FORT PECK TRIBES

Office of Environmental Protection

R08-13-C-003

December 3, 2012

Environmental Support Management, Inc.
Attn: Don West
8601 Georgia Avenue, Suite 500
Silver Springs, MD 20910
(301) 589-5318

Dear Mr. West:

The Fort Peck Assiniboine and Sioux Tribes appreciate having this opportunity to submit a Brownfields Cleanup Grant to the U.S. Environmental Protection Agency for the cleanup of the Old Poplar Airport. Starting in 1944, farmers used the site to store their crop dusting planes and chemicals. Since 1964, the Tribes leased the property to the City of Poplar, Montana and Roosevelt County for a small aircraft airport and crop dusting operations.

Because of the former airport's prime location along a state highway that runs through the town of Poplar, the "Hub" for the Fort Peck Reservation, the Tribes intend to redevelop the land into commercial ventures, much needed Tribal housing located in close proximity to community services and greenspace. Additionally, expanding upon the benefits of the incoming oil industry, the new redevelopment will help revitalize the community of Poplar and bring opportunity to the residents of the Fort Peck Reservation.

The Fort Peck Brownfields Program has conducted several environmental assessments over the past few years, with the most comprehensive being completed for the Old Poplar Airport. Under a Rural Business Opportunity Grant from the United States Department of Agriculture, the Tribes have created a Master Plan for the former airport property. It is imperative to remove the contamination detected in the Phase II Environmental Assessment before the Tribe can fully redevelop the site.

Sincerely,

Floyd G. Azure, Tribal Chairman
Fort Peck Assiniboine and Sioux Tribes

Poplar, Montana 59255 P.O. Box 1027 (406) 768-5155

a. Applicant Identification Fort Peck Assiniboine and Sioux Tribes, Poplar Montana

b. Applicant DUNS number: 10-657-8164

c. Funding Requested

i) Grant type: Cleanup

ii) Federal Funds Requested: $ 200,000. Additionally, the Tribes are requesting a cost-share waiver (See Attachment 7 for Cost-Share Waiver documentation.)

iii) Contamination: Hazardous Substances (comingled with petroleum)

d. Location: The Poplar Airport site is located within the boundaries of the Fort Peck Reservation on Tribal Trust Land. It is north of highway 2, directly east of Park Road and the BIA equipment storage and maintenance area. The site is located in Section 6, Township 27N, Range 51E. The latitude is 48° 07'14.2" and the longitude is 105°11'3.1".

e. Property name and complete site address, including zip code

The Old Poplar Airport is located at 128 Airport Road, directly northeast of the city limits of Poplar, Roosevelt County, Montana.

f. Contacts

i) Project Director:

Wilfred Lambert, Brownfields Tribal Response Program Coordinator
Office of Environmental Programs, Fort Peck Assiniboine and Sioux Tribes
PO Box 1027, 603 Court Avenue, Poplar, Montana 59255
Phone: (406) 768-2322; Email: 1wolfman@nemont.net

ii) Chief Executive/Highest Ranking Elected Official:

Floyd G. Azure, Tribal Chairman
Fort Peck Assiniboine & Sioux Tribes
501 Medicine Bear Road P.O. Box 1027
Poplar, MT 59255
Phone: (406)768-2300; Fax: (406)768-5478

g. Date Submitted: December 3, 2012

h. Project Period: Three years

i. Population

i) Provide the general population of your jurisdiction. The 2010 U.S. Census lists the Reservation population as 9,530 with 5481 being American Indian.

ii) If you are not a municipal form of government, provide the population of the target area addressed by this proposal. The 2010 U.S. Census lists the population of Poplar as 4,371 with 3,095 being American Indian.

j. See **Attachment 5 noting "Special Considerations" items** that are applicable to this proposal including population less than 10,000; Federally Recognized Indian Tribe; FEMA Disaster Declaration; leveraging of funds; economic disruptions; green remediation planning.

NARRATIVE PROPOSAL

RANKING CRITERIA

1. Community Need

a. Health, Welfare and Environment

i) Describe the effect brownfields currently have on your targeted community

The current Tribal Response Program Inventory includes numerous abandoned houses, other abandoned structures, illegal dumps and 76 oil and gas wells. Of these properties, twenty-four sites have been prioritized for assessments and cleanups. Six have received Phase I Environmental Site Assessments followed by Phase II Assessment for five of the sites. All of these sites are attractive nuisances for youth, salvagers and transients threatening the public health and presenting safety issues for those who frequent the areas. Because of the age of most of the structures, they likely contain hazardous substances and if burnt, pose additional threats to the environment and health especially from lead, asbestos, plastics, metals, solvents, oils, etc.

The site that has received the most intensive assessment to-date is the Old Poplar Airport, the subject of this Brownfields Cleanup Grant submission. Starting is 1944, local farmers stored their crop dusting planes and chemicals on the site. Since 1964, the Tribes leased the land to the City and County for many years for small-aircraft and crop dusting operations. The Airport is situated on the east edge of Poplar, Montana, which is where the Tribal Administrative Offices are also located and along a state highway that runs through the Reservation.

The Tribes received a Rural Business Opportunity Grant from the United States Department of Agriculture in 2009 and have created a Master Plan for the former Airport that includes commercial ventures, much needed housing located near the community services and open space. Also, the Tribes are benefiting from an expanding oil industry, and the new redevelopment will help with revitalizing the City of Poplar and Reservations residents. Redevelopment is to start in the near future, but contamination identified in the Phase II Assessment needs to be removed before the Tribes can full redevelop the site.

The Brownfields Tribal Response Program conducts outreach to educate the communities on the hazards associated with burning old homes and other building. Many of the structures contain asbestos and lead that can be released to the environment. According to the Centers for Disease Control, these contaminants are particularly dangerous to young children and pregnant women. Breathing asbestos fibers can result in lung and larynx cancer and mesothelioma. Ingestion or inhalation of lead can lead to pregnancy and reproductive difficulties, nerve disorders, memory and concentration problems, muscle and joint pain and digestive problems. In babies and children, high lead levels can result in brain and nervous system damage, behavioral and learning problems and hearing problems. Often a new home is constructed where one was burnt and young children play in the dirt and easily transfer the lead and asbestos into their mouth, eyes or nose.

In addition to lead-based paint, contaminants at the former Airport include elevated levels above Risk Screening Levels for the pesticide Dieldrin and petroleum. According to the Agency for

Toxic Substances Disease Registry (ATSDR), Dieldrin remains in the environment for a long time and is usually detected in soil, sediment, and animal fat. The insecticide is an organic pollutant that doesn't easily break down and biomagnifies as it passed along the food chain. People can be exposed by direct contact, by eating food contaminated with Dieldrin and young children through mother's milk. It has been linked to Parkinson's, breast cancer, and immune, reproductive, kidney and nervous system damage. It can also adversely affect testicular descent in the fetus if a pregnant woman is exposed to it. ATSDR notes that petroleum is released to the environment through accidents, releases from industries or as byproducts from commercial or private uses. It can float on water and form tin surface films. Heavier factions will accumulate in sediment. If released to soil, it may move through the soil to groundwater. Some petroleum compounds will evaporate into the air. Petroleum can be breathed from the air, ingested through food and liquids, and from direct dermal contact. Children playing in dirt may transfer petroleum products into their mouth, eyes or nose. Depending upon the concentration and length of exposure time, petroleum can affect the nervous system, cause irritation to the throat, stomach and nervous system, result in breathing difficulties and pneumonia if the product enters the lungs. Note: Petroleum products are sometimes mixed with pesticides as a carrier.

b. Financial Need

i) Use the table format below to provide demographic information about that community

Financial Need

The table below provides a variety of demographic and economic information about the community of Poplar as well as Roosevelt County, the State of Montana, and the Nation. This information helps to demonstrate the financial need for the proposed project and the need for the larger commercial redevelopment of the "Old Poplar Airport" site. Please note that the 2010 U.S. Census has only released general and not yet detailed demographic information for most Reservations.

Demographic Information

	Target Community - Census Tract (Poplar)	Fort Peck Indian Reservation Roosevelt County	State of Montana	National
Population	4371 with 3095 being American Indian[1]	9530 with 5481 being American Indian[2]	801,174[1]	311,591,919[1]
Unemployment	9.6% - County)[2]	12.4% (unemployed)[2] 57% for the Tribal membership[3]	5.2%[1]	10.3%[1]
Poverty Rate	24.3%[2]	31.7% [2] 59% for the Tribal membership[3]	14.8%[1]	15.9%[1]
Percent Minority	82.9%[2]	65.2%[2]	9.7%[1]	26.9%[1]
Per Capita	$16,545[2]	$15,548[2]	$23,893[1]	$26,708[1]

Income					
Median Household Income	$19,026[5]	18,500[6]	$37,451[5]	$43,872[5]	$49,445[3]
Service area population eligible for on-Reservation services		12,800[4] Actual Tribal Enrollment (11.20.12)			

[1]Data is from the 2010 U.S. Census data and is available at http://factfinder2.census.gov
[2] Data is from the 2006-2010 American Community Survey and is available at http://www.census.gov for Roosevelt County Montana
[3] 2009 BIA Labor Force Report
[4] Personnel Communication, 11/20/12 Jackie Weeks, Secretary Accountant Fort Peck Tribes
[5]Data is from the 2006-2010 American Community Survey *Selected Economic Characteristics: 5-Year Estimates*
[6] Data is from American Indian Health Profile compiled in 2008 and is available at http://leg.mt.gov/content/Committees/Interim/2009_2010/State_Tribal_Relations/Publications%20-%20other%20readings/Fort%20Peck%20CHP.pdf

There are a number of economic factors that negatively affect the quality of life of the Fort Peck Tribal residents and are described in the following paragraphs.

- Per Capital income is two thirds of the state value.
- Unemployment for Tribal members is over 5 times higher than the state rate
- Poverty rate for Tribal members is 4 times higher than entire state rate and the nation.

Based on the statistics provided in the table above, while unemployment is several percentage points above the state's rate, the per capita income and poverty rates are double the state's values. In addition, percentages of households receiving food stamps/SNAP program benefits are 28.8% of the Reservation while Montana has a food stamp/Snap program participation rate of 10.9%. This statistic indicates that while employed, many are working at jobs well below poverty level rates and need to supplement their incomes with food assistance.

During the past 18 months, the Tribes have received a FEMA Emergency Declaration FEMA-1996-DR, Montana for Flooding on the Missouri river in April 2011. In addition to flooding, the Reservation periodically suffers from other disasters including severe summer and winter storms and wildfires.

The Fort Peck Tribes closed its main defense contracting business in 2008 due to the Tribes inability to compete with lower cost labor, raw material, and technical advances required by the industry. The business made medical chests for the Department of Defense. At its height the business employed over 300 people in semi-skilled jobs.

The Fort Peck Tribes have struggled with high unemployment and the social effects of it since the Reservation was established. The Tribes allocate a large percentage of the budget to

social/welfare services for the 12,800 members including the construction of a new corrections facility and wellness facility. Staffing of these facilities requires tribal contributions solely through the funds the Tribe generates leasing of its natural resources and revenue share agreements with the State of Montana.

Information from *Demographic Chartbook: Profiling Change* in the Great Plains reports the economic consequence of out-migration of the Great Plains, where the Fort Peck Reservation is located, is compelling. It notes the highest concentration of impoverished youth both in the Great Plains and the United States in general tend to be among Native American Reservations areas and also certain areas of the southern United States. It is also interesting to note rapid migrations in and out, which stresses resources and economic stability. Nearly 39% of the counties are farm dependent and 12% of the counties in the region have persistent poverty. The report states these are typically counties that include Native American Reservations.

2. Project Description and Feasibility of Success

a. Project Description

i) Describe the conditions of the existing property and the proposed or projected redevelopment including the potential site reuse. Describe previous activities to investigate, secure, stabilize, and clean up the site, if applicable.

In January 2011, a Phase II Analytical Results Report from the Superfund Technical Assessment and Response Team 3-Region 8 (START) was prepared for the U.S. Environmental Protection Agency. Among START's objectives was to "develop sufficient data about any identified environmental contamination at the Poplar Airport and determine potential cleanup options and estimated costs." Several issues arose during this assessment. The most minor of which is the presence of lead based paint on an old schoolhouse located on the property. The majority of the paint has fallen off the building and onto the immediately surrounding soil. It is believed that excavating six inches of topsoil from the area surrounding the building, approximately 20 cubic yards of soil would solve the problem. Following this, new soil tests to confirm soil quality and fresh soil to fill in the area would solve the problem.

The greatest amount of contamination is the comingled petroleum and pesticide soils. The petroleum content resulted from years of accidental minor oil and gas spills while servicing airplanes present another issue that must be resolved. There are areas that once contained underground storage tanks that must be restored as well as areas that have become contaminated through the use of petroleum to service airplanes and vehicles on the property that occasionally spilled. To solve this problem, START estimates that removing approximately 445 cubic yards of soil from a 50 by 20 foot area would be sufficient. In the past, the operator of the former Airport worked with Montana Department of Environmental Quality (DEQ) and US Environmental Protection Agency (EPA) Region 8 to mitigate fuel storage tank issues.

The source of pesticide contaminated soils is related to crop dusting operations that go back to 1944. Since northeast Montana is largely farm country, many farmers used small airplanes to spread pesticides on their crops. Surface spills of these pesticides were inevitable. Petroleum products were often mixed with pesticides in the past as a carrier and such aerial operations often

flushed out the pesticide tanks at the refueling sites causing comingling of the contaminants. Complicating this clean-up is the fact that some of these spills took place on the asphalt, which has deteriorated over time and must be removed at added expense. Dieldrin (related to Aldrin), a particularly dangerous pesticide that has been banned since 1987, was identified in the soil and it is imperative that this be removed as exposure may cause birth defects, kidney disease, and cancer. The asphalt area is approximately 300 by 150 feet, which would all need to be removed along with the top twelve inches of soil. This means that the total volume to be removed is approximately 1,705 cubic yards. Additionally, it will be necessary to remove approximately 833 cubic yards of asphalt to reach some of comingled Dieldrin and petroleum soil.

Discussions were held with Montana DEQ on which landfills were certified to accept the contamination and if it would be more economical to try and separate some of the petroleum soil from the Dieldrin soil. It was felt that the additional labor time and sampling costs of identifying pure petroleum soil would not be cost effective and instead to deposit all of the petroleum and Dieldrin soils as comingled. The Phase II Report figured that all soils could be deposited at a landfill approximately 15 miles away, but Montana DEQ is requiring the Dieldrin and comingled petroleum be transported to a hazardous landfill approximately 125 miles away. The lead can be disposed in a closer landfill, but is the least amount of contamination.

Major Economic Redevelopment Opportunity for the Tribes

The City of Poplar and Fort Peck Reservation has suffered over the years from economic development due to its rural location in the nation and also the state. It also has been negatively affected from the current difficult national economy. A bright light has been oil and gas development, which is projected to rapidly increase over the next several years. After receiving a Rural Business Opportunity Grant from the United States Department of Agriculture in 2009, the Tribes created a Master Plan for the former 70-acre Airport, which is situated on the east edge of Poplar, the Community where the majority of Tribal administrative services are located. The Tribe decided not to renew the lease to the City and County for the airport and instead create areas on the former Airport for commercial ventures, housing and open space, all of which are reflected in the Master Plan. Other communities outside of the Reservation will be increasing development to compete for the oil & gas industry business as well so the Tribal project needs to proceed soon to be competitive. The Tribal Council has asked the Fort Peck Assiniboine and Sioux Office of Environmental Protection including the Brownfields Tribal Response Program to assist with assessing the property and identifying funding to clean up the site so redevelopment can occur. By bringing housing and commercial development right to the edge of town along the state highway that runs through the City of Poplar and the Reservation, the City of Poplar may be rejuvenated offering jobs and opportunity for its residents. The cleanup will allow the risk of exposure to be greatly reduced for residents of the new housing units and also for existing housing that borders the airport property.

Follow-up activities may include working with the Community and Tribal entities involved with the redevelopment process to provide technical assistance in relation to residual contamination and/or any required Institutional Controls, either temporary or permanent, due to not being able to remove all of the contamination. This may also include outreach activities to educate the

Community and other entities on issues associated to the contamination and the cleanup processes that were used.

ii) Describe the proposed cleanup plan, including, if applicable, specific engineering and institutional controls (e.g., planned restrictions on property use).

The Fort Peck Office of Environmental Protection will work with the hired, qualified contractor and develop a Cleanup Plan that will be submitted to EPA Region 8 Montana Office for approval. It will include at a minimum, a summary of Phase II Environmental Site Assessment; documentation of the Public Record; management and coordination structure; Analysis of Brownfields Cleanup Alternatives (ABCA) options; Community Relations Plan; documentation of compliance with Federal/Tribal Procurement and response regulations; procedures for maintaining an Administrative Record; contractor's Scope-of-Work for remediating the site; and costs for activities related to remediation and/or disposal of the asbestos, lead-based paint, trash, and any other contaminants. Prior to any confirmation sampling activities, a QAPP will be submitted to EPA Region 8 for approval. The contractor will work in coordination with the Fort Peck Office of Environmental Protection and EPA Region 8 Montana Office to assure that OSHA, EPA, Tribal, and other response and cleanup procedures will be followed. Technical assistance and coordination will also be sought from the Tribal Sanitation Officer, TERO, Tribal Reservation Roads, Montana DEQ and EPA. It is hoped that all contamination will be cleaned up so no Institutional Controls will be necessary. This information will be documented in the Tribal Brownfields Response Program Public Record and noted in official meetings with the Tribal Council, Natural Resources and Land Committee, Economic Development Committee and BIA Realty Office.

b. Budget for EPA Funding, Tracking and Measuring Progress, and Leveraging Other Resources

i) Budget

The budget table below shows the costs (by budget category) associated with each task that will be completed as part of the proposed project. The tasks related to hazardous substance cleanup/sampling and petroleum contamination cleanup/sampling are noted as two separate line items within the budget table.

	Project Tasks						
Budget Categories	Develop Cleanup Plan	Conduct Cleanup	Develop and Implement Community Involv. Plan	Confirma-tion Sampling and ICs	Reports	Follow-up Activities	Total
Personnel	Leveraged from the Tribal Brownfields Program						
Fringe							
Travel							
Equipment	0	0	0	0	0	0	0
Supplies	Leveraged from the Tribal Brownfields Program						
Contractual	3,000	187,000	0	10,000	0	0	200,000

Cost Share (from IIR)	0	21,870	0	0	0	0	21,870
Cost Share (portion - Envir. Dir. Salary)	2,000	11,068	2,000	1,000	2,000	2,000	20,068
Total	**5,000**	**219,938**	**2,000**	**11,000**	**2,000**	**2,000**	**241,938**

Task 1 - Development Cleanup Plan: A cleanup contractor meeting Tribal and Federal qualifications will be hired through the RFP procurement process. The contractor will work with the Brownfields Tribal Response Program Coordinator and Office of Environmental Protection Director and develop a Cleanup Plan that will be submitted to EPA Region 8 Montana Office for approval. It will include at a minimum, a summary of Phase II Environmental Site Assessment; documentation of the Public Record; management and coordination structure; risk assessment/cost analysis of cleanup options; Community Relations Plan; documentation of compliance with Federal/Tribal Procurement and response regulations; procedures for maintaining an Administrative Record; and contractor's Scope-of-Work for remediating the site.

Task 2 – Conduct Cleanup:_Costs for activities related to remediation and/or disposal of the asbestos, lead-based paint, trash, and any other contaminants. Prior to any confirmation sampling activities, a QAPP will be submitted to EPA Region 8 Montana Office for approval. The contractor will work in coordination with the Brownfields Tribal Response Program Coordinator and Office of Environmental Protection Director and EPA Region 8 Montana Office to assure that Tribal, OSHA, EPA, MTDEQ, and other response and cleanup procedures will be followed. Technical assistance and coordination will also be sought from the Tribal Sanitation Officer, TERO, Tribal Reservation Roads, Montana DEQ and EPA.

Task 3 – Develop and Implement a Community Involvement Plan: The Brownfields Tribal Response Program's Coordinator in coordination with the Office of Environmental Protection Director will develop a Community Involvement Plan that will document meetings and other outreach procedures that will inform, gather input, and provide responses to the public. Outreach procedures will also be conducted to educated residents and people in the area of safety precautions to be taken during the cleanup.

Task 4 – Conduct Confirmation Sampling and Any Necessary Document Institutional Controls:_The hired contractor will submit a QAAP to be approved by the Tribes and EPA to conduct confirmations sampling procedures and verify that the site was cleaned up. The information will be documented with the Tribal Council, Natural Resources and Land Committee, Economic Development Committee and BIA Realty Office.

Task 5 – Reports: The hired contractor will provide progress and final reports on the cleanup. The Brownfields Tribal Response Program will complete and submit the grant progress, final and other types of reporting required by EPA. Information on the cleanup will be added to the EPA ACRES database.

Task 6 - Follow-up Activities: The Tribal Brownfields Program in coordination with the Environmental Programs Director will work with the Community and Tribal Programs that will be involved with redevelopment. This may include assisting with redevelopment planning as it relates to any residual environmental contamination and/or Institutional Controls and distribution and explanation of the cleanup activities and Final Report.

Personnel, Fringe: The costs for these services will be leveraged from the Brownfields Tribal Response Program Coordinator.
Travel: Costs to travel to meetings, public outreach activities and any necessary training will be leveraged from the Brownfields Tribal Response Program.
Supplies: Costs for developing outreach materials, setting up meetings, printing and distributing reports; mailing costs will be leveraged under the Brownfields Tribal Response Program.
Contractual: A certified contractor will be hired in accordance with Tribal TERO procedures (which also meet 40 CFR 31.36 Procurement procedures). The contractor, in coordination with the Tribal Environmental Department and EPA Region 8 will be responsible for assisting with development of a Cleanup Plan and confirmation sampling QAPP; conducting the cleanup and proper disposal; securing clean fill dirt; providing a final grade and seeding; providing information for progress reports and outreach activities; and writing a final report. Tribal, OSHA, EPA, and other response and cleanup procedures will be followed.

Contractual Cleanup Task	Cost
Removal of 20 cu yds lead-based soil, transport and disposal	6,000
Removal of 833 cu yds of asphalt to reach some of comingled Dieldrin and petroleum soil, transport and disposal	23,500
Removal of 2150 cu yds of comingled Dieldrin and petroleum soil, transport and disposal	82,200
Confirmation samples for 22 Dieldrin/petro and 4 Lead samples	68,000
Clean fill	58,000
Grade and seed	4,238
Total	**241,938**

Cost Share: The cost-share will be provided by Indian Reservation Roads ($21,870) and from the Salary and Fringe from of the Director of Office of Environmental Programs ($20,068) for a total of $41,938. Details are provided below:

The Indian Reservation Roads (IRR) Department of the Fort Peck Assiniboine and Sioux Tribes is pleased that the Office of Environmental Protection is applying for a Brownfields Cleanup Grant to remove contamination and make way for redevelopment at the Old Poplar Airport.

The IRR estimates it can provide support in the following areas based upon 2-day contribution:

Equipment	Equipment Costs	O&M Costs	Hours	Potential Contribution
Front End Loader	$125/hr	$200/hr	16	$ 5,200
2 Dump trucks	$180/hr ($90/hr each)	$200/hr ($100/hr each)	16	$ 6,080
Truck and Trailer	$110/hr	$125/hr (transport)	16	$ 3,760
Back Hoe	$80/hr	$150/hr	16	$ 3,680
Disposal Bin, if needed	$375 up to 4.5 tons, $50/ton after that		NA	$ 750
Belly Dump, if needed	$150/hr		16	$ 2,400
			Total Potential Contribution	**$21,870**

Additionally, the Director of the Office of Environmental Programs will contribute a cost-share match of 370 hours of salary (including fringe) towards the cleanup of the Old Poplar Airport. The salary is funded by the Fort Peck Assiniboine and Sioux Tribes and not by Federal funds. The rate (including fringe) calculates at $54.24/hour x 370 hours = **$20,068.80**.

ii) Describe your plan for tracking and measuring your progress towards achieving the expected short-term and long-term project outcomes and outputs.

The Brownfields Tribal Response Program Coordinator will be responsible for tracking and measuring the progress. The Coordinator will develop a Work Plan with the EPA Project Manager that will include outcomes and outputs and all tasks to be completed under the grant. Quarterly reports will be submitted to EPA, which will provide sequential progress under the tasks of the grant. After the cleanup is finished, the contractor will be required to conduct confirmation sampling to assure the cleanup is complete. The Brownfields staff will then write a letter summarizing the cleanup noting if any Institutional Controls will be necessary and provide copies to Tribal Council, Natural Resources Department and Tribal Realty for documentation on property reuses and transfers. Because the Tribal Brownfields Response Program Coordinator will be overseeing the grant activities, he will continue to follow the progress and redevelopment interests and also report these activities under the Tribal Response Program 128(a) grant progress reports, which will continue beyond the life of the Brownfields Cleanup grant. It has been the pattern of EPA Region 8 and its Montana Office to create success story flyers on the projects and provide assistance for the Tribes to develop PowerPoint presentations that can be presented at local District meetings, at Tribal Council and Administration meetings, to other Tribal Programs, at Brownfields workshops. This is an excellent way to promote the successes and gain support for future projects.

Examples of Outputs and Outcomes may include the following:

Outputs	**Outcomes**
Number of cleanup plans developed	Increased ability of Tribes to conduct efficient and effective cleanup
Number of sites cleaned up	Increased ability of Tribes to reuse site that is protective of health and the environment
Number of contaminants removed	Decrease in threat to health and the environment
Number of materials recycled	Increase savings in cleanup and reduction in debris going to landfill
Number of institutional controls implemented	Increased ability for Tribes to control reuse of site
Number of partners enlisted	Increased ability for Tribes to complete project, provide environmental education and save on costs
Number of sites redeveloped/reused	Increased benefits derived from reuse of site
Number of jobs created	Increased benefits for individuals
Number of reports submitted	Increased ability to meet grant requirements and track progress

iii) Leveraging

Personnel, Fringe: The costs for these services will be leveraged from the Brownfields Tribal Response Program Coordinator, who will manage all of the activities. He will issue an RFP, select and write an Agreement with a certified contractor in coordination with TERO; make public announcements; set-up and present public meetings to inform the community and gather input; develop status reports and keep the Tribal Council/Administration and other Tribal Programs informed; develop a Cleanup Plan; review confirmation sampling QAPP; oversee contractor's work and keep a detailed log, pictures, etc of the cleanup; submit internal and EPA reports; update the ACRES database.

Travel: Costs to travel to meetings, public outreach activities and any necessary training will be leveraged from the Brownfields Tribal Response Program.

Supplies – Costs for developing outreach materials, setting up meetings, printing and distributing reports; mailing costs will be leveraged under the Brownfields Tribal Response Program.

c. Programmatic Capability and Past Performance

i) Programmatic Capability

Established in 1981 by the Fort Peck Assiniboine & Sioux Tribal Executive Board, the Office of Environmental Protection (OEP) has grown substantially in size and scope since its inception. Originally, OEP was under the direction of the Tribes' Planning District Office as part of the effort to designate the Tribes' airshed from Class II status to Class I. An Air Quality Monitoring program was instituted after the designation was approved by the U. S. EPA. A Director, Air Quality Scientist and Bookkeeper were hired as the first OEP employees.

Today, OEP has six Programs which are responsible for a number of environmental tasks and projects. Monitoring, compliance assistance, regulatory and enforcement activities comprise the bulk of the work plans for twelve full time staff. As a result of OEP's efforts, the Fort Peck Tribes have enjoyed a number of firsts such as the first Tribe in the Region to implement a Non-Point Source Program; the first in the Region to obtain Treatment as States for numerous water quality, safe drinking water, and air quality programs; and one of the first Tribes in the country to have federally approved water quality standards.

Below is a list of the OEP Programs funded by U.S. EPA grant and their major achievements:

- Air Quality (1982 to present) - Redesigned airshed to Class I in 1984. Maintained monitoring and assessment of the airshed since that time. Developing minor source program for the Reservation.
- Water Quality 106 (1989 to present) – Developed approved water quality standards including biological standards; second Tribe in EPA Region 8 to attain this status. Baseline of data is collected at 32 designated sites across the Reservation along the seven major drainages. Developing a comprehensive wetlands study with a goal of protecting, managing and

restoring wetlands on the Reservation. Developing an Aquatic Lands Ordinance. Provides technical assistance and training to other Tribes.

- UIC (Underground Injection Control) (Development funds 1992-1996) - Fort Peck approved for UIC primacy in 2008 and have been regulating UIC activities since that time, first Tribe in the Country to achieve this status.
- Non- Point Source- (1993 to present) – Created approved Management and Assessment Plan for Non-Point Source on the Reservation. Implemented 3 separate projects. First Tribe in the Region to achieve this status.
- General Assistance Program (GAP) (1995 to present) – Provides training to build capacity of Office of Environmental Protection and assists with various Environmental Program projects.
- UST (1998 to present) – Established Best Management Practices, compliance, monitoring and tracking.
- Pesticide Inspector FIFRA (2002 to present) – Train and maintain a credentialed Inspector.
- Brownfields Tribal Response Program (2003 to present) – Established a Public Record, made progress on the required Four Elements (Brownfields Inventory, Oversight and Enforcement, Public Outreach, Cleanup Panning and Verification), conducted several Phase I and Phase II Site Assessments, provided oversight on several cleanups, conducts environmental enforcement actions, participated in educational outreach activities/events.
- LUST (2006 to present) - Established Best Management Practices, compliance, monitoring, cleanups and tracking.

ii) Adverse Audits - The Fort Peck Assiniboine and Sioux Tribes Environmental Programs have not experience any adverse audit findings.

iii) Past Performance

1. Currently or Has Ever Received an EPA Brownfields Grant

Since 2005, the Fort peck Assiniboine and Sioux Tribes have annually received an EPA 128(a) Brownfields Tribal Response Program Grant. The person hired for the Brownfields Coordinator's position has received numerous trainings such as OSHA-40 Hour Hazwoper, UST, conducting Phase I and Phase II Site Inspections, Inspectors training, meth lab response, enforcement training and regularly attends Region 8 and national Brownfields Workshops. A Public Record was established, which is on the Tribal website and Facebook; and progress has been made on the Four Elements. The Reservation was surveyed and sites have been entered into the Brownfields Inventory Tool (BIT) database including numerous abandoned houses, other abandoned structures, illegal dumps and 76 oil and gas wells. Of these properties, twenty-four sites have been prioritized for assessments and cleanups. Six have received Phase I Environmental Site Assessments followed by Phase II Assessment for five of the sites. Assessment information has been entered into EPA's ACRES database. As part of the Oversight and Enforcement Procedures, Codes have been developed and are enforced by the Brownfields

Coordinator in coordination with other Programs. Inspections are systematically conducted for 76 oil and gas wells. The Coordinator participates on the County Drug Task Force and provides oversight on the cleanup of meth labs; and has also provided oversight on several cleanups conducted by other Tribal Programs. Spill response and detection of illegal drums/containers is coordinated with responders. Recent enforcement of junk car violations was coordinated with Tribal Housing. The Coordinator also enforces violations of open dumps and tarp requirements; and issues burn permits. The Coordinator participates in Earth Day, Career Day, school functions, and other projects such as the recycling "paint exchange". Brownfields and environmental education information is distributed at the events and also through various media. A process to conduct confirmation sampling and verify that the cleanup was completed with documentation on Institutional Controls has been developed by the Coordinator.

or

2. Has Not Received an EPA Brownfields Grant but has received other federal or non-federal assistance agreements • NA

3. Community Engagement and Partnerships

a. Discuss your plan for involving the affected community

A public meeting was held on November 16, 2012 to gather input from the Community. Flyers announcing the meeting were posted in public locations in the Community. An ad was also placed in the local paper and Flyers announcing the meeting were posted in public locations throughout the Community. During the meeting, discussion centered on the type of contamination, the proposed cleanup process and safety measures to be implemented, an Analysis of Brownfields Cleanup Alternatives (ABCA), costs, and a timeline. Attendee's names were recorded on a Sign-In sheet. Minutes, plus questions and responses were also documented. A draft Brownfields Cleanup grant proposal was available for review and could also be obtained from the Brownfields Office. (See Attachment 3 for documentation of the Public Meeting)

Because Poplar is the where the Tribal Administrative Offices are located, updates on the status of the cleanup will be provided at Tribal Council public meetings and also at Program Department meetings. If need arises, we can also schedule special meetings to keep the stakeholders and public informed. Because a Master Plan has already been developed for the former Airport, Tribal Administration and other Programs are already actively engaged and will follow our progress. It is expected the media, especially the newspaper and radio, will publish/announce the status of the cleanup. A project specific Community Involvement Plan will be developed as part of the Work Plan if we are fortunate enough to receive the Brownfields Grant. It will include internal Tribal Program procedures for involving the public as well as EPA requirements. As part of the Brownfields Tribal Response Program, we have been continually refining interactions with the public under one of the grant Elements, *Provide Meaningful Public Outreach*. A Public Meeting will be held as least two weeks prior to the cleanup to explain procedures and safety measures, and answer any questions. The Tribal radio station and local paper will also be used to distribute information on the status of the cleanup. Flyers can also be posted in public locations. Although some Tribal residents can speak their native language, English is their main language and communication issues are not expected.

b. Describe your current efforts and/or plans to develop partnerships with the following entities including a description of the role they would play to ensure your brownfields project is successful: ***(See Attachment 2 for Support letters from Community Partners listed below)***

i) your local/state/tribal environmental and health agencies;

Tribal Sanitarian – The Tribal Sanitarian shares a concern in protecting the health and well-being of the residents of the Fort Peck Reservation. Prior to the cleanup, he can provide technical advice on proposed cleanup procedures and process to protect the health of the public and the workers. He can also be available during the cleanup to provide technical advice and guidance on the work being conducted; and after the cleanup to help assure that all contamination and hazards are removed. Dennis Four Bear (406) 768-3491

Fort Peck Tribes Office of Environmental Protection – The Director of OEP provided a cost-share letter documenting a portion of her salary and fringe towards the projects. She will be providing supervisory oversight on all of the cleanup activities. Director, Deb Madison. (406) 768-2300

Fort Peck Tribes Health Promotion Disease Prevention Program – The Fort Peck Tribal (Poplar) Health and Wellness Center is scheduled to be built as part of the redevelopment Master Plan for the former Poplar Airport. The Center will be built during the first phase of site redevelopment. It will offer a wide variety of preventative healthcare and wellness services, including: 1) medical/physician extension services; 2) dental hygiene services; 3) nutrition and diabetes counseling; 4) physical therapy; 5) mental health and substance abuse counseling; 6) social work services; and 7) fitness/sports/recreation/wellness education opportunities. The Center believes this is just the type of facility necessary to help improve the lives and futures of our local youth and is anxious for the site to be cleaned up. Without mitigation of the contamination, the construction of the Wellness Center will be delayed and probably not have the advantages of being located in a convenient location near community services. The Center can assist as an active participant in the redevelopment projects and help assure EPA's Brownfields effort – to protect human health and the environment, sustain reuse/redevelopment of real estate, promotion of partnerships and strengthening of the marketplace and long term community viability. Health Programs Specialist Ken Smoker, Jr. (406) 768-3085

ii) other relevant federal and state governmental agencies;

Indian Reservation Roads (IRR) – IRR provided a cost-share letter documenting heavy equipment and its costs towards the cleanup of the project. Director, Cleo Hamilton, Director (406) 768-3208

Tribal Employment Rights Organization (TERO) – TERO will approve contractor(s), negotiates compliance plans, and enforces Indian Preference for the cleanup. Director Kevi Buckles (406) 768-2460

Tribal Resolution – Attached is a Tribal Resolution supporting the submission of this Brownfields Cleanup Grant for the Old Poplar Airport. (See Attachment 2, Support Letters)

EPA and IHS - As with our Tribal Response Program grant, regular coordination will occur with the EPA Region 8 Project Manager in developing a Workplan, Cleanup Plan and submission of Progress Reports and other work products. We also regularly interact with IHS Circuit Riders who assist with the Brownfields and Solid Waste Programs. EPA and the Circuit Riders can help with writing RFPs and Agreements, provide technical assistance through all the cleanup stages, review reports, and help with developing flyers and PowerPoint success stories. They can also review progress to make sure we are addressing required and allowable Tasks.

iii) any local environmental job training program, which may include a brownfields job training grantee.
There are no local environmental job training programs that include a Brownfields Job Training grantee.

c. Provide a description of, and the role of, the key community-based organizations involved in your project.

Fort Peck Boys & Girls Club - The removal of contamination will provide a safer environment for youth and adults who currently walk across the site to the nearby housing. The Club can assist with educational outreach activities and serve on an advisory board. Chief Professional Officer Jeanette Charboneau (406) 653-2020

Fort Peck Community College – The College is supportive of the cleanup of the Airport so the proposed Wellness Center can be built. The College has not been able to provide the service due to space limitations. Wellness Centers have provided opportunities for 30,000+ visits a year for members of the Fort Peck Reservation in supporting the philosophy of health, physical fitness, and spirituality that is paramount in American Indian heritage. Community Services Assistant Director (406) 768-6300

4. Project Benefits (20 points).

a. Welfare and/or Public Health
By mitigating and removing the building, an environmental, health and safety hazard will be eliminated from the community and the site will be ready for redevelopment. A qualified contractor will be hired to conduct the removal and will use safety procedures established under Laws, Regulations and Standards. Depending upon the recommendations of the contractor, people may be asked to leave the area for a while. The contractor will be required to submit a Cleanup Plan, Health and Safety Plan and Site Security Plan and receive approval before starting the cleanup. Confirmation sampling procedures will be conducted by the contractor after the cleanup is completed to be sure that the contaminants are removed or appropriately dealt with. The Brownfields Coordinator who has received 40-Hour OSHA training will provide oversight on the contractor during the cleanup. The cleanup will allow the risk of exposure to be greatly reduced for the new housing and also for existing housing that borders the airport property.

b. Economic Benefits and/or Greenspace. Explain how the grant will produce:

i) Economic benefits

Future redevelopment phases of the 70-acre Airport are expected to include the construction of housing, a wellness center, new commercial space, a hotel, a truck stop, a casino, a restaurant, and office buildings. Various elements of the redevelopment project are expected to create approximately 250 new jobs in our impoverished community. These jobs will help to significantly decrease unemployment and increase median household incomes within our region. This in turn, will directly benefit the 51.2 percent of children under the age of 18 in Poplar who live below the poverty line. In the redevelopment Master Plan, the parcel nearest US Highway 2 is envisioned as the commercial area of the site. This is because of easy accessibility for travelers, tourist, commuters to and from the oil fields. A hotel in the area has been proposed and feasibility study is being conducted.

ii) Other non-economic benefits associated with the site to be reused for greenspace or other not-for-profit activities.

Currently, people who live in the nearby housing areas often walk across the former Airport to travel to work, attend school or seek community services. Many people on the Reservation do not have vehicles and would benefit from walking/biking paths that traverse the property. Additionally, the Wellness Center could benefit from an outdoor exercise area. It is important that the contamination be mitigated to allow recreational options for the health and welfare of people who will frequent the site. People living in the housing units that will be constructed on the site need the assurance that contamination will not affect their health and especially young children who will spend time playing outside. The property should also be safe for pets and other animals.

c. Environmental Benefits from Infrastructure Reuse/Sustainable Reuse [5 Points]

One advantage of reusing this site is saving on costs because the utility infrastructure is already in-place. A major highway runs through the Reservation and along the property. The highway is one of the roads plowed first during snowstorms resulting in better access. A driveway leads to the site. Water, sewer and electrical lines are on the site. The asphalt may possibly be recycled and Montana DEQ will evaluate if the lead soil can be used for daily cover reducing wastes going into the landfills. As new buildings are designed and constructed, green concepts such as solar, green roofs and other energy saving features will be encouraged.

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ATTACHMENTS

Attachment 1: Threshold Criteria

1. **Applicant Eligibility**
   a. Eligible Entity - The Fort Peck Assiniboine and Sioux Tribes are eligible to apply for FY13 US EPA Brownfields Cleanup Grant as a federally recognized Tribal entity and Reservation.
   b. Site Ownership – Fort Peck Assiniboine and Sioux Tribes affirm that the "Old Poplar Airport Site" is within the Fort Peck Tribal Reservation as part of its federal Trust Lands and that Fort Peck Tribes has full site control.

2. **Letter from the State or Tribal Environmental Authority** – The Fort Peck Office of Environmental Protection (OEP), Brownfields Program is the Tribal authority applying for this grant and is not required to submit a letter. Even so, a Tribal Resolution supporting the submission of this grant is attached as well as a Support Cost-Share letter from the OEP Director. **(See Attachment 3 for Tribal Resolution and OEP Cost-Share Letters)**

3. **Site Eligibility and Property Ownership Eligibility**
   If the site is a hazardous substances site, please respond to items a–h. If the site is a petroleum site, please respond to items a–e and i, including the requirement to provide a petroleum determination letter. If the site is commingled hazardous substance and petroleum, the applicant must determine whether the predominant contaminant is petroleum or hazardous substances, and respond to the corresponding items (as noted above). If applicants are applying for petroleum and hazardous substances funding at the same site, and the hazardous substance and petroleum contaminated areas of the site are distinguishable, the proposal must respond to items a – i, including the requirement to provide a petroleum determination letter. Refer to III.B, *Site Eligibility*, when responding to this section

   Site Eligibility:
   a. **Basic Site Information**. The site is the "Old Poplar Airport", located at 128 Airport Road, Poplar, Montana 59255; approximately 0.25 miles northeast of the city limits of Poplar, Roosevelt County, Montana. It is north of U.S. Highway 2, directly east of Dark Road and the Bureau of Indian Affairs (BIA) equipment storage and maintenance area. The site is located in Section 6, T. 27 N., R. 51 E. The latitude is 48.115701 and the longitude is -105.184371. The owner of the site if Fort Peck Assiniboine & Sioux Tribes. The site is located on Tribal Trust Land.

   b. **Status and History of Contamination at the Site**. Soil at the site is contaminated by the pesticide Dieldrin, lead-based paint and petroleum. All of these contaminants are in close proximity of each other, especially the Dieldrin and petroleum, which are comingled.

      Starting in approximately 1944, local farmers used the old airport site for fueling, loading crop dusting fertilizers, herbicides, and pesticides, and storing small crop-dusting planes.

From 1964 to 2010, the Fort Peck Assiniboine and Sioux Tribes leased the land to the City of Poplar and County of Roosevelt for building, maintaining, and operating the Poplar Airport. Since the expiration of that lease, the site sits largely unused although a portion on the far west end of the parcel is currently being used for storage by the Fort Peck Tribes Indian Reservation Roads (IRR) Department.

A Phase I Environmental Site Assessment was completed in October 2006 by the Fort Peck Office of Environmental Protection in coordination with the IHS and EPA Region 8 Montana Office. The assessment revealed the following recognized environmental conditions in connection with the property:

CERCLA Hazardous Substances – Potential Herbicides of Salvo, MCP 4 Easter, Mirage Plus, 2, 4-D, Atrazine, Glyphosate (Roundup); Insecticide DDT; poison Parathion 8EC; and miscellaneous oils, cleaning solvents, and lubricants.

Petroleum/Petroleum Products – Potential petroleum products that include gasoline and 100 Low-Lead aviation fuel, and 80-Octane fuel; unknown in relation to gasoline and diesel from Larry`s Conoco; and unknown in relation to the adjoining BIA and dump properties.

The *Phase II Analytical Results Report* was completed by the United States Environmental Protection Agency's Superfund Technical Assessment and Response Team 3-Region 8 (START 3) in January, 2011. Several issues arose during the assessment. The pesticide Dieldrin was detected in a concentration above the EPA RSL (Regional Screening Levels) for residential soils at one surface sample soil location and just under the RSL at a second soil sample location. In addition, two of the four subsurface soil samples collected from the bottom of the excavation where the two Underground Storage Tanks (USTs) that were removed in 1990 exceeded the MDEQ Tier I Risk Based Screening Level regulatory standard. Finally, Lead-Based Paint (LBP) was identified on the exterior surfaces of the former schoolhouse; much of which had been delaminated from the wood and deposited on the surface soil surrounding the building.

c. **Sites Ineligible for Funding.** Fort Peck Tribes affirm that the site is (a) not listed or proposed for listing on the National Priorities List; (b) not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and (c) not subject to the jurisdiction, custody, or control of the United States government. We also affirm that the site is part of the FPT trust lands and is therefore eligible for brownfields cleanup.

d. **Sites Requiring a Property-Specific Determination.** The subject property does not require a site-specific determination.

e. **Environmental Assessment Required for Cleanup Proposals.**
A Phase I Environmental Site Assessment was completed in October, 2006, as described above.

A *Phase II Analytical Results Report* was completed by the United States Environmental Protection Agency's Superfund Technical Assessment and Response Team 3-Region 8 (START 3) in January, 2011. Phase II report included detailed descriptions of sampling and testing at EPA-selected laboratories and recommendations for remediation.

f. **CERCLA §107 Liability.** We affirm that Fort Peck Tribes is not potentially liable for contamination at the site under CERCLA §107 as innocent landowner having recently regained control of the property after more than 40 years of being leased to City of Poplar and Roosevelt County. In addition, EPA has not considered Tribes to be liable as PRPs under CERCLA and, therefore, we are not subject to the statutory prohibition.
The site contamination from crop dusting occurred long ago after WWII when it is not known how the chemicals were handled; however, today all are appropriately stored and otherwise cared for. The boarded up schoolhouse was so long abandoned that weathering is having a contaminating effect of the lead-based paint on the surrounding ground. Additionally, it was not known until recent years that lead-based paint would eventually become a hazard. The distinguishable area of the site where petroleum residue was found during the Phase II analysis once had underground storage tanks (not LUST) which other parties had removed and backfilled according to MDEQ and federal statute of the time.

g. **Enforcement or Other Actions.** The Tribes are seeking brownfields remediation funding in order to return the site to a fully usable property for future redevelopment. The eligible site will be fully remediated so that both commercial and residential development can take place. There are no liens on the property as it is Tribal Trust land. The Tribes are not aware of any ongoing or anticipated environmental enforcement or other actions related to the subject site.

h. **Information on Liability and Defenses/Protections**.

i) **Information on the Property Acquisition.** The property is part of the Fort Peck Reservation and Tribal Trust Lands of the federal government. The site was leased for over 40 years to local government in the State of Montana after which the lease was allowed to expire and the Tribes regained control of the site. Other than the leasing situation, the property is not newly acquired by the Tribe, but it is now once again in control of the property.

ii) **Timing and/or Contribution Toward Hazardous Substances Disposal.** The USTs on the site were disposed of while it was under the control of the Lessee. The removal site was backfilled. The Fort Peck Assiniboine and Sioux Tribes attest they have not contributed to any release of hazardous substances at the site. And they affirm that they have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

iii) **Pre-Purchase Inquiry.** The Tribes are unaware of any inquiries or previous ownership prior to the federal government of the United States when it was established under treaty as the home of the Fort Peck tribes. Prior to an aircraft site

for crop dusting around the time of WWII and the building of an old schoolhouse, the land was vacant.

Once contamination knowledge became known, two environmental assessments have been conducted for the Tribe. Phase I Environmental Assessment was completed by Wilfred Lambert of the Fort Peck Tribes Office of Environmental Protection in October 2006. The second assessment was conducted under contract with EPA START 3 Region 8 and completed in January 2011.

ASTM Phase I assessment was conducted for Fort Peck Tribes by the Tribal Office of Environmental Protection, Mr. Wilfred Lambert in coordination with the Indian Health Service (IHS), with two signatures of Environmental Professionals from the IHS (one as an employee of IHS and one as a contractor to IHS).

The Tribe was given Reservation Lands in 1871 under Treaty. The new Fort Peck Indian Agency was established in 1871 to serve the Assiniboine and Sioux Indians. The Agency was located within the old stockade of Fort Peck, purchased from traders Durfee and Peck. In 1878, the Fort Peck Agency was relocated to its present day location in Poplar because the original agency was located on a flood plain, suffering floods each spring.

If the property was acquired in If your original AAI investigation or Phase I environmental site assessment was conducted more than 180 days prior to the date you acquired the property, affirm that you conducted the appropriate updates in the original assessment within 180 days prior to your acquisition of the property in order to take advantage of the bona fide prospective purchaser, innocent landowner, or contiguous property owner provision.

Although the site is on Trust Land acquired in 1871 under Treaty, an ASTM Phase I Environmental Site Assessment was conducted in 2006, four years prior the buildings and use of the land being returned to the Tribe in 2010.

iv) Post-Acquisition Uses. Describe all uses to which the property has been put since you acquired ownership through the present, including any uses by persons or entities other than you. Please provide a timeline with the names of all current and prior users during the time of your ownership; the dates of all uses; the details of each use, including the rights or other reason pursuant to which the use was claimed or taken (e.g., lease, license, trespass); and your relationship to the current and prior users.

Below is a timeline for uses of the land:

- 1871 - Tribal Trust Land, undeveloped.
- 1871 to 1944 - Sometime during this period and more likely in the 1900's, the land was used for growing spring and winter small grain.

- 1944 - According to interviews, local farmers started using the land (260 acres) as an airport for about 20 Piper Cub airplanes used to spray farm crops. Chemical capacity was approximately 45 gallons requiring frequent reloading trips chemicals and fuel. When not in use, the airplanes were parked on the grassland/farm field and tanker trucks containing crop chemicals were also parked there.
- 1944 to1964 - Several individuals operated the airport. No records or interview information has been provided to date, that identifies the former operators of the airport except for Tracy O'Connor noting that a previous operator was Danny Fonse. (?spelling)
- January 21, 1964 - City of Poplar and County of Roosevelt leased airport property from the Tribes.
- Late 1960's – Runways were paved with asphalt.
- November 15, 1978 – Lease modified and acreage reduced from 260 acres to 69.09.
- 1970 to 2006 - Dallas O'Connor operated the airport.
- 1994 – Improvements were made to the airport (Blueprints dated May 1994) and 11,000 cubic yards of dirt are excavated, most likely from the drainage ditches along the runway and taxiway to cover the Old Poplar Refuse Disposal Area.
- Date that airport lease expired – This is unclear as original lease notes that the term for the lease will be 21 years so it would have expired in 1985, but also notes it will expire in on Dec. 31, 1988, and yet interviews said it expired 2004 or 2005. Some modifications are included with the lease documentation. (Attempts were made to identify further lease documentation, but were unsuccessful during the time-period of this report.) Although the lease has expired, the current operator continued to run the airport and crop dusting operations consistent with the expired lease until a new airport was built in 2010.

v) Continuing Obligations.2 Describe in detail the specific appropriate care that you exercised with respect to hazardous substances found at the site by taking reasonable steps3 to:
Stop any continuing releases;
Prevent any threatened future release; and
Prevent or limit exposure to any previously released hazardous substance.

During the period when the airport was leased to the City and County, Montana DEQ and EPA Region 8 responded to previous spills and UST/LUST spills and compliance procedures. They worked with the airport operator to mitigate the spills and take corrective actions. It appears the procedures were handled in appropriate manners for the time periods when they occurred. The Tribes wanted to make sure there was not remaining contamination and proceeded with Phase I and Phase II Environmental Site Assessments. Some residual contamination was identified and the Tribes are pursuing funding to mitigate it. Also, a small amount of lead-based paint was identified around the old school house. It was not known until recent years, that lead-based paint would become an environmental and health hazard. The contamination on-site is presently contained in the soil and could be more securely capped, but the Tribes want the option to redevelop the entire site without reuse restrictions and are taking action to identify

funding to resolve the situation. Montana DEQ studies show that it is unlikely the contamination would reach groundwater because natural attenuation takes place in the tight clay soils and prevents even the worst contamination plumes from migrating very far. The amount of contamination is not extensive, but transporting the comingled Dieldrin and petroleum contaminated soils to a hazardous landfill 125 miles away raises the costs of the project. If funding is not secured, the Tribe could more effectively cap the areas of concern, fence and post warning for the areas and/or remove part of the contamination.

The Fort Peck Assiniboine and Sioux Tribes commitment to:

Comply with all land-use restrictions and institutional controls;

Assist and cooperate with those performing the cleanup and provide access to the property;

Comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and

Provide all legally required notices.

i. **Petroleum Sites.** (Disregard this item if you do not have a petroleum site.) NA

Attachment 2: Letters of Support

Fort Peck Assiniboine and Sioux Tribes

Indian Reservation Roads (IRR)
Phone: (406) 768-3208 Fax: (406) 768-5773
P.O. Box 1027
Poplar, Montana 59255

Cleo Hamilton, Director
Lynn Bighorn
Arlene Small
Connie Thompson

November 29, 2012

Environmental Support Management, Inc.
Attn: Don West
8601 Georgia Avenue, Suite 500
Silver Springs, MD 20910
(301) 589-5318

Dear Mr. West:

The Indian Reservation Roads (IRR) Department of the Fort Peck Assiniboine and Sioux Tribes is pleased that the Office of Environmental Protection is applying for a Brownfields Cleanup Grant to remove contamination and make way for redevelopment at the Old Poplar Airport.

The IRR estimates it can provide support in the following areas based upon 2-day contribution:

Equipment	Equipment Costs	O&M Costs	Hours	Potential Contribution
Front End Loader	$125/hr	$200/hr	16	$ 5,200
2 Dump trucks	$180/hr ($90/hr each)	$200/hr ($100/hr each)	16	$ 6,080
Truck and Trailer	$110/hr	$125/hr (transport)	16	$ 3,760
Back Hoe	$80/hr	$150/hr	16	$ 3,680
Disposal Bin, if needed	$375 up to 4.5 tons, $50/ton after that		NA	$ 750
Belly Dump, if needed	$150/hr		16	$ 2,400
			Total Potential Contribution	$21,870

Sincerely,

Cleo Hamilton

Cleo Hamilton, Director
Indian Reservation Roads

FORT PECK TRIBES
Office of Environmental Protection

November 29, 2012

Environmental Support Management, Inc.
Attn: Don West
8601 Georgia Avenue, Suite 500
Silver Springs, MD 20910
(301) 589-5318

Dear Mr. West:

As the Director of the Fort Peck Office of Environmental Protection, I will be able to provide a cost-share match of 370 hours of my salary (including fringe) towards the cleanup of the Old Poplar Airport. My salary is funded by the Fort Peck Assiniboine and Sioux Tribes and not by Federal funds. My rate (including fringe) calculates at $54.24/hour x 370 hours = $20,068.80.

The Fort Peck Brownfields Program has conducted several environmental assessments over the past few years, with the most comprehensive being completed for the Old Poplar Airport. It is imperative to remove the contamination detected in the Phase II Environmental Assessment before the Tribe can redevelop the site. I will also be coordinating with the Fort Peck Brownfields Tribal Response Coordinator and providing supervisory oversight during the cleanup under my responsibilities as Director of the Office of Environmental Protection.

Sincerely,

Deb Madison, Director
Fort Peck Office of Environmental Protection

Poplar, Montana 59255 P.O. Box 1027 (406) 768-2300

Fort Peck Tribes

Fort Peck Tribal Employment Rights Office
Office of the Director

November 29, 2012

Environmental Support Management, Inc.
Attn: Don West
8601 Georgia Avenue, Suite 500
Silver Spring, MD 20910
(301) 589-5318

Dear Mr. West:

The Fort Peck Assiniboine and Sioux Tribal Employment Rights Office (TERO) would like to extend its support for the Tribal Brownfields Program in its pursuit of an EPA Brownfields Cleanup grant for the Old Poplar Airport.

Since one or more contractors will be hired to complete the environmental cleanup of the Old Poplar Airport, a fee of 3% of the contract will be required and paid to TERO to implement the following TERO procedures:

1) TERO manages the Tribal Employment Rights Ordinance that provides for Indian Preference in employment, contracting and subcontracting conducted on the Fort Peck Reservation.

2) TERO coordinates the Certification of Indian Contractors, Negotiates Employer Compliance Plans, Offers TERO Orientation, Apprenticeship Program, Cooperative Human Resource Agreements as well as providing for work-related training.

3) TERO also represents the local EEOC or Equal Employment Opportunity Commission.

Sincerely,

Kevin Buckles, Director
Fort Peck Assiniboine and Sioux Tribes TERO

Fort Peck Tribal Employment Rights Office
P.O. Box 1027 • Poplar, MT 59255 • Office: (406) 768-2460 • Fax: (406) 768-5823
www.fortpecktero.com

BOYS & GIRLS CLUB
OF THE FORT PECK RESERVATION

November 29, 2012

Environmental Support Management, Inc.
Attn: Don West
8601 Georgia Avenue, Suite 500
Silver Springs, MD 20910
(301) 589-5318

Dear Mr. West:

The Fort Peck Boys & Girls Club is pleased to provide this letter of support for the Fort Peck Tribes' FY2013 US EPA Brownfields Cleanup Grant application. The removal of hazardous substances and petroleum contamination at the "Old Poplar Airport" site, located approximately a quarter of a mile northeast of the city limits of Poplar, will clear the way for redevelopment of the 70-acre parcel.

Boys and Girls Club of the Fort Peck Reservation was established in **1992** to provide education to out-of-school youth, after school mentoring, at-risk children, pregnant or parenting teens. It has successfully managed numerous government and privately funded youth programs. The proposed project is a very aggressive attempt to provide meaningful mentoring service to our most needy youth on the reservation. The past success of our programs has depended tremendously on our collaborative relationship with local community partners, and we are once again depending on these partners and their expertise to help us deliver an effective, well managed mentoring program.

As we understand, the Poplar Wellness Center will be the first phase of site redevelopment. It will offer a wide variety of preventative healthcare and wellness services, including: 1) medical physician extension services; 2) dental hygiene services; 3) nutrition and diabetes counseling; 4) physical therapy; 5) mental health and substance abuse counseling; 6) social work services; and 7) fitness/sports/recreation/wellness education opportunities. We believe this is just the type of facility necessary to help improve the lives and futures of our local youth.

Future redevelopment phases are expected to include the construction of new commercial space, a hotel, a truck stop, a casino, a restaurant, and office buildings. Various elements of the redevelopment project are expected to create approximately 250 new jobs in our impoverished community. These jobs will help to significantly decrease unemployment and increase median household incomes within our region. This in turn, will directly benefit the 51.2 percent of children under the age of 18 in Poplar who live below the poverty line.

Failure to complete the environmental remediation detailed in the Fort Peck Tribes' 2013 US EPA Brownfields Cleanup Grant application would make it virtually impossible for

Boys & Girls Club of the Fort Peck Reservation • PO Box 315, 502 Main Street • Wolf Point, MT 59201 • Tel 406 653 2020

development of the Poplar Wellness Center and other job creating elements of the redevelopment to move forward. Therefore, in support of the Tribe's Brownfields program, the Boys & Girls Club of the Fort Peck Reservation will disseminate information on meetings related to the Brownfields program to families who utilize our services. We will also post meeting notices and project status announcements on our community bulletin boards. Furthermore, the Fort Peck Boys & Girls Club is willing to serve on advisory boards or committees that are developed in support of this grant.

The Boys & Girls Club of the Fort Peck Reservation applauds the Fort Peck Tribes' effort to support the revitalization and redevelopment of our community. We are happy to offer our support for the Fort Peck Tribes' US EPA Brownfields Cleanup Grant application.

Sincerely,

Jeanette Charboneau

Jeanette Charboneau, Chief Professional Office
Boys & Girls Club of the Fort Peck Reservation
P.O. Box 315
Wolf Point, MT 59201

FORT PECK TRIBES

Assiniboine & Sioux

Health Promotion Disease Prevention Program

November 28, 2012

Mr. Dan Heffernan
Brownsfield Coordinator
United States Environmental Protection Agency
Federal Region VIII
1595 Wynkoop Street
(EPR-B)
Denver, Colorado 80202-1129

Dear Mr. Heffernan:

This correspondence is conveyed to express the Fort Peck Tribal Health Promotion Disease Prevention Program's (HPDP) utmost support for the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana (Fort Peck Tribes) application for assistance from the United States Environmental Protection Agency's (EPA) Targeted Brownsfield Assessment (TPA) initiative. I understand that the purpose of the EPA's TPA program assistance is to help Federally recognized Indian Tribes to minimize uncertainties of contamination associated with 'Brownsfield'-affected real estate. I further understand that the term 'Brownsfield,' as applied throughout the following application for assistance, is defined as anticipated economic and community oriented reuse/redevelopment of real property (tribally owned land) whose aspirations/impacts may be complicated by the presence or potential presence of a hazardous substance, pollutant, petroleum, petroleum products or other contaminants.

I have knowledge that the Fort Peck Tribes possess adopted aspirations for timely reuse/redevelopment of approximately 70 acres of unutilized tribally owned land located immediately adjacent to the City of Poplar, Montana. This abandoned site, informally known as the "Old Poplar Airport," once housed the municipality's local airport--an essential local asset which has since been relocated to an alternate, more efficient site and which remains in proximity to the city.

To implement efforts for contemporary development of the former 70 acre "Old Poplar Airport" site, the Fort Peck Tribes, in 2012, completed a document entitled *"Fort Peck Tribes/City of Poplar Master Plan for Development of the Former Poplar Airport Site."* The contents of the document highlight some of the foremost anticipated and significant Fort Peck Tribal economic and community development efforts anticipated for completion and operation throughout this 70 acre parcel of land. Most importantly, as also noted in the plan, the 70 acre site requires various types and degrees of environmental assessment and or mitigation.

Poplar, Montana 59255 P.O. Box 1027 (406) 768-2300

Included in overall reuse/redevelopment of the noted real estate is construction of a new comprehensive and contemporary Fort Peck Tribal (Poplar) Health and Wellness Center.

The mission of the new wellness center is to provide a compendium of healthcare services and fitness opportunities for our people in multiple dimensions of health by utilizing the Native American concept of the "Circle of Life." We will foster individual and family health at the physical, emotional, mental and spiritual levels integrating nutritional, social and environmental wellness concepts.

The new center will be in excess of 50,000 square feet with an overall construction cost in excess of $12 million. Benefits to be provided to the area from our project include: 30+ new jobs with an average hourly wage rate in excess of $20.00 per hour and a facility for use in preventing further occurrence of dramatically debilitating diseases (diabetes, etc.) which continue to ravage our Native population. However, we understand that our federal funding partners are requiring that all contamination be removed from the Center's site. Therefore, we have a vested interest in supporting and procuring methodologies for removal of any identified contamination on the site is effectively mitigated so that construction of the new wellness center can proceed. Moreover, I understand that construction of the new Fort Peck Tribal Health and Wellness Center comprises the initial developmental project within the noted 70 acre site.

Through the proposed project, we eagerly look forward to the opportunity to assist in eventually providing many new economic and community oriented opportunities and benefits to the Fort Peck Reservation, the local, Roosevelt County, Montana State and regional areas.

Should the Fort Peck Tribes' application for EPA assistance receive positive consideration, please be assured that the Fort Peck Tribal HPDP Program will, as requested, actively participate in the project, to insure positive attainment of the outcomes of the EPA's Brownsfield effort—to protect human health and the environment, sustain reuse/redevelopment of real estate, promotion of partnerships and strengthening of the marketplace—and long term community viability.

In my opinion, the Fort Peck Tribes' Procurement of the requested EPA assistance will realistically assist in providing measurably improved lifestyles/livelihoods for our area population—now and in the future—through availability of satisfactory real estate, improved economic prosperity and community development infrastructure and opportunity throughout the Fort Peck Reservation and external regional areas.

If you are in need of additional information, please contact me at your convenience at the address shown on the letterhead of this correspondence or the following telephone number: (406) 768-3085.

Sincerely,

Ken Smoker, Jr.
Health Programs Specialist

FORT PECK ASSINIBOINE SIOUX TRIBES
Tribal Health Dept.
107 "H" Street East - Poplar, Montana 59255
(406) 768-3491 FAX (406) 768-5780

November 30, 2012

Wilfred Lambert, Brownfields Coordinator
Office of Environmental Programs
PO Box 1027
Poplar, Montana 59255

Dear Mr. Lambert:

This letter is written in support of the Fort Peck Assiniboine and Sioux Tribes' Brownfields Program in submitting a grant for cleaning up the Old Poplar Airport property. As the Tribal Sanitarian, I share your concern in protecting the health and well-being of the residents of the Fort Peck Reservation.

Prior to the cleanup, I can provide technical advice on proposed cleanup procedures and process to protect the health of the public and the workers. I can also be available during the cleanup to provide technical advice and guidance on the work being conducted; and after the cleanup to help assure that all contamination and hazards are removed.

Sincerely,

Dennis Four Bear
Tribal Sanitarian
Fort Peck Assiniboine and Sioux Tribes

FORT PECK
COMMUNITY COLLEGE

Box 398, Poplar, MT 59255
Administration (406) 768-6300
Fax (406) 768-6301

November 30, 2012

Environmental Support Management, Inc.
Attn: Don West
8601 Georgia Avenue, Suite 500
Silver Springs, MD 20910
(301) 589-5318

Dear Mr. West,

Fort Peck Community College Community Services Division is pleased to provide this letter of support for the Fort Peck Tribes' FY2013 US EPA Brownfields Cleanup Grant application.

Based upon the philosophy of health, physical fitness, and spirituality that is paramount in American Indian heritage, it is the mission of FPCC's Community Services Wellness Centers, to provide an environment conducive to the promotion of the total health and wellbeing of the members of the Fort Peck Indian Reservation. The centers, established in 1996, have 30,000+ visits each year.

Removal of hazardous substances will enable the Fort Peck Tribes to pave the way for a state of the art Wellness Center and provide additional services to the Fort Peck Indian Reservation that the Fort Peck Community College has not been able to offer due to space limitations.

Fort Peck Community College is excited about this effort and applauds the Fort Peck Tribes for seeking the funds that will provide assistance to the development of the Wellness Centers, which will improve the overall wellbeing on the Fort Peck Indian Reservation.

Sincerely,

Carrie Sue Schumacher
Community Services Assistant Director
Fort Peck Community College

RESOLUTION #26-1611-2012-11 **TRIBAL GOVERNMENT**
Administrative

WHEREAS, the Fort Peck Tribal Executive Board is the forth in the 1960 Constitution and By-Laws, and duly elected body representing the Assiniboine and Sioux Tribes of the Fort Peck Reservation and is empowered to act on behalf of the Tribes. All actions shall be adherent to provisions set forth in the 1960 Constitution and By-Laws, and

WHEREAS, the old Poplar Airport site has been assessed with a Phase II Assessment report which outlined specific areas of contamination on near the hangars located at the airport, and

Whereas, the assessment identified lead based paint, Dieldrin, and petroleum products as the contaminants present at the site, and

Whereas, the Fort Peck Tribes would like to redevelop the area under a plan that includes a wellness center, outdoor recreation area, commercial center, and a hotel/casino complex as potential entities under the plan, and

Whereas, US EPA provides clean up grants for identified and assessed sites such as the old Poplar Airport site, and

Whereas, these clean up grants require public notification and some match requirements, now

THEREFORE BE IT RESOLVED, the Fort Peck Tribal Executive Board hereby authorize the submission of the Brownfields Cleanup Grant with includes a public notice and a $40,000 match request to the Shakopee Tribe, and

Therefore Be It Also Resolved, that the Chairman is authorized to sign all related grant documents on behalf of the Tribes.

CERTIFICATION

I, the undersigned Secretary/Accountant of the Tribal Executive Board of the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, hereby certify that the Tribal Executive Board is composed of 12 voting members of whom 9 constituting a quorum were present at a Recessed Special Meeting duly convened this 14th day of November, 2012 and that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 9 for and 3 absent.

Jackie Weeks
Secretary Accountant

APPROVED:

Chairman/Vice Chairman
Fort Peck Tribal Executive Board

Attachment 3: Public Meeting Ad, Comments/Responses, Minutes

Public Meeting Ad: See below for the announcement of the Public Meeting that was held November 16, 2012 in the Office of Environmental Protection Conference room. An ad was placed in the local paper and Flyers announcing the meeting were posted in public locations through the community.

Notice of Public Hearing in the Office of Environmental Protection

November 16, 2012 - 11 a.m.

Subject: Brownfield remediation grant for old Poplar Airport

On this date and time the OEP will undertake public comment on the proposed cleanup/site remediation of the reservation property known as the old Poplar Airport. The OEP will discuss and take public comment regarding the intent to apply for an EPA brownfields grant for cleanup of site contaminants from previous uses.

This process is a required part of the grant application for cleanup funding in order that the site can be repurposed for other more necessary community uses.

Please attend this hearing if you have material additions to the public record regarding the removal of ground contamination from substances discussed in the attached ***Draft Analysis of Brownfield Cleanup Alternatives*** *(ABCA)* which briefly summarizes information about the site, contamination issues, cleanup standards, and regulations.

A draft of the grant proposal will be available for review before the Public Hearing in the Fort Peck Office of Environmental Protection at 603 Court Street in Poplar, Montana. Refreshments will be served.

Notice of Public Hearing in the Office of Environmental Protection

Friday, November 16, 2012 at 11:00 a.m.
at the OEP Office - #603 Court Street – Poplar, MT

(Big Yellow Bldg west of SBRRC and south of JDC Bldg)

Subject: Brownfield Remediation Grant For Old Poplar Airport

On this date and time the OEP will undertake public comment on the proposed cleanup/site remediation of the reservation property known as the old Poplar Airport. The OEP will discuss and take public comment regarding the intent to apply for an EPA brownfields grant for cleanup of site contaminants from previous uses.

This process is a required part of the grant application for cleanup funding in order that the sit can be repurposed for other more necessary community uses.

Please attend this hearing if you have material additions to the public record regarding the removal of ground contamination from substances discussed in the attached Draft Analysis of Brownfield Cleanup Alternatives (ABCA) which briefly summarizes information about the site, contamination issues, cleanup standards, and regulations.

A draft of the grant proposal will be available for review before the Public Hearing in the Fort Peck Office of Environmental Protection at 603 Court Street in Poplar, Montana. Refreshments will be served.

2

Sign-In Sheet

Public Meeting Announcing Intent to Apply for Brownfields Cleanup Grant
for Old Poplar Airport
November 16, 2012

Name	Representing
Wilfred Lambert	OEP
Deb Madison.	OEP- Poplar MT 55255
Reese Reddoor	OEP
Cleo Hamilton	IRR
Haya Jinh Crow	HPDP.
Tanya Bear	OEP.
Ashleigh Weeks	OEP
Laurie Shafer	OEP
Les Bigham	F&G
Linda Reddoor	

Comments/Responses/Minutes

The information discussed at the Public Meeting held on November 16, 2012 was officially transcribed and is detailed below. The main topics discussed included:

- Contamination that was identified in the Phase II Environmental Site Assessment
- Contamination people had heard about over the years, some of which wasn't there or had been addresses, and status of groundwater plume migrating towards Poplar's drinking wells
- Status of the Master Plan for redeveloping the airport and planned redevelopment activities that are to start after the contamination is removed
- Three alternative cleanup options (Analysis of Brownfields Cleanup Alternatives – ABCAs)
- When the cleanup is to begin and projected finish
- Details on how the cleanup will be conducted by a certified contractor according to required standards and how workers and community will be protected during cleanup
- Can comment on the draft Cleanup proposal and one person wanted a copy

BROWNFIELDS PUBLIC MEETING

OLD POPLAR AIRPORT CLEANUP

NOVEMBER 16, 2012

OPEN MEETING AT 11:08 AM

OFFICE OF ENVIRONMENTAL PROTECTION CONFERENCE ROOM

Official Transcript

Deb Madison (D.M.) - Good Afternoon. Today is November 16, 2012. It is approximately 11:08 AM.
We are in the Environmental Protection Conference Room. We are here today to take comments on the cleanup of the Old Poplar Airport. We are proposing to do this after we have completed a Phase II. Wilfred Lambert, Brownfields Coordinator, give us some background, description of cleanup proposed and some alternatives that have been considered. After that we will have people that are here to participate in the hearing and give them a chance to give us their comments.

Wilfred Lambert (W.L.) - We are going to apply for an EPA Brownfields Cleanup Grant for the Old Poplar Airport, the site is located within the boundaries of the Fort Peck Reservation on Tribal Trust Land. The address is 128 Airport Road, Poplar, Montana 59255. Approximately one-quarter mile east of the Poplar City limits, Roosevelt County. I will give a little history of the Fort Peck Tribes plan to develop 70 acre airport to accommodate a new mix uses of housing and commercial complex. The master plan of development of the former Old Poplar Airport site highlights some of the anticipated development plans. The parcel nearest US Highway 2 is envisioned as the commercial area of the site. This is because of easy accessibility for travelers,

tourist, commuters to and from the oil fields. A hotel in the area has been proposed and feasibility study is being conducted. And also they plan to build a 52 square foot Poplar Wellness Center. The alternatives, recommendations and cleanup alternatives:
1. Additional sampling for further delineate the extent of the pesticide, L-lead based paint chips, Lead and petroleum contamination identified on the property.
2. Additional samplings from a great pattern of extent of the surface and subsurface of contamination from dieldrin or other pesticides from aircraft parking apron.
3. Check in the spring or early summer the four permit marking wells for the presence of groundwater, and accordingly sample it for perimeters used for the Phase II analysis.
4. The use of the underground storage tanks removed in 1980 was backfilled without compaction and differs from surrounding soil characteristics. Uncontaminated fill material should be removed, petroleum contaminated soils, at the bottom of excavation and excavation filled in again with the appropriate soils and compacted to meet suitable building requirements.
5. Remove all contaminated soils, including LPP, Lead based paint or other lead contaminated soils on all four sides of the old school house. Remove the pesticide contaminated soils from the aircraft apron area and all remaining lead based paint from the school building and disposed of according to regulations. EPA recommends collecting surface soil samples in a grid around the old school and using the XRF techniques to determine the extent of the lead contamination.

D.M. -Thanks Wilfred, did you have alternatives, other alternatives that were considered?

W.L. -Yes, we do. Alternative 1 is NO ACTION. Alternative 2 is CAPPING. Alternative 3 is Excavation with offsite disposal.

D.M. - Ok, Thank you very much. OK at this time we will take comments from the public. And if the guys will state your name and who you are representing and go ahead and enter your comments into the record.

Wayne Little Crow (W.LC) - I am Wayne Little Crow and I am here on HPDP Program. I just came to see what was going on see what contamination was over there. I was worried about asbestos, but it is no problem. (hehehe) How is the oil plume problem? Is it here yet?

D.M. - The ground water problem, The brine contamination?

W.LC -Yup.

D.M - The brine contamination we think has moved closer to the City of Poplar's wells, or maybe, in fact, impacting the City of Poplar's wells. So, we think, probably sitting underneath us. Or at least it is traveling through the alluvium, which is the gravel bed associated with river bottom. So it is not good.

W.LC -Yeah. So I am through with whatever you guys have.

D.M. - Okay, thank you.

Cleo Hamilton (C.H.) - Good Afternoon, I am Cleo Hamilton, and I represent the IRR, Reservation Road Program, and I am their Director. When they purchased these buildings at the airport site, it was before I was the Director, and there was information that the person selling it should have cleaned up the contamination, but we are concerned about the petroleum contaminated soil and pesticide contaminated soil. But where our construction yard is located it has been identified as an industrial area, and the clean up isn't as severe as it would be if it was a commercial area, but we support the clean up of the project.

D.M -Thank you very much. Any other comments. Any other comments. Do you want to enter those questions? Just to bring those up? Okay, I will give this back to Wilfred.

W.L. - When will the tribes receive the grant? And when will the clean up start? The answer is the grant is due by December 3rd. Historically EPA awards the grants in late spring and work begins in the summer. The Tribe will have 3 years to complete the grant including all paperwork and reporting requirements. We will expect to complete the project, next summer and fall, and not take three years. Do you have any comments about that?

W.LC (Comment from the background audience) Is there any monitoring wells out there?

W.L. - That was Wayne Little Crow. Yes there is. (hehe) The next question is how much funding will be received under the grant? It will for $200,000. Explains it within our draft of our Analysis of Brownfields Cleanup Alternatives. Next is question people might want to know is - Will the grant pay for new development on a site? And the EPA grant is only for the cleanup. The Tribes have applied to US Road Development for road development funds and you can't really build anything on this site because we identify the contamination, we included the whole acreage as one site. So they want to use the other half for the site for their, to build the well ness center. And who are the stakeholders? Tribes. Contamination on a site, we think, I do not know for sure, but we think it is staying in one spot, because of the clay formation around it. And then, whatever contamination is left over after clean up, and will it affect people in the area, especially children? That might be a question that someone might ask. Contamination will be cleaned up according to required procedures set by laws and standards. Residential sites and buildings such as, schools and day cares need to be cleaned up to higher standards. Commercial and industrial and green space areas are not astringent as people are not there all the time and green spaces often open to the air.

Mrs. Hamilton (Mrs. H.) (background audience by Deb Madison) And that is referring back to Mrs. Hamilton's comment.

W.L -Yes, that is what Mrs. Hamilton commented. And confirmation sampling procedures will be conducted after cleanup to be sure contaminates are removed and appropriately dealt with. There will be a cleanup plan developed before the remediation begins that will cover all aspects of the cleanup and address all potential situations. How can ensure that the cleanup process will be safe? The certified lead contractor and certified subcontractors will need to show that they are trained, experienced and certified for their specific job and provide documentation that they are in good standing. The prime contractor will need to be a certified under OSHA, and control the

subcontractors working under him. The prime contractor will need to carry insurance and responsible for all aspects for the cleanup including obtaining necessary permits from the tribe and EPA. And to develop a health and safety plan for the worker and people who live, or work, or frequent the area. Also, controlling the release of any contamination. And determine to make arrangements with the tribes and community if people need to be evacuated during the cleanup. And to develop site security plan to control access to the area and remove transport disposal of all contamination. Recycle what is possible such as metals, possible cement and brick. And demolish and transport disposal of construction debris and obtain clean fill and conduct final grade and seed. And provide receipts of bills of laden, etc and final reports that document all activities. You can provide additional output for the grant if you want to and obtain a copy of Cleanup grant proposal if you want to know who to contact. I got a draft right now, if anyone wants a copy of. But just in the beginning stages of it, it you want a copy of it.

W.LC (background audience Wayne Little Crow would like a copy) Wayne Little Crow comment he want a copy.

D.M -Okay any other questions? Or comments? Alright will close this public hearing at 11:20 am. And I thank you all for coming.

Attachment 4: Analysis of Brownfields Cleanup Alternatives (ABCAs)

ANALYSIS OF BROWNFIELD CLEANUP ALTERNATIVES

Introduction & Background

The "Old Poplar Airport" site is located within the boundaries of the Fort Peck Reservation on Tribal Trust Land. The address is 128 Airport Road, Poplar, Montana 59255; approximately 0.25 miles northeast of the city limits of Poplar, Roosevelt County, Montana. It is north of U.S. Highway 2, directly east of Dark Road and the Bureau of Indian Affairs (BIA) equipment storage and maintenance area. The site is located in Section 6, T. 27 N., R. 51 E. The latitude is 48.115701 and the longitude is -105.184371.

Starting in approximately 1944, local farmers used the "Old Airport Site" for fueling, loading crop dusting fertilizers, herbicides, and pesticides, and storing small crop dusting planes. From 1964 to 2010, the Fort Peck Assiniboine and Sioux Tribes leased the land to the City of Poplar and County of Roosevelt for building, maintaining, and operating the Poplar Airport. Since the expiration of that lease, the site sits largely vacant although a portion on the far west end of the parcel is currently being used for storage by the Fort Peck Tribes Indian Reservation Roads (IRR) Department. This includes two former airport hangers with an office building attached to the south hanger and a vehicle/equipment storage area. Additionally, there is a small abandoned school house on the southwest section of the property.

The Fort Peck Tribes plan to redevelop the 70-acre "Old Poplar Airport" site to accommodate a new mixed-use commercial complex, housing units and open space. The IRR Department may or may not be relocated depending on a number of factors still under consideration by the Tribal Executive Committee (TEB). The 2012 document *Master Plan for Development of the Former Poplar Airport Site* highlights some of the anticipated development plans. The parcel nearest U.S. Highway 2 is envisioned as the commercial area of the site. This is because it is easily accessible to travelers, including tourists and commuters to and from the oil fields. A hotel in the area has been proposed and a feasibility study is being conducted. Various other ideas being considered include a truck stop, a casino, a restaurant, and office buildings. This commercial area will allow residents to shop for staples and other basic necessities, which are currently a challenge to obtain. Also planned for the site is the proposed 52,000 square feet Poplar Wellness Center.

The Poplar Wellness Center will be the first phase of site redevelopment. It will offer a wide variety of preventive healthcare and wellness services including medical/physician extension services, dental hygiene services, nutrition and diabetes counseling, physical therapy, mental health and substance abuse counseling, chiropractic services, social work services, as well as fitness, sports, recreation, and wellness education services. These will all be co-located and integrated into the facility.

The Poplar Wellness Center is designed to operate as a business generating income from the delivery of billable services. The innovative design also embraces a data management system for rapid/accurate billing for reimbursement of services as a self-sustaining business model.

A Phase I Environmental Site Assessment was completed in October, 2006. The assessment revealed no evidence of recognized environmental conditions in connection with the property except for the following:

- **CERCLA Hazardous Substances** – Potential Herbicides of Salvo, MCP 4 Easter, Mirage Plus, 2, 4-D, Atrazine, Glyphosate (Roundup); Insecticide DDT; poison Parathion 8EC; and miscellaneous oils, cleaning solvents, and lubricants.
- **Petroleum/Petroleum Products** – Potential petroleum products that include gasoline and 100 Low-Lead aviation fuel, and 80-Octane fuel; unknown in relation to gasoline and diesel from Larry's Conoco; and unknown in relation to the adjoining BIA and dump properties.

The report recommended that a Phase II Environmental Site Assessment be conducted based on a number of factors, including: 1) the known management of pesticides and fuels on the site; 2) unknown commercial uses prior to the Tribal lease with the City of Poplar and Roosevelt County for use as an airport; 3) past and present fuel storage tanks; and 4) the potential for minor spills that may have occurred on the property over time.

The ***Phase II Analytical Results Report*** was completed by the United States Environmental Protection Agency's Superfund Technical Assessment and Response Team 3-Region 8 (START 3) in January, 2011. Several issues arose during the assessment. The pesticide Dieldrin was detected in a concentration above the EPA RSL (Regional Screening Levels) for residential soils at one surface sample soil location and just under the RSL at a second soil sample location. In addition, two of the four subsurface soil samples collected from the bottom of the excavation where the two Underground Storage Tanks (USTs) were removed in 1990 exceeded the MDEQ Tier I Risk Based Screening Level regulatory standard. The Dieldrin and petroleum were comingled in much of the area. Finally, Lead-Based Paint (LBP) was identified on the exterior surfaces of the former school house; much of which had been delaminated from the wood and deposited on the surface soil surrounding the building.

The ***Phase II Analytical Results Report*** recommended the following remediation measures:

Removing and replacing 20+ cubic yards of **lead paint contaminated topsoil** from the area surrounding the old schoolhouse located on the property;
(could include Lead dispersed from exhaust of aircraft using leaded Av-Gas}

Removing and replacing 370+ cubic yards of petroleum contaminated soil from the area on the site that once contained USTs with fresh soil;

Removing 1,667+ cubic yards of pesticide contaminated asphalt and soil from the area on the property where spills of pesticides took place during crop dusting which may have included aircraft fuels as well as diesel fuel used as a carrier for herbicides or pesticides.

Note: Soil contamination may be co-mingled due to close proximity of the fueling and pesticide operations.

Please Note: these locations are in close proximity to each other and contaminants may be comingled.

Successful cleanup of the contaminated soils will allow for development of the proposed mixed-use commercial complex as well as the Poplar Wellness Center. These two developments elements will provide new jobs and commercial opportunities as well as promote the delivery of health and social services to the people of the City of Poplar, Montana. Moreover, successful cleanup will improve employment opportunities for local residents; reduce toxicity and blighted vacant parcels; and help retain residents who have historically lived within the affected area.

Applicable Regulations and Cleanup Standards

START 3 of Region 8 of the EPA was tasked with assessing and evaluating the environmental conditions of the site by using analytical data from sampling activities to determine if hazardous substances have been released on the Old Poplar Airport site. START was also tasked with providing general cost estimates for remediation. Samples were collected and tested by third party validator laboratories as to the presence of the aforementioned contaminants.

The collected samples were analyzed by three separate labs based on the analytical parameters to be performed for VOCs. SVOCs, pesticide/PCBs, and petroleum contamination. The labs were selected by EPA.

The ***Phase II Analytical Results Report*** confirmed the presence of contaminants that exceed the following allowed standards or guidelines:

- EPA RSL limits for VOCs of residential soils at the sample location 03 just west of the hangar, and under the RSL for sample location 06 under the asphalt aircraft parking apron on the southwest corner of the property.
- Montana Dept. of Environmental Quality (MDEQ) Tier I risk Based Screening Level regulatory standard of 500 mg/kg for hydrocarbons.
- EPA standard limit of 400 mg/kg (or 400 ppm) for lead-based paint (LBP) with values of 925 mb/kg, 1,789 mg/kg, 54,768 mg/kg, and 7,986 mg/kg at four sides of the old school house.
- EPA RSL allowable limits for six of the SVOCs compounds that exceed industrial RSLs.

The cleanup processes that will be employed if the remediation grant of the EPA is awarded will meet all applicable federal, state and tribal guidelines and standards that apply to the site and will be conducted by remediation professionals.

Cleanup Oversight Responsibility

The Fort Peck Office of Environmental Protection will oversee these professionals and ultimately the Natural Resources Committee of the Tribal Executive Board will be responsible for the performance of the Fort Peck Office of Environmental Protection within Tribal government. Activities will be coordinated with the EPA Montana EPA Office Project Manager. A qualified, certified contractor(s) will be hired to conduct the cleanup.

Evaluation of EPA Recommendations and Cleanup Alternatives

The specific recommendations set forth by the EPA in the ***Phase II Analytical Results Report*** are:

1. Additional sampling to further delineate the extent of the pesticide, LBP chips, lead and petroleum contamination identified on the property.
2. Additional sampling from a grid pattern of the extent of the surface and subsurface contamination from dieldrin or other pesticides from the aircraft parking apron.
3. Check in spring or early summer the four permanent monitoring wells for the presence of groundwater and accordingly sample it for the same parameters used for the Phase II analysis.
4. The site of the Underground Storage Tanks removed in 1990 was backfilled without compaction and differs from surrounding soil characteristics. Uncontaminated fill material should be removed, petroleum-contaminated soils at the bottom of the excavation removed, and the excavation filled in again with appropriate soils and compacted to meet suitable building requirements.
5. Removal of all contaminated soils, including LBP or other lead contaminated soils on all four sides of the old school house, removal of pesticide-contaminated soils from the aircraft apron area, and all remaining LBP on the school building and disposed of according to regulations. EPA recommends collecting surface soil samples in a grid around the old school and using XRF techniques to determine the extent of lead contamination.

At the time of the study, EPA estimated that the costs for remediation measure would be approximately $120,000. However, Montana DEQ notes that the pesticide contaminated soil cannot be deposited at the landfill 15 miles from the Reservation as noted in the EPA Report and must be transported 125 miles to a hazardous landfill. Also, to cover the costs of additional testing as well as the soils removal and site

management in the appropriate areas and depth, we are estimating a project cost to exceed $200,000 as follows:

Lead & Lead Based Paint contaminated soil removal and disposal plus additional testing	$1,500
Petroleum-contaminated soils removal and disposal plus additional testing*	$15,500
Pesticide-contaminated soils removal and disposal plus additional testing*	$150,000
Staff time and technical supervision and project management	$33,000
Additional transportation costs to hazardous landfill	$40,000+
Total Project Estimate	**$240,000+**

*NOTE: these soils may be co-mingled and be conducted as one removal process

Cleanup Alternatives Considered:

To address contamination at the site, three different alternatives were considered, including:

Alternative #1: No Action;
Alternative #2: Capping; and
Alternative #3: Excavation with Offsite Disposal.

To satisfy EPA requirements, the effectiveness, implementability, and cost of each alternative must be considered prior to selecting a recommended cleanup alternative and are discussed below.

Effectiveness

- **Alternative #1: *No action*** is not acceptable to the Tribe as it does not mitigate potential for exposure and does not allow for entire redevelopment of the valuable property site.
- **Alternative #2*: Capping the site*** will temporarily contain the contamination. Capping is an effective means of protecting occasional users of the property from exposure; however, it is not an acceptable solution for the LBP contamination on the old school building, nor is it an alternative to the concrete aircraft apron area. Capping material is too easy to remove from atop concrete slab. Therefore, this alternative applies temporarily to the hydrocarbon/pesticide portion and is not useful for the remainder of the cleanup and reuse. The cap will require maintenance and may deteriorate resulting in releases of the contamination threatening health and the environment. The contamination might also migrate underground threatening health and the environment. This alternative will also require implementation and long term enforcement of Institutional Controls on the Site which will add additional expense and burden on the Tribes.

- **Alternative #3:** *Soil removal, offsite disposal, and additional testing to assure acceptable results in meeting Tribal requirements and US EPA RSL and MDEQ guidelines* is an effective way to minimize risk at the site, since contamination will be removed and the exposure pathways will no longer exist. This will also eliminate the need for long term Institutional Controls by the Tribes. The US EPA START 3 Region 8, recommended this remedy as the most viable alternative for cleanup of this site in order to redevelop the property. In consideration of the reuse of this property, alternative #3 is the action required for redevelopment. Once accomplished, the site will be suitable for both new commercial and residential redevelopment.

Implementability

- **Alternative #1: *No Action*** is easy to implement since no actions will be conducted. However, it will require long term Institutional Controls for the area.
- **Alternative #2: *Capping*** the site can be completed with reasonable equipment, resources, contractors and trained labor. But, a cap will require ongoing monitoring and maintenance; and establishing and enforcing Institutional Controls.
- **Alternative #3: *Soil removal, offsite disposal, and additional testing to assure acceptable results in meeting Tribal standards and US EPA RSL and MDEQ guidelines*** - The soil removal is not a difficult task and there is acceptable disposal availability in the region. The cleanup can be accomplished with appropriate equipment, resources, and certified and trained contractors. Ongoing monitoring and maintenance or Institutional Controls will not be required following excavation and offsite disposal and the site will be cleaned up and ready for redevelopment.

Cost

- **Alternative #1: *No Action***. Initially, there will be no costs for remediation but there will still be costs for implementing and enforcement of Institutional Controls. However, contamination could be released causing health and environmental issues that would have their own costs and still create the need for the site to be remediated. The contamination could also migrate causing additional costs in the future. Not only could the Tribe incur cleanup costs but there could be additional liability costs. Fort Peck Tribes could conceivably select the alternative to do nothing about the site, but that choice removes a portion of this valuable property from much needed community uses and job creation. It would be short sited to fail to spend $200,000 for remediation that would preclude the development of the proposed and innovative Fort Peck Wellness Center for the entire community.
- **Alternative #2: C*apping*** the hydrocarbon/pesticide area is estimated to be approximately $80,000. Institutional Controls would create additional long term costs and burden on the Tribes and .local government.

- **Alternative #3:** ***Soil removal, offsite disposal, and additional testing to assure acceptable results in meeting Tribal and US EPA RSL and MDEQ guidelines*** is estimated to cost roughly $200,000.

Recommended Cleanup Alternative

The recommended cleanup alternative is **Alternative #3:** ***Soil removal, offsite disposal, and additional testing to assure acceptable results in meeting Tribal and US EPA RSL and MDEQ guidelines -*** All contamination will be removed and the site will be ready for redevelopment with no restrictions due to residue contamination. A health and environmental hazard will be removed. New jobs will be created during cleanup and reuse.

Attachment 5: Special Considerations Checklist

Special Considerations Checklist, if applicable (See Appendix 3 of Guidelines)

Please identify (with an *x*) if any of the below items apply to your community or your project as described in your proposal. EPA will verify these disclosures prior to selection of the grant.

- Community population is 10,000 or less __X__
- Federally recognized Indian tribe __X__
- United States territory _____
- Applicant assisting a Tribe or territory _____
- Targeted brownfields sites are impacted by mine-scarred land _____
- Targeted brownfields sites are contaminated with controlled substances __X – meth labs_
- Community is impacted by recent natural disaster(s) (2005 or later). To be considered, applicant must identify here the timeframe and type of natural disaster. __X - FEMA Major Disaster Declarations: #1996, June 17, 2011 for Severe Storms and Flooding
- Project is primarily focusing on Phase II assessments __X__
- Community is impacted by recent natural disaster(s) X - Community periodically suffers from flooding, severe storms, wildfires
- Community demonstrates firm leveraging commitments for facilitating brownfields project completion by identifying amounts and contributors of funding in the proposal and have included documentation __X__
- Community experiencing plant closures (or other significant economic disruptions), including communities experiencing auto plant closures due to bankruptcy __X__ - The Fort Peck Tribes closed its main defense contracting business in 2008 due to the Tribes inability to compete with lower cost labor, raw material, and technical advances required by the industry. The business made medical chests for the Department of Defense. At its height the business employed over 300 people in semi-skilled jobs.
- Applicant is a recipient of a HUD/DOT/EPA Partnership for Sustainable Communities grant and can demonstrate that funding from a PSC grant has or will benefit the project area. _____
- Applicant is a recipient of an EPA Brownfields Area-Wide Planning grant _____
- Community is implementing green remediation plans _X_ - Greenspace is designated as part of the Master Plan for the former Poplar Airport recently develop under Rural Business Opportunity Grant from the United States Department of Agriculture.

Attachment 6: Proposal Checklist

Proposal Checklist for Cleanup Grants
Before you submit your proposal(s) for a cleanup grant, please ensure the following documents are included in your package submitted to EPA and EPA's contractor. ***(Also, include this list at the end of the Appendices)***

Transmittal Letter (Cover Page) (2-page limit)	**X**
The Narrative Proposal, which includes the responses to ranking criteria (15-page limit)	**X**
Documentation of all applicable threshold criteria - included in Appendix i (see Section III. B and C)	**X**
Letter from the state or tribal environmental authority (see Section III.C.2.)	**X**
Draft Analysis of Brownfields Cleanup Alternatives (ABCA) (see FAQ #71 and Section III.C.6.)	**X**
Documentation indicating committed leveraged resources, if applicable (see Section V.B.2.b.iii)	**X**
Letters of support from all community-based organizations identified in the community engagement and partnerships ranking criteria (see Section V.B.3.)	**X**
Documentation of community notification, including copies of ads (or equivalent) and comments received by you, your organization's responses to those comments, and meeting notes and sign-in sheets (see Section III.C.6.)	**X**
Documentation of nonprofit status, if applicable (see Section III.C.1.)	**NA**
Documentation of applicant eligibility if other than city, county, state, or tribe (see Section III.C.1.)	**NA**
Justification for cleanup cost-share waiver, if applicable (see Section III.C.5.)	**X**
Property-Specific Determination request, if applicable (see Section III.C.3.d.)	**NA**
Petroleum eligibility determination information, if applicable (see Section III.C.3.i.)	**NA**
Special Considerations Checklist (located in Appendix 3), if applicable (see Section IV.C.2.j)	**X**

Attachment 7: Cost-Share Waiver (Hardship Waiver)

The Fort Peck Assiniboine and Sioux Tribes are requesting a Cost-Share Waiver (Hardship Waiver) for cleanup of the Old Administration Building. Below is a chart with Demographic Information. Following the chart are answers to the requested Cost-Share Waiver questions.

Demographic Information

	Target Community/ Census Tract (Poplar)	**Fort Peck Indian Reservation Roosevelt County** (Note, detailed 2010 U.S. Census information for the Reservation has not yet been released)	**State** **MT**	**National**
Population	4371 with 3095 being American Indian[1]	9530 with 5481 being American Indian[2]	801,174[1]	311,591,919[1]
Unemployment	9.6% - County)[2]	12.4% (unemployed)[2] 57% for the Tribal membership[3]	5.2%[1]	10.3%[1]
Poverty Rate	24.3%[2]	31.7% [2] 59% for the Tribal membership[3]	14.8%[1]	15.9%[1]
Percent Minority	82.9%[2]	65.2%[2]	9.7%[1]	26.9%[1]
Per Capita Income	$16,545[2]	$15,548[2]	$23,893[1]	$26,708[1]
Service area population eligible for on-Reservation services		12,800[4] Actual Tribal Enrollment (11.20.12)		

[1]Data is from the 2010 U.S. Census data and is available at http://factfinder2.census.gov

[2] Data is from the 2006-2010 American Community Survey and is available at http://www.census.gov for Roosevelt County Montana

[3] 2009 BIA Labor Force Report

[4] Personnel Communication, 11/20/12 Jackie Weeks, Secretary Accountant Fort Peck Tribes

- Per Capital income is two thirds of the state value.
- Unemployment for Tribal members is over 5 times higher than the state rate
- Poverty rate for Tribal members is 4 times higher than entire state rate and the nation.

- **Data demonstrating substantial out-migration or population loss, if relevant**; Information from *Demographic Chartbook: Profiling Change* in the Great Plains reports the economic consequence of out-migration of the Great Plains, where the Fort Peck Reservation is located, is compelling. It notes the highest concentration of impoverished youth both in the

Great Plains and the United States in general tend to be among Native American Reservations areas and also certain areas of the southern United States. It is also interesting to note rapid migrations in and out, which stresses resources and economic stability. Nearly 39% of the counties are farm dependent and 12% of the counties in the region have persistent poverty. The report states these are typically counties that include Native American Reservations.

- **Data demonstrating underemployment, that is, employment of workers at less than full-time or at less skilled tasks than their training or abilities permit, if relevant**;
  Based on the statistics provided in the table above, while unemployment is several percentage points above the state's rate, the per capita income and poverty rates are double the state's values. In addition, percentages of households receiving food stamps/SNAP program benefits are 28.8% of the Reservation while Montana has a food stamp/Snap program participation rate of 10.9%. This statistic indicates that while employed, many are working at jobs well below poverty level rates and need to supplement their incomes with food assistance.

- **Information regarding military base closures or realignments, defense contractor reductions-in-force, or U.S. Department of Energy defense-related funding reductions, if relevant;** N/A

- **Local natural or other major disasters or emergencies, whether you are located in a President-Declared Disaster area (declared within 18 months of the submission date for your proposal);**
  if relevant;
  During the past 18 months, the Tribe has received a FEMA Emergency Declaration FEMA-1996-DR, Montana for Flooding on the Missouri river in April 2011.

- **Information regarding extraordinary depletion of natural resources, if relevant;** N/A

- **Closure or restructuring of industrial firms and negative effects of changing trade patterns, if relevant;**
  The Fort Peck Tribes closed its main defense contracting business in 2008 due to the Tribes inability to compete with lower cost labor, raw material, and technical advances required by the industry. The business made medical chests for the Department of Defense. At its height the business employed over 300 people in semi-skilled jobs.

- **Whether you have exhausted effective taxing (for governmental entities only) and borrowing capacity. Also, your explanation should include whether the proposed project could still proceed if the cost share waiver was not approved.**
  The Fort Peck Tribes have struggled with high unemployment and the social effects of it since the Reservation was established. The Tribes allocate a large percentage of the budget to social/welfare services for the 12,800 members including the construction of a new corrections facility and wellness facility. Staffing of these facilities requires tribal

contributions solely through the funds the Tribe generates leasing of its natural resources and revenue share agreements with the State of Montana.

Although the Tribes' Office of Environmental Protection, Fort Peck Indian Reservation Roads, and Fort Peck Tribes O&M Department have provided a 20% In-Kind match, it will be a hardship on the Tribe to absorb the costs. The Tribe has pressing needs to pay for or find resources to address health care, law enforcement, housing, jobs, substance abuse, and numerous support service programs for our Tribal members and residents. The current downturn in the national economy is also negatively affecting the Tribal economic situation.