U.S. EPA Brownfields Cleanup Grant Application – Narrative Information Sheet

1. Applicant Identification:
   
   Hoopa Valley Tribe  
   P.O. Box 1348  
   11860 State Highway 96  
   Hoopa, CA 95546

2. Funding Requested:
   
   a. Grant Type: Cleanup  
   b. Federal Funds Requested:  
      i. Requested Amount: $344,875  
      j. ii. Cost share waiver requested: Yes  
   c. Contamination: Hazardous Substances

3. Location:
   
   a. City: Hoopa – Tribally-owned land  
   b. County: Humboldt County  
   c. State: California

4. Property Information:
   
   Former Wagner Property  
   a. (APNs 526-081-028 through 034)  
      Hoopa, CA 95546

5. Contacts:
   
   a. Project Director:  
      Ken Norton, Director, Land Management Department  
      (530) 625-5515 ext. 302  
      P.O. Box 1130, Hoopa, CA 95546
b. Chief Executive:
Joe Davis, Chairman, Hoopa Valley Tribe
(530) 625 -4211
HoopaChairman@gmail.com,
P.O. Box 1348, Hoopa, CA 95546

6. Population: 3,432 enrolled tribal members (as of 9/7/2021)

7. Other Factors Checklist:

<table>
<thead>
<tr>
<th>Other Factors</th>
<th>Page #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Population is 10,000 or less.</td>
<td>Yes</td>
</tr>
<tr>
<td>The applicant is, or will assist, a federally recognized tribe or United States territory.</td>
<td>Yes 1</td>
</tr>
<tr>
<td>The proposed brownfield site(s) is impacted by mine-scarred land.</td>
<td>No</td>
</tr>
<tr>
<td>Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/redevelopment; secured resources are identified in the Narrative and substantiated in the attached documentation.</td>
<td>Yes 2</td>
</tr>
<tr>
<td>The proposed site(s) is adjacent to a body of water (i.e., the border of the proposed site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).</td>
<td>Yes 1</td>
</tr>
<tr>
<td>The proposed site(s) is in a federally designated floodplain.</td>
<td>No</td>
</tr>
<tr>
<td>The reuse of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or will incorporate efficiency measures.</td>
<td>Yes 3</td>
</tr>
</tbody>
</table>

8. Letter from the State or Tribal Environmental Authority:
   According to EPA Guidance, a letter from the Hoopa Valley Tribe Environmental Protection Agency is not required since the Hoopa Valley Tribe is the applicant.
I. Project Area Description and Plans for Revitalization

(a) Target Area and Brownfields

i. Background and Description of Target Area

The Hoopa Valley Indian Reservation (HVIR) is comprised of approximately 94,000 acres. The majority of lands (94%) are owned by the Hoopa Valley Tribe (Tribe) or individual Indians in trust by the federal government. The remaining (6%) is held in fee simple ownership. Fee simple lands were originally tribal allotments. Many of these lands were sold to non-Indians, such as the lands sold to the Hoopa Veneer, Humboldt Fir Inc. and Masonite Mill (referred to as the Wagner property). The Hoopa Veneer and Humboldt Fir Lumber Company originally occupied the property around 1958, succeeded by the Humboldt Fir Company. The Humboldt Fir Company operated between 1958-1964 when the company merged with the Masonite Corporation. The Masonite Corporation operated a lumber mill until 1978. Milling operations carried out by the three lumber companies used hazardous substances, pentachlorophenol (PCP) and tetra chlorophenol (TCP), as fungicides for lumber treatment.

The property was later sold to Mitch Wagner. In May of 2018, the Tribe purchased, in-fee status, the former Wagner property (APN 526-081-28 through -034). The Wagner property which serves as the target area for this proposal is located parallel to Marshall Lane and State Highway 96 in Mesket Field on the HVIR, Humboldt County, California. The property consists of seven (7) four-acre parcels totaling approximately twenty-eight (28) acres. The 28 acres of industrial land is located along the Trinity River. The land is subject to an easement for State Highway 96, held by the State of California, located along the southwesterly boundaries of the seven parcels.

The Tribe is requesting FY2022 EPA Brownfields Cleanup Grant funding to conduct cleanup activities within the Wagner property. This site was selected as a primary focus of concern due to the presence of know contaminants from historical operations. Its location near tribal homsites, ceremonial grounds, tribal facilities, and the Trinity River make it an excellent project.

ii. Description of the Brownfield Site

The site consists of three parcels located within the Wagner property (APN: 526-081-029, -030, -031) that have been identified to contain hazardous substances that can pose a potential health risk to the community, the environment, and persons entering those areas of the property. Numerous investigation and remedial activities have occurred at the site between 1981 and 2016. The Final Phase II Environmental Site Assessment in July 2021 and the Analysis of Brownfields Cleanup Alternatives (ABCA) in September 2021 have clearly defined a path towards site cleanup and facilitate redevelopment.

(b) Revitalization of the Target Area

i. Reuse Strategy and Alignment with Revitalization Plans

The Tribe has a Comprehensive Economic Development Strategy (CEDS) Plan that serves as a guide for the economic development of the HVIR. A key component of the plan is land development and reuse. The Hoopa Tribe purchased the Wagner property with the intent to develop and reuse the land for light industrial purposes. The Tribe’s intended uses includes establishing a paved right-of-way (ROW) that will bisect the property from Highway 96 to
Marshall Lane, construction of a solid waste transfer station, and potential development of a septage treatment facility. The Tribe emphasized that the design and construction of the ROW and facilities will incorporate to the greatest extent possible energy efficient and green infrastructure. In addition, the Tribe has drafted a Land Use Plan and Zoning Ordinance that serve as guides for potential growth, development and planning guidelines. These documents provide a comprehensive inventory of lands, existing conditions, a socioeconomic overview, maps designating zoning, and implementation strategies for current and future land use. The Wagner property has been tentatively zoned for light industrial and commercial uses which the Tribe has received funding for.

ii. Outcomes and Benefits of Reuse Strategy

The Tribe plans to use the Wagner Property to improve the safety and utilization. The reclaiming and reuse of the Wagner property will improve pedestrian safety for the people on the HVIR and enhance the economic viability of these properties. The plan for the use of the Wagner property will allow large commercial and industrial vehicles to utilize a road passageway that will alleviate the impact on State Highway 96; and the plan will let this property be reused for light industrial purposes. An additional benefit from cleanup of the Wagner property due to its proximity to a culturally sensitive site located 400 feet to the southwest. This site is the location where members hold cultural ceremonies. During these gatherings, HVIR members are reminded to stay off the Wagner property and children are advised to keep out of the creek that runs through this site.

(c) Strategy for Leveraging Resources

i. Resources Needed for Site Reuse

The Hoopa Valley Public Utilities District (HVPUD), which is a chartered entity of the Tribe, has received funding from the Indian Health Service (IHS) matched with a contribution from the Tribe for modifications and upgrades for a Transfer Station. HVPUD owns and operates the largest Transfer Station in this area that serves multiple communities and provides a critical function in the area and part of the reuse plan would be to develop a new facility to meet existing demand.

The Tribe is also eligible to receive grant funding from state and federal funding agencies. The Tribe has the experience in obtaining and successfully managing state and federal grant awards in a wide-array projects. The Tribe has monetary resources available from the sale of tribal trust resources (timber, gravel), gaming revenues, and other business incomes that are allocated to various projects and programs through the Tribe’s governmental process. The Tribe also has several tribal departments which in-kind leveraging of services can be made available, such as Planning and Development, Transportation, Land Management, and Public Utilities.

The EPA Brownfields Cleanup Grant funding will stimulate the availability of additional funds for the redevelopment and subsequent reuse of the proposed site by providing support to fund the cleanup through remediation of hazardous materials from the targeted site. Any additional monetary or leveraging resources needed for the future revitalization of the targeted area will be secured through the Tribe’s legislative process or grant-seeking measures. The successful completion of this project will further facilitate opportunities for federal and non-federal support.

ii. Use of Existing Infrastructure

For this project, the Tribe will use existing roads, water, and power infrastructure at or surrounding the site for the purpose of completing the cleanup goals through excavation, consolidation and capping of contaminant impacted materials. The existing infrastructure surrounding the site is sufficient to meet the proposed reuse plans. Both power and water
connections are available, however sewer infrastructure does not exist at the site. The proposed reuse projects include installation of self-contained septic system. Sewer infrastructure improvement is in the Tribe’s CEDS plan to address demands that will support future growth and revitalization. The Tribe’s PUD has currently received two (2) sources of planning funding from the U.S. EPA and the State Water Resources Control Board. Once the planning components are completed, HVPUD will seek funding from State and Federal sources for construction once planning and engineering designs have been completed.

II. COMMUNITY NEED AND COMMUNITY ENGAGEMENT
(a) Community Need

i. The Community’s Need for Funding

The Tribe is a disadvantaged, low-income community. The economy of the HVIR is significantly depressed with 66.2 percent of residents below the federal poverty level and very limited local access to basic goods and services. Many tribal households are poverty-stricken and seek financial assistance and community resources to survive. Tribal programs provide direct services and resources to the community but often have limited resources to assist those in need. In 2020, the Bureau of Labor Statistics (BLS) reported the unemployment rate of American Indian and Alaskan Natives (AI/AN) was 14.5 percent, considerably higher than the rate of 4.8 percent for the country as a whole. According to the U.S Census Bureau, American Indians had the highest poverty rate in the U.S. in 2020 at 25.4 percent, as compared with the national rate of 11.4 percent.

These characteristics contribute to the HVIR’s difficulty to implement environmental remediations and subsequent redevelopment. EPA Brownfields Cleanup Grant funding will provide the Tribe with the means for cleanup and revitalization that is posing a threat to human health and welfare, negatively impacting cultural resources and the environment. This project will increase employment opportunities for the tribal population, provide a safe work environment while developing critical infrastructure for the Hoopa community.

ii. Threats to Sensitive Populations

(1) Health or Welfare of Sensitive Populations

Due to Hoopa’s small population and rural area, exact statistics are difficult to obtain, specifically rates of cancers and comparisons with the population at large. Most of the local health data available is at the County level. Humboldt County as a whole suffers various health disparities when compared to the State of California. The County experiences higher death rates overall at 804.4 per 100,000 people, compared to 612.2 statewide, and the rates for nearly all of the leading causes of death are 2 to 3 times higher than statewide averages. The diabetes mortality rate for Humboldt also exceeds US and California rates and is significantly higher among the County’s AI/AN populations (Humboldt County diabetes mortality data report, 2005-2018). Both its rural nature and geographic isolation, Hoopa and the County as a whole have limited health care options compared to urban areas, and even other rural communities of comparable size; residents must travel long distances to receive specialized care, and the ratio of patients to primary care providers in the area is 1400:1 above the State ratio of 1270:1 (2018 Humboldt County Health Assessment).

The hazardous substances in the targeted area pose a potential health risk to the community. The potential human exposure to contaminants in the soil (arsenic, dioxins/furan) are increased due to the mix of residential, recreational, commercial, and industrial uses surrounding the site. The site has been vacant for the past forty-years and is not fenced. Persons entering the site are not

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informed of the potential health risks. Children are especially susceptible, as much of site is used as a recreation area. The dust and airborne contaminants released by peddle-bikes, motorcycles and quads pose a health risk to the children and community.

Dioxins are known to cause problems with reproduction, development, and the immune system, as well as increased cancer risk. Remediation of the site will reduce the threat to this vulnerable population. Exposure to health threats present in and around the site will be significantly reduced through the proposed cleanup activities. These activities are designed to reduce the health risk and improve the health and welfare of the community while providing employment. Therefore, the Tribe deems it essential and critical to clean up the targeted site.

(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions

According to the IHS, AI/ANs face a number of environmental hazards that affect their health status and due to their subsistence lifestyle have a higher exposure to environmental contaminants than the rest of the population. The Indian Health Disparities Report stated that “the AI/AN people have long experienced lower health status when compared with other Americans. Lower life expectancy and the disproportionate disease burden exist perhaps because of inadequate education, disproportionate poverty, discrimination in the delivery of health services, and cultural differences. These are broad quality of life issues rooted in economic adversity and poor social conditions.

Historical use of pentachlorophenol, a known carcinogen, at this site is now believed to be the source of dioxins. According to the Agency for Toxic Substances and Disease Registry (ATSDR), the Toxicological Profile for Pentachlorophenol included a study that reported that 22 out of 90 women with histories of spontaneous abortions, unexplained infertility, or menstrual disorders were found to have elevated blood levels of pentachlorophenol and/or lindane. The ATSDR stated pentachlorophenol is extremely toxic to humans from acute (short-term) ingestion and inhalation exposure. Dioxins are known to cause problems with reproduction, development, and the immune system, as well as increased cancer risk. Remediation of the Wagner Property site will reduce the threat to this vulnerable population.

Native communities, such as Hoopa, have a greater-than-normal incidence of diseases or reduced health conditions. The potential exposure of hazardous substances in the environment in which native community live, work, and utilize for subsistence needs may contribute to these serious health risks. The hazardous substances found within the targeted area have the potential to further contribute to this health crises. Remediation of hazardous substances within the targeted area will result in improved health and welfare of the tribal community.

(3) Promoting Environmental Justice

As previously stated, the site once provided a location for a logging mill and veneer company from 1964 to 1978. The mill used hazardous substances, PCP and TCP, as a fungicide for lumber treatment. Similarly, twelve other logging mills operated within the HVIR during this approximate timeframe. They also, used these hazardous substances to treat the processed lumber. All thirteen logging mills where privately owned and when they stopped operating and left the reservation, the hazardous substances remained on site. The negative consequences from the abandonment of these sites have left a legacy of contamination that has disproportionately impacted the Hoopa tribe and its community. According to the EPA’s online Environmental Justice Screening and Mapping Tool, the target site is characterized by a variety of Environmental Justice Indices that are elevated compared with non-tribal lands in the region. These include

particulate matter and air toxics; lead-based paint (pre-1960 homes); cancer risk; and proximity to hazardous wastes. Environmental justice issues can surface as residents on limited incomes must live in substandard housing near contaminated property. The brunt of the impacts associated with Brownfields is often absorbed by the poor, children, and those with existing health issues living in the Hoopa community.

The target site presents potential health and safety risks to the community and is, therefore, a priority for cleanup to protect the sensitive population surrounding this site. Cleanup funding will address the reduction of these threats and assist the Tribe in achieving its long-standing goals in the remediation and reuse of this site.

(b) Community Engagement

i. Project Involvement

The Tribe’s Environmental Protection Agency (TEPA) is the lead entity that will coordinate with other critical tribal partners and organizations involved in the proposed cleanup project and future reuse/renovation plans. These tribal partners and organizations will assist in completing project tasks, educating, and informing the community, and planning for future reuse of the site. The table below lists the tribal entities and organizations and their contributions to this grant.

<table>
<thead>
<tr>
<th>Partner Name</th>
<th>POC (name, email, phone)</th>
<th>Specific Project Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tribal EPA Program</td>
<td>Ken Norton, Director <strong>[redacted]</strong> 530-625-5515</td>
<td>Provide project oversight, ensure compliance, and solicits community feedback.</td>
</tr>
<tr>
<td>Public Utilities District</td>
<td>Linnea Jackson, General Manager <strong>[redacted]</strong> 530-625-4543</td>
<td>Planning for future reuse of site and solicit community feedback.</td>
</tr>
<tr>
<td>Tribal Roads Department</td>
<td>Ryan Smith, Director Jeff Hodge, Transportation Planner <strong>[redacted]</strong> 530-625-4017</td>
<td>Planning for future reuse of site and solicit community feedback.</td>
</tr>
<tr>
<td>K’ima:w Medical Center</td>
<td>Stephen Stake, CEO <strong>[redacted]</strong> 530-625-4261</td>
<td>Planning for future reuse of site and solicit community feedback.</td>
</tr>
<tr>
<td>Planning Department</td>
<td>Walter Gray III, COO <strong>[redacted]</strong> 530-625-4211</td>
<td>Planning for future reuse of site and solicit community feedback.</td>
</tr>
<tr>
<td>Tribal Historic Preservation Office</td>
<td>Keduescha Colegrove, THPO <strong>[redacted]</strong> 530-625-4284</td>
<td>Educate the community and provide cultural reviews and solicit community feedback.</td>
</tr>
<tr>
<td>Hoopa Land Commission</td>
<td>Glenn Moore <strong>[redacted]</strong> 530-625-5515</td>
<td>Planning for future reuse of site and solicit community feedback.</td>
</tr>
</tbody>
</table>

ii. Project Partner Roles

iii. Incorporating Community Input
Community involvement will be vital to the success of the proposed cleanup and redevelopment of the site. On November 11, 2021, the Tribe completed its first step in initiating its outreach strategy, by holding a public hearing. TEPA and HVPUD held a publicly-advertised virtual meeting with the Hoopa Valley Tribal Council and public in preparation for this grant application. Prior to this meeting, the public and the Tribal Council were provided access to all documents relevant to project (i.e., ABCA, reuse plan, structural engineering reports, and draft cleanup application). This forum will be utilized for future meetings. Under the Tribe’s current COVID-19 procedures, face-to-face meetings are allowed if protective measures are implemented. Project partners will continue to be involved by offering assistance, knowledge, and insight throughout the project.

Community input has and will continue to be solicited through quarterly public meetings, social media platforms, local radio and newspaper, and via email. In addition, TEPA maintains a website, which includes information on past and upcoming brownfields events and projects. The website, also allows the public to provide written comments on specific Brownfields project, including the proposed cleanup and reuse of the Wagner property. Through these outreach mechanisms, tribal members, the general public and Tribal Council will have the opportunity ask questions, make recommendations, and provide direction. All public comments will be collected, documented, and responded to accordingly. This information will be considered in all aspect of the project.

III. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS
(a) Proposed Cleanup Plan

An evaluation of remediation alternatives for the former mill site was provided in the 2021 ABCA with the preferred cleanup method excavation and either offsite disposal or consolidation and capping of contaminated soils. Development of a Site Cleanup Plan (SCP) for an estimated 285 cubic yards of in-place material from shallow soils will be required for the remediation program to ensure long-term effectiveness, regulatory compliance, and ability to implement. The Tribe is planning to consolidate and cap the excavated material under the ROW planned for construction in the target area. This cleanup method will require engineering specifications for material placement to ensure contaminant mobilization is mitigated to air, surface water and groundwater.

(b) Description of Tasks/Activities and Outputs
   i. Project Implementation

Upon approval of the SCP and engineering design, implementation of the field program will occur within the 1st quarter of the 2nd year of the grant award under the direction a licensed professional engineer or geologist. Excavation and stockpiling of contaminant-impacted materials will be completed and verification testing will be conducted to ensure final site conditions are below screening thresholds in the excavation areas. Site restoration will be completed by backfilling the excavation areas with clean fill and site grading. Excavated material will be placed in a 1-foot lift within the planned ROW, capped with a liner or low permeable material and covered with aggregate base for roadway construction. Institutional controls will be required for the perpetuity of the consolidated material and outlined in a Site Management Plan that to be included as part of the final Site Cleanup Report for long-term inspections and maintenance of the area. The contractor performing site cleanup work and material placement will be required to possess a Class A hazardous material contractor’s license.
ii. Anticipated Project Schedule:

<table>
<thead>
<tr>
<th>Task of Project</th>
<th>Staff</th>
<th>Deliverable</th>
<th>Timeframe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Task 1 - Contract agreement</td>
<td>Tribal Environmental Director, Procurement Office, Fiscal Department, Tribal Council, Office of Tribal Attorney</td>
<td>Request for proposals, Contract Administration</td>
<td>Year 1 Quarter 1 through Year 1 Quarter 3</td>
</tr>
<tr>
<td>Task 2 - Project oversight</td>
<td>Tribal Environmental Director, PUD General Manager</td>
<td>Site Cleanup Plan, Engineering Design, Meeting Agendas and Site Reuse Plan</td>
<td>Year 1 Quarter 1 for duration of project (3 years)</td>
</tr>
<tr>
<td>Task 3 - Project implementation</td>
<td>Tribal EPA Director, Engineering Consultant and Contractor</td>
<td>QA Documentation, Quarterly Reports, final Site Cleanup Report and Site Management plan</td>
<td>Year 2 Quarter 1 to Year 3 Quarter 1</td>
</tr>
<tr>
<td>Task 4 - Project reports</td>
<td>Tribal EPA Director, Fiscal Grant Compliance</td>
<td></td>
<td>Year 1 Quarter 2 for duration of project (3 years)</td>
</tr>
</tbody>
</table>

ii. Task/Activity Lead

**Task 1 - Contract Agreement / HVT**
- Working with EPA to complete required paperwork
- Development and disbursement of Request for Proposal(s) and/or other materials related to selecting contractors or entering into a contract for the cleanup work.
- Coordinating legal activities for applicable agreements
- Preparation and recording of institutional controls/deed restrictions

**Task 2 - Project Oversight / HVT**
- Overall management/planning of the grant to ensure effective use of EPA funds
- Working with EPA to complete required paperwork, including quarterly reports
- Community involvement with the public for timely, relevant information and education to improve participation and decision-making
- Develop a Site Cleanup Plan and engineering specs for material consolidation

**Task 3: Field Implementation / Engineering Consultant**
- SCP implementation and coordinating with Contractors and EPA.
- Site preparation; staging area setup, and construction activity posting.
- Excavation and stockpiling of contaminant-impacted materials.
- Verification of final site conditions through sample collection.
- Stockpiled material placement and capping per engineering specification,
- Site restoration; excavation area backfilling and grading,

**Task 4: Reporting / HVT**
- Quarterly Grant status report submittals to EPA
- Final Site Cleanup Report with Site Management Plan

Hoopa Valley Tribe
Narrative/Ranking Criteria
iii. **Cost Estimates**

The Tribe sought assistance from both a qualified environmental and structural engineer who provided an estimated quote and recommendations for the proposed site cleanup. The project scope of work will follow the Tribe’s and Office of Management & Budget federal procurement guidelines. The estimated total cost for the proposed cleanup through remedial actions for the site will be approximately $344,875.

<table>
<thead>
<tr>
<th>Budget Categories</th>
<th>Task 1 – Contract Agreement</th>
<th>Task 2 – Project Oversight</th>
<th>Task 3 – Project Implementation</th>
<th>Task 4 – Project Reporting</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>$11,250</td>
<td>$11,250</td>
<td>$11,250</td>
<td>$11,250</td>
<td>$45,000</td>
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<tr>
<td>Fringe Benefits</td>
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<td>$5,175</td>
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<td>Travel</td>
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<td>$1,000</td>
<td>$1,000</td>
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<tr>
<td>Equipment</td>
<td>$0</td>
<td>$0</td>
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<td>Supplies</td>
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<td>Contractual</td>
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<td>$11,265</td>
<td>$217,246</td>
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<td>$245,391</td>
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<td>Other (TERO 3%)</td>
<td>$259</td>
<td>$338</td>
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<td>Total Direct Costs</td>
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<td>$30,528</td>
<td>$242,688</td>
<td>$27,433</td>
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<td>Indirect Costs (5%)</td>
<td>$1,390</td>
<td>$1,526</td>
<td>$12,134</td>
<td>$1,372</td>
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<tr>
<td><strong>Total Federal Funding</strong></td>
<td><strong>$29,194</strong></td>
<td><strong>$32,054</strong></td>
<td><strong>$254,823</strong></td>
<td><strong>$28,804</strong></td>
<td><strong>$344,875</strong></td>
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<tr>
<td>Cost Share</td>
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<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
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<tr>
<td><strong>Total Budget</strong></td>
<td><strong>$29,194</strong></td>
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<td><strong>$28,804</strong></td>
<td><strong>$344,875</strong></td>
</tr>
</tbody>
</table>

**Description of Tasks/Activities and Outputs**

- A progress report will be prepared quarterly to evaluate compliance with the approved scope, schedule, and milestones. Key Milestones include contracting, bid proposals, submittal of the Site Cleanup Plan, preparation of engineering plans and specifications, submittal of quarterly reports, positive community outreach operations, and submittal of the Final Project Report.
- Outcomes will be tracked and measured and reported in the quarterly reports.
- Property details will be updated on the ACRES site.
- A summary of completed tasks and outputs will be tabulated in the Final Project Report.

iv. **Measuring Environmental Results**

The Tribe’s Environmental Director (ED) will be responsible for tracking, measuring progress and ensure that all project goals will be achieved in an efficient manner. The ED will
utilize the Assessment, Cleanup and Redevelopment Exchange System (ACRES) for reporting, tracking and documentation of tasks completion of the project. The ED will also provide quarterly reports to the grant project officer of up-to-date task status and completion. The Tribe’s expected outcome for the cleanup and remediation of the project site will ensure health and safety for residents, tribal employees, and the community by mitigating exposure to known hazardous substances. Other outcomes included improved road access to the site and additional opportunities for economic activity through site redevelopment. After the successful cleanup of the targeted site, greenspace will be made ready for reuse and redevelopment for the community, eliminating exposure to hazardous substances in the targeted Brownfields site.

IV. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE
(a) Programmatic Capability
   i. **Organizational Structure**

   The Tribe has a non-Indian Reorganization Act (IRA) Constitution and Bylaws, which were first approved in 1933 and subsequently revised in 1950, 1952, 1963, 1996, 2003, and 2008. The purpose of the Constitution and Bylaws are to protect and promote the interest of the Hoopa Valley Indians, to develop cooperative relations with the agencies of the Federal Government and to cooperate with State and local governments. The Hoopa Valley Tribal government features an effective administrative and organizational infrastructure for the provision of a multi-faceted programs and services, as well as tribal enterprise. Program and services include administration and governance, commerce, education, health, housing, human services, fire, police, emergency services, environmental protection, land and natural resources management, cultural preservation, public utilities, recreational services, and roads. The total annual budget of the Tribe is approximately $65 million. Of this, approximately $42 million are grants and grant related activity with various federal agencies, including the U.S. Environmental Protection Agency. The Tribe has a history of successfully administering federally funded grant proposals that have benefitted many tribal members and the community. The Tribe has the administrative capacity, construction and grants management experience, and technical skills to complete a Brownfields Cleanup Grant project, completing all tasks on time and within projected costs.

   ii. **Description of Key Staff**

   The Land Management Director/Project Director, Mr. Ken Norton has worked in the field of environmental protection since 1980. Mr. Norton oversees an array of Tribal water programs and other tribal environmental programs (CWA Regulatory programs, air, pesticides, lead poisoning prevention, and hazardous waste remediation). He holds a Bachelor of Science in Liberal Arts Degree with an emphasis in Fishery Management. Mr. Norton has the programmatic and administrative capacity to successfully manage and complete the grant within the 3-year period of performance.

   Linnea Jackson, General Manager of HVPUD will provide direction and supervision of the proposed design and construction of the land reuse and revitalization projects at the site. Ms. Jackson has been in charge of Public Utilities since 2019 and has successfully overseen multiple federal, state and local grants including Water Treatment Plant upgrades, Water Meter replacements, Water Storage Tank Replacements, Septage Planning Grants, Broadband feasibility grants, Microgrid studies, etc. HVPUD is comprised of domestic and irrigation water, solid waste management, broadband and energy divisions. Ms. Jackson will lend her project management and grants management experience to the project, as well as assist with completion of project goals and tasks.
iii. **Acquiring Additional Resources**

The Tribe’s Fiscal Department is responsible for assisting tribal programs with fiscal grant reporting and overall grant management. This department has developed financial systems for tracking grant expenditures, payment to vendors, creating fiscal reports, and closeout of grants and contracts. The Tribe has successfully acquired additional expertise and resources to include contractors to successfully completed multiple hazardous waste removal and remediation project on its lands. The proposed project will utilize qualified contractors in the Brownfield Cleanup Grant. The Tribe has consulted with qualified environmental and structural engineering firms to provide land reuse project designs and cost estimates for the remediation and revitalization of the site.

(b) **Past Performance and Accomplishments**

i. **City Currently Has Received one EPA Brownfields Grant**

1) **Accomplishments**

The Tribe began receiving CERCLA 128(a) funding in 2002. Since then, the Tribe has been successfully managing this program in achieving its 128(a) goals, outputs, and outcomes as identified in annual project work plan to their completion. These efforts include the preparation and submittal of progress reports of project achievement on a quarterly basis. Other noteworthy Tribal accomplishments include: an inventory of approximately thirteen potential Brownfields sites located within the Reservation, completion of five Targeted Brownfields Assessments (TBAs) that included of five Phase I Environmental Sites Assessments (ESAs), four approved field sampling plans, and four Phase II ESAs that were evaluated and successfully completed. The Tribe is currently coordinating with EPA on remedial investigations and human health risk and environment assessments of the Celtor Chemical Works (former Superfund site) and Copper Bluff Mine, listed on the National Priorities List on May 15, 2019. These coordinated investigations and remedial recommendations for the two sites are scheduled to be completed in 2023. Programmatic and management components of grant administration for both the 128(a) and TBAs have included: timely preparation and submittal of quarterly reports, review and recommendations of Phase I and II ESA reports to EPA; management oversight of ESA’s performed by subcontractors; and keeping the community and Tribal Council informed of the technical aspects of each project. The acquired experience of administrating and implement of these Brownfields projects will be valuable as the Tribe oversee the cleanup and reuse of the site.

2) **Compliance with Grant Requirements**

Since 2002, the Tribe’s EPA Program has been building its capacity to manage and administer its Brownfields grants effectively and efficiently. The program has successfully met grant reporting criteria detailing whether program objectives were met, fiscal resources were appropriately managed, and assistance award requirements were satisfactorily fulfilled. The Tribe’s environmental program also provided oversight during the successful completion of Brownfields environmental investigations and have ensured that documents such as Sampling and Analysis Plans (SAPs) are followed by contractors and all necessary activities are performed using appropriate methods. The Tribe’s EPA Program will continue to meet all federal grant commitments and requirements in an efficient and timely manner.
RESOLUTION OF THE HOOPA VALLEY TRIBE
HOOPA VALLEY INDIAN RESERVATION
HOOPA, CALIFORNIA

RESOLUTION NO: 21-69

DATE APPROVED: November 18, 2021

SUBJECT: RESOLUTION TO SUPPORT THE FISCAL YEAR 2022 BROWNFIELDS CLEANUP APPLICATION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY TO CLEAN AND REMEDIATE HAZARDOUS SUBSTANCES FROM THE WAGNER PROPERTY, (APNs: 526-081-029,-030,-031) CONTAINING SEVEN PARCELS OF LAND LOCATED IN MESKET FIELD, HOOPA, CA.

WHEREAS: The Hoopa Valley Tribe adopted a Constitution and Bylaws (Tribal Constitution) on June 20, 1972 which was approved by the Commissioner of Indian Affairs on August 18, 1972 and ratified by Congress on October 31, 1988, and the purpose of the Tribal Constitution is to protect and promote the interests of the Hoopa Valley Indians; and,

WHEREAS: The Hoopa Valley Tribal Council is the governing body of the Hoopa Valley Tribe pursuant to Article V of the Tribal Constitution; and,

WHEREAS: The Hoopa Valley Tribal Council wants to protect human health, the environment and land of the Hoopa Valley Indian Reservation by supporting the remediation of contaminated properties; and,

WHEREAS: a) The Hoopa Valley Tribe is proposing to remediate and abate all hazardous substances from the identified site and for the proper disposal of all materials;

b) The Hoopa Valley Tribe will submit an FY 2022 EPA Brownfields Cleanup Grant application requesting grant funds; and

c) The Hoopa Valley Tribe requests a waiver of the requirement to contribute 20 percent of the total cost of the cleanup funds required for this project; and

NOW THEREFORE BE IT RESOLVED: That the Hoopa Valley Tribal Council, does hereby approve and support the Tribe’s Fiscal Year 2022 Brownfields Cleanup Grant application to the U.S. Environmental Protection Agency to remediate hazardous substances from the former Wagner Property, (APNs: 526-081-029,-030,-031) containing seven parcels of land located Mesket Field, Hoopa, CA.
CERTIFICATION

I, THE UNDERSIGNED, AS Chairman of the Hoopa Valley Tribal Council, do hereby certify that the Hoopa Valley Tribal Council is composed of eight members, of which seven (7) were present, constituting a quorum at a Regular Meeting thereof; duly and regularly called, noticed, convened, and held this 18th day of November 2021; and that this Resolution was duly adopted by a vote of six (6) in favor with zero (0) opposed and zero (0) abstaining, and that said Resolution has not been rescinded or amended in any way.

DATED THIS EIGHTEENTH DAY OF NOVEMBER 2021.

[Signature]
Joe Davis, Chairman
Hoopa Valley Tribal Council

ATTEST: [Signature]
Amber Turner, Executive Secretary
Hoopa Valley Tribal Council
Hardship Waiver Request

The Hoopa Valley Tribe requests a waiver of the requirement to contribute 20 percent of the total cost of the cleanup funds required for the proposed site in Hoopa Valley, California. The inability of the Hoopa tribe to obtain a waiver would eliminate the possibility of cleanup of this site, which is located adjacent to a residential area within the Hoopa Valley Indian Reservation (HVIR). For the reasons described below, the proposed project cannot proceed if the cost share waiver is denied.

Statistics for the HVIR are listed in the table below and compared with other local and national geographics. The 2019 poverty rate in the Hoopa Valley is almost 66.2 percent which is well above equivalent rates for Humboldt County and nearly 3 times greater than the nation as a whole. The HVIR is located in Humboldt County, California. The local unemployment rate is 6.7 percent, and the annual income for those making less than $15,000 is 32.5 percent. The unemployment rate is higher (and the median household income is lower) than Humboldt County, the state of California, or the nation as a whole.

<table>
<thead>
<tr>
<th>2019</th>
<th>Hoopa Valley Indian Reservation</th>
<th>Humboldt County</th>
<th>California</th>
<th>United States</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
<td>3,537</td>
<td>135,940</td>
<td>39.5 M</td>
<td>328 M</td>
</tr>
<tr>
<td>Poverty Rate</td>
<td>66.2%</td>
<td>20.1%</td>
<td>13.4%</td>
<td>12.3%</td>
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<tr>
<td>Unemployment Rate</td>
<td>6.7%</td>
<td>4.2%</td>
<td>3.9%</td>
<td>3.5%</td>
</tr>
<tr>
<td>Annual Income less than $15,000</td>
<td>32.5%</td>
<td>15.4%</td>
<td>10.1%</td>
<td>9.4%</td>
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<tr>
<td>Median Household Income</td>
<td>$37,564</td>
<td>$48,041</td>
<td>$80,940</td>
<td>$65,712</td>
</tr>
</tbody>
</table>

Furthermore, the Tribe's operating budget for FY2022 has been reduced due to an approximately a $16,000,000 debt in the general fund. This is a result of decreasing Tribal business revenues and limited compact funds. (source: Pateisha Ferris, Tribal CFO).

The Hoopa Valley Tribe does not tax the residents of the reservation and has limited tribal resources. Most of the tribal departments are struggling and the majority of their funding comes from grants. Grant funded programs can only expend funds on grant-specific items and activities. These funds often cannot be shared between departments due to grant specific obligations. There are no other tribal funding sources that could be brought to bear to clean up the site in the proposed application.

The tribe is planning to contribute some in-kind services, such as staff hours, heavy equipment, and other resources. However, we are limited in the use of these in-kind services. The tribe does not have the financial resources to support the planned cleanup project to the extent required for the cost-share.