

## NEWS RELEASE-FOR IMMEDIATE RELEASE

### U.S. ENVIRONMENTAL PROTECTION AGENCY ONCE AGAIN SPURNS TRIBAL LAW IN CONDUCTING INSPECTION ACTIVITIES ON THE UINTAH AND OURAY RESERVATION

Ft. Duchesne, UT June 29, 2022

On June 22 and 23, 2022, EPA Region 8 conducted Clean Air Act compliance inspections at four energy production sites on the Ute Indian Tribe's Uintah and Ouray Reservation. EPA made no effort to secure consent from the Tribe before conducting these inspection activities on the Tribe's lands. Furthermore, EPA refused to recognize Tribal law requiring nonmembers to procure Access Permits from the Tribe prior to entering Reservation lands.

EPA's brazen disregard for the laws of the Tribe and the Tribe's inherent sovereign authority over its Reservation homeland is part of a larger pattern of conduct by EPA. Over the objections of the Tribe, EPA has repeatedly conducted inspection and enforcement activities on Reservation lands without any input, much less consent, from the Tribe. Further, EPA has continuously refused to recognize the Tribe's established procedure for obtaining permits for non-members to access its closed Reservation, a basic procedure under Tribal law designed to ensure tribal officers are apprised of activities taking place on the second largest Reservation in the United States.

Free, prior and informed consent by Indian nations is a central principle set forth in the United States Declaration on the Rights of Indigenous People (UNDRIP). However, the concept of free, prior and informed consent is and always has been a fundamental facet of sovereignty, with or without the UNDRIP. Yet, EPA has not only consistently refused to work with the Tribe to obtain free, prior and informed consent for its on-Reservation enforcement actions directly and adversely impacting the Tribe, but has also refused to acknowledge the basic authority of the Tribe to require a permit for nonmember access to its Reservation lands.

"It is a disgrace to see a federal agency that holds itself out as an advocate for the Indian tribes take such a hostile approach to tribal sovereignty," says Tribal Business Committee Chairman Shaun Champoos. "All others, including government officials, willingly comply with the Tribe's access permit requirements. EPA approaches its activities on our lands with an attitude of exceptionalism that will not be tolerated by the Tribe any further."

The Ute Indian Tribe relies on revenue from its mineral estate to fund essential government services and financial support for its membership. These EPA inspection and enforcement actions place financial and operational burdens on the Tribe's critical industry partners in energy development. The Tribe does not receive a dime from any fines that are imposed on its industry partners. As gas prices continue their precipitous rise throughout the country, EPA remains focused on policing oil and gas development in Indian country without meaningful tribal engagement.

**About the Ute Indian Tribe** - The Ute Indian Tribe resides on the Uintah and Ouray Reservation in northeastern Utah. Three bands of Utes comprise the Ute Indian Tribe: the Whiteriver Band, the Uncompahgre Band and the Uintah Band. The Tribe has a membership of more than three thousand individuals, with over half living on the Uintah and Ouray Reservation. The Ute Indian Tribe operates its own tribal government and oversees approximately 1.3 million acres of trust land which contains significant oil and gas deposits. The Tribal Business Committee is the governing council of the Tribe.