Gila River Finalizing TIP

Tribal progress in air-quality management is nowhere more evident than at Gila River Indian Community, where a Tribal Implementation Plan (TIP) for the 372,000-acre, Phoenix-area reservation is in its final stages of development. Gila River’s comprehensive TIP — now undergoing revisions and, soon, a second public-comment period — will define the tribe’s air-permitting program for National Ambient Air Quality Standards and some air toxics. The document will set the rules for tribal enforcement of air quality statutes for dozens of pollution sources located within GRIC’s borders.

Not that it’s been a walk in the (industrial) park for the tribe’s five-person air department. In early August, GRIC Air Quality Specialist Dan Blair described the TIP as “substantially delayed.” After an arduous, six-year development process, a “final” comment period required by law brought a fair number of comments from industry that had to be addressed. Industry comments did not represent a huge obstacle; most have already been addressed. EPA’s own review of the TIP, however, has resulted in a large number of additional revisions that will be required before the document can be presented to Council for approval and then submitted to EPA for final delegated authority. EPA Region IX, says Blair, is working closely with the GRIC air staff to thoroughly review the TIP to eliminate obstacles to approvability. The TIP public comment and review process, he adds, has been a difficult and time-consuming process for both the GRIC air program and EPA.

Issues that EPA identified included the need to add or revise a number of NESHAPs (air toxics standards) listed in the TIP, updating standards that were added or revised by U.S. EPA during the period that the TIP was being drafted. When this round of revisions is completed, another public-comment period will be required, after which any fresh concerns resulting from the most-recent changes must be addressed.

Janet Travis, GRIC Environmental Project Associate, says it probably shouldn’t be surprising that the process has been so laborious. “This is the first TIP of its kind,” she says. “Other tribes have done limited TIPs, but this is comprehensive, really ground-breaking for Indian tribes. It’s a huge undertaking, and the Community, EPA and affected parties are walking through this together.”

The process is complex not only because of the variety of substances being regulated but because so many parties are involved. “The stakeholder list runs about 150,” says Travis. “There are 44 industries in Lone Butte Park alone (the reservation’s main industrial area, on its north end), and more to the south. We feel there’s nothing in the [present review] that would affect approvability, but it’s taking awhile.” Travis notes a silver lining to the drudgery, however. “All the work is worth it; the more things we can fix now, hopefully the faster it can be approved [by tribal council]. And we’re confident they’ll approve it, because they’ve been really involved the whole way through.”

Outreach to the council and community, she says, has been a challenging aspect of the process — and one of the most
From the Associate Director

Mehrdad Khatibi
ITEP Associate Director

The Gila River Indian Community’s triumph in creating an air quality Tribal Implementation Plan represents another high-water mark of tribal progress toward environmental self-determination. It is also the embodiment of the kinds of achievements our late director, Virgil Masayesva, spent the latter years of his life working so hard to support.

Virgil was Hopi, from a traditional family; he was also university educated, having earned a Masters in Public Administration from Arizona State University. His feet were firmly planted in both the Native and non-Native worlds, and he knew each of them well. That twin perspective gave him a keen understanding of how ITEP might best serve the tribes.

In the early 1990s, when he was co-developing the structure that would become ITEP (along with Prof. Bill Auberle of Northern Arizona University’s College of Engineering and Natural Sciences), Virgil brought into the process a set of beliefs and intentions from which, during the more than 11 years that he headed the Institute, he never wavered. While he was director, Virgil often shared his vision with ITEP staff, helping us to remain focused on those same goals.

Now we enter a new phase in our evolution—without Virgil. Despite his absence, Virgil’s vision continues to guide ITEP and define its place in the Native American environmental community. Here are a few ways in which we will carry on his legacy:

Our efforts will be tribally driven. Virgil traveled incessantly throughout Indian Country, visiting and talking with hundreds of tribal leaders, staff and others to listen and understand how ITEP might best serve the tribes. When he was in his ITEP office, he spent countless hours on the phone. Virgil probably knew thousands of people in Indian Country; his incredible web of relationships would be impossible to duplicate. But we will continue to seek tribal input in all our efforts. That includes, for example, continuing to utilize tribal instructors in our training courses, developing new courses that meet the changing needs of tribal environmental professionals, and drawing on the knowledge and understanding of tribal air professionals through organizations such as the Steering Committee of ITEP’s Tribal Air Monitoring Support (TAMS) Center, National Tribal Environmental Council, National Tribal Air Association, and others. Please let us know what you’re thinking; our future direction depends on you.

We will focus on the basics while also responding to more-complex, evolving tribal needs.

ITEP began with a few basic, introductory air-management courses, and we hope that our efforts helped many tribes to take their first steps toward developing a tribal air program. Gradually we added intermediate and then advanced courses, and we built a support structure to assist tribes on issues such as emissions inventories, air monitoring, and grant management. Over the years, many tribes have developed expert environmental-management capacity; as they expand, so do their training needs. As we continually fine-tune our advanced tribal air-management training and support...
crucial to the TIP’s success. Along with keeping Council informed and involved and conducting outreach efforts with the Gila River community, the air staff has spent considerable time ensuring that industries subject to regulation have also been kept in the TIP-development loop. “We’ve worked with them throughout the process so they wouldn’t get worried about things. We have good relations with them; we know most of them by their first names. These are pretty basic [regulations]; it won’t be that difficult for most to comply, and they realize that—they know that if they were just another 100 yards up the road, they’d be doing this already. We’re just trying to make sure our regulations are pretty much like everyone else’s. We don’t want to scare industry away; that would be dumb.”

Industrial leases have been an important part of GRIC’s economy since the 1930s, when the once-prosperous agricultural tribe was forced to find new economic lifeways after nontribal settlers dammed the Gila River upstream and all but eradicated GRIC’s farming. Since then, the Community has regained some of its water rights, and agricultural has returned on a smaller scale (with plans in the works for dramatic expansion). Still, income derived from scores of businesses on the reservation continues to be an important income generator for the tribe.

To help industries within its borders ease into the new regulatory arrangement, Gila River’s air department plans an initial period of “compliance assistance” rather than moving directly into enforcement. “They’ve never been regulated,” Blair says. “They need time to get into the regulatory mode. After a year or so we’ll be going out and doing enforcement.” Several air staffers are commissioned enforcement officers through the tribal justice system. “There’s only one ordinance that we have now that applies to a facility, and that was for a medical-waste incinerator, which has been decommissioned. They’re not totally shut down; they’re currently operating two autoclaves. The company is still in business, they just don’t have the waste streams they used to have, and they’ve eliminated chemotherapy waste and pathological waste.”

After the next round of comments has been addressed, Council has signed-off on the TIP and EPA has transferred regulatory authority to the tribe, the air staff will begin drafting individual permits, based on parameters set forth in the TIP, that apply to the processes and pollutants of individual facilities. Part of the permit process will be the payment of permit fees by regulated industries. “The fees will really help,” Blair says, “though they definitely won’t eliminate all of our need for Section 105 funding; there just aren’t that many facilities to

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**Air Management and Tribal Sovereignty at Gila River**

Gila River’s Tribal Implementation Plan is the most dramatic example of the Community’s air-management progress, but it isn’t the only effort they’ve made to clear the air and protect the community. In addition to the TIP, they’ve developed numerous tribal regulations, including ordinances for open burning, dust control, and other issues. They’ve also worked as an active partner in the Joint Air Toxics Assessment Project, a multi-jurisdictional effort to identify and monitor air toxics in the urban areas of Maricopa/Pinal Counties, one of the fastest-growing areas in the nation.

At the same time, the Community has taken steps to extricate itself from federal oversight that they’ve long considered inappropriate. For example, the northern third of the reservation lies within the boundaries of Maricopa County, which has been designated since the 1970s as a Nonattainment Area for ozone, PM10 and carbon monoxide. For ozone, says Blair, “we had a bunch of supporting documents plus two years of monitoring data showing that we never had a single violation.” After extensive monitoring and with the help of careful documentation, GRIC has convinced U.S. EPA to redesignate all of GRIC as “Attainment-Unclassifiable” for both ozone (8-hour standard) and carbon monoxide. Their PM2.5 monitoring has shown that fine particulates are not an issue within GRIC’s borders. In addition, GRIC submitted a designation correction under the (old) 1-hour ozone standard and expects a favorable decision from EPA. The northern third of the reservation remains in nonattainment for PM10, but the air program staff hasn’t given up on the difficult task of achieving redesignation for PM10 as well.

In addition, GRIC is working with state agencies to eliminate the need for vehicles owned by community members to be emissions-tested under state law. Their argument: All Gila River lands have been designated Attainment/Unclassifiable under the 8-hour ozone NAAQS, and vehicle emission testing is not required for attainment areas. Additionally, the small, sovereign community is contributing an insignificant amount of the mobile-source pollution that plagues the Phoenix valley, so tribal sovereignty must be a prime consideration when considering whether to subject tribal residents to state regulation.

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Native Voices

ITEP–AIAQTP Training Courses for FY2006

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<td>Lawrence, KS</td>
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<td>Emissions Inventory</td>
<td>Flagstaff, AZ</td>
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<td>Oct. 12–14, 2005</td>
<td>Dataloggers</td>
<td>Las Vegas, NV</td>
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<tr>
<td>Oct. 18–21, 2005</td>
<td>Reviewing State Title V Permits</td>
<td>Green Bay, WI</td>
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<tr>
<td>Dec. 6–8, 2005</td>
<td>Air Quality System (AQS)</td>
<td>Kansas City, KS</td>
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</tbody>
</table>

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More than 100 Native middle- and high-school students from 10 Navajo Nation schools and two work groups got a taste of the college experience at Summer Scholars 2005, an educational event held each year on the NAU campus. Hosted by the Institute for Tribal Environmental Professionals’ Environmental Education Outreach Program (EEOP), Summer Scholars is a week-long program, held six times during the summer months for selected tribal schools and groups. Matthew Zierenberg, the event’s Program Director, describes the program: “Summer Scholars is a hands-on approach to learning, designed to give middle school and high school students a pre-college, on-campus experience, which helps students gain vital skills needed for success in their college careers.”

During their week at NAU, students reside in dorms and explore environmental issues through technology, classroom interaction, guest speakers, and field trips. A dozen staff instructors, most of them college students, facilitate the learning experience. Chaperones are enlisted from each school to help ensure a safe experience for all attendees.

This year’s event focused on climate change/global warming. To explore the politically charged issue, students were divided into work groups that cooperatively investigated questions and issues developed during an initial “Problem-Based Learning” discussion. At the end of the week, after exploring the issue in a variety of ways, they presented their findings to the group using PowerPoint presentations.

Guest speakers for Summer Scholars 2005 included Arnold Clifford, a Navajo herbalist with extensive knowledge of Four Corners flora; and Margaret Hiza-Redsteer, a Crow Indian and U.S. Geological Survey scientist studying climate change on the Navajo Nation through observations of sand dune and water changes. Both speakers offered their scientific knowledge coupled with Native perspectives, adding a unique dimension to the program. During the Tuba City sand dune field trip, for example, students participated in collecting and interpreting scientific data and also learned how environmental changes impact traditional Navajo culture.

Summer Scholars offers students the opportunity to gain appreciation for both local and worldwide perspectives on climate change/global warming. This kind of scientific work promotes their growth as critical thinkers and helps them to better understand the scientific method.

A number of factors make Summer Scholars a memorable experience: relationships with the staff; interactions with scientists and Native elders; field trips that help to increase students' understanding of the issues; the use of the Problem-Based Learning educational approach; and engagement in meaningful learning activities. Several students have conveyed their excitement about the field trips that are an integral part of the program. One said, “I enjoyed the whole soil nutrient experiment and testing because it was the first time I’ve done hands-on chemistry.”

For more information about the Summer Scholars experience and how to get involved, contact Matthew Zierenberg at 928-523-8864, or e-mail him at Matthew.Zierenberg@nau.edu. You are also encouraged to visit the Summer Scholars website at http://www.nau.edu/eeop/.

—Laural Hudson, ITEP Student Staff

In the last issue of Native Voices, a Gila River Indian Community air quality professional was incorrectly listed as “Waylon Antone.” His name is actually Willard Antone.

Also in the last issue, several individuals who were responsible for helping to develop the Navajo Nation EPA’s Title V enforcement program were not credited for their efforts. In addition to Program Director Calvert Curley, credit for program development should go to Wilson Laughter, Sr. Environmental Specialist, who worked on various aspects of the project, including application submittal and outreach; Christopher Lee, Navajo EPA Sr. Program Supervisor, who worked on various aspects of project; Mohan Asthana, Sr. Environmental Specialist, whose focus included application development and submittal; U.S. EPA Region 9’s Emmanuelle Rapicavoli, Gerardo Rios, and Ivan Lieben for legal assistance and other help; and Jill Grant of Nordhaus Law Firm LLC, who assisted in documentation work.
As part of ITEP’s ongoing effort to respond to the changing air-management training needs of the tribes, the American Indian Air Quality Training Program (AIAQTP) will present four new air-quality training courses in the coming fiscal year.

Dataloggers (Oct. 12–14, 2005, Las Vegas, NV): More and more tribes are installing air monitors on their reservations, and with that expanded effort comes a greater need for training on datalogger hardware and software that can ease the task of managing data. ITEP is responding to that need with an October Dataloggers training course at the Tribal Air Monitoring Support Center in Las Vegas.

The new course will include hands-on set-up and configuration of several widely used dataloggers, including Campbell, DR DAS, ECO Tech, and possibly others; and will cover data management, calibration, and quality assurance. This Level 3 (advanced) course is open to tribal air staff who have completed ITEP’s Introduction to Tribal Air Quality, Air Quality Computations, and Air Pollution Technology courses.

Air Toxics Monitoring (Feb. 28–Mar. 2, 2006, Phoenix, AZ): ITEP has offered an Air Toxics training twice in the past; that course emphasized general principles of air toxics and placed strong emphasis on risk assessment. This new course builds on those training fundamentals and adds two significant “upgrades,” a hands-on component and a stronger focus on management of monitoring data.

“A number of tribes have concerns about air toxics,” says ITEP Curriculum Coordinator, Pat Ellsworth, “and it isn’t necessarily urban tribes. For example, near the St. Regis Mohawk reservation there is a styrene plant that emits air toxics, and the Spirit Lake reservation is situated near a plant that manufactures Kevlar and discharges toxins. Of course, urban tribes often have their share of air toxics issues, too.”

Two urban-area tribes, the Salt River Pima-Maricopa Indian Community and the Gila River Indian Community, both located near Phoenix, have been addressing air toxics issues for some time and are both affiliated with the Phoenix Joint Air Toxics Assessment Project, a multi-jurisdictional collective formed to address Phoenix metropolitan air toxics. Because the Phoenix area is home to this program and offers ideal training resources (including experienced tribal instructors and proximity to an ongoing monitoring program), the course will be located in the Phoenix area. To make the training applicable to the broadest range of tribal concerns, ITEP will focus on toxins such as mercury that are found throughout Indian Country.

Air Toxics Monitoring is a Level 3 course. Prerequisite ITEP courses include Introduction to Tribal Air Quality, Air Quality Computations, Air Pollution Technology, and Air Toxics.

Advanced Air Program Management (April 4–6, 2006, Tacoma, WA): Building on a succession of ITEP courses that focus on air program management concerns, this course takes participants deeper into the complexities of the management process. In the wake of deficits and budget-tightening by federal money managers, it is more important than ever to refocus on two of this course’s major themes: strategic planning and advanced grant management. Ellsworth says the course will also feature an in-depth look at how tribes can engage in policy-oriented groups such as regional planning organizations (RPOs).

“Some smaller tribes that will perhaps never have their own monitoring programs could benefit strongly from being involved with RPOs to help them have a voice in the way a region goes on air issues.” Prerequisite ITEP courses for this new Level 3 course include Introduction to Tribal Air Quality and Management of Tribal Air Programs and Grants.

Environmental Radiation Monitoring for Tribes (Apr. 18–21, 2006, Las Vegas, NV): ITEP and EPA trainers have already presented this course under separate funding, says Ellsworth, “so it isn’t a completely ‘new’ course. But this is the first time we’ve brought it into the family of AIAQTP courses.” The training will focus on the history of nuclear energy and its impacts on tribes, human-health impacts of ionizing radiation, radioactive materials and monitoring, and risk communication to the community. There is no prerequisite training required for this Level 1 (basic) course.

In addition to these classroom-based courses, ITEP is also instituting a series of new online Data Management courses, the first of which should be available by Fall 2005. These self-paced courses have been designed to meet new EPA requirements for data submissions by the tribes and to allow tribal air professionals to learn data-management skills without expending the time and resources to travel from their reservations to sometimes-remote classroom locations. The Data Management series will eventually include five main "modules" and two "mini-courses" that together provide a comprehensive look at data-crunching in all its complexity.

AIAQTP’s Evolving Curricula

“Part of ITEP’s mission is to respond to the changing needs of the tribes,” says Ellsworth. “We only learn what those needs are when the tribes tell us.” ITEP is constantly refining its course list and curricula in response to feedback from the tribal air community. Such information comes from a variety of sources, including the Tribal Air Monitoring Support Center’s Steering Committee, composed of tribal representatives from different geographic areas; EPA meetings, including monthly conferences calls in which regional Tribal Air Coordinators discuss issues; regular tribal meetings, such as ITEP’S Tribal Air Forums and annual conferences sponsored by the National Tribal Environmental Council and National Tribal Air Association; and feedback by course participants and others.

We encourage anyone who would like to suggest courses or course topics to share your thoughts with us. For more information, please visit the ITEP website at www.nau.edu/itep/. 

Native Voices
generate that much money.”

Travis says despite the tribe’s new regulatory authority, industrial development will continue to expand on the reservation, just as it is expanding throughout the area. For the first time, though, the Gila River Indian Community will have the authority to enforce standards of air quality for those who choose to locate there. EPA does not currently regulate minor sources, which are the bulk of GRIC businesses (they have one major source). However, the federal agency is now working to develop minor-source rules, and within the next few years minor sources throughout the country will come under regulatory authority, both on and off reservations.

“It’s been important for a long time for us to gain this authority and to do our part,” says Travis, “to take care of what’s in our own backyard.”

Gila River’s air team is available to assist other tribes seeking to develop TIPs for their own reservations. Travis points out that they have struggled through a tremendous number of issues and obstacles and are more than ready to share that experience with others. "There’s no sense banging your head up against the wall to learn it all again," she says. For more information, contact Gila River’s air staff at 520-562-2234, or e-mail Dan Blair at air@gilanet.net, or Janet Travis at jtravis@gilanet.net.

**Gila River (cont. from p. 3)**

**Assoc. Director (cont. from p. 2)**

efforts, we won’t forget that many tribes are still grappling with the fundamentals. We will continue to offer tribes the assistance they need as they launch programs and enter the challenging world of tribally based environmental management.

**We will continue to enhance our hands-on technical support.** One of Virgil’s proudest moments was the opening of the Tribal Air Monitoring Support (TAMS) Center in Las Vegas, Nevada, in 2000. He and a handful of other tribal representatives had recognized that ITEP needed to offer not just classroom training but real-world technical training to the tribes, and the TAMS Center was created to do exactly that. With guidance from the TAMS Steering Committee, we have since added or enhanced hands-on components to many of our training courses and offer a variety of on-site professional assistance (with help from tribal instructors) in monitoring, met-station siting, quality assurance, data management and other important technical areas. We expect to offer even more hands-on support in the future.

**We will place a strong emphasis on education.** Virgil was well educated and placed a high value on the education of Native American youth (his son, Brett, is a Stanford and Johns Hopkins-educated physician—a fact that stirred great pride in his father’s heart). ITEP’s Environmental Education Outreach Program pursues an ongoing mission of engaging tribal students in science education with the aim of encouraging them to pursue careers in science, particularly environmental science. ITEP’s Student Internship Program helps to place college students in real-world settings such as tribal environmental programs and EPA offices around the country. Virgil said many times that he believed these kinds of efforts represent some of ITEP’s most important work. We will continue our efforts to educate and engage the next generation of tribal environmental professionals.

**We will work to develop holistic approaches to environmental protection.** Virgil often expressed that, as tribes build their capacity in various environmental media, part of ITEP’s role should evolve toward offering more holistically based training and support—integrated environmental management that encompasses all media. That all things are connected is a belief common to many Native cultures—it is impossible to separate air quality from water quality or land, wildlife, or people. We will continue to develop training and support that acknowledges the ageless wisdom that all is connected and must be protected as a single, unified system.

**We will remember that our overriding goal is to support tribal self-determination.** Virgil constantly stressed that at the heart of ITEP’s mission is the need to support the “infrastructure” of tribal sovereignty. Though he recognized the complexity of tribal sovereignty in a world of multiple jurisdictions and near-constant legal scuffling, he firmly believed that tribes are nations unto themselves and should be assisted in all possible ways to express their autonomy. In fact, all of ITEP’s work is designed to support that over-riding mission, whether it involves educating younger tribal students, helping tribal air professionals to polish their technical skills, or providing training courses that enhance the understanding of tribal environmental managers and promote a network of learning and collaboration.

These concepts only scratch the surface of Virgil’s thinking and ambitions for ITEP, but we believe they were some of the ideas that he considered most important. We will strive to honor Virgil’s vision in all our future efforts.

**Numerous industrial operations located within Gila River’s...**
U.S. EPA’s Air Pollution Distance Learning Network (APDLN) is a digital educational satellite broadcasting network of over 100 governmental and university broadcast affiliates located across the United States. The APDLN is the result of a collaborative partnership between the U.S. Environmental Protection Agency (U.S. EPA), state, local, and tribal air pollution control agencies.

Timely seminars and up-to-date technical telecourses are delivered via the APDLN to state and local government environmental professionals as well as the private sector. Air quality issues are the focus of this convenient, timely and low-cost training mode. Training is delivered to sites at a fraction of the cost of traditional classroom methods saving participants travel, time, and money, while developing and enhancing their knowledge of and skills in air pollution control and environmental programs and policies.

During seminars and telecourses, participants can interact with the nation’s leading authorities on the latest air pollution control findings, monitoring devices, and systems. Participants can ask questions of regulators and litigators and interact with the implementers on the APDLN. Many courses delivered over the APDLN are those of the Air Pollution Training Institute, long recognized as an educational authority in the field of air quality and pollution control. Other courses are the result of partnerships being forged with other distance-learning networks.

Regularly scheduled courses, workshops, and self-instructional courses are offered free of charge to employees of multi-state, state, local, and tribal air pollution control agencies. APTI also offers special courses and workshops, and helps to develop training programs for individual agencies. The curriculum is organized according to subject matter and courses are available via four delivery formats: classes, telecourses, self-instruction, and web-based.

Registration is required for some courses. For more information on the APDLN, please visit their website at www.epa.gov/air/oaqps/eog/aptiform.html.

### September 2005 APDLN Training

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**ITP 350D**

Address Service Requested