



## Oregon Department of Environmental Quality 2009 Annual Government-to-Government Report on Tribal Relations

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3. **Agency Interest Areas:** As the State’s environmental protection agency, the DEQ coordinates with the nine federally-recognized tribal governments in Oregon on air quality, water quality and land quality issues. The federal Environmental Protection Agency works closely with tribal nations in these same areas.

4. **Department Statement:** In 2002, DEQ adopted a “Statement of Intent”<sup>1</sup> to implement Executive Order 96-30 and the requirements of Senate Bill 770 (ORS 182.162-168). All Tribal Chairs and designated tribal contacts have been provided with a copy of the Statement of Intent. DEQ implements the Statement of Intent through regular meetings with tribal representatives at the staff, manager and leadership level, and seeking opportunities to collaborate with tribes on issues that are important to tribal members.

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<sup>1</sup> See [www.deq.state.or.us/programs/tribal/sb770statement.pdf](http://www.deq.state.or.us/programs/tribal/sb770statement.pdf).

5. **Participation in the Government-To-Government Process:** This past year, DEQ participated in the following government-to-government activities.

- In January and May, DEQ Director Dick Pedersen, DEQ's Tribal Liaison Mikell O'Mealy, and DEQ managers met with the Confederated Tribes of Grand Ronde Tribal Council and tribal managers and staff to explore opportunities for greater collaboration and partnership on shared priorities, particularly water and watershed health.
- In March, Director Pedersen, DEQ's Tribal Liaison, and DEQ managers met with the Coquille Indian Tribal Council and tribal managers and staff to consult on water and air quality issues and discuss opportunities for greater collaboration and partnership.
- In March, Director Pedersen, DEQ's Tribal Liaison, and DEQ managers met with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) Board of Trustees to consult on DEQ's work to reduce toxic pollution, revise the Oregon "fish consumption rate," and address other priority issues. In November, Director Pedersen and DEQ managers and staff working in Eastern Oregon met with CTUIR managers and staff to explore opportunities for greater collaboration and partnership to protect air, water and land quality.
- In August, the Oregon Environmental Quality Commission (DEQ's policy and rule-making board) met with members of the Confederated Tribes of Siletz Indians Tribal Council to discuss opportunities for greater collaboration and partnership on shared environmental priorities.
- In September, Director Pedersen, DEQ's Tribal Liaison, and DEQ managers met with the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians Council members and tribal managers and staff to explore opportunities for greater collaboration and partnership and to discuss progress on current projects.
- In October, the Oregon Environmental Quality Commission met with a representative of the Klamath Tribes to discuss opportunities for greater collaboration and partnership on shared environmental priorities.
- DEQ's Tribal Liaison or her alternate attended all of the tribal-state Natural Resources Workgroup meetings and Cultural Resources Cluster meetings held in 2009 (with the exception of the September 29-30 Cultural Resources Cluster meeting, due to illness), as an important part of government-to-government relations under Senate Bill 770.

In addition, DEQ provided the following government-to-government communications.

- In November 2008, Director Pedersen sent letters to the Chairs of each federally-recognized Tribe expressing DEQ's interest in exploring possibilities for stronger relationships with each tribal nation, and offering to visit with tribal leaders at their offices to discuss issues and opportunities.
- In January 2009, DEQ Water Quality Administrator Neil Mullane sent letters to the Chairs of each federally-recognized Tribe to share early information about DEQ's

work to reduce toxic pollution in water and to offer to travel to tribal offices to discuss tribal interests.

- In March, Director Pedersen sent letters to the Chairs of each federally-recognized Tribe to share information about DEQ's review of state water quality standards for toxic pollutants and offer formal government-to-government consultation to ensure that the interests of each tribal nation are addressed.
- In March, April and May, DEQ's Tribal Liaison provided email communications to tribal representatives to share information about the state legislative session and opportunities to provide comments to the State Legislature regarding DEQ's 2009-2011 budget and program priorities.
- In June, DEQ's Tribal Liaison provided an email communications to tribal representatives with an update on DEQ's work to reduce toxic pollution in water and to invite feedback.
- In August, DEQ's Tribal Liaison provided tribal representatives with a summary of the state environmental rules that DEQ intends to develop or revise in 2010 and 2011, and offered formal government-to-government consultation on any rules of interest to each tribal nation. DEQ welcomes the involvement of tribal nations in the rulemaking process and appreciates the advice, assistance and consultation that tribal nations offer to help ensure that tribal interests are addressed.
- In September and October, DEQ's Tribal Liaison provided email communications to tribal representatives with updates on DEQ's work to reduce toxic pollution in the water, air and land. DEQ invited tribal representatives to participate in upcoming workshops, and offered formal government-to-government consultation to ensure that tribal interests are addressed.

DEQ greatly appreciates the leadership and partnership of tribal governments in working with the state to protect the environment, people's health and natural and cultural resources.

6. **Internal Tribal Relations Action/Training:** DEQ's internal tribal relations activities are focused on improving consultation and communication between agency and tribal managers and staff, as well as providing training to DEQ employees on tribal government, sovereignty and issues of interest to tribal nations.
- Throughout the year, DEQ's Tribal Liaison advised and assisted DEQ managers and staff on issues of interest to tribal nations and provided guidance for consulting with tribal governments on environmental activities.
  - DEQ maintains a Tribal Government Relations web page<sup>2</sup> that provides information about the government-to-government process, federally-recognized Tribes and DEQ's tribal relations activities. DEQ employees regularly use this site in learning about tribal nations and our government-to-government responsibilities.

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<sup>2</sup> See [www.deq.state.or.us/programs/tribal/index.htm](http://www.deq.state.or.us/programs/tribal/index.htm).

- Director Pedersen and DEQ managers and staff, representing DEQ headquarters and regional offices, participated in the May 14 Tribal Government Day and state training sessions held in the Capitol and sponsored by the Legislative Commission on Indian Services.
- Director Pedersen and DEQ managers and staff also participated in the January 31 First Nations Gathering in Salem to learn about and honor the role of sovereign tribal nations in Oregon's culture, history and future.
- DEQ's Tribal Liaison provided training to DEQ Western Region managers and staff in February on the importance of building strong relationships with tribal nations. The training covered the history of tribal-state relations in Oregon, tribal sovereignty, government-to-government consultation and opportunities for greater collaboration with tribes.

7. **Summary of Program Related Issues/Activities:** DEQ staff working to protect water, air and land quality across the state interact regularly with tribal managers and staff on a broad range of activities and issues. Some of the primary areas of collaboration between tribal nations and DEQ over the past year are summarized below.

### **Improving Water Quality**

#### **Increasing the Oregon Fish Consumption Rate for state Water Quality Standards**

DEQ continued working with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), other tribal nations, the Environmental Protection Agency (EPA) and stakeholders to revise the "fish consumption rate" and associated human health toxics criteria to improve protections for people who rely on fish for cultural and subsistence purposes. In October 2008, the Oregon Environmental Quality Commission (EQC) directed DEQ to initiate rulemaking to change state water quality criteria based on increasing the fish consumption rate from 17.5 to 175 grams per day, which would reduce the amount of pollution to Oregon waters. Tribal nations continue to have a strong voice in this rulemaking and DEQ looks forward to ongoing consultation as the rule progresses. EQC consideration of the revised rule is scheduled for October 2010. More information is available on DEQ's web site at [www.deq.state.or.us/wq/standards/toxics.htm](http://www.deq.state.or.us/wq/standards/toxics.htm).

#### **Columbia River Toxics Reduction Strategy**

DEQ is working with the Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of Warm Springs, Confederated Tribes of Grand Ronde, Yakama Nation, Nez Perce Tribe, the Columbia River Inter-Tribal Fish Commission and EPA to develop a Columbia River Toxics Reduction Strategy. EPA is leading this work as part of their national strategic plan, which makes toxics reduction in the Columbia River a top priority. The strategy will include filling critical data gaps for toxic pollutants, determining the sources of those pollutants (point and nonpoint) and developing reduction methods. Goals include reducing toxics in the water and in fish tissues by 10% (see <http://yosemite.epa.gov/r10/ecocomm.nsf/Columbia/Columbia> for more information). In Oregon, DEQ is contributing to the goal by implementing a "Pesticide Stewardship Partnership" (PSP) in the Walla Walla Basin, and current data demonstrates

that priority pesticides have been reduced by at least 10% thus far. The group of tribal, state and federal partners also developed a “State of the River” report describing toxics in the Columbia River that was released in 2009.

Columbia River channel deepening project

The Columbia River Inter-Tribal Fish Commission is working with DEQ on the Columbia River channel deepening project, which is increasing the depth of the Columbia’s navigation channel from 40 to 43 feet to allow passage of larger ships. CRITFC is overseeing implementation by providing feedback to DEQ based on field observations to help protect water quality during the project. The channel deepening work is expected to be complete by 2010.

Monitoring toxics and reducing persistent pollutants

Throughout 2009, DEQ managers and staff provided information to the Chairs of the federally-recognized Tribes and to tribal managers and staff regarding DEQ’s development of a water quality toxics monitoring program, priority persistent pollutant list (under Senate Bill 737), and statewide toxics reduction strategy. Tribal representatives continue to provide important and valuable guidance to this work, including data and leadership in working with other partners. In addition, the Confederated Tribes of the Umatilla Indian Reservation and the Confederated Tribes of Grand Ronde serve as members of DEQ’s Toxics Stakeholder Group that is working to develop a comprehensive toxics reduction strategy. DEQ looks forward to ongoing partnership with tribal nations in 2010 to monitor and reduce toxics pollutants in the environment.

Developing and implementing water quality improvement plans

Many tribal nations have worked collaboratively with DEQ over the past year to develop and implement plans to reduce pollution in waters across the state that currently do not meet water quality standards. Progress made on these clean water plans, also known as Total Maximum Daily Loads or TMDLs, is summarized below.

- Yamhill River Basin TMDL – In 2007 and 2008, DEQ began collecting water quality information in the Yamhill River Basin to support the development of TMDLs to reduce water temperatures and bacteria levels. In 2009, DEQ organized a review committee to assist in developing pollution reduction strategies. The Confederated Tribes of Grand Ronde have been valuable members of the committee, providing guidance for fish habitat sampling and data analysis.
- Mid-Coast TMDL – The Confederated Tribes of Siletz Indians and the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians are working with DEQ as part of the Technical Committee for the Mid-Coast TMDL and both tribal nations have made important contributions. The Confederated Tribes of Siletz Indians helped identify issues relating to sediment in the Siletz Basin and was involved in modeling for the Siletz River to support the TMDL. The Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians provided valuable data from the Siuslaw Estuary that will be used in TMDL development.

- Central Coast Water Quality Coordination Committee – The Confederated Tribes of Siletz Indians have played a key role in the Central Coast Water Quality Coordination Committee, which is an informal group of partners working together to collect water quality data in the Mid Coast Basin. The Confederated Tribes of Siletz Indians has offered the group its expertise in data interpretation and in coordinating monitoring in the basin.
- Willamette River Mercury TMDL – In 2008, DEQ began initial planning for developing the second phase of a TMDL to reduce mercury in the Willamette River, and in 2009, DEQ invited tribal nations to participate in this water quality improvement plan. DEQ activities in 2009 included applying for federal funding to analyze water, sediment and fish tissues for mercury. DEQ received the funding and is currently developing a monitoring plan. DEQ will monitor for one year, starting in January 2010, and the data will be shared with tribal governments and stakeholders in the basin.
- Columbia River Total Dissolved Gas TMDL – DEQ is working with the Columbia River Inter-Tribal Fish Commission and the Confederated Tribes of the Colville Reservation to implement the Columbia River Total Dissolved Gas TMDL, as part of an Adaptive Management Team. The Team’s work involves monitoring dissolved gas throughout the federal Columbia River hydropower system and developing limits to protect fish in the river.
- Deschutes River Basin TMDL – The Confederated Tribes of Warm Springs, DEQ and EPA are working together under a formal Memorandum of Understanding on the development and implementation of TMDLs for the Deschutes River Basin. DEQ’s activity on Deschutes TMDL development was limited in 2009. DEQ anticipates making more progress on the Deschutes TMDLs in 2010 and looks forward to working with the Confederated Tribes of Warm Springs on this effort.
- Lost River and Upper Klamath TMDL – DEQ is preparing a draft TMDL for the Lost River and Upper Klamath Subbasins, and consultation with the Klamath Tribes’ fisheries biologist provided valuable early guidance. DEQ continues to invite the Klamath Tribes to be involved in TMDL development and hopes for greater collaboration with the Tribes in 2010.
- Umatilla and Walla Walla Rivers TMDL – DEQ and the Confederated Tribes of the Umatilla Indian Reservation have collaborated on the development, implementation and monitoring of the Umatilla and Walla Walla River TMDLs (under a formal Memorandum of Agreement for the Umatilla TMDL). The Tribes have provided data, researchers, monitoring and watershed restoration planners for the project, and a basin-wide TMDL committee is developing long term monitoring plans.
- John Day River TMDL – The Confederated Tribes of the Warm Springs and Confederated Tribes of the Umatilla Indian Reservation are working with DEQ on the

development and monitoring of the John Day River TMDL. Both tribal nations have provided valuable data, researchers and watershed restoration planners for the project.

#### Relicensing hydroelectric projects

Tribal nations and DEQ have worked together on the following hydroelectric relicensing projects over the past year.

- Hells Canyon Hydroelectric Project – DEQ is currently reviewing a Clean Water Act Section 401 Certification application in association with Idaho Power Company’s application to the Federal Energy Regulatory Commission for a new federal license for continued operation of the Hells Canyon Complex Hydroelectric Project. The Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of Warm Springs, Burns Paiute Tribe, Nez Perce Tribe, Yakama Nation, Shoshone Bannock Tribes, Shoshone Paiute Tribes, Columbia River Inter-Tribal Fish Commission and others are participating in the relicensing process and have provided comments and recommendations.
- Powerdale Hydroelectric Project – DEQ, the Confederated Tribe of Warm Springs and others are working to plan for the decommissioning of the Powerdale Dam in 2010, as called for by a 2003 settlement agreement. Over the past year, partners have worked together to review and comment on specific design plans for decommissioning and to provide PacifiCorps with technical assistance and permitting consultation. The project is on schedule to begin decommissioning in April 2010.
- Pelton Round Butte Hydroelectric Project – DEQ and the Confederated Tribes of Warm Springs worked with other stakeholders to implement the hydroelectric license for this project, which requires reintroduction of anadromous fish above the Pelton Round Butte project. The Confederated Tribes of Warm Springs have important roles as a regulatory entity, Fish Committee member, and co-owner and co-licensee with Portland General Electric (PGE) for the project.

#### Pesticide Stewardship Partnerships

Since 1999, DEQ has been using a voluntary, collaborative approach called Pesticide Stewardship Partnerships (PSPs) to identify problems and improve water quality associated with pesticide use. The PSP approach uses local expertise in combination with water quality sampling and DEQ’s toxicology expertise to encourage and support voluntary changes that cause measurable environmental improvements.

- Hood Basin PSP – Two initial pilot projects using the PSP approach in Hood River and The Dalles have shown exciting improvements in water quality associated with changes in pesticide management practices. The Confederated Tribes of Warm Springs have been active partners in the Hood River PSP since its inception. The Confederated Tribes of Warm Springs obtained funds from the Bonneville Power Administration (BPA) starting in 2006 to fund the pesticide sampling and laboratory analysis components of the PSP, and contracts with the Hood River Soil and Water Conservation District and DEQ to conduct this work. DEQ communicates with the

Tribes on a regular basis and provides them with an annual report of the pesticide monitoring conducted during the previous year. In 2009, Hood River staff of the Confederated Tribes of Warm Springs increased their involvement in the Hood River PSP by conducting the majority of the sampling for the project. Tribal staff was trained by DEQ staff early in the season and conducted the sampling for the remainder of the 2009 monitoring season.

- Yamhill Basin PSP – In 2007, DEQ initiated a PSP in the Yamhill Basin focused on streams in agricultural areas and the City of McMinnville. DEQ, the Confederated Tribes of the Grand Ronde, the Confederated Tribes of Siletz Indians and the Oregon Department of Forestry evaluated opportunities to expand the Yamhill Basin PSP to encompass forested areas in addition to the agriculture and urban land uses already included in the project. With the help of the tribal representatives, potential stream sampling locations in forested areas have been identified for 2010 monitoring.

#### Protecting drinking water

In 2009, DEQ completed a report that evaluated turbidity problems associated with drinking water sources in Oregon using eight public water systems as case studies including the City of Siletz. The Confederated Tribes of the Siletz Indians partnered with DEQ to identify sources of turbidity to the City's water source and provide data for use in DEQ's report.

#### Monitoring toxics and lamprey

DEQ and the Columbia River Inter-Tribal Fish Commission are partnering to better understand toxic pollutants in lamprey. CRITFC is collecting samples and DEQ is performing the data analysis.

#### Coordinating Clean Water Act 401 Certifications with tribal nations

DEQ sought and incorporated comments from many tribal nations on projects that required DEQ issuance of Clean Water Act 401 certifications. DEQ worked with the Confederated Tribes of the Umatilla Indian Reservation on reviewing a controversial project at the Port of Arlington Barge Dock that was partially permitted by the Corps of Engineers without appropriate consultation with tribal nations, and this project has now been resolved in favor of the Tribes (removal of the installed structures was mandated by court). DEQ also began coordinating with the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians, the Coquille Indian Tribe, and the Klamath Tribes on comments related to the proposed Jordan Cove LNG project in Coos Bay. DEQ coordinated with the Columbia River Inter-Tribal Fish Commission on comments related to the proposed Bradwood Landing Liquid Natural Gas (LNG) project on the lower Columbia River. In 2010, DEQ will continue seeking input from tribal nations on both proposed LNG projects, as well as proposed pipeline projects as part of the Clean Water Act 401 certification process.

#### Addressing concerns about stormwater

DEQ continued working with the Coquille Indian Tribe to address concerns related to stormwater and erosion from development projects near tribal lands. Stormwater runoff is

affecting the Tribe's lands and waters, and hampering efforts to restore creeks on the reservation. In 2007, DEQ managers toured areas of concern with tribal managers and helped organize a meeting between tribal representatives, City managers and DEQ to discuss stormwater and land use permits. In 2008 and 2009, DEQ Director Dick Pedersen and DEQ managers met with the Coquille Indian Tribal Council to further explore opportunities to reduce erosion from stormwater that is affecting tribal lands.

### **Improving Air Quality**

#### **Improving air quality in the Columbia River Gorge**

DEQ sought guidance from the Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of Warm Springs, Yakama Nation and Nez Perce Tribe on monitoring and strategies for reducing air pollution in the Columbia River Gorge and its impacts on the natural, cultural and medicinal resources. DEQ will continue working with these tribal nations in 2010 to identify projects and actions to reduce air pollution in the Gorge.

#### **Partnering with tribal nations on air monitoring**

The Confederated Tribes of the Umatilla Indian Reservation is helping DEQ operate an air quality monitoring station in Pendleton after DEQ's operator was discontinued. In addition, DEQ provided assistance to the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians in setting up and operating a fine particulate air quality monitor in Coos Bay, providing technical assistance and training at DEQ's Laboratory. DEQ welcomes the opportunity for greater partnership with tribal nations in establishing and operating air quality monitoring stations. DEQ can provide technical assistance, data analysis and data reports to support tribal monitoring projects.

#### **Responding to open burning complaints and asbestos issues**

DEQ works closely with tribal nations to respond to complaints about open burning and the safe handling of asbestos, particularly when complaints occur near tribal land. DEQ, tribal governments and tribal police departments work quickly and collaboratively to address complaints when they arise.

### **Improving Land Quality**

#### **Notifying tribal nations of hazardous material spills**

In response to requests from tribal cultural resource managers, DEQ developed protocols in 2007 for notifying tribal nations of hazardous material spills that occur near highways, railways, waterways or in other areas of the state.<sup>3</sup> Although EPA, first-responders, or others may be required to notify tribes during certain spill events, DEQ also notifies tribes when the event involves a significant threat to the environmental so that each tribal nation can determine how to be involved in the clean up effort and DEQ can ensure that cultural resources are protected. DEQ worked with many tribal nations in responding to spills in 2009.

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<sup>3</sup> The protocols, entitled *Guidance for Protecting Cultural Resources during Cleanup Work*, is available on DEQ's web page at [www.deq.state.or.us/pubs/reports.htm](http://www.deq.state.or.us/pubs/reports.htm), under the "Site Investigation" section.

Investigating and cleaning up contaminated sites

DEQ and tribal nations have collaborated on a number of projects over the past year to investigate and clean up contaminated lands across the state. Some significant projects are described below.

- Portland Harbor Superfund Site – DEQ works closely with six tribal governments on the Portland Harbor Superfund Site and the McCormick & Baxter Superfund Site. The Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of Warm Springs, Yakama Nation, and Nez Perce Tribe are partners in these projects.
  - Portland Harbor Superfund Site: The Portland Harbor Superfund Site is located in the Lower Willamette River, stretching approximately six miles from Swan Island to Sauvie Island. EPA is the lead agency working on investigating and cleaning up pollution in the river itself, primarily in the sediments of the river bed. DEQ is the lead agency working with property owners alongside the river to identify, control and eliminate sources of pollution that are moving or could move toward the river from contaminated lands.
  - McCormick & Baxter Superfund Site: The McCormick & Baxter Superfund Site is located on the east bank of the Lower Willamette River, within the bounds of the larger Portland Harbor Superfund Site. DEQ is the lead agency for cleaning up this site, working in partnership with EPA, the tribal governments and others.
  - Natural Resource Damage Assessment: DEQ also works with these tribal nations on the Portland Harbor Natural Resource Damage Assessment (NRDA) effort, which seeks to restore the natural resources (e.g., fish populations, wildlife, habitat, etc.) that are damaged by contamination. The Oregon Department of Fish and Wildlife (ODFW) is the state’s lead Natural Resource Trustee in the NRDA effort, and DEQ is supporting ODFW in this role.
- Bradford Island – DEQ continued working with the Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of Warm Springs, Yakama Nation and Nez Perce Tribe on investigating contamination and planning cleanup activities at Bradford Island in the Columbia River. Toxic chemicals were dumped at the river decades ago, and the Tribes, DEQ and other are now working to remedy the contamination.
- Coos Head Air National Guard clean-up site – DEQ continued working with the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians on clean up projects at the Coos Head site, which was acquired by the Tribes in 2005. The site was formerly owned by the Military Department, which is responsible for paying costs associated with cleaning up the site to industrial standards. DEQ is working under an agreement with the Tribes to do cleanup work at the site as quickly as possible.
- Mill Casino property – DEQ continued working with the Coquille Indian Tribe on the Mill Casino property in North Bend to select a final cleanup remedy for wood-treating chemicals released during the years that the Weyerhaeuser operated a lumber

mill at the site. The Coquille Economic Development Corporation (CEDCO) is working to return this formerly industrial land to productive use as a part of the Kô-Kwel Wharf redevelopment project. DEQ issued “No Further Action” determinations in May 2007 and July 2009 when cleanup activities were complete. DEQ is now working with CEDCO and PacifiCorps to investigate and clean up pollution from a nearby former PacifiCorps manufactured gas plant.

- Harbor Oil Superfund Site – DEQ works with the Yakama Nation, Nez Perce Tribes, Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of the Umatilla Indian Reservation and Confederated Tribes of Warm Springs on clean up of the Harbor Oil Superfund Site in Portland, near the Columbia River.

#### Umatilla Chemical Agent Disposal Facility

Throughout 2009, the staff of DEQ’s Chemical Demilitarization Program in Hermiston continued work with the Confederated Tribes of the Umatilla Indian Reservation on DEQ’s oversight of the Umatilla Chemical Agent Disposal Facility. Pursuant to a Memorandum of Agreement between DEQ and CTUIR, the two parties consult, coordinate and communicate on a government-to-government basis on matters related to state permitting activities that apply to the U.S. Army’s program to destroy chemical weapons and munitions at the facility.

#### **Developing Information Systems**

Over the past year, DEQ continued to assist tribal nations in developing and implementing an “Exchange Network Node” as part of the National Environmental Information Exchange Network. DEQ assists many tribal nations and tribal associations nationwide in their development of network nodes and data flows. (See [www.exchangenetwork.net](http://www.exchangenetwork.net) for more information.)

#### **Consultation on projects with federal stimulus funding**

In January, DEQ revised its guidance for Clean Water State Revolving Loan Fund applicants to clarify requirements for consultation with tribal nations to ensure protection of cultural resources during project planning and development. DEQ administered federal funds associated with the American Recover and Reinvestment Act and worked with city and county applicants to ensure that early consultation with tribal nations occurred on projects with ground-disturbing impacts.

#### **Oregon Tribal Environmental Forum**

DEQ staff accepted invitations to present information about efforts to reduce toxic pollution and address climate change at the Oregon Tribal Environmental Forum on October 27-28, held at Kah-Nee-Tah on the Confederated Tribes of Warm Springs Reservation. DEQ greatly appreciates the partnership of tribal nations in these important efforts, and we look forward to greater collaboration in 2010.