

## **Environmental Protection Agency Summary of Performance by Strategic Objective**

### ***Goal 3: Cleaning up Communities and Advancing Sustainable Development***

*Clean up communities, advance sustainable development, and protect disproportionately impacted low-income and minority communities. Prevent releases of harmful substances and clean up and restore contaminated areas.*

***Objective 4: Strengthen Human Health and Environmental Protection in Indian Country.*** *Directly implement federal environmental programs in Indian country and support federal program delegation to tribes. Provide tribes with technical assistance and support capacity development for the establishment and implementation of sustainable environmental programs in Indian country.*

### **Selection from EPA's FY 2017 Annual Performance Plan**

#### **FY 2017 Activities**

The FY 2017 request for Strengthening Human Health and Environmental Protection in Indian Country is \$121.4 million, an increase of nearly \$34.0 million over the FY 2016 Enacted Budget.

Few tribes have sought federal environmental program implementation authorities. Small and understaffed Tribal environmental departments, a lack of quality baseline data, and the nuances of Indian law all present challenges to greater environmental protection in Indian country. The EPA Indian Environmental General Assistance Program (GAP) is the primary financial assistance program available to tribes to assist with capacity building and the development of environmental protection programs in Indian country. In FY 2017, the EPA will continue to significantly support environmental capacity in Indian country by providing \$96.4 million under the GAP grants. The request includes a \$30.9 million increase. This will allow tribes to develop multiple media-specific environmental programs and also will ensure adequate resources for grantees to successfully implement the EPA-Tribal Environmental Plans (ETEPs). Tribal resources are essential to address long-standing challenges to recruit and retain qualified environmental professionals to remote Indian country locations and will assist tribes with the implementation of environmental regulatory programs. In addition, in FY 2017, the agency will continue to support environmental research projects with Tribal colleges and universities that will expand capacity to address issue of concern in Tribal communities. These Tribal EcoAmbassador projects have benefitted the professors and students involved, while demonstrating an ability to focus resources and leverage support within Tribal communities while strengthening Tribal youth.

GAP is a key means by which tribes leverage other EPA, federal, and Tribal funding to increase the overall level of environmental and public health protection per dollar invested. GAP also supports Tribal capacity to directly implement environmental regulatory programs in Indian country consistent with federal environmental law; there are currently 105 "treatment as a state" (TAS) Tribal regulatory approvals in place throughout the nation. Examples of activities eligible for funding under EPA's GAP include: assessing the status of a tribe's environmental conditions; developing Tribal environmental laws, codes, and ordinances; developing Tribal capacity to administer environmental regulatory programs that the EPA may delegate to a tribe; conducting public education and outreach efforts to ensure that Tribal communities are informed and able to participate in environmental decision-making; establishing effective communication and coordination programs among federal, state, local, and Tribal

environmental officials; and developing the ability to meaningfully participate in Tribal consultation activities with the EPA on environmental issues.

The EPA will continue to support the success of the GAP by continuing to implement new GAP guidance and applying nationally consistent Tribal capacity indicators. The GAP guidance promotes long-range ETEPs to serve as the basis for GAP financial assistance work plans. The EPA also is developing new performance measures based on Tribal capacity indicators to better track the effectiveness of the EPA's technical assistance and other support to tribes as well as to monitor the progress of tribes to develop their own environmental programs. The magnitude of Tribal environmental and human health challenges reinforces the importance of the EPA's commitment to maintaining strong environmental protections in Indian country.

The EPA has a long history of working with other federal agencies to address shared environmental and human health concerns in Indian country. The EPA, the Department of the Interior, the Department of Health and Human Services, the Department of Agriculture, and the Department of Housing and Urban Development have worked through Memoranda of Understandings (MOU) as partners to improve infrastructure on Tribal lands. All five federal partners renewed their commitment to the Infrastructure Task Force in 2013 by signing an MOU to continue federal coordination in delivering water infrastructure, wastewater infrastructure and solid waste management services to Tribal communities. The Infrastructure Task Force will build on prior partner successes, including improved access to funding and reduced administrative burden for Tribal communities through the review and streamlining of agency policies, regulations, and directives as well as improved coordination of technical assistance to water service providers and solid waste managers through regular coordination meetings and web-based tools.

The lack of access to safe drinking water and basic sanitation in Indian Country continues to threaten the public health of American Indian and Alaska Native (AI/AN) communities. According to 2010 data from the Indian Health Service (IHS), approximately 12 percent of AI/AN homes do not have safe water and/or basic sanitation facilities. The efficiencies and partnerships resulting from the Infrastructure Task Force will directly assist tribes with their infrastructure needs. In Alaska, 13 percent of native and rural households are without complete indoor plumbing, a much higher figure than the national average of 0.4 percent (US Census Survey 2012) of occupied homes that lacked complete indoor plumbing. As a result, 2008 data indicates that the age adjusted infectious disease hospitalization rate for Alaska natives was 28 percent higher than the national average, with a higher disparity observed for infants. Infectious disease hospitalizations account for approximately 22 percent of all Tribal and ANV hospitalizations, where lower respiratory tract infections, skin and soft tissue infections, and infections of the kidney, urinary tract, and bladder contribute to most of these health disparities. For more information, please see the web link: <http://www.epa.gov/tribalportal/trprograms/infra-water.htm>.

On May 4, 2011, the EPA released its policy on consultation and coordination with Indian tribes. The EPA is among the first of the federal agencies to finalize its consultation policy in response to President Obama's first Tribal leaders summit in November 2009 and, following the issuance of Executive Order 13175, to establish regular and meaningful consultation and collaboration with Tribal officials in the development of federal policies that have Tribal implications.

**Selection from EPA's FY 2015 Annual Performance Report and Eight-Year Array  
of Performance**

**Objective 4 - Strengthen Human Health and Environmental Protection in Indian Country:** Directly implement federal environmental programs in Indian country and support federal program delegation to tribes. Provide tribes with technical assistance and support capacity development for the establishment and implementation of sustainable environmental programs in Indian country.

**Summary of progress towards strategic objective:**

The EPA, in consultation with the Office of Management and Budget, has highlighted this objective as a focus area for improvement. An extremely small number of tribes have sought federal environmental program implementation authorities, under-staffed tribal environmental departments have program implementation limitations, data and information are inadequate, there are unique Indian law challenges, and EPA Tribal programs lack sufficient direct implementation resources.

All of these factors present challenges to protecting human health and the environment in Indian country. EPA plans to conduct a multi-pronged assessment of federally-regulated environmental and human health issues in order to effectively align the agency's direct implementation, and other resources to ensure that programs are as effective in Indian country as they are outside of Indian country. In FY 2015, the effort focused on understanding agency data systems, Tribal planning priorities, and current agency direct implementation work. While beginning the discussion of conducting this comprehensive assessment, EPA continues to take actions to respond to known, high priority environmental and human health issues (e.g., access to drinking water and basic sanitation).

Program Area	Performance Measures and Data									
<b>(1) Improve Human Health and the Environment in Indian Country</b>	<b>Strategic Measure:</b> By 2015, increase the percent of tribes implementing federal regulatory environmental programs in Indian country to 25 percent. (FY 2009 baseline: 22 percent of 572 tribes.)									
	<b>(PM 5PQ) Percent of Tribes implementing federal regulatory environmental programs in Indian country (cumulative).</b>									
		FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	Unit
	Target	14	18	22	24	25	25	25	25	Percent
	Actual	14	17	21	19	19	20			
	<i>Explanation of Results:</i> EPA underestimated the number of tribes that would seek regulatory authority.									
	<i>Additional Information:</i> A total of 572 tribal entities, including tribes and inter-tribal consortia, are eligible for GAP funding.									
	<b>Strategic Measure:</b> By 2015, increase the percent of tribes conducting EPA-approved environmental monitoring and assessment activities in Indian country to 58 percent. (FY 2012 baseline: 54 percent of 572 tribes)									
	<b>(PM 5PR) Percent of Tribes conducting EPA approved environmental monitoring and assessment activities in Indian country (cumulative.)</b>									
		FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	Unit
Target	42	52	54	57	58	58	58	58		

	<b>Actual</b>	50	52	54	56.5	31	36			Percent
<p><b>Explanation of Results:</b> The percent change in actuals is a result of continuous program improvement efforts resulting in more robust tracking and accuracy. In addition, EPA is undergoing an effort to enhance the Tribal General Assistance Program (GAP) performance management framework that will result in new measures in the future.</p> <p><b>Additional Information:</b> A total of 572 tribal entities, including tribes and inter-tribal consortia, are eligible for GAP funding.</p>										