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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

JUN 14 2001

Reply to
Attn Of: ECL-115

Fritz Waghiyi, President
Native Village of Savoonga
P.O. Box 120
Savoonga, Alaska 99769

RE: Government-to-Government Consultation for the NE Cape Air Force Facility,
St. Lawrence Island

Dear President Waghiyi:

I am writing to you in an effort to ensure that Environmental Protection Agency (EPA) conducts formal, government-to-government consultation with the Native Village of Savoonga regarding the Preliminary Assessment/Site Investigation at the former military sites located at NE Cape on St. Lawrence Island. The Tribe has requested EPA's involvement to determine if the site is eligible for placement on the National Priorities List (NPL).

EPA recognizes its unique legal relationship with Tribal governments as set forth in the United States Constitution, treaties, statutes, executive orders, and court decisions. Federal policies instruct EPA to have regular and meaningful consultation with Indian Tribal governments when developing policies and regulatory decisions on matters effecting their communities and resources. We are writing you now to ensure that a formal government-to-government consultation process has been established with you prior to the important decision we plan to make. The decision EPA will make concerns whether the site should be placed on the NPL. EPA envisions government-to-government consultation as a process of two-way communication that works toward a consensus reflecting tribal concerns. We are interested in tailoring the consultation process to the needs and preferences of your Tribe. We want to work with you now to ensure that when we need to make these decisions, EPA has consulted with you regarding them.

Specifically, we want to consult with you regarding your views on completing the site assessment activities at the site, and ultimately consulting on whether the site should be placed on the NPL, if the site qualifies for listing. EPA has had our contractor, Ecology and Environment, Inc., review all existing information generated by the Corps of Engineers and others, and calculate a preliminary Hazard Ranking System (HRS) score for the site. A preliminary score has now been determined. Based on this preliminary score, EPA in consultation with the tribe, will decide the next steps for the site. This portion of the process



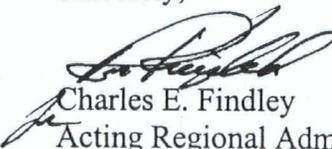
should be completed in the next two to three months. EPA wants to fully consider the rights and concerns of the Native Village of Savoonga before making this decision. We recognize that there are many sub-issues to this topic, and we are open to consulting with you on any of those that you would like to discuss, as well as any other issues related to the site.

I have designated Michelle Pirzadeh, Associate Director of the Environmental Cleanup Office to consult with you about this site. I believe Michelle is the most appropriate official to meet with the Tribal council because she has a strong understanding of the Superfund process, and has been following developments at the site.

Ron Kreizenbeck, the Deputy Regional Administrator or I would also be available to meet with the Tribal council if a mutually agreeable meeting date is found. Please call Dana Braden, at (206) 553-1234 to discuss opportunities on our calendars.

Based on conversations with your staff, we have proposed a way to formally consult with your Tribe on a government-to-government basis about the NE Cape site. If this approach needs further refinement to better address your needs, please let us know what changes we can make. In the meantime, if you have any questions or concerns regarding consultation or the site, please do not hesitate to call me at (206) 553-1234, or Michelle Pirzadeh, Associate Director of the Office of Environmental Cleanup, at (206) 553-1272. Joanne LaBaw, the staff person assigned to the site, can be reached at (206) 553-2594.

Sincerely,


Charles E. Findley
Acting Regional Administrator

cc: Scott Sufficool, EPA