



# Tolowa Dee-ni' Nation

12801 Mouth of Smith River Rd. Smith River, CA 95567  
707-487-9255 www.tolowa.gov



## Application Information Sheet

R09-26-C-017

### **(1) Applicant Identification**

Tolowa Dee-ni' Nation  
12801 Mouth of Smith River Rd, Smith River, CA 95567

### **(2) Website URL**

<https://www.tolowa.gov/>

### **(3) Funding Requested**

- a. Grant Type; Single Site Cleanup
- b. Federal Funds Requested; \$1,859,284

### **(4) Location**

Smith River, Del Norte County, California, Tolowa Dee-ni' Nation (Tribal Fee Land)

### **(5) Property Information**

Xaa-wan'-k'wvt Village and Resort  
12370 US-101 Smith River, Del Norte County, California 95567

### **(6) Contacts**

- a. Project Director  
Tim Hoone, Tolowa Dee-ni' Nation Community Development Director  
(707) 487-9255 x 1230  
tim.hoone@tolowa.com  
12801 Mouth of Smith River Rd  
Smith River, CA 95567
- b. Chief Executive/Highest-Ranking Elected Official  
Debbie Boardman, Tolowa Dee-ni' Nation Tribal Council Chairperson  
chair@tolowa.gov  
12801 Mouth of Smith River Rd  
Smith River, CA 95567

### **(7) Population**

Tolowa Dee-ni' Tribal Citizens – 2,248  
Non-Tribal – 3,611

Debbie  
Boardman  
*Chairperson*

Scott D.  
Sullivan  
*Vice -  
Chairperson*

Jeri Lynn  
Thompson  
*Council  
Secretary*

Jaytuk  
Steinruck  
*Council  
Treasurer*

Dr. Joseph  
Giovannetti  
*Council  
Member*

Amanda  
O'Connell  
*Council  
Member*

Dorothy  
Wait  
*Council  
Member*

**(8) Other Factors**

<b>Other Factors</b>	<b>Page #</b>
Community population is 15,000 or less.	1
The applicant is, or will assist, a federally recognized Indian Tribe or United States Territory.	1
The priority site(s) is impacted by mine-scarred land.	
The priority site(s) is adjacent to a body of water (i.e., the border of the priority site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	1
The priority site(s) is in a federally designated flood plain.	
The reuse of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy.	
The reuse of the priority site(s) will incorporate energy efficiency measures.	
The proposed project will improve local resilience to the impacts of extreme weather events and natural disasters.	2
At least 30% of the overall project budget will be spent on eligible reuse/area-wide planning activities, as described in Section 3.A.(2), for priority site(s) within the target area(s).	
The target area(s) is impacted by a coal-fired power plant that has recently closed (2015 or later) or is closing.	

**(9) Releasing Copies of Applications**

Not applicable

**Legend**

- Approximate Boundary
- Site Features

DU-02 - Ship  
Ashore Gift Shop  
APN 102-170-001-000



## **Narrative Criteria**

### **(1) PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION**

#### **Target Area and Brownfields**

##### **a. Overview of Brownfield Challenges and Description of Target Area**

Along the eastern oceanfront in the estuary of the Smith River lies an ancestral village appropriately named “Along-There Upon-It,” or Xaa-wan’-k’wvt. Remarkable in its beauty and rich in its significance to the Tolowa Dee-ni’ Nation (TDN or Nation), this property holds an important place in the Nation’s identity as it was once the location of the Xaa-wan’-k’wvt Village, which provided the Nation with governance, food, and housing. The target area (TA) for this Cleanup Grant (Grant) application is a portion of this historically and culturally significant waterfront area, the Xaa-wan’-k’wvt Village and Resort (XVR) property. Located in the unincorporated community of Smith River, Del Norte County, California, the XVR property was purchased by and returned to the Tolowa Dee-ni’ on November 30, 2016. TDN is the applicant for this Grant.

The TA (XVR property) is situated immediately adjacent to the Smith River estuary near its confluence with the Pacific Ocean, and directly west of U.S. Highway 101. The area lies next to the TDN Reservation and is within a rural coastal region characterized by limited infrastructure, geographic isolation, and constrained economic opportunities. The surrounding area includes residential uses, recreational fishing access, culturally significant natural resources, and habitat supporting federally and state-listed species. Additionally, Palustrine wetlands lie immediately to the east of the TA according to the National Wetlands Inventory produced by the US Fish and Wildlife Service.

For decades prior to acquisition by TDN in 2016, portions of the XVR property were operated by non-Tribal owners for commercial, recreational, and residential purposes, including a hotel, restaurant, recreational facilities, and long-term and short-term RV and mobile home uses. Many of these facilities were subsequently abandoned or fell into severe disrepair. As a result of this legacy use and prolonged vacancy, environmental assessments identified hazardous building materials, including lead-based paint (LBP), asbestos-containing materials (ACM), and contaminated soils within the TA.

These brownfield conditions present a significant challenge to the TA and TDN. The presence of hazardous materials and dilapidated structures has rendered portions of the TA unsafe for public access, created ongoing health and environmental risks, and prevented the Nation from advancing revitalization efforts consistent with community priorities. The TA’s location along a sensitive estuarine environment further heightens concern, as contamination poses potential risks to surface water quality, aquatic habitat, subsistence fishing resources, and nearby cultural use areas.

The brownfield challenges in the TA also have broader impacts on the surrounding geographic area. The XVR property is highly visible from U.S. Highway 101 and the Smith River corridor, contributing to blight and negative perceptions that discourage visitation, recreation, and investment in an otherwise ecologically and culturally rich region. The continued presence of contamination limits the Nation’s ability to restore access to ancestral lands, support cultural practices, and pursue economic opportunities tied to eco-tourism, recreation, and community-serving uses.

This Grant directly addresses these challenges by providing the funding necessary to remove contamination and eliminate environmental and safety hazards. Cleanup of this defined brownfield area is a critical prerequisite to revitalization of the larger XVR property and surrounding community. By addressing hazardous substances that currently prevent safe access and reuse, the grant will reduce risks to human health and the environment, remove a long-standing barrier to redevelopment, and position the site for future reuse consistent with TDN priorities and adopted planning efforts.

##### **b. Description of the Priority Brownfield Site(s)**

The Priority Brownfield Site is the Xaa-wan’-k’wvt Village and Resort Ship Site (also known as the Ship Ashore Gift Shop; Assessor Parcel No. 102-170-001-000) (Site), located within the larger XVR property at 12370 U.S. Highway 101 and 200 N. Salmon Harbor Road in Smith River, California. The Site encompasses approximately five (5) acres and includes a dry-docked vessel and associated structures that were formerly operated as a museum and gift shop.

A Phase I/II Targeted Brownfields Assessment (TBA) was conducted in 2018 by Weston Solutions, Inc. for TDN with EPA Region 9 support to evaluate environmental conditions at XVR property, including the Site. The assessment included historical review, building materials surveys, soil sampling, and laboratory analysis to identify recognized environmental conditions and potential risks to human health and the environment. Phase I and II investigations found that the Site contains asbestos-containing materials, lead-based paint, potential PCB-containing electrical components, and surface soils with elevated lead concentrations, creating documented human health and environmental risks that require removal and proper disposal before the site can be safely reused. The presence of these materials, combined with long-term vacancy and structural deterioration, has rendered the Site unsafe for public access, created potential exposure pathways, and prevented its use for cultural, community, or economic purposes.

The Site is situated immediately adjacent to the Smith River estuary near its confluence with the Pacific Ocean and in close proximity to palustrine wetlands mapped by the U.S. Fish and Wildlife Service. The Smith River is the only undammed river in California and is designated as a Wild and Scenic River, supporting Chinook salmon, steelhead, Coho salmon, and the federally listed Tidewater Goby. These waters are central to the Nation’s subsistence fishing, cultural practices, and environmental stewardship. The surrounding XVR property

also provides habitat for elk, which are culturally and nutritionally important to the Nation and are managed in coordination with the California Department of Fish and Wildlife under a Memorandum of Understanding.

In its current condition, the Site detracts from this culturally and ecologically significant setting. Rather than serving as a community or visitor asset, the deteriorated structures have become a safety hazard and a focus of vandalism and unauthorized entry. Completion of cleanup at the Site will have direct and measurable benefits for the TA and TDN by restoring safety, improving environmental conditions along the Smith River estuary, and enabling subsequent revitalization activities that support cultural restoration, environmental stewardship, and long-term economic resilience for the Nation and the broader Smith River community.

The Site is prioritized for cleanup because it represents the most immediate source of potential human health and environmental risk within the larger XVR property and is a critical gateway location along U.S. Highway 101 and the Smith River corridor. Remediation of this Site will eliminate exposure hazards, protect sensitive aquatic and wetland ecosystems, and remove a key barrier to restoring safe access and advancing future reuse consistent with the Nation's cultural, environmental, and community development goals.

### **Revitalization of the Target Area**

#### **c. Reuse Strategy and Alignment with Revitalization Plans**

The reuse strategy for the XVR property is guided by the **XVR Site – Eco-Resort Master Plan** and the **TDN Land Use Plan (2018)**, which together establish a long-term vision for restoration, cultural revitalization, and sustainable economic use of this historically and environmentally significant coastal site. The Master Plan outlines a phased, stewardship-based approach that integrates habitat restoration, cultural facilities, recreation, visitor services, and limited commercial uses in a manner consistent with TDN values and coastal resource protection.

Planned and projected reuse includes restoration of native shoreline and coastal habitats; development of cultural gathering and interpretation areas; rehabilitation of recreational facilities; and eco-tourism and visitor accommodations that support economic development while protecting sensitive natural and cultural resources. This strategy aligns with and advances the Nation's land use and revitalization priorities by supporting community health, cultural continuity, environmental restoration, and long-term economic resilience, as articulated in the TDN Land Use Plan and associated coastal and natural resource management goals.

The Site is located within a dynamic coastal and estuarine environment adjacent to the Smith River and Pacific Ocean, portions of which are subject to floodplain and sea-level rise considerations. The Master Plan and Land Use Plan incorporate climate adaptation and resilience principles, including restoration of natural shoreline features, setbacks, and low-impact development strategies to reduce flood risk and enhance long-term site sustainability.

Development of the reuse strategy was grounded in extensive and meaningful community and partner engagement. The Master Plan and Land Use Plan were developed through a multi-year process that included TDN Council and committee participation, community surveys, design charrettes, open meetings, and consultation with TDN members, local residents, and regional, state, and federal agencies. This collaborative process ensured that cultural, historical, environmental, and economic priorities were fully integrated and that the resulting reuse vision reflects community consensus and long-term stewardship objectives for Xaa-wan'-k'wvt and surrounding lands.

#### **d. Outcomes and Benefits of Reuse Strategy**

Cleanup of the Site will remove a major environmental and safety barrier to revitalization of a culturally, environmentally, and economically significant area for the TDN and the surrounding Smith River community. Completion of hazardous materials removal will enable restoration, cultural use, and phased redevelopment, supporting long-term stewardship, community services, and sustainable economic activity.

Post-cleanup reuse of the Site is expected to stimulate economic development by enabling eco-tourism, recreation, and community-serving facilities that generate employment opportunities, visitor spending, and revenue for TDN and the local region. The TA is located in an area with limited developable land, a small local economic base, and persistent blight from abandoned and deteriorated structures. Removal of contamination and unsafe buildings will reduce redevelopment risk, increase site marketability, and position the property as a focal point for cultural events, community programs, and visitor-oriented uses, including facilities that can be used for community gatherings, trainings, and youth and family services.

The reuse strategy also emphasizes restoration and enhancement of open space, shoreline, and estuarine areas, supporting habitat protection, greenspace, and recreational access along the Smith River. Cleanup will facilitate removal of hazards adjacent to sensitive coastal and estuarine environments and enable restoration of native vegetation and natural features, benefiting wildlife habitat and providing opportunities for outdoor recreation, cultural practices, and environmental education.

The Site's coastal and estuarine setting makes resilience to flooding, sea-level rise, and extreme weather a critical consideration. Cleanup and subsequent restoration and redevelopment will support improved resilience by enabling removal of deteriorated structures, incorporation of natural shoreline features, and implementation of low-impact and climate-adaptive design approaches identified in planning efforts. These measures will help reduce exposure to flooding, protect water quality, and enhance the Site's ability to withstand and recover from storm events and coastal hazards.

Consistent with TDN priorities and EPA guidance, future redevelopment and restoration activities are expected to incorporate green and sustainable practices, including energy-efficient building design, reduced

material and energy consumption, and consideration of renewable energy and low-carbon infrastructure where feasible. By removing contamination and enabling environmentally responsible reuse, the proposed cleanup will support long-term economic, environmental, and community resilience outcomes for the TA and the surrounding region.

**Strategy for Leveraging Resources**

e. Resources Needed for Site Characterization

No additional resources are needed for site characterization.

f. Resources Needed for Site Remediation

TDN is seeking Grant funding as the primary and sole source of funding for implementation of the proposed remediation at the Site. At this time, no additional remediation funding sources have been secured or are expected to be required to complete the cleanup activities proposed under this application. The requested Grant funds are expected to fully support the scope of remediation necessary to address contamination at the site and achieve cleanup levels consistent with the planned reuse and stewardship objectives.

g. Resources Needed for Site Reuse

Name of Resource	Resource for (1.g.) Reuse Activities	Resource Secured or Unsecured?	Additional Details or Information About the Resource
CA Water Resources Control Board Small Community Wastewater Fund	\$15.6 Million	Unsecured- application in review	Implementation of Design to eliminate existing lagoon ponds and address XVR’s wastewater need
Environmental Infrastructure Program Funding- Army Corps of Engineers	\$3.8 Million	Unsecured - application in review	Design and engineer wastewater collection and treatment system for XVR

h. Use of Existing Infrastructure

Cleanup of the Site will facilitate continued use of existing infrastructure, including roadway access and utility corridors serving the property. The Site is currently served by U.S. Highway 101 and existing electrical, water, and wastewater systems constructed to support prior uses.

Where feasible, existing infrastructure will be reused; however, portions of the electrical, water, and wastewater transmission lines require repair or replacement due to age and deferred maintenance. TDN is pursuing replacement of electrical distribution lines and has received a California State Water Resources Control Board Proposition 1 Planning Grant to redesign the wastewater system and connect the site to the Nation’s centralized wastewater treatment plant, replacing the existing lagoon system.

EPA Cleanup funding will remove environmental barriers and allow these infrastructure improvements and future restoration and reuse activities to proceed safely and efficiently.

**(2) COMMUNITY NEED AND COMMUNITY ENGAGEMENT**

**Community Need**

a. The Community’s Need for Funding

The TA consists of a small, rural, and economically constrained coastal county in far northwestern California that includes the TDBN’s ancestral and reservation lands. With a total population of approximately 27,700 and more than 40 percent of residents living in rural areas (U.S. Census Bureau, 2020), the region has a limited tax base, high infrastructure costs, and very little access to private capital for environmental remediation or redevelopment.

Indicator	Del Norte County	California	U.S.
Rural Population	43.7%	5.8%	20.0%
Median Household Income	\$66,780	\$96,334	\$78,538
Per Capita Income	\$31,007	\$47,977	\$43,288
Population Below 200% FPL	30.8%	27.5%	28.5%
Households Receiving SNAP	19.8%	11.4%	11.8%
Housing + Transportation Cost Burden (% of income)	60%	51%	48%
Population in 100-Year Floodplain	11.34%	4.06%	5.88%
Heat Vulnerability (HHI)	68.09%	58.34%	51.95%
<i>U.S. Census Bureau (2020), ACS 2019–2023, CNT H+T Index (2022), EPA (2020), CDC (2024)</i>			

Economic indicators demonstrate that the community has substantially less financial capacity than the state as a whole. Median household income in Del Norte County is \$66,780, compared to \$96,334 statewide (U.S. Census Bureau, ACS 2019–2023), and per capita income is \$31,007 versus \$47,977 in California (ACS 2019–2023). Nearly one-third of residents (30.8%) live below 200% of the Federal Poverty Level, and almost 20% of households receive

Supplemental Nutrition Assistance Program (SNAP) benefits, both significantly higher than state averages (U.S. Census Bureau, ACS 2019–2023). Housing and transportation costs consume approximately 60% of household income in the county, far exceeding the affordability benchmark of 45% (Center for Neighborhood Technology, 2022), further limiting local capacity to self-finance environmental cleanup or site redevelopment.

The geographic isolation and physical setting of the area compound these financial constraints. Del Norte County is characterized by extremely rugged terrain and highly rugged road conditions (USDA Economic Research Service, 2023), which increase the cost of construction, utility upgrades, and environmental remediation. More than 11% of the population resides within a 100-year floodplain (EPA, 2020), and over 68%

of local ZIP Code Tabulation Areas are classified as highly vulnerable to extreme heat (CDC, 2024), requiring that redevelopment and cleanup activities also address climate resilience and flood adaptation. These factors substantially increase project costs and deter private investment.

As a sovereign Nation, TDN relies heavily on federal and state grant programs to advance environmental restoration, infrastructure improvements, and community development. TDN’s long-term vision for the Site emphasizes cultural revitalization, habitat restoration, community facilities, and sustainable economic development, but the presence of hazardous building materials and contaminated soil represents a significant barrier to implementing these plans. The local real estate market and private development sector are not positioned to absorb the upfront costs of remediation in this remote coastal setting, particularly for projects centered on cultural, environmental, and community-serving uses rather than high-return commercial development.

EPA Brownfields Cleanup funding is therefore essential to address the community’s demonstrated lack of financial capacity to remediate contamination and move forward with safe reuse. Without this federal investment, the Site would remain underutilized, contaminated, and inaccessible, perpetuating environmental risk, limiting economic opportunity, and delaying implementation of TDN’s adopted land use and revitalization strategies.

**b. Health or Welfare of Sensitive Populations**

The TA includes several populations that EPA identifies as sensitive due to age, health status, disability, socioeconomic conditions, and limited access to services, including TDN members, children, older adults, people with disabilities, low-income households, and residents of a medically underserved rural area.

Indicator	Del Norte County	California
4th Grade Math Proficiency	16.9%	38.2%
4th Grade Reading Proficiency	27.0%	44.0%
Students experiencing homelessness	4.76%	3.96%
Population below 200% FPL	30.8%	27.5%
Households receiving SNAP	19.77%	11.36%
Low-income population with low food access	32.85%	10.37%
Adults 18+ with disability	~20%	~11%
Adults 65+ ER visit rate (per 1,000)	796.5	571.1
Population in Primary Care HPSA	100%	21.1%
Primary care physicians (per 100k)	60.5	81.1
Social Vulnerability Index	0.90	0.72
Air toxics respiratory risk percentile	97th	77th
Heat vulnerability	68.1%	58.3%
Population with low food access	34.41%	13.29%

*Feeding America, 2023; U.S. DOE, 2021–22; ACS 2019–2023; USDA Food Access Atlas; CMS, 2023; HRSA, 2023; County Health Rankings; CDC SVI, 2022, EPA EJScreen, 2022; CDC EPHT, 2024; USDA ERS, 2019*

Children and youth represent a particularly vulnerable group. In Del Norte County, 68.0% of public-school students are eligible for free or reduced-price lunch, indicating widespread household economic insecurity (NCES, 2023–2024). More than one-third of children (36.7%) live in households below 200% of the Federal Poverty Level (ACS, 2019–2023), and 4.76% of students experienced homelessness during the 2021–2022 school year, exceeding the statewide rate (U.S. Department of Education, 2022). Food insecurity affects approximately 22% of children, substantially higher than state and national averages (Feeding America, 2023). Educational and developmental vulnerabilities are further reflected in high chronic absenteeism (33.2%) and low fourth-grade proficiency in math (16.9%) and reading (27.0%) (U.S. Department of Education, 2021–2023).

Older adults and people with disabilities also constitute a large and sensitive population. Nearly 20% of residents are age 65 or older, and 13.9% are ages 55–64, both higher than state averages (ACS, 2019–2023). More than 20% of the civilian non-institutionalized population has at least one disability, almost double the statewide rate (ACS, 2019–2023), and over 38% of seniors report a disability (ACS, 2019–2023). These populations face increased vulnerability to environmental hazards, limited mobility, and greater dependence on accessible community facilities and health services.

The community also faces profound healthcare access constraints. One hundred percent of Del Norte County residents live in a federally designated Primary Care Health Professional Shortage Area (HRSA, 2023). Primary care physician availability (60.5 per 100,000 residents) is well below the California average (County Health Rankings, 2021), and emergency room utilization among Medicare beneficiaries is substantially higher than statewide rates (CMS, 2023), indicating reliance on high-intensity care and limited access to preventive services.

TDN citizens and other low-income residents experience compounded vulnerability due to geographic isolation, transportation barriers, and environmental exposure. Approximately 10.6% of adults lack reliable transportation (CDC PLACES, 2023), over 34% of the population has low access to full-service grocery stores, and nearly one-third of low-income residents live in areas with both low income and low food access (USDA Food Access Research Atlas, 2019). Del Norte County’s Social Vulnerability Index score of 0.90 places it among the most socially vulnerable communities in the state (CDC, 2022), reflecting high cumulative sensitivity across socioeconomic, household composition, minority status, and housing/transportation factors.

The proposed cleanup and reuse of the Site directly address these health and welfare challenges. Removal of asbestos-containing materials, lead-based paint, and contaminated soils will eliminate current and future exposure pathways for children, elders, and people with chronic respiratory and cardiovascular conditions. Redevelopment consistent with TDN’s land use and stewardship goals will restore safe access to

culturally significant lands and community facilities, supporting physical activity, traditional food gathering, cultural practices, and emergency preparedness functions. The project will also create a safer environment for community gatherings, youth programs, health outreach, and resilience planning, thereby reducing environmental stressors and improving overall community well-being for populations that are already medically underserved, economically constrained, and highly vulnerable to environmental and climate-related risks.

**c. Greater Than Normal Incidence of Disease and Adverse Health Conditions**

Residents in the TA experience higher-than-average rates of several chronic and environmentally sensitive health conditions, indicating increased vulnerability to hazardous substances and long-term exposure. These patterns, documented in federal and state health datasets and in CalEnviroScreen, highlight the importance of assessing and remediating contaminated sites to reduce current and future risks.

Respiratory and cardiovascular illnesses are particularly prevalent. In Del Norte County, 10.8% of adults report having asthma, compared to 9.3% statewide, and 8.1% report having been diagnosed with chronic obstructive pulmonary disease (COPD), substantially higher than the California average of 5.1% (CDC PLACES, 2023). Coronary heart disease affects 7.7% of adults, also exceeding the statewide rate of 5.6% (CDC PLACES, 2023). These conditions increase sensitivity to air pollutants and other environmental contaminants.

Cancer indicators further demonstrate elevated health burdens. The county’s lung cancer incidence rate is 56.1 cases per 100,000 people, well above the California rate of 36.7 (State Cancer Profiles, 2017–2021). Overall, 9.0% of adults report having been diagnosed with cancer (excluding skin cancer), compared to 6.4% statewide (CDC PLACES, 2023). EPA screening shows that Del Norte County ranks in the 88th national percentile for air toxics cancer risk and the 97th percentile for respiratory hazard index, placing it among the most highly exposed areas in the country for these indicators (EPA EJScreen, 2022).

State screening results reinforce these findings.

CalEnviroScreen 4.0 for Census Tract 6015000202 which comprises the TA, identifies elevated percentile rankings for pesticides (82nd), groundwater threats (74th), solid waste proximity (88th), and cardiovascular disease (86th), reflecting overlapping environmental and health stressors in the TA (OEHHA, 2024). These risks are

<b>CES Indicator</b>	<b>Percentile</b>
Cardiovascular Disease	86th
Pesticide Exposure	82nd
Groundwater Threats	74th
<i>CalEnviroScreen 4.0, 2024</i>	

compounded by limited access to medical care; the entire county is designated

as a Primary Care Health Professional Shortage Area, which constrains access to early diagnosis, treatment, and preventive services (HRSA, 2023).

<b>Indicator</b>	<b>Del Norte County</b>	<b>California</b>	<b>U.S.</b>
Adult Asthma Prevalence	10.8%	9.3%	9.8%
Adult COPD Prevalence	6.6%	4.6%	5.3%
Adult Coronary Heart Disease	5.9%	5.0%	5.3%
Adult Diabetes	10.2%	10.7%	10.3%
Adults Ever Diagnosed with Cancer	6.9%	5.7%	6.6%
Lung Cancer Incidence Rate (per 100,000)	56.1	36.7	53.1
Air Toxics Cancer Risk Percentile	88th	78th	69th
Air Toxics Respiratory Hazard Index Percentile	97th	77th	64th
Population Living in Primary Care HPSA	100%	21.1%	43.9%
<i>CDC PLACES, 2023; State Cancer Profiles, 2017–2021; EPA EJScreen, 2022; HRSA, 2023</i>			

The proposed assessment and cleanup of the Site will help address these conditions by identifying and removing sources of hazardous substances that can contribute to inhalation, ingestion, and dermal exposure. Remediation of asbestos-containing materials, lead-based paint, and contaminated soils will

reduce potential exposure pathways for residents who already face elevated rates of respiratory disease, cardiovascular illness, and cancer.

Reuse of the Site for safe, community-serving purposes will further reduce health risks by eliminating a legacy source of contamination and replacing it with land uses that support clean air, safe access, and outdoor activity. Together, assessment, cleanup, and reuse will help lower cumulative exposure, support healthier living conditions, and may help to reduce the long-term disease burden in a community that already experiences higher-than-normal rates of environmentally sensitive health conditions.

**d. Economically Impoverished/Disproportionately Impacted Populations**

TDN has experienced long-standing economic and environmental burdens associated with historic land use, limited infrastructure investment, and the legacy of governmental and commercial activities in the region. These conditions have constrained economic opportunity, reduced access to safe and developable land, and increased exposure to environmental hazards, while also limiting the Nation’s ability to independently finance environmental cleanup and redevelopment.

The Site occupies land of cultural, community, and economic importance, yet the presence of hazardous building materials and contaminated soils has restricted its safe use and redevelopment. For the Nation, the loss of functional land due to contamination is particularly significant because of the limited land base, rural location, and lack of access to private capital or large local tax revenues. Environmental contamination therefore creates a disproportionate burden, not only by posing potential health risks, but by preventing the use of land that could otherwise support cultural activities, community services, emergency response functions, and economic development.

Historic patterns of siting infrastructure, waste facilities, and industrial activities in or near rural and Native communities have contributed to cumulative environmental stressors that are difficult to address without federal assistance. These legacy conditions, combined with persistent economic constraints and geographic isolation, have reduced the Nation’s capacity to attract investment and have made remediation costs a significant barrier to revitalization.

The proposed EPA-funded cleanup and reuse of the Site will directly reduce these disproportionate impacts by removing hazardous materials, eliminating exposure pathways, and restoring the property for safe, productive use consistent with the Nation’s long-term land use and stewardship goals. By addressing contamination that the Nation cannot reasonably remediate with its own resources, the project will help correct historic inequities in environmental conditions, expand access to safe land for community and cultural purposes, and support long-term economic resilience and self-determination for TDN and the surrounding community.

**Community Engagement**

e. Project Involvement – Described in 2.f below.

f. Project Roles

The project will be implemented through coordinated involvement of local, state, and federal entities with direct jurisdiction, cultural stewardship responsibilities, and technical expertise related to coastal resources, land management, and brownfields cleanup. These partners will support regulatory coordination, cultural resource protection, and informed decision-making throughout cleanup and redevelopment planning. Their participation will ensure that cleanup activities and future reuse are consistent with cultural priorities, coastal and tidelands regulations, and long-term stewardship goals, and that the community has meaningful input into site planning and implementation.

The organizations listed below will provide technical assistance, regulatory consultation, and cultural oversight, and will participate in project meetings, review of work plans, and coordination on reuse concepts to ensure that decisions reflect local priorities and regulatory requirements and protect sensitive resources.

<b>Name of organization/ entity/group</b>	<b>Entity’s mission</b>	<b>Point of contact (name &amp; email)</b>	<b>Specific involvement in the project or assistance provided</b>
Tribal Heritage Preservation Office	Cultural resource protection and stewardship.	Cynthia Ford (707) 487-9255 cynthia.ford@tolowa.gov	TA and monitor for cultural and historic places
CA State Lands Commission	Public land and water resource protection and management.	Jennifer Mattox (916) 574-0748 jennifer.mattox@slc.ca.gov	Communication and coordination for potential impacts on the tidelands
US EPA, Region IX Brownfields	Brownfield cleanup and land revitalization support.	Brooklyn James (415) 972-3519 james.brooklyn@epa.gov	TA for brownfields will be provided by Region IX
TDN Public Safety Department	Ensure the health, safety, and wellbeing of citizens and the community.	Tim Sanderson (707) 487-9255 Tim.sanderson@tolowa.gov	Support health and safety protocols; assist with community notification

g. Incorporating Community Input

TDN has a long-standing practice of engaging its community through established governance and communication channels and will continue to use these culturally appropriate processes to ensure meaningful public involvement in this project. These forums provide opportunities to share information, solicit community input, and incorporate feedback into project oversight and decision-making. TDN’s approach to communicating project progress and incorporating community input will include:

- *Monthly XVR Planning Committee meetings*, which will serve as a primary forum for receiving community input, overseeing project progress, and ensuring consistency with the Nation’s redevelopment and stewardship goals.
- *Open stakeholder meetings with TDN officials*, interested community members, and project partners to provide updates and solicit feedback at key project milestones.
- *Regular updates and notifications* through the monthly TDN newsletter, the TDN website, and TDN’s Facebook page, which will provide accessible, non-in-person options for community members to stay informed and submit comments or questions.
- *Posting of notices and project information* in communal areas throughout the community, as needed, to reach members who may not use online platforms.
- *Ongoing engagement by the Project Manager*, who will coordinate communications, track community input, and ensure that comments and concerns are communicated to the project team and TDN leadership.
- *Monthly reports to the TDN Council and citizens* during open Council meetings, where project status and community feedback will be discussed and considered as part of formal decision-making.
- *Annual General Membership Meetings* held each March, to provide project updates and solicit broader community input on cleanup progress and future site stewardship and revitalization.

- *Time lapse camera feed* TDN intends to have a publicly accessible link to the time lapse camera feed, along with updates on the project. This will inform public of progress throughout the life of the project. Through these established communication channels, TDN will ensure that project information is shared regularly, that community members have multiple opportunities (both in person and remotely) to provide input, and that feedback is meaningfully considered throughout project implementation.

**(3) TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS**

a. Proposed Cleanup Plan

TDN has already received initial support from a Qualified Environmental Professional (QEP) to prepare a draft ABCA, which offers an outline of several cleanup options for the site. Based on the findings of the Phase I and Phase II ESAs, the contaminants of concern (COCs) include hazardous building materials (lead based paint, asbestos containing materials or ACM, and polychlorinated biphenyls or PCBs) and lead impacted soil.

Based on the concentrations and extent of COCs, the following is proposed: the development of a Quality Assurance Project Plan (QAPP) and a Corrective Action Plan (CAP) and excavation and off-Site disposal of impacted soil, along removal of hazardous materials at the Site, followed by appropriate demolition. Demolition of the XVR Ship is necessary because the dry-docked vessel and associated structures contain widespread asbestos-containing materials, lead-based paint, and impacted soils, and are in a state of advanced structural deterioration that makes safe rehabilitation infeasible and cost-prohibitive. Following appropriate abatement and mitigation of hazardous materials, removal of the ship and remaining structures is the most protective and technically feasible approach to eliminate exposure pathways, address safety hazards, and prevent continued releases to the adjacent Smith River estuary and nearby wetlands. This approach will allow the property to be restored for safe, culturally appropriate, and community-serving reuse consistent with the Nation’s long-term stewardship and revitalization goals.

The costs for the remediation of soil impacted with lead is beyond the available resources that TDN has available. After evaluating each alternative offered in the ABCA, the best option identified as the most effective includes: Limited soils excavation and disposal from the vicinity of the Site. The removal of soil impacted with lead is an effective way to prevent future occupants/tenants/visitors from coming into direct contact with lead-affected soils present at the Site. This Alternative assumes the excavation and off-Site disposal of soils containing lead at concentrations exceeding health risk and hazardous waste criteria. This work will eliminate the direct exposure pathway for potential visitor and commercial worker receptors.

To mitigate the hazardous building materials risk, building materials containing ACM, LPB, and or PCBs would be removed from the Site Structure, prior to demolition/renovation actions. Residual contaminants would be removed where these contaminants are currently suspected or have been identified. Short-term impacts would include an increase in noise and truck traffic and would temporarily restricted access to certain areas of the property. Materials would be properly sorted and packaged for off-Site disposal in an appropriately licensed landfill.

**Description of Tasks/Activities and Outputs**

There are no non-EPA grant resources needed to carry out tasks and activities at the site.

<b>Task 1: Grant Management and Administration</b>
b. Project Implementation
• EPA-funded tasks/activities: Overall grant management, financial tracking, procurement, contract administration, quarterly and final reporting to EPA, ACRES data entry, and coordination with EPA Project Officer. Procurement of a Qualified Environmental Professional (QEP) in compliance with 2 CFR 200. Travel to state and national brownfields conferences.
c. Anticipated Project Schedule: October 2026 through September 2030; ongoing throughout all phases.
d. Task/Activity Lead: TDN, led by Community Development Director with support from Fiscal Department.
e. Outputs: Executed contracts, Quarterly performance reports, Federal financial reports (SF-425), ACRES property and cleanup entries, Final closeout report. Attendance at state and national conferences.
<b>Task 2: Community Engagement</b>
b. Project Implementation
• EPA-funded tasks/activities: Community Involvement Plan. Community notification, public meetings, Planning Committee coordination, TDN Council updates, website/newsletter postings, and documentation of community input related to cleanup activities. Time lapse camera and feed for public.
c. Anticipated Project Schedule: October 2026 and continuing through cleanup completion, with milestone-based outreach during planning, mobilization, and closeout (September 2030)
d. Task/Activity Lead: TDN (Community Development Department), with participation from Planning Committee and Council and contracted QEP.
e. Outputs: Public meeting notices and summaries, Community engagement materials, Updated project web content, Meeting minutes and sign-in sheets, Access to time lapse camera and feed for public, Final community notification of cleanup completion
<b>Task 3: Cleanup Planning</b>
b. Project Implementation
• EPA-funded tasks/activities: Finalization of ABCA, preparation of Quality Assurance Protection Plan (QAPP), Site-specific Cleanup Plan (or Corrective Action Plan), Health and Safety Plan (HASP), waste characterization, regulatory coordination, and contractor work permitting and planning.

- c. Anticipated Project Schedule: December 2026 through December 2027, prior to field mobilization.
  - d. Task/Activity Lead: QEP under contract to TDN, with oversight by the Community Development Director.
  - e. Outputs: Final ABCA, Final Site-Specific CAP, QAPP, HASP, Waste profiles and disposal approvals, Regulatory coordination documentation
- Task 4: Cleanup Activities**
- b. Project Implementation
    - EPA-funded tasks/activities: Hazardous building materials abatement, soil excavation and disposal, confirmation sampling, waste transport and disposal, Restoration, and cleanup closeout documentation.
  - c. Anticipated Project Schedule: January 2028 - January 2030 for field implementation; January 2030 – September 2030 for confirmation, regulatory closure, and closeout.
  - d. Task/Activity Lead: Licensed abatement and remediation contractor, overseen by the QEP and TDN.
  - e. Outputs: Abatement and excavation completion records, Waste manifests, Bills of lading and disposal documentation, Confirmation sampling results, Remedial Action Completion Report / No Further Action letter, ACRES cleanup completion entry

f. Cost Estimates

Budget Categories		Project Tasks (\$)				Total
		Grant Mgmt. and Administration (Task 1)	Community Engagement (Task 2)	Cleanup Planning (Task 3)	Cleanup Activities (Task 4)	
Direct Costs	Personnel	\$24,120	\$68,640	\$48,240	\$48,240	\$189,240
	Fringe Benefits	\$7,718	\$21,965	\$15,437	\$15,437	\$60,557
	Travel		\$12,504			
	Equipment					
	Supplies					
	Contractual		\$50,000	\$55,000	\$117,000	\$222,000
	Construction				\$1,307,024	\$1,307,024
	Other				\$18,000	\$18,000
<b>Total Direct Costs</b>		<b>\$31,838</b>	<b>\$153,109</b>	<b>\$118,677</b>	<b>\$1,505,701</b>	<b>\$1,809,325</b>
Indirect Costs		\$6,368	\$18,121	\$12,735	\$12,735	\$49,959
<b>Total Budget</b>		<b>\$38,206</b>	<b>\$171,230</b>	<b>\$131,412</b>	<b>\$1,518,436</b>	<b>\$1,859,284</b>

**Task 1, Grant Administration and Project Management**

- Personnel Costs: Project Manager Hours, 15 hours/month x 48 months x \$33.50/hr = \$24,120
- Fringe Benefits: breakdown = Fringe Benefits are 32% of salary (Personnel): Social Security, 6.20%; Medicare, 1.45%; State Unemployment, 1.15%; Workers Comp, 6.7%; Health/Dental/Life, 13.50%; 401K, 3.00%; Total 32% Fringe Benefit Rate = \$7,718.
- Indirect Costs are reduced from approved rate of 35.94% to 20%, & charged only on personnel & fringe; \$21,120 + \$7,718 = \$31,838 x 20% = \$6,368

**Task 2, Community Engagement**

- Personnel Costs: Project Manager Hours, 40 hours/month x 36 months x \$33.50/hr= \$48,240 + Project Support Staff for 40 hrs/month x 12 months x \$42.50/hr = \$20,400; total = \$68,640
- Fringe Benefits: breakdown = \$21,965, Fringe Benefits are 32% of salary (see breakdown above)
- Travel: total of \$12,504 has been budgeted to this task for two TDN staff to travel to two National Brownfields Conferences (\$3,126 each – per diem \$90, airfare \$400, baggage \$80, parking \$19/day, lodging \$300/day, cab fare \$150). Total travel = \$3,126 x 2 staff x 2 years = \$12,504.
- Contractual Costs: 125 hours at an average rate of \$200/hr = \$25,000 for QEP support and camera and timelapse service is \$6,250/year x 4 years = \$25,000 for a total of \$50,000.
- Indirect Costs are reduced from approved rate of 35.94% to 20%, & charged only on personnel & fringe; \$68,640 = \$21,965 = \$90,605 x 20% = \$18,121

**Task 3, Cleanup Planning**

- Personnel Costs: Project Manager Hours, 40 hours/month x 36 months x \$33.50/hr= \$48,240
- Fringe Benefits: breakdown = \$15,437, Fringe Benefits are 32% of salary (see breakdown above)
- Contractual Costs: QAPP at \$25,000, CAP at \$25,000, and HASP at \$5,000 for a total of \$55,000
- Indirect Costs are reduced from approved rate of 35.94% to 20%, & charged only on personnel & fringe; \$48,240 + \$15,437 = \$63,677 x 20% = \$12,735

**Task 4, Cleanup Activities**

- Personnel Costs: Project Manager Hours, 40 hours/month x 36 months x \$33.50/hr= \$48,240
- Fringe Benefits: breakdown = \$15,437, Fringe Benefits are 32% of salary (see breakdown above)
- Construction Costs: Soils Removal and Disposal (290 cy) = \$328,017, Post Remediation Testing = \$40,000, Remedial Action Completion Report = \$50,000, Project Management at average rate of \$200/hour for a total of 125 hours = \$25,000. Asbestos ad LBP abatement: flooring = \$15,168, walls = \$48,538, ceiling =

\$12,123, exterior walls = \$54,605, roofing = \$10,618, LBP stabilization = \$120,000, monitoring = \$36,000, final report = \$12,000, and demolition = \$500,000 for a combined total of \$1,307,024

– *Contractual Costs*: Cost of Cultural Monitors, provided by Tribal Heritage Preservation Office. Cultural Monitors are required to be on-site during any ground-disturbance activities. Cost is \$75.00/hr x 40 hrs/week x 39 weeks (9 months) = \$117,000

– *Other*: Tribal Heritage Preservation Permit, \$18,000, required to assess and approve ground disturbance activities.

– Indirect Costs are reduced from approved rate of 35.94% to 20%, & charged only on personnel & fringe; \$48,240 + \$15,437 = \$63,677 x 20% = \$12,735

g. Plan to Measure and Evaluate Environmental Progress and Results

Project progress and environmental results will be tracked through established TDN oversight and EPA reporting systems. The XVR Planning Committee will meet regularly to review cleanup progress, coordinate activities, and ensure consistency with the approved workplan and redevelopment objectives. The Community Development Director will provide monthly status updates to the TDN Council. The selected contractor will be required to submit an implementation schedule and progress documentation, which will be used to track completion of key cleanup tasks and milestones. Environmental results will be evaluated through confirmation sampling, regulatory approvals, and documentation demonstrating that cleanup levels protective of the planned land use have been achieved. Progress and outcomes will be reported in required quarterly reports and entered into EPA's ACRES system.

**(4) PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE**

**Programmatic Capability**

a. Organizational Structure

TDN will administer and implement this EPA Cleanup Grant through its established TDN government structure. The project will be managed by the Director of the Community Development Department, which will be responsible for overall project coordination, communication with EPA, and oversight of contractors and partners. The Project Director will provide regular updates to the TDN Council, which retains final authority over major project decisions and ensures alignment with TDN priorities.

Financial management, procurement, and grants compliance will be provided by TDN's Fiscal Department, which operates under formally adopted financial management and procurement policies that meet federal requirements and provide internal controls, separation of duties, and competitive contracting procedures. Cultural resource protection and consultation will be coordinated with the Tribal Heritage Preservation Office (THPO) to ensure that cleanup activities are consistent with cultural stewardship responsibilities and applicable compliance requirements. Specialized technical services will be performed by qualified, licensed environmental contractors and consultants procured in accordance with TDN's Procurement Policy.

b. Description of Key Staff

The project will be managed by the TDN's Community Development Department. Three key staff will be involved in this project. The Community Development Director, Tim Hoone, will serve as Project Director and will oversee project implementation activities and maintain communication with the Project Team via meetings and daily team check-ins. Mr. Hoone will oversee the procurement of contractors; perform grants management and work with Fiscal Director on quarterly reporting and closeout. The Project Manager, Marshall Berry, Planner III, will ensure environmental compliance and ensure compliance with all regulatory requirements throughout the project period. The Project Manager will serve as liaison between the Tribal Council, Tribal staff, Tribal citizenship, contractors, and any project partners to ensure transparency in communication and coordination.

Tim Hoone (BS, Environmental Studies) has managed implementation projects similar to the proposed project to successful completion. He is the facilitator for the Nation's Building Oversight Committee and Project Manager for the Dat-naa-svt Village Project and the See-waa-dvn Elder Village Project. In this capacity, he oversaw the successful and timely completion of the Dat-naa-svt Village Project Phase 1, a \$12.9M project that included 12 subcontracts totaling appx. \$6M and managed site inspections by architects and investors. Project is 100% complete, on-time & on-budget.

Marshall Berry (BS, Environmental Design, + MS, Urban Design) will be the project manager manage the proposed project. Mr. Berry has 2 years of experience working in local government planning at the City of Tulsa and Tolowa Dee-ni' Nation. Mr. Berry has been the co-manager on several projects at both The City of Tulsa and Tolowa Dee-ni' Nation ranging from public engagement to design-study projects to grant management/implementation of \$1.5 million in federal and state grant funds. In addition to leading several projects, Mr. Berry was a team member on work managing and implementing many other state and federal grants.

TDN Senior Planner, Brigitte Finigan, will support the lead on the proposed project. Brigitte Finigan (BS, Sociology + 26 units post-graduate work) has worked for the Nation for three (3) years, currently as Senior Planner, responsible for managing the Nation's Planning Division. She has managed implementation projects similar to the proposed project to successful completion. She holds the role of project lead for several of the Nation's projects under the Building Oversight Committee. Ms. Finigan has successfully overseen more than \$8.5M in projects for the Nation.

Chief Financial Officer, Jose Tercilla, will oversee all financial activities of the proposed project. Fiscal Manager will ensure proper application of, and compliance with, procurement and contract management policies; maintain approved financial management procedures, and complete yearly audits and final closeout on time. Mr. Tercilla (MBA, Accounting) has over 36 years of fiscal experience, including 25 years in fiscal management for federally recognized Tribes. From 2019-present Mr. Tercilla serves as chief financial officer, responsible for fiscal compliance for ~\$40M in annual budgets.

c. Acquiring Additional Resources

TDN will acquire additional technical expertise and services in accordance with its federally compliant Procurement Policy (2 CFR Part 200). Specialized environmental and abatement services will be obtained through competitive procurement of qualified, licensed contractors with relevant cleanup experience. TDN does not contract with suspended or debarred entities.

Procurement and contract administration will be conducted by the Project Manager, with technical oversight provided by the Project Director and Senior Planner to ensure that selected firms meet project and regulatory requirements and that contractor performance is monitored throughout implementation.

**Past Performance and Accomplishments**

d. Currently Has or Previously Received an EPA Brownfields Grant

TDN has previously received two EPA Brownfields Cleanup Grants and has demonstrated the ability to successfully manage and implement cleanup projects in compliance with EPA requirements. TDN was awarded an EPA Brownfields Cleanup Grant in Fiscal Year 2019 in the amount of \$500,000 for cleanup activities at the Xaa-wan'-k'wvt Village and Resort (XVR) property. In Fiscal Year 2023, TDN received a second EPA Brownfields Cleanup Grant in the amount of \$500,000 to continue cleanup and abatement activities at the XVR site.

(1) Accomplishments

TDN has successfully completed two EPA Brownfields Cleanup Grants (FY2019 and FY2023) for properties within the XVR area in Smith River, California, resulting in measurable environmental, health, and site-readiness outcomes.

Cleanup and abatement activities funded under these grants eliminated or significantly reduced exposure risks associated with asbestos-containing materials, lead-based paint, and contaminated soils in multiple formerly occupied and highly visible structures along the Smith River estuary. Completion of these response actions removed major safety hazards and sources of blight, protected nearby sensitive coastal and estuarine resources, and reduced potential risks to TDN members, staff, visitors, and wildlife.

The FY2023 Cleanup Grant, which focused on the former XVR Hotel, resulted in the removal of hazardous materials and the stabilization of an abandoned, deteriorated structure in a prominent waterfront location. This action advanced the site from a condition of environmental and physical risk to one suitable for restoration, cultural use, and future redevelopment consistent with TDN stewardship goals. Similarly, the FY2019 Cleanup Grant addressed additional structures and areas within the XVR property, further reducing cumulative environmental liabilities and supporting safe access and long-term management of the site.

Collectively, the two completed Cleanup Grants achieved regulatory closure for priority brownfield areas within the XVR property and contributed to approximately 25 acres being designated as ready for anticipated use. These outcomes removed long-standing barriers to TDN stewardship, restoration, and revitalization of culturally and environmentally significant coastal lands.

All cleanup completion determinations, site status, and readiness for anticipated use have been entered into EPA's Assessment, Cleanup and Redevelopment Exchange System (ACRES) and were current and accurately reflected at the time of submission of this application.

(2) Compliance with Grant Requirements

TDN has complied with the approved workplans, schedules, and terms and conditions for its two most recent EPA Brownfields Cleanup Grants (FY2019 and FY2023) and has demonstrated a consistent record of timely reporting, grant management, and regulatory coordination.

For both grants, TDN submitted required quarterly performance reports and financial reports in a timely and acceptable manner and completed all required deliverables in accordance with EPA-approved workplans. Progress toward achieving the expected results of each grant, including completion of cleanup activities and regulatory closure, was documented through regular reporting to EPA and entered into ACRES. ACRES records for both cooperative agreements reflect closed status, approved cleanup completion, and site readiness determinations, and were current and accurate at the time of submission of this application.

TDN maintained ongoing communication with EPA project officers and regional Brownfields staff throughout the periods of performance and coordinated as needed regarding schedules, technical reviews, and documentation. Where minor schedule adjustments or administrative updates were necessary, these were addressed through communication with EPA and documented through approved reports and system updates. No unresolved compliance issues, enforcement actions, or audit findings are associated with either grant.

Both the FY2019 and FY2023 EPA Brownfields Cleanup Grants are closed. All grant funds were used for eligible cleanup activities in accordance with the approved scopes of work and the definition of period of performance under 2 CFR § 200.1.

Through successful completion of cleanup activities, timely submission of required reports and deliverables, accurate and up-to-date ACRES reporting, and close coordination with EPA, TDN has demonstrated full compliance with grant requirements and the administrative and technical capacity to manage and implement EPA Brownfields Cleanup funding in accordance with program expectations.

**Cleanup Grant Application Threshold Criteria – FY 2026  
Tolowa Dee-ni' Nation**

**1. Applicant Eligibility:**

- a) The Tolowa Dee-ni' Nation (TDN or Nation) is a federally recognized Tribe – (Indian entities recognized to receive services from the Bureau of Indian Affairs- Federal Register, Published Document: 2024-00109 (89 FR 944), 01/08/2024, and is eligible for Brownfields funding.
- b) TDN is not exempt from federal taxation under section 501(c)(4) of the IRC. Therefore, this criteria is not applicable.

**2. Previously Awarded Cleanup Grants:**

TDN affirms that the proposed site, Xaa-wan'-k'wvt Village and Resort (Ship Ashore Gift Shop), has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

**3. Expenditure of Existing Multipurpose Grant Funds:**

TDN does not have an open EPA Brownfields Multipurpose Grant.

**4. Site Ownership:**

TDN acquired the property proposed in this cleanup grant application on 30 November, 2016 (see Ship Ashore Recorded Grant deed, attached in Appendix A). The Nation is the sole owner of the site.

**5. Basic Site Information:**

- a) Name of the site: Xaa-wan-k'wvt Village and Resort, Ship Ashore Gift Shop
- b) Address of the site: 12370 US-101 Smith River, Del Norte County, California 95567 (APN 102-170-001-000)

**6. Status and History of Contamination at the Site:**

- a) Type of Contamination: Hazardous substances
- b) Operational History and Current Use(s): The previous landowners operated the site as an economic enterprise for many decades. The Site is currently closed for operation due to public safety and health concerns.
- c) Environmental Concerns: Due to dilapidation, poor maintenance of facility and historical uses of the Site, there are several known contaminants that require mitigation for the redevelopment of the site. Known contaminants at the site include

polychlorinated biphenyls (PCBs), Asbestos Containing Materials (ACM), and Lead-based paint (LBP).

- d) How the Site Became Contaminated, and Nature/Extent of Contamination: The Site became contaminated due to the previous owners' deferred maintenance, dilapidation, and poor historical uses of the site.

#### **7. Brownfield Site Definition:**

TDN can affirm:

- a) This site is not listed, or proposed for listing, on the National Priorities List
- b) This site is 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
- c) This site is not subject to the jurisdiction, custody, or control of the U.S. government.

#### **8. Environmental Assessment Required for Cleanup Grant Applications:**

The U.S. Environmental Protection Agency (EPA), Region 9 tasked Weston Solutions, Inc., (WESTON®) to conduct an Analysis of Brownfields Cleanup Alternatives (ABCA) for the property located at 12370 US-101, and 200 N. Salmon Harbor Rd., in Smith River, Del Norte County, California (Site). This ABCA was prepared under U.S. Army Corps of Engineers (USACE) Contract W912P7-16-D-0001. WESTON performed fieldwork for a Phase II Targeted Brownfields Assessment (TBA) during the summer of 2018. The TBA was requested by the Tolowa Dee-ni' Nation and performed under contract with the USACE. As part of the TBA, WESTON conducted a Phase II Environmental Site Assessment to further assess Site conditions. Sampling was conducted on decision units to determine and inform alternatives that would meet the project goal to mitigate the identified contaminants and environmental conditions to levels appropriate for the intended site of reuse.

The hotel had an extensive asbestos survey conducted in January 2017 by Asbestos Science Technologies, which confirmed by Polarized Light Microscopy (PLM) analysis the presence of >1 percent (%) asbestos-containing materials (ACM) in ceiling and acoustical material, linoleum, joint compound, mortar, and mastic. Approximately 15 rooms out of 35 were surveyed; however, it is not possible to identify the specific locations of materials analyzed or which materials were sampled and found to be <1% ACM, based on the documentation provided in the survey report. The restaurant also had a limited asbestos survey conducted in January 2017 by Asbestos Science Technologies, which confirmed by PLM analysis the presence of >1% ACM in linoleum and ceiling material. It is unclear from the survey report which rooms and what materials in the restaurant were surveyed and analyzed.

**9. Site Characterization:**

See Letter (Appendix B) from Tolowa Dee-ni' Nation Natural Resources Department, who is the Tribal Environmental Authority, which states that there is sufficient level of site characterization from the environmental site assessment performed to date for the remediation work to begin on the site.

**10. Enforcement or Other Actions:**

There is no ongoing or anticipated environmental enforcement or other actions related to the site for which brownfields grant funding is being requested for. There are no anticipated environmental enforcement or other actions related to the site, or any inquiries, or orders from federal, state, or local government entities that the applicant is aware of for the contamination, or hazardous substances at the site, including any liens.

**11. Sites Requiring a Property-Specific Determination:**

TDN can affirm that the site does not need a Property-Specific Determination.

**12. Threshold Criteria Related to CERCLA/Petroleum Liability:**

This site is contaminated with hazardous substances.

a) Property Ownership Eligibility – Hazardous Substance Sites:

TDN meets the requirements to be exempt from CERCLA liability. Sections ii and iii do not apply.

i. EXEMPTIONS TO CERCLA LIABILITY

(1) Indian Tribes

TDN is an Indian Tribe and is therefore exempt from demonstrating that we must meet the requirements of a CERCLA liability defense.

iv. SITES WITH HAZARDOUS BUILDING MATERIAL THAT IS NOT RELEASED INTO THE ENVIRONMENT

1. TDN affirms that there has been no release or threat of release of the hazardous substances from building materials into the outdoor environment based on the site conditions.

**13. Cleanup Authority and Oversight Structure:**

- a) Describe how TDN will oversee cleanup at the site: The TDN Community Development Department, Planning Division, is the Tribal Authority that will oversee the brownfields Xaa-wan'-k'wvt Village and Resort Hotel clean-up project.

The TDN Community Development Department, Planning Division, is the Tribal Authority that will oversee the Brownfields Xaa-wan'-k'wvt Village and Resort Ship clean-up project. This Tribal Environmental Authority will take the lead on implementing the project. The Planning Division will work collaboratively with the TDN Tribal Heritage Preservation Office and Natural Resources Department to ensure the project aligns with all environmental regulations. The Planning Division will also collaborate with multiple Government Agencies during the assessment, cleanup, and redevelopment processes. Examples of agencies and potential project interaction include:

- U.S. Bureau of Indian Affairs: Technical assistance regarding land management and potential redevelopment.
- EPA: Technical assistance for brownfields will be provided by Region 9.
- Elk Valley Rancheria Environmental Program: General advice from neighboring Tribe that has successfully completed brownfields assessments and cleanups.
- TDN Tribal Heritage Preservation Office and State Historic Preservation Office: Guidance and technical assistance regarding protection of cultural and historic places.
- California Coastal Commission: Consultation and coordination, particularly when it comes to redevelopment as the project is in the Coastal Zone on fee land.
- U.S. National Oceanic and Atmospheric Administration: Communication to update them on project's potential benefits to estuary and listed species.
- California State Lands Commission: Communication and coordination for any potential impacts to tidelands during clean up and/or redevelopment.

TDN will consult with EPA to ensure the cleanup is protective of human health and the environment. Procurement for the Construction Contractor will follow the Tribe's procurement Policy, which meets 2 CFR Part 200 (see narrative for a more detailed description of procurement standards).

- b) Cleanup response activities: TDN owns the cleanup site and has the necessary access to perform all mitigation actions as required for the successful completion of the clean-up project.

#### **14. Community Notification**

TDN has a long-standing practice of engaging its community through established governance and communication channels and will continue to use these culturally appropriate processes to ensure meaningful public involvement in this project. These forums provide opportunities to share information, solicit community input, and incorporate feedback into project oversight and decision-making. TDN's approach to communicating project progress and incorporating community input will include:

- Monthly XVR Planning Committee meetings, which will serve as a primary forum for receiving community input, overseeing project progress, and ensuring consistency with the Nation's redevelopment and stewardship goals.

- Open stakeholder meetings with TDN officials, interested community members, and project partners to provide updates and solicit feedback at key project milestones.
- Regular updates and notifications through the monthly TDN newsletter, the TDN website, and TDN’s Facebook page, which will provide accessible, non-in-person options for community members to stay informed and submit comments or questions.
- Posting of notices and project information in communal areas throughout the community, as needed, to reach members who may not use online platforms.
- Ongoing engagement by the Project Manager, who will coordinate communications, track community input, and ensure that comments and concerns are communicated to the project team and TDN leadership.
- Monthly reports to the TDN Council and citizens during open Council meetings, where project status and community feedback will be discussed and considered as part of formal decision-making.
- Annual General Membership Meetings held each March, to provide project updates and solicit broader community input on cleanup progress and future site stewardship and revitalization.
- Time lapse camera feed TDN intends to have a publicly accessible link to the time lapse camera feed, along with updates on the project. This will inform public of progress throughout the life of the project.

Through these established communication channels, TDN will ensure that project information is shared regularly, that community members have multiple opportunities (both in person and remotely) to provide input, and that feedback is meaningfully considered throughout project implementation

- a) Draft ABCA: Draft copies of the grant application and ABCA were provided to the public for review on January 14, 2026 and again at a public meeting on January 22, 2026. Details were provided to the public on how to access both the grant application and draft ABCA prior to final submittal.
- b) Community Notification Ad: TDN posted the community notification, including announcing that TDN intended to apply for cleanup funding, along with details of the meeting, on January 14, 2026. This meeting advertised utilizing different methods to ensure full participation of the community, including how to access, review and comment on the documents as well as information on the public meeting.
- c) Public Meeting: A public meeting to discuss the ABCA and cleanup grant application was held on January 22, 2026. The meeting included a presentation overview of the project's scope, alternatives, and proposed grant proposal content. This occurred as part of the larger department presentation provided by the Community Development Department during the Open Council meeting on January 22nd, 2026. Official meeting notes may be provided during pre-award. Council meeting minutes and sign-in sheets have not yet been finalized or approved for release by Tribal Council at time of grant submission. As described in the narrative, extensive input occurred in developing the project's scope over

the last few years. In addition, community engagement will continue to be facilitated and incorporated throughout the project. Comments received were summarized and included:

- One comment was received, asking to ensure Tribal Council and Tribal Heritage Preservation office staff be included in discussion of clean-up alternatives.
- Response to comments occurred as an open dialogue in the meeting. No comments required adjustments to the proposed project scope. In addition, community engagement will continue to be facilitated and incorporated throughout the project.

d) Submission of Community Notification Documents: Documentation of the advertising methods, sign-in sheet, and a copy of the draft ABCA are included in Appendix C.

### **15. Contractors and Named Subrecipients**

Contractors: N/A

Subrecipients: N/A