

RESOLUTION OF THE SUMMIT LAKE PAIUTE COUNCIL
SUMMIT LAKE PAIUTE TRIBE
OF THE
SUMMIT LAKE PAIUTE RESERVATION, NEVADA

RESOLUTION NO.: SL - 10 - 2010

TITLE: APPROVING AN INTEGRATED SOLID WASTE MANAGEMENT PLAN

WHEREAS, the Summit Lake Paiute Tribe, is a modern entity of the Northern Paiute People known, in English, as Lake Trout and Wild Onion Eaters who, for thousands of years, controlled at least 2,800 square miles of land in and around Summit Lake as a tribe with sovereign, unlimited, powers and laws (customs, traditions, usages, etc.); and,

WHEREAS, in 1964, and after much consideration, the members of the Lake Trout and Wild Onion Eaters organized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended, adopting, for certain sovereign purposes, the name "Summit Lake Paiute Tribe" with a tribal constitution titled "Articles of Association," the latter which was approved by the Secretary of the U.S. Department of the Interior on January 8, 1965; and,

WHEREAS, over time the members of the Summit Lake Paiute Tribe have regained a small fraction of their historic land base, including the Tribe's reserved lands (Reservation), and the Indian allotments outside the Reservation boundaries; and,

WHEREAS, the Summit Lake Paiute Tribe's Articles of Association grant to the Summit Lake Paiute Council (see Article II, Section 1) certain sovereign powers, including the power to seek funding to improve the welfare and education of tribal members (see generally Article II, Section 1 (b)), and to carry out those powers (see Article II, Section 1(k)); and,

WHEREAS, since 2005, the Tribe has been tasked by annual U.S. Environmental Protection Agency (EPA) General Assistance Program (GAP) Grants to approve a Integrated Solid Waste Management Plan; and,

WHEREAS, the Model Integrated Solid Waste Management Plan offered by EPA does not work for the Summit Lake Paiute Tribe because it is largely a business model of how to make tribal members pay for solid waste management; and,

WHEREAS, starting 2007, the GAP Grant Environmental Coordinator did a study of the flow of solid waste into the now closed open pit dump on the Summit Lake Reservation and found that a majority of the trash (dry), white stuff (refrigerators, water heaters, etc.), and vehicles abandoned at the open pit dump where the result of tribal employees placing them there; and,

WHEREAS, the Summit Lake Paiute Council has already closed the open pit dump and directed all tribal members and tribal employees not to dump anything there; and,

WHEREAS, tribal members leaving the Summit Lake Reservation and traveling west to Cedarville, north to Denio and Winnemucca, Nevada, have private disposal services available to them for solid waste at those locations, including the disposal of hazardous waste; and,

WHEREAS, in 2008, the Tribe's Environmental Coordinator working with EPA Region 9 Solid Waste Office personnel traveled to the Summit Lake Reservation and assessed the solid waste issues on the Reservation (see Summit Lake Open Dump Tracking Report (September 8, 2008) (attached)); and

WHEREAS, since 2008, the GAP Grant Environmental Coordinator has been planning for the removal of all abandoned vehicles at the open pit dump and in the Tribal Compound; and,

WHEREAS, the Environmental Coordinator's study of the flow of solid waste on the Summit Lake Reservation revealed that a "Carry Out What You Carry In" plan was best suited for tribal employees and tribal members; and,

WHEREAS, since tribal employees travel from the primary administrative office in Sparks, Nevada, to the Summit Lake Reservation through the Pyramid Lake Reservation, the Tribe has, since 2009, an annual contract with the Pyramid Lake Paiute Tribe allowing tribal employees to transport and drop off not only their own non-hazardous, household type solid waste at the Pyramid Lake Paiute Tribe's Nixon Transfer Station but that of tribal members who deliver their non-hazardous household waste to tribal members before they leave the Summit Lake Reservation and return to the primary administrative office in Sparks, Nevada; and,

WHEREAS, the Tribe is aware of locations in Reno and Sparks, Nevada, where tribal employees can dispose of paint, insecticide, and other hazardous products as long as they are in their original containers, and tribal employees have been directed to dispose of such items at those locations as those locations require; and,

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WHEREAS, the Summit Lake Paiute Council has had the appropriate amount of time to consider approving the Environmental Coordinator's proposed "Carry Out What You Carry In" Solid Waste Management Plan and hereby approves it.

NOW THEREFORE, BE IT RESOLVED that the Summit Lake Paiute Tribal Council hereby approves the "Carry Out What You Carry In" Solid Waste Management Plan as set forth in this Resolution.

CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby certify that the above Resolution, No. SL - 10 - 2010, was brought before the Summit Lake Paiute Council at a duly held meeting on the 15th day of May, 2010, with a quorum present, and that the following votes were cast to enact the Resolution: 3 For, 0 Against; and 0 Abstaining, with the Council Chairman presiding but not voting because there was no tie vote, and that this Resolution has not been rescinded, revoked or amended.

May 15, 2010
Date


Jerri Lynn Barlese, Secretary/Treasurer
Summit Lake Paiute Council



Tribal Compound

1. **Status of site:** Inactive
2. **Is the site located on:** Trust Land
3. **Geographic location** (*NAD 83 and decimal degrees preferred*):
Latitude: N 41.54467 Longitude: W -119.03172
 N 41.54442 W -119.03202
4. **County/Chapter:** Humboldt
5. **Description:** This site occupies part of the tribal office compound parking area and consists of two parts : (1.) The parked unusable vehicles, including a dump truck, trailer, flat-bed truck. The vehicles include those given to the tribe by a state govt agency and for the tribe are unrepairable.
(2.) The generator shed contains a generator with barrels of fuel with much leakage to the dirt floor. The shed is located adjacent to the Mahogany Creek and the Cutthroat Trout fish trap that is operated year-round by the tribe. The creek is at risk from contamination from (1.) & (2.).
6. **Estimated volume of waste:** (1.) 2 vehicles, construction equipment, trailer and possibly some undetermined amount of contaminated dirt. (2.) 2 - 5 yd³ of dirt.
7. **Waste site size:** (*surface area*) 200 yd²
8. **Contents:** Abandoned vehicles (2), scrap tires, lead acid batteries, waste oil/fuel.
9. **Rainfall:** Low (<10 in/yr)
10. **Site drainage and leachate potential:** Site drainage increases ground or surface water contamination
11. **Frequency of cover:** Never
12. **Frequency of burning:** Never
13. **Controlled access:** Effective controlled access.
14. **Public concern:** No concern voiced by public
15. **Vertical distance to drinking water aquifer:** N/A.
16. **Horizontal distance to surface water bodies:** < 50 ft.
17. **Distance to homes:** < 1000 ft.

Completed by: Larry Danos, EPA Circuit Rider

Date: 9-8-08

Part (1.)



Part (2.)

