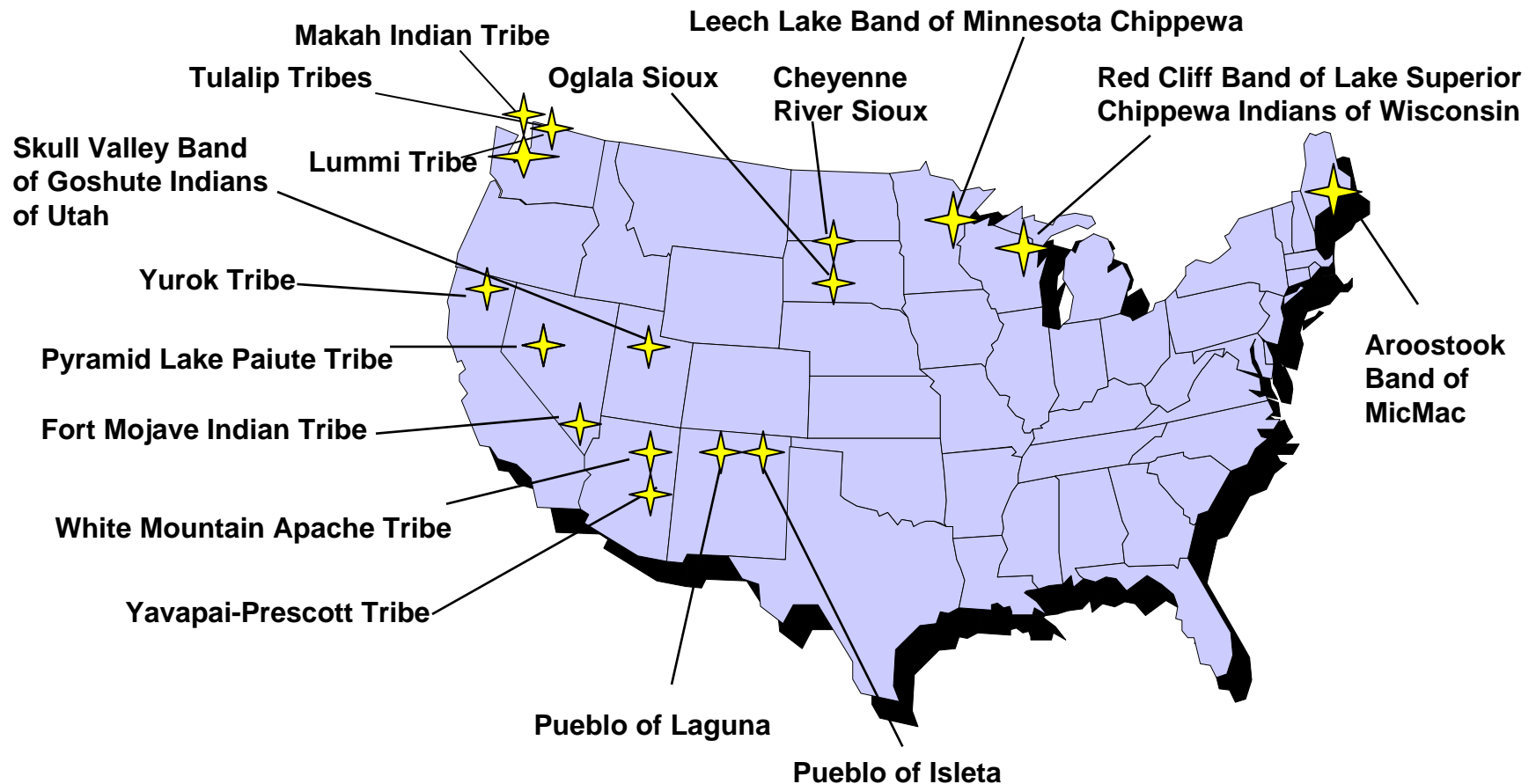
New England

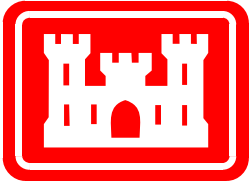
- 1 staff



Cooperative Agreements (CAs)

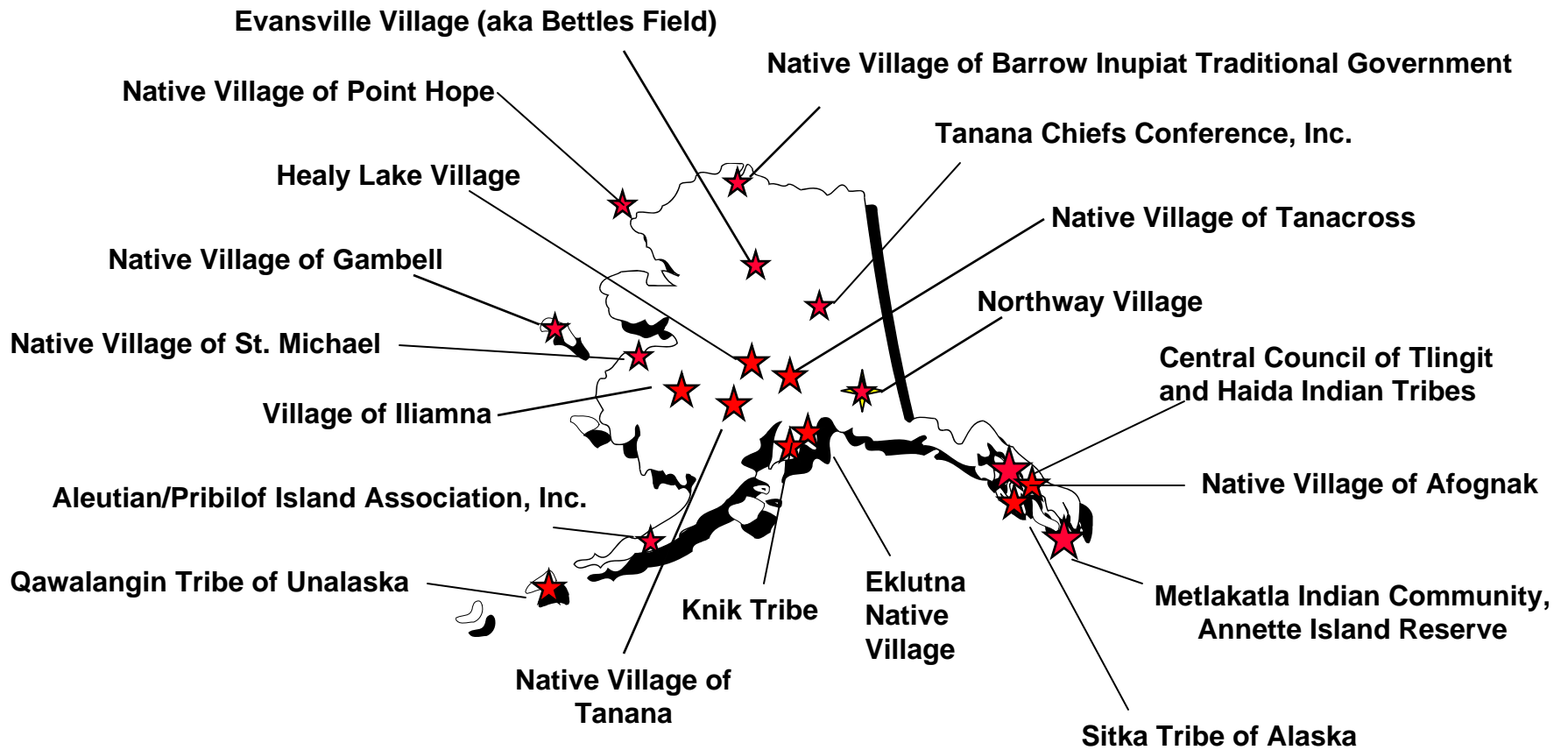
Lower 48 States

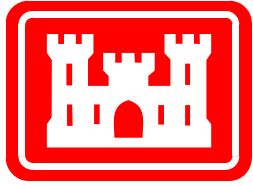




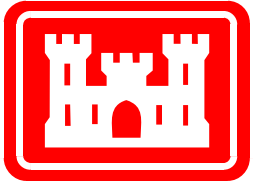
Cooperative Agreements

Alaska

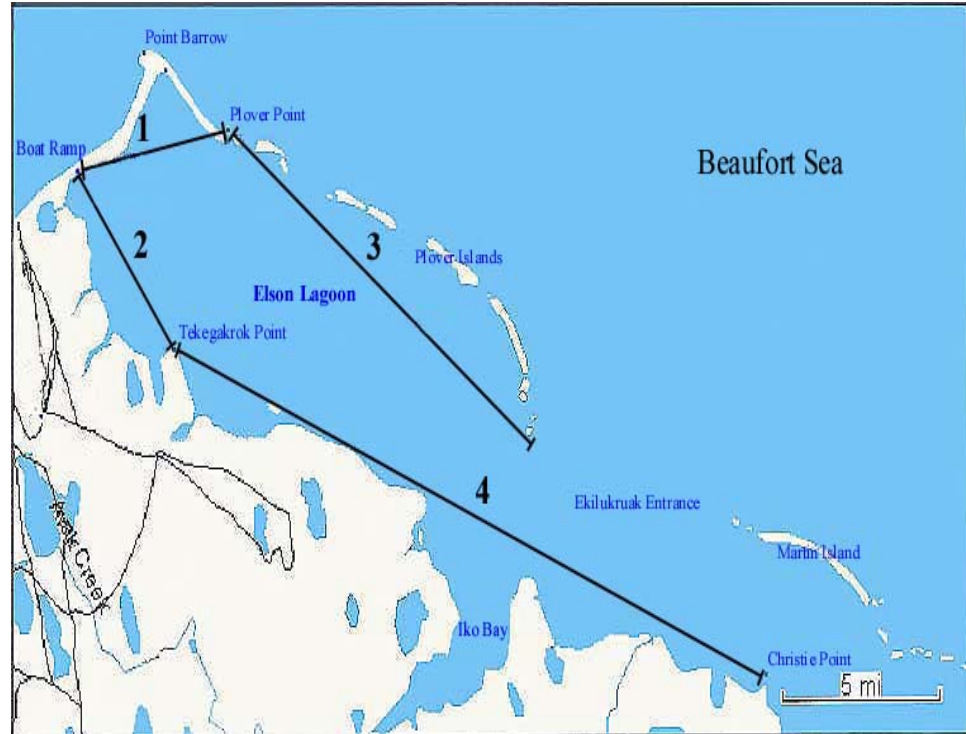




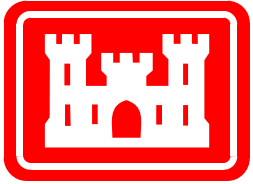
Typical NALEMP CA Projects



Native Village of Barrow (NVB) Elson Lagoon



Ron Pflum – Alaska District NALEMP NVB Project Manager
Thomas Brower – NVB Environmental Manager
Curt Lemen – NVB Environmental Technician
Baxter Hopson – NVB Wildlife Technician
Lilly Miller – NVB Environmental/Wildlife, Administrative Assistant



Native Village of Barrow (NVB), AK

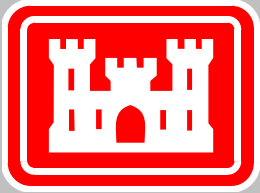


DoD debris in Elson Lagoon has resulted in navigational hazards to tribal subsistence hunters and fishermen.

On seven separate occasions, fishing boats have been damaged or sunk and natives severely injured as a result of hitting debris.



Native's fishing nets have been snagged, torn, or lost due to the debris.



Native Village of Barrow NVB, AK

NVB Lagoon

28.5 tons of debris removed in 2001

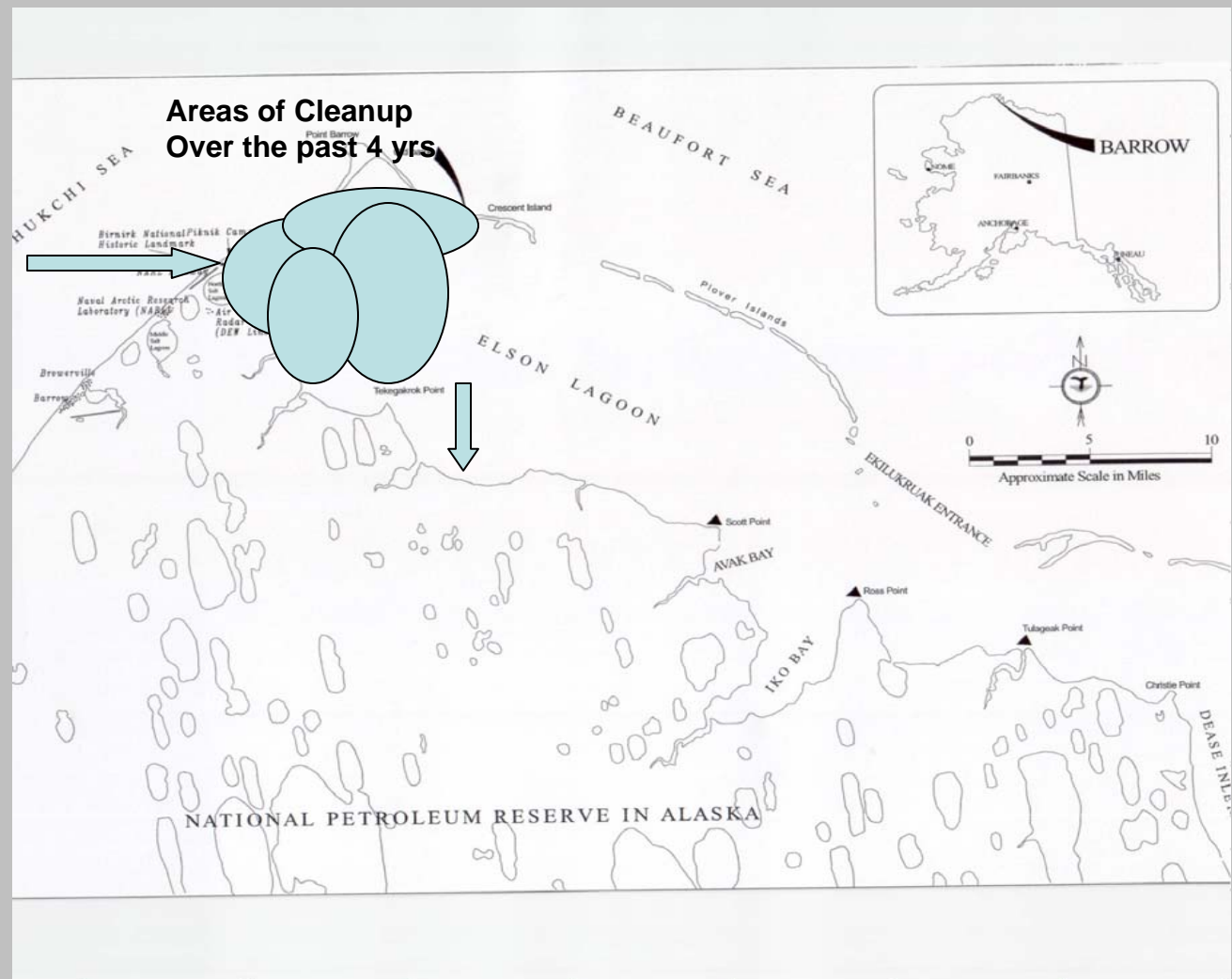
136.89 tons of debris removed in 2002

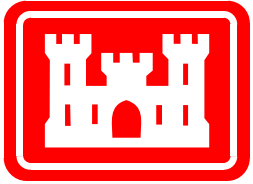
30 tons of debris removed in 2003

54.5 tons of debris removed in 2004



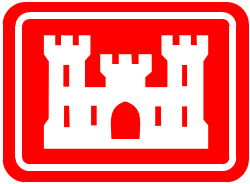
Total of 249.89 tons of debris from the Lagoon





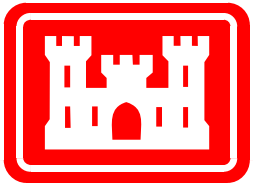
NVB: FALL STORM BEFORE THE CLEAN UP EVEN STARTED





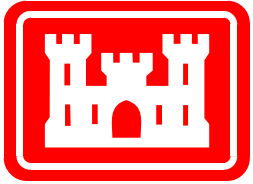
NVB: 2002 BRIDGE BEFORE CLEAN UP STARTED, UNPASSABLE WITH BOAT





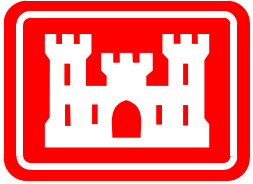
NVB: 2003 FIELD CREW WORKING





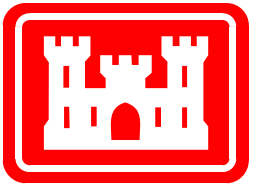
NVB: TOTAL TONNAGE 176,000
POUNDS OR 86 TONS
WINTER CLEAN UP OLD MILITARY
BRIDGE





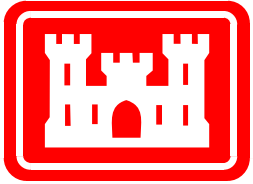
NVB: 2003 OLD MILITARY BRIDGE AFTER





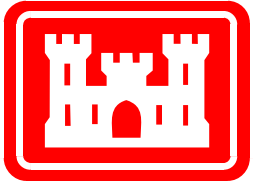
NVB: 2003 CLEAN UP PROJECT 86 TONS OR 172,000 POUNDS OF DEBRIS





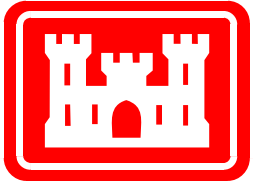
NVB: SUNKEN BARGE 2005 TESTED FOR REMOVAL





NVB: Cleanup Project moving away from the ocean trash pins being filled up so they can transported to landfill





NVB: QIKU “VALLEY OF 10,000 DRUMS” BEFORE THE CLEANUP



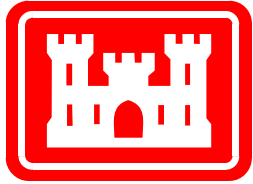


US Army Corps
of Engineers
Sacramento District

Pyramid Lake Torpedo and Bombing Range, NV Remediation Project

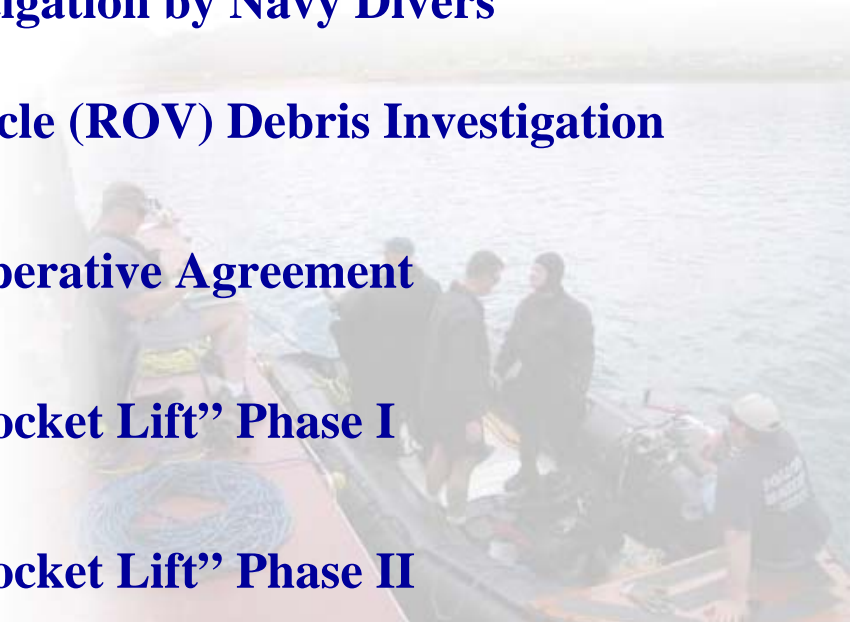


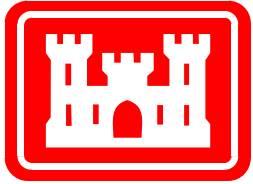
Jerry Vincent, Sacramento District NALEMP Project Manager
Anna Keyzers, Pyramid Lake Paiute Tribe Project Manager
Dan Gross, Senior Chief, US Navy Ret
Raymond Kayona, Master Diver, US Navy



Pyramid Lake Torpedo and Bombing Range, NV Remediation Project Milestones

- S**eptember 2002 **First NALEMP Cooperative Agreement**
- J**uly 2003 **NALEMP Strategic Project Implementation Plan**
- S**eptember 2003 **Lake Mapping, Land-Based Structures Removed, Sediment
Sampled, Debris Investigation by Navy Divers**
- A**pril 2004 **Remote Operated Vehicle (ROV) Debris Investigation**
- J**uly 2004 **Second NALEMP Cooperative Agreement**
- A**ugust 2004 **“Operation Sutcliffe Rocket Lift” Phase I**
- A**pril 2005 **“Operation Sutcliffe Rocket Lift” Phase II**





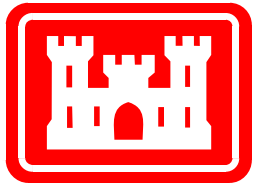
Phase Summaries

Phase I:

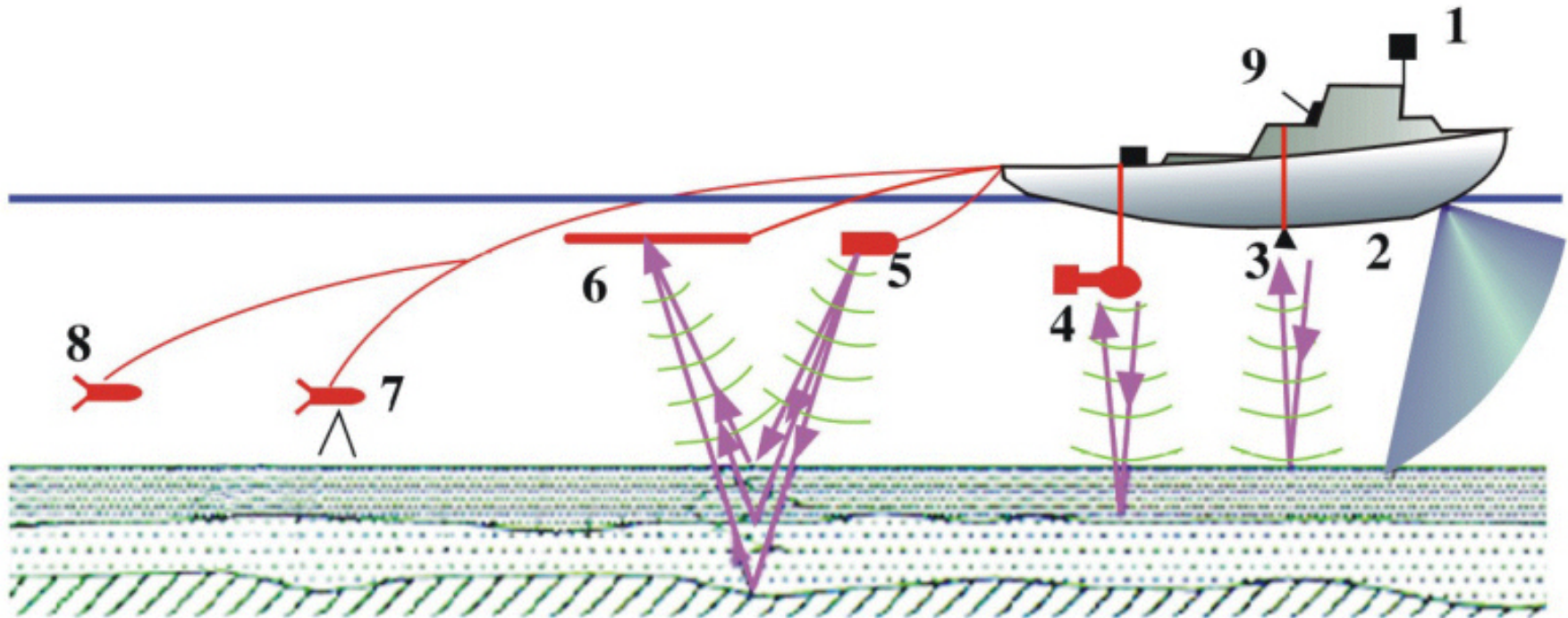
- Dive Depth Limit: 95'
- Recovered 207 rockets and over 500 pounds of small arms munitions to a depth of 95'.
- Verified 4 barrels were breached
- Identified and mapped 154 rockets and 145 crates in depths ranging from 95' - 220'

Phase II:

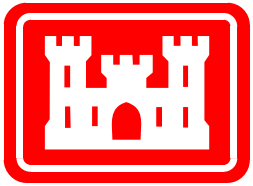
- Diving depths: 65' to 222' at elevation of 3810'
- Ordnance items recovered
 - Rockets 243
 - 20 MM Rounds/50 cal 182 crates



Data Acquisition

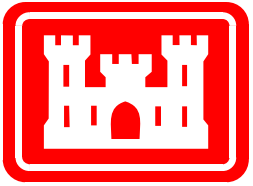


- 2. High-Resolution Multibeam Bathymetric Sonar
- 7. Side Scan Sonar
- 8. Magnetic Sensor
- 9. Digital Data Acquisition System



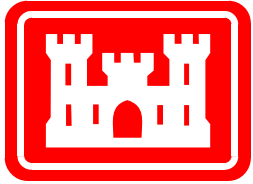
ROV - Rockets





ROV - Munitions

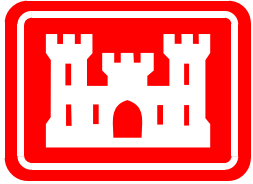




Benefits to DoD

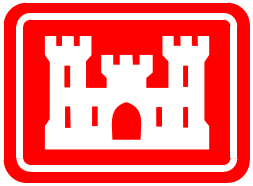
- Synergistic benefits from cooperative relationships between Tribe, Navy, & USACE
- Cost savings using innovative technical approaches and collaborative agreements ~\$140M
- Demonstrates the need for NALEMP to accomplish timely site restorations on Tribal lands
- Accelerated the remediation of a Formerly Used Defense Site
- Navy Divers gained valuable experience performing real world, operational dives in a controlled, non-combat environment
- Impossible to replicate in standard training setting
- Project selected for **2005 Secretary of the Army Environmental Award**





Benefits to the Tribe

- **Successful development of cooperative relationships**
- **Removal of abandoned debris on reservation and discarded military munitions from Pyramid Lake**
- **Mapping data collected during project to benefit the Tribe for years to come**
- **Training and mentoring benefits Tribal members and staff in future endeavors**



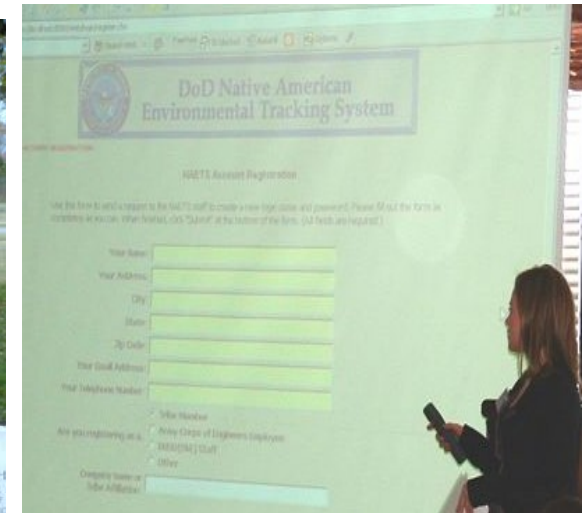
NALEMP Sponsored Meetings, Training and Outreach

Native American Environmental Tracking System Training (NAETS)

Yavapai Prescott Tribal members Dance at 2004 Annual NALEMP Meeting

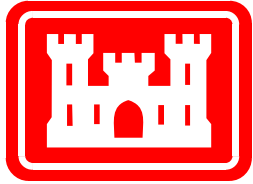


Geronimo's Gravesite visit at the Fort Sill Oklahoma Cultural Training



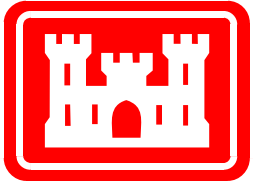
Training, Meetings and Outreach (cont'd)





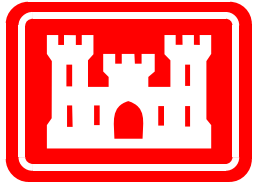
Summary

- **NALEMP addresses environmental contamination attributable to past DoD activities, meeting DoD's trust responsibilities/interest**
- **Provides tangible stake to Tribes in project decision-making on matters important to them**
- **Develops tribal capacity regarding environmental remediation activities beyond the immediate project**
- **Develops/fosters valuable partnerships between sovereign nations and DoD (government to government)**

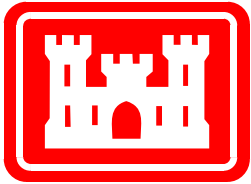


Questions??



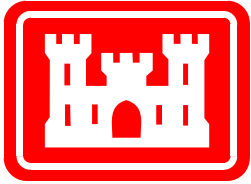


Backup



Final DoD Policy

- Signed by the Secretary of Defense - October 20, 1998
- Formal presentation at the National Congress of American Indians Conference, 55th Annual General Assembly Meeting, Myrtle Beach SC--October 21, 1998

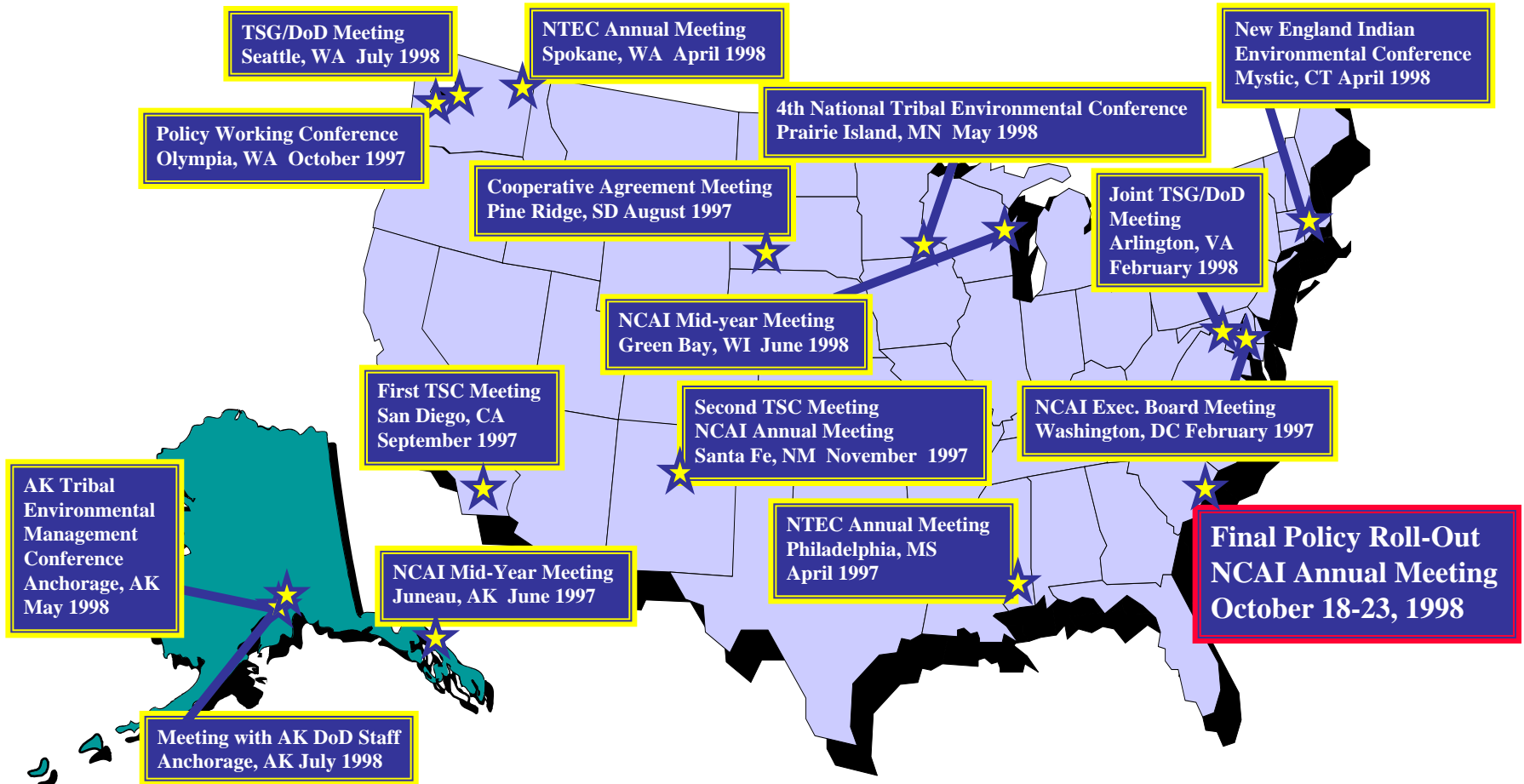


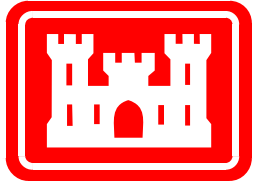
Native American Environmental Tracking System

DoD database

- Tracks impacts to Indian lands reported by tribes, the public, or DoD
- Documents site investigations
- Tracks mitigation activities
- Used in site screening
- Tracks resolution of DoD–tribal issues

DoD American Indian and Alaska Native Policy Consultation Meetings 1997-1998

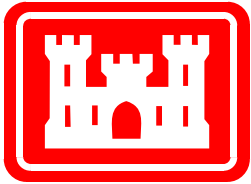




NALEMP Project Selection

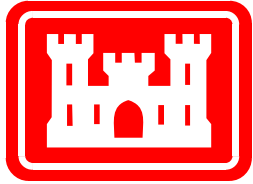
- **ODUSD – Site Screening (results in ‘long list’) using Native American Environmental Tracking System (NAETS)**
- **USACE PMs review, make recommendations**
- **ODUSD authorizes pre-proposal development***
- **USACE PMs & Tribes develop pre-proposals**
- **HQ USACE evaluates pre-proposals; submits recommended projects to ODUSD (‘short list’ – attached)**
- **ADUSD approval of proposed projects**
- **Invitation to Tribes issued by HQ USACE**
- **Tribe and USACE PM develop Memorandum of Agreement (MOA)**
- **Tribe and USACE PM develop Cooperative Agreement (CA)**
- **HQ USACE and OGC Legal Review**
- **ADUSD executes MOA**
- **USACE Grants Officer executes CA**
- **USACE District administers MOA/CA**

***Current stage**



Policy Review

- **Reviewed for relevance, usefulness, applicability and needed revisions**
 - Military Departments, Institute for Tribal Government, Native American Integrated Product Team, and Senior Tribal Liaison
- **Conclusions**
 - The Policy continues to meet it's intended purpose
 - DOD's relationship with tribes is much improved as a result of the Policy
 - No substantial changes are needed
 - More training is needed at the installation level
- **Recommendations**
 - Convert the Policy to an Instruction
 - Make no substantial changes for long-term application



DoD Policy Implementation Activities

- Outreach (NCAI, NTEC, ATNI, etc.)
- DoD Cultural Communications Training
 - To fulfill trust responsibility (DoD Indian Policy, legal requirements to consult with Tribes, NALEMP)
 - Trained 1000 + military and DoD civilian staff
 - Goal: to hold 2-3 training sessions/yr
- Component Level Training
- Policy Implementation Demonstration Projects