



September 20, 2016

Deborah Jordan  
Director, Air Division  
U.S. Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

Re: Morongo 2015 Ozone Designation Recommendation

Dear Ms. Jordan:

This letter is provided to your office on behalf of the Morongo Band of Mission Indians (“Morongo” or “Tribe”), the federally recognized Indian tribe that is the beneficial owner of and exercises governmental jurisdiction over the unallotted trust lands of the Morongo Indian Reservation in Riverside County, California. The purpose of this letter is to recommend the Tribe’s designation for the 2015 primary and secondary ozone National Ambient Air Quality Standards (“NAAQS”).

Morongo recognizes that on October 1, 2015 the EPA promulgated revised primary and secondary ozone NAAQS (80 FR 65292, October 26, 2015). By that action, the EPA strengthened both standards to a level of 0.070 parts per million (“ppm”), while retaining their indicators, averaging times, and forms.

Pursuant to section 301(d) of the Clean Air Act (“CAA”) with regards to tribal authority and the Tribal Authority Rule (“TAR”) (63 FR 7254, February 12, 1998), the Tribe is recommending the Indian country of the Morongo Band of Mission Indians be designated as a separate nonattainment area from the surrounding state area for the 2015 ozone NAAQS.

This recommendation is based on multiple considerations, including previous Environmental Protection Agency (EPA) decisions. In April 2012 the EPA designated the Morongo Reservation as its own nonattainment area for the 2008 8-hour ozone standard, consistent with the Tribe’s request and relevant technical information. Additionally, in September 2013, EPA designated the Morongo Reservation as its own nonattainment area for the 1-hour ozone standard and the 1997 8-hour ozone standards.

Furthermore, EPA’s Technical Analysis for the Tribe<sup>1</sup> for the 2008 ozone designation provides relevant and relatively unchanged analysis for the basis of this recommendation; the variations from the 2008 to 2015 recommendations are addressed below. The five factor assessment for the Technical Analysis includes: 1) Air Quality

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<sup>1</sup> [https://www3.epa.gov/region9/air/ozone/pdf/R9\\_CA\\_Morongo\\_FINAL2\\_hqMapChange.pdf](https://www3.epa.gov/region9/air/ozone/pdf/R9_CA_Morongo_FINAL2_hqMapChange.pdf)

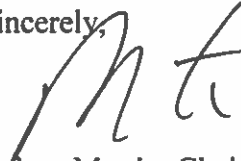
Data, 2) Emissions and emissions-related data, 3) Meteorology, 4) Geography/Topography, and 5) Jurisdictional Boundaries.

Regarding Factor 1, Air Quality Data, the Tribally operated monitor (TT58210161) provides a 2013-2015 8-hour design value of 0.098 ppm. This is a decrease from the referenced Technical Analysis 2008-2010 design value of 0.102 ppm. Additionally, the preliminary 2016 (2014, 2015, 2016) 8-hour design value data is 0.097 ppm.

For Factor 5, Jurisdictional Boundaries, an area of approximately 10.6 acres were brought into trust for the Morongo Band of Mission Indians on August 17<sup>th</sup>, 2016. This area is contiguous to the previously existing Morongo boundary and is in an open space/non-developed area surrounded on all sides by Morongo Reservation land. Factors 2-4 remain relatively unchanged for the purpose of this recommendation.

Morongo appreciates this opportunity to provide the Tribe's recommendations to the EPA. We look forward to your response and to working with your agency to ensure that the Tribe's interests are fully represented and considered in the designation process. Coordination of your agency's efforts with the Tribe should be arranged through Mr. James Payne, Director of the Morongo Environmental Protection Department.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rt', is written over the word 'Sincerely,'.

Robert Martin, Chairman  
Morongo Band of Mission Indians

cc. James Payne