



# **WRAP**

## **TRIBAL NEWS**

July 2005

### **WRAP ACTIVITIES - TRIBAL SYNOPSIS**

#### **MEETING OVERVIEWS**

##### **Fire Emissions Joint Forum – June 2005 (Denver, CO)**

The Fire Emissions Joint Forum (FEJF) held its quarterly meeting during June 2005 in Denver, CO. The FEJF is continuing its work on creating better fire modeling and tracking systems, recently awarding a contract to Air Sciences to complete the forum’s fire emissions inventory work, including 2018 projections. The general approach to estimate future fire activity will include several reasonable scenarios to represent high, medium, low levels of such activity. This project is scheduled to be completed during September 2005. For further information concerning this work, see the project status report at ([Click Here](#))).

Other work of the FEJF is to complete guidance packages on:

- 1) Regional Coordination of fire planning and operations between states, states-tribes, and states-FLMs;
- 2) Emission Reduction Techniques; and
- 3) Smoke Emissions Tracking System.

##### **SPECIAL NOTES FOR TRIBES:**

- **Fire Categorization**

(Natural v. Anthropogenic Fire)

Revisions and suggestions provided by the Tribal Caucus concerning the Categorization of Fire guidance document were well-received when presented by NTEC during the June FEJF meeting. The FEJF has yet to finalize this guidance, as it is both reviewing the tribal comments and still trying to come to agreement on the characterization of the emissions from “escaped prescribed fire.”

- **Regional Coordination document**

Tribes that work regularly with fire (agricultural burning, prescribed fire, etc) may want to pay attention to this document, which is intended as a means to coordinate

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transboundary smoke management plans (both interstate and tribal-state boundaries) in the WRAP region and with CENRAP. This is one of those WRAP policies that may directly impact tribes on a day-to-day basis. For more information, contact Ken Cronin at [kcronin@ntec.org](mailto:kcronin@ntec.org) or (505) 242-2175.

- **Additional tribal vacancy on the FEJF**

Andrea Boyer (Nez Perce) has stepped forward to fill Angel McCormack's position on the FEJF. Angel is on reassignment to the Region 10 EPA Office as part of an Intergovernmental Personnel Agreement where some of her attention will be focused on the Federal Air Rules for Reservations. There is still need of additional tribal participants on the FEJF. To learn how to become involved, please contact Ken Cronin at [kcronin@ntec.org](mailto:kcronin@ntec.org) or (505) 242-2175.

### **Tribal Caucus Call – July 12, 2005**

The Tribal Caucus recently held its monthly conference call on July 12<sup>th</sup> (2<sup>nd</sup> Tuesday of every month) and had 18 participants. A number of important issues to tribes were covered during this very productive call. Among these issues were:

- ❖ New tribal representatives affirmed by the Tribal Caucus for the WRAP Technical and Initiatives Oversight Committees;
- ❖ Need for increased tribal participation in various WRAP committees and forums;
- ❖ Mercury and the need to focus the WRAP's attention on this important issue;
- ❖ Funding for Tribal IMPROVE monitors; and
- ❖ Updates on WRAP forum/workgroup activities.

The notes for this call were sent out on July 12<sup>th</sup>. If you did not receive them, contact Ken Cronin at [kcronin@ntec.org](mailto:kcronin@ntec.org) or (505) 242-2175.

## **ACTIVITIES OF COMMITTEES, FORUMS AND WORKGROUPS**

### **Attribution of Haze (AoH) Workgroup**

The Attribution of Haze Workgroup is planning to jointly complete the Phase II AoH analysis project and develop a "Technical Support System" over the next 15 months. The TSS will be designed to display the regional analytical "weight-of-evidence" products and supporting technical information on a website. The TSS will contain much of what will be required as part of a TSD for both SIP and TIP submittals. In addition to the TSS, the following deliverables, through documents or some other means, are expected to flow from the AoH workgroup's activities:

- Identification of geographic sources of emissions contributing to Class I areas (both mandatory and Tribal Class I areas);
- Identification of mass and species distributions of emissions by source categories within each contributing geographic source area;
- Identification of the amount of manmade versus natural emissions;

- Documentation of assumptions, methods, and uncertainties used in integrated analyses of modeling, monitoring and emissions data; and
- Succinct, clear summaries for policymakers of estimated areas and sources of impairment for each Class I areas including associated uncertainties.

As part of the TSS development, the AoH workgroup will be accepting recommendations concerning the speed of map loading on the system, understanding that some governmental agencies (tribes and states) might have limited computer capabilities.

### **Tribal Data Development Work Group (TDDWG)**

The TDDWG's Causes of Haze project is nearing completion. One of the results will be a map and list of tribes that do not currently have adequate representation from existing monitors. Based on this map and list, a recommendation for additional monitors will be developed which should help tribes in the WRAP region to make a case to the EPA and other federal agencies for siting such monitors on or near tribal lands.

The TDDWG is also scheduled to have its next meeting, August 17<sup>th</sup> and 18<sup>th</sup>, in Polson, MT on the Flathead Reservation of the Confederated Salish & Kootenai Tribes. An agenda is still being developed but should be available shortly. If you have any questions about the upcoming meeting, please contact Ken Cronin at [kcronin@ntec.org](mailto:kcronin@ntec.org) or (505) 242-2175.

## **SPECIAL INITIATIVES AND ITEMS OF INTEREST**

### **New Tribal Representatives for the IOC and TOC**

Congratulations and thanks to [Hazel Apok](#) (Village of Shungnak), [David C. Jones](#) (Cortina Rancheria), and [Micah Gibson](#) (Yurok) Tribe. Hazel has been confirmed by the Tribal Caucus as one of its tribal representative on the Initiatives Oversight Committee (IOC), whereas David and Micah have been confirmed by the Caucus to serve as tribal representatives on the Technical Oversight Committee (TOC). Their names have now been submitted to the WRAP Board which has the responsibility of granting final approval for these individuals to serve on the IOC and TOC. A decision by the Board should be made by early August.

### **NTEC – WRAP Outreach**

During the month of June, Ken Cronin, the WRAP Tribal Caucus Coordinator, attended two non-WRAP meetings of tribal air managers. These meetings were held by the Region 8 Tribal Air Manager's in Denver, and the Arizona Tribal Air Quality Work Group hosted by the Hualapai Tribe of the Grand Canyon. The purpose of attending these meetings was to provide outreach to tribal environmental staff who are not currently involved in the WRAP by giving presentations focused on the Tribes in that region. If you are interested in having a similar presentation done in your area, please call Ken at (505) 242-2175 or email him at [kcronin@ntec.org](mailto:kcronin@ntec.org).

### **Letter to EPA Concerning RPO FFY2006 Funding Allocation**

The Regional Planning Organization (RPO) Directors recently sent a letter to the EPA Office of Air Quality Planning and Standards providing a recommendation about distribution of EPA funds among the five RPOs to support regional haze programs for Federal Fiscal Year (FFY) 2006. For FFY 2006, funds to the RPOs will be reduced by half, from \$10 million to \$5 million. While forced to accept this reduction, the RPO Directors noted that to maintain current levels of support for regional haze in future years, adequate funding above the FFY 2006 level will be necessary.

### **BART UPDATE**

This rule was issued June 15<sup>th</sup>, pursuant to a consent decree between EPA and Environmental Defense. It addressed the American Corngrowers decision (*American Corn Growers v. EPA*, 291 F.3d 1 (D.C. Cir. 2002)) that invalidated EPA's approach to deciding which sources are reasonably anticipated to contribute to regional haze. The Corngrowers ruling **rejected EPA's "group BART"** methodology for assessing visibility impacts. The court also ruled that the rule **failed to allow adequate state discretion** in making BART determinations and lack of a process by which States can exempt individual sources from the BART analysis. The court **affirmed** the states' option to adopt **alternative strategies** in lieu of BART, if they were demonstrated to be more effective than BART in meeting the reasonable progress goal.

The new rule provides **three options** for determining which BART-eligible sources are subject to BART:

1. Individual source assessment, using EPA approved model;
2. Cumulative assessment of all BART-eligible sources, all or none; or
3. Assessment based on modeled sources.

**States will have considerable discretion** which option to choose for determining which sources are subject to BART. The new rule requires **mandatory BART analysis**, using **presumptive SO<sub>2</sub> and NO<sub>x</sub> emission limits for EGUs > 750 MW**. The new rule also includes reanalysis **supporting its determination** that the Clean Air Interstate Rule (CAIR) is **"better than BART" in the CAIR states**.

See the Federal Register version at: ([Click Here](#))

Fact Sheet [PDF](#)

EPA Summary/Briefing [PDF](#) or [PPT](#)

EPA earlier committed to **November 8<sup>th</sup>, 2005** to take final action to address a second court decision (*Center for Energy and Economic Development v. EPA*, 398 F.3d 653 (D.C. Cir. 2005)).

A proposed rule and preamble can be found at

<http://www.epa.gov/oar/visibility/actions.html#bartrading> which provides **guidance** for states that elect to fulfill their NO<sub>x</sub> and SO<sub>2</sub> BART requirements through **alternative** means, usually thought to be a **cap-and-trade program** for NO<sub>x</sub> and SO<sub>2</sub>. Please note that this rule will not extend beyond the WRAP region and is intended to address those matters originally addressed in the WRAP Annex which has been now vacated.

## ON THE HORIZON

1. **Big Giant Super-Duper Tribal Air Workshop!** Ok, ok, maybe just a little bit of exaggeration, but the NTEC workplan calls for an annual meeting on WRAP and other air-related issues. It is certainly time to start taking your suggestions as to both location and topics. Currently aiming for sometime in January or February 2006.
2. **Mercury** – Look for this issue to be big during the next WRAP Board meeting in December. The Tribal Caucus call members were clear that it is time for the WRAP to consider this issue, as it did for global climate change during the May Board meeting.
3. **Tribal Specific WRAP Workplan tasks** – there are several of these that are going to have contacts scoped out within the next few months. Your input is invaluable in the following projects
  - a. **AMC4 – Effects of Haze on Traditional Tribal Lifeways**
  - b. **AMC6 – State/Tribal Workshops**
  - c. **TDDWG1 – Analysis of SIPs for tribal impacts**

If you are interested in helping define these projects, please contact Ken Cronin at [kcronin@ntec.org](mailto:kcronin@ntec.org) or (505) 242-2175. The WRAP workplan concerning these projects and others can be found at <http://www.wrapair.org/WRAP/docs.html>.

4. **308/309(g) SIP/TIP Templates** – This has been an ongoing project of the Implementation Work Group (IWG). There will be a meeting August 29- 30 in Portland aimed at finalizing these templates. So far, there has been no direct tribal participation in this project.

*This monthly newsheet is a collaboration of the National Tribal Environmental Council's (NTEC's) air program staff assigned to work with the Western Regional Air Partnership (WRAP), and condenses for the reader the activities and issues of the various forums, committees, and workgroups of the WRAP as they pertain to the tribes within the WRAP region. WRAP - a collaboration of the western states (including Alaska), tribes within those states and other stakeholders - is funded by the U.S. Environmental Protection Agency, with the purpose of developing data, tools, and policies needed to improve visibility in parks and wilderness areas across the West. More information on WRAP may be found on its website, [www.wrapair.org](http://www.wrapair.org), while NTEC's website is located at [www.ntec.org](http://www.ntec.org). If you have questions or suggestions regarding this newsheet, please contact Sandra Sac Parker, Editor and NTEC air program communications specialist, at 505/242-2175 ext. 104 or e-mail [sparker@ntec.org](mailto:sparker@ntec.org).*

