

Small-Group Activity: TIP Development under the Clean Air Act

Objective

The small-group activity for this workshop consists of five parts that require you to consider many of the same issues that you will have to consider if your Tribal Council asks you whether it should develop a Tribal Implementation Plan as part of the air quality management program for your reservation. The individual parts of the activity are:

1. Identifying Air Quality Management Issues
2. Identifying Tools Available for Dealing with Issues
3. Evaluating Available Tools
4. Planning a Presentation to Tribal Council
5. Presenting Recommendations to Tribal Council

Each part of the activity has separate objectives and procedures, but all parts utilize the same scenario.

Procedure

1. Take a few minutes to read the attached scenario. If you have any questions about the fact scenario, discuss them with your instructors.
2. Your instructors then will divide you into _____ groups. One group may be designated as Tribal Council for all of the activities, or this group may be assigned for activities 4 and 5 only. After you have completed each part of the activity, your instructors will decide whether you will stay in the same group for the next activity or whether they will reassign you and the other participants to new groups.
3. Before you begin each part of the activity, be sure to read the objective and procedures for that part and re-read the scenario to remind yourself of the facts you will be working with. If you have any questions, ask your instructors.
4. You should prepare detailed notes for each part of the activity. You will use them for your tribal council presentation (parts 4 and 5 of the activity). As you work through the activities, keep in mind that you will be presenting your findings to tribal council, and they will ask you questions about your proposal. Be prepared to explain your recommendations.

TIP Small-Group Activity Scenario

The Reservation is located about 75 miles east of a major metropolitan area and has both heavy and light industry, as well as a growing population. The exterior boundaries of the reservation encompass about 240,000 acres of land. About 75% (192,000 acres) of this is tribal trust land. The remainder of the land is owned outright by tribal and non-tribal members. The tribe has also purchased several large, adjacent parcels and has applied to have this land reclassified as trust land. The land is largely open prairie with a few forested areas, and it is encircled by mountains. The area is prone to inversions and the prevailing winds come from the west. The winters are typically cold enough for snow for three to four months out of the year. The summers are generally dry and windy, though rain falls heavily in August.

Two large plants stand at the western boundary of the reservation, one on tribal land, the other just across the border on state land. The tribal facility is a natural-gas compressor station; the other is a coal burning power plant. Both employ a significant number of tribal members. There is also a sand and gravel operation on fee lands within the exterior boundaries of the reservation, and a landfill that serves the reservation and does contract work with the nearby city. The tribe is not currently monitoring these facilities. The state is permitting the power plant; the tribal facilities are currently unregulated.

There are approximately 3500 tribal members; of the total membership, 75% live on the reservation. 3500 non-tribal members also live on the reservation. Agriculture, both livestock and crops, is a significant source of revenue for the tribe, as are tourism and hunting. The tribe is interested in bringing in more sources of employment and revenue. They have investigated several ideas, such as increasing the solid-waste facility to include an incinerator and metal-recycling facility, building the tourism infrastructure, and constructing a clothing factory. The tribe also is considering building a casino/resort—several nearby tribes have had success with gaming. At this point there is little infrastructure developed on the reservation.

Two towns exist on the reservation, one on trust land and one on fee land. The suburbs of the City are slowly moving toward the reservation. Each town has a grocery store, school, hospital with a small medical-waste incinerator, and a filling station. Most of the roads are unpaved, though there are two two-lane highways crossing the reservation. Both are heavily traveled by commercial and passenger traffic, as they are the primary cross-country routes to and from large urban areas to the north and west. Five filling stations stand along the highways.

Burning is a regular practice for agricultural purposes, home heating and cooking, open trash burning, and for traditional purposes. At certain times of the year the smoke causes visibility and health hazards.

The tribe has done some ambient air monitoring and is in attainment for all of the criteria pollutants, though high PM levels have been recorded on certain days, and the plumes from the power plant cause visibility problems and occasional spikes in pollutant concentration.

Small-Group Activity

Part I: Identifying Air Quality Management Issues

Objective:

The first part of the activity asks you to identify air quality management issues presented by the scenario. Being able to analyze what is known about your reservation to determine what air quality management issues are present typically is an early step in evaluating whether it would be appropriate to develop a Tribal Implementation Plan.

Procedures:

1. Divide into the groups assigned by your instructors.
2. Re-read the scenario.
 - ◆ In order to identify all of the issues presented, you should consider not only the explicit facts presented by the scenario, but also the facts that would be logically consistent with those explicit facts.
 - ◆ For example, if the scenario states that automobiles are driven on the reservation, you can assume that the exhaust from those automobiles contains pollutants typically found in automobile exhaust. If the automobiles travel on unpaved roads, you can assume that during dry weather those automobiles will put dust into the air.
 - ◆ Similarly, if the scenario states that a dry cleaning establishment is located on the reservation you can assume that air emissions from that establishment contain hazardous air pollutants that are typically emitted from dry cleaners.
3. Within your group, choose a person to take notes and serve as a spokesperson.
4. Within your group, discuss the following questions:
 - a. What air quality management issues are presented by the scenario?
 - b. Based on how important you think each of those issues is, how would you rank those issues, from most important to least important? Why?
 - c. What additional information should the reservation's air quality program begin to collect about activities and air quality on or near the reservation? Why?
5. Prepare your notes from this activity so they can be used in later activities and for the presentation to council. (If you are in the Tribal Council small group, prepare questions to ask the Environmental staff when they make their presentations to you.)

Small-Group Activity

Part II: Identifying Tools Available for Dealing with Issues

Objective:

During Part I of this activity you identified air quality management issues presented by the scenario. During this part of the activity you will identify all of the things that might be done through your air program to manage those issues. For purposes of the rest of this activity, we refer to those things you have identified as “tools”. For this part of the exercise, you should focus on simply identifying tools – you do not need to evaluate the strengths or weaknesses of those tools or select which tools might be appropriate to use in your Tribal Implementation Plan.

Procedures:

1. Divide into the groups assigned by your instructors.
2. Re-read the scenario.
3. Review the air quality management issues you identified in the first part of this activity.
4. Within your group, choose a person to take notes and serve as a spokesperson.
5. Within your group, discuss the following questions:
 - a. What Clean Air Act tools are available to address the issues you have identified?
 - b. What other tools (e.g. under inherent tribal authority) might be available to address the issues you have identified?
6. Prepare your notes from this activity so they can be used in later activities and for the presentation to council. (If you are in the Tribal Council small group, prepare questions to ask the Environmental staff when they make their presentations to you.)

Small-Group Activity
Part III: Evaluating Available Tools

Objective:

Now that you have identified the air quality management issues and developed a list of tools that are available to address those issues, you must evaluate those tools to determine the advantages and disadvantages of using each of those tools in your situation and to determine which of those tools might be appropriate for inclusion in a TIP for your reservation.

Procedures:

1. Divide into the groups assigned by your instructors.
2. Re-read the scenario.
3. Review the air quality management issues and the potential tools you identified in the first two parts of this activity.
4. Within your group, choose a person to take notes and serve as a spokesperson.
5. Within your group, discuss the following questions:
 - a. Beginning with your highest priority issue, what are the advantages and disadvantages of each tool that could be used to address that issue?
 - b. When you have finished evaluating the tools that are relevant to the highest priority issue, evaluate the tools relevant to the next highest priority issue. Continue until you have evaluated the tools relevant to all of the issues you have identified. In some cases, the same tools may apply to several issues.
 - c. Which of the tools you have identified would be appropriate to include in a Tribal Implementation Plan? Why?
 - d. In addition to the information given in the scenario, what other information would you need to properly evaluate the potential tools? Why?
6. Prepare your notes from this activity so they can be used in later activities and for the presentation to council. Answering the "Why?" question is very important because the Tribal Council may ask your group to justify your positions or recommendations. (If you are in the Tribal Council small group, prepare questions to ask the Environmental staff when they make their presentations to you.)

Small-Group Activity

Part IV: Planning a Presentation to Tribal Council

Objective:

During this part of the activity, you will plan your presentation to the Tribal Council. The specific issue that the Council has asked you to evaluate is whether, after your initial analysis of air quality issues and tools that could be used to address those issues, the Council should authorize you to proceed to develop a draft Tribal Implementation Plan for them to consider.

Procedures:

1. Re-read the scenario.
2. Review the air quality management issues, the potential tools, and the evaluation of those tools you identified in the first three parts of this activity.
3. The group assigned to play the role of Tribal Council should:
 - a. Discuss the following questions:
 - What information will you need to make a decision on a recommendation of this type?
 - If the Council decides to authorize the air program to develop a draft Tribal Implementation Plan, what steps do you think the air program should take to develop that draft?
 - Based on what you know at the present time, what elements would you expect the draft TIP to contain?
 - b. Assign appropriate roles to individual Council members and determine how you will conduct the meeting.
4. The participants who will be presenting to the Tribal Council should:
 - a. Discuss the following questions:
 - Should the Council authorize the air program to proceed to develop a draft Tribal Implementation Plan? Why or Why not?
 - What steps will the air program take to develop that draft TIP? Why?
 - Based on what you know at the present time, what elements would you expect the draft TIP to contain? Why?

Remember that charts and the use of graphics significantly add to oral presentations, and that different members of your group may present different parts of your recommendations.

- b. Decide which participants will present your recommendations on these three questions to the Tribal Council.
- c. Plan your presentation to the Council.
- d. The presentation will be timed (remember, Tribal Councils have short attention spans!)

Small-Group Activity

Part V: Presenting Recommendations to Tribal Council

Objective:

During this final part of the activity, each group will make its presentation to the Tribal Council. Group presentations will be timed, and Council will have the opportunity to ask questions of each group before voting on their recommendations.

Procedures:

1. Remain in the same groups that were assigned during the previous part of this exercise.
2. The members of the Tribal Council convene and conduct the Council meeting.
3. The other participants will present their recommendations to the Council and respond to any questions asked by the Council members.
4. The Council members discuss the recommendations and make a decision.

Class Discussion:

1. The class will discuss and critique each group's presentation, its strengths and weaknesses.
2. Discuss how effective you thought this activity was. How can ITEP improve this series of group activities?

