

Topock Compressor Station Ground Water Remediation Project

On April 14, 2011, the Tribal Council for the Colorado River Indian Tribes (CRIT) provided the following statement of its position regarding the Topock Compressor Station Ground Water Remediation Project:

As described by the state of California's Department of Toxic Substance Control (DTSC), the Pacific Gas and Electric Company's (PG&E) Topock Compressor Station compresses natural gas before transporting it through pipelines to central and northern California. From 1951 to 1985, PG&E used hexavalent chromium as an anti-corrosion agent in its cooling towers. From 1951 to 1964, untreated waste water from the cooling towers was discharged into percolation beds in Bat Cave Wash, a normally dry wash next to the Station. Beginning in 1964, PG&E treated the wastewater to remove hexavalent chromium. The treated wastewater was discharged into Bat Cave Wash until 1968, and subsequently was discharged into an onsite injection well. Over time, PG&E installed a series of lined evaporation ponds for waste water disposal. In 1985 PG&E stopped using the chromium-based additive and switched to a phosphate-based solution. In 1996, PG&E entered into a Corrective Action Consent Agreement with the DTSC to investigate and cleanup the hexavalent chromium contamination at the site.

In light of these developments, on April 16, 2007 the CRIT Tribal Council took action whereby it recognized that "as a downstream entity, the Colorado River Indian Tribes will bear the brunt of any health, economic, and/or cultural impacts resulting from any contamination related activities directly upstream at the site of the spill." Further, Tribal Council "resolved that the staff of the tribal government shall be directed to work diligently with PG&E and any and all government agencies to ensure that the best interests of the Tribe are protected, especially as those interests relate to the health and economic well being of CRIT members during the cleanup of the chromium contamination and its related activities". Finally, Tribal Council resolved "that although some Mohave Cultural sites may be potentially impacted by investigation remedial, final remedy, and/or cleanup related activity, the overriding health and safety concerns of living people shall have priority in this situation." The Tribes' position in regard to these issues has not changed, and we herein reaffirm these statements.

The Colorado River Indian Tribes consist of four tribes; the Mohave, Chemehuevi, Hopi, and Navajo. The Mohave people are indigenous to the Colorado River basin since time immemorial. The Topock Compressor Station sits on the most sacred site of the Mohave people. The Chemehuevi people, though once nomadic throughout the Mohave Desert, settled along the Colorado River, live with the Mohave people, and have long shared cultural and spiritual ties to the Colorado River. Likewise, the Hopi and Navajo people share that intimate

relationship with the River, not just in the lower Colorado River basin, but along the upper Colorado River Plateau as well. The Yuman people share a spiritual perspective of the cycle of life, from birth to death, to the next spiritual world.

Thus, CRIT's position is a difficult one. On the one hand, despite the foregoing statements wherein the priority of living people is deemed our foremost concern, it would be false to suggest that CRIT does not support or recognize the true significance of the Topock area as a sacred site, or to imply that CRIT condones any actions that would disturb the spiritual values of the area, or interfere with cultural practices there. Yet, unlike Tribes situated upstream of the contamination at the Topock site, looming over CRIT throughout the remediation process is the very real potential for mass contamination of the River by a known carcinogenic compound. With a significant water entitlement and 85,000 acres of irrigated cropland in production each year, contamination, or even the *fear* of contamination, adversely affects our ability to sustain our people into the future. We must ensure that present and future generations have access to safe, clean River water to sustain our people. We are therefore obligated to preserve and protect the River from all threats – chemical, biological and, yes, even psychological threats – that would impair the ability of the members of the Colorado River Indian Tribes to survive, physically or economically, into the future.

In conclusion, the Colorado River Indian Tribes recognizes and supports the Ft. Mojave Indian Tribe's spiritual perspective of the area regarding the remediation process. However, we must also recognize that the potential adverse effects of Chromium-VI contamination spreading into the River itself would be devastating - not just economically, but to human life, plant life, animal life, and most importantly to the water that sustains all of our lives. Therefore we continue to take the position that the contamination resulting from PG&E's operations of the Topock Compressor Station must be cleaned up in a manner that minimizes risk to our people, while providing the maximum possible protection for the cultural and spiritual values we, and our neighboring communities hold sacred.

COLORADO RIVER INDIAN TRIBES	
Eldred Enas, Tribal Council Chairman	*****

Respectfully,