

Tribal Pesticide Program Council Executive Committee
Monthly Conference Call
7/19/17
Call Notes – Final
Call information: 1-866-299-3188; code: 415-947-4242#

Roll call:

Tribes

Fred Corey, Aroostook Band of Micmacs
Kevin Greenleaf, Kootenai Tribe of Idaho
Les Benedict, St. Regis Mohawk Tribe
Wayne Sanford, St. Regis Mohawk Tribe
Jim Mossett, Three Affiliated Tribes
Glenna Lee, Navajo Nation
Tony McCandless, Gila River Indian Community
Jasmine Brown, Confederated Salish and Kootenai Tribes
Willie Keenan, Confederated Salish and Kootenai Tribes
Suzanne Fluharty, Yurok Tribe
Diania Caudell, California Indian Basketweavers Association

Tribal Organizations

Africa Dorame-Avalos, Inter Tribal Council of Arizona
Amity Furr, Eight Northern Pueblo Indians Council

Guests

Tony Cofer, Alabama Dept of Ag and Industries, AAPCO
Amy Bamber, AAPCO Executive Secretary

EPA

Emily Ryan, U.S. EPA, OPP
Bretton Kriefel, U.S. EPA, OPP
Carol Galloway, U.S. EPA, OC
Nick Hurwit, U.S. EPA, Region 10
Lance Wormell, U.S. EPA, OPP
Cindy Wire, U.S. EPA, OPP
Amanda Hauff, U.S. EPA, OCSPP
Eric ?? U.S. EPA, Region 6

Other

Suzanne Forsyth, University of California Davis Extension

AGENDA

1. Welcome/Introductions (Fred)

Fred Corey, TPPC Chair, facilitated the roll call. Attendance was logged throughout the call for 13 member tribes and tribal organization representatives.

2. EPA Updates (Cindy, Emily, Carol, Nick, Amanda, et. al.)

Cindy:

- a) This is the public comment period on FY18-19 NPM guidance. Deadline is August 4.

Amanda:

- a) Regulatory Reform/Executive Order 13777 – Enforcing the Regulatory Agenda: At this time, I do not have a further update to share. Senior leadership is meeting this week to take an in-depth look at what the Agency is gathering. I hope to find out more details to share in the upcoming weeks.
- b) Strategic Plan – The Agency has started work on drafting EPA's Strategic Plan. We anticipate the timeline will move rather fast. Per my understanding, the Agency has a target to hold public comment and tribal consultation in the early fall.

Emily:

- a) The bed bug workgroup reviewed the material and feedback from the discussion. The workgroup is seeking final EPA internal clearance on the bed bug educational package. The only two things pending are an EPA publication number and the addition of a cover letter to be signed by Fred and Nina on TPPC letterhead. Next steps: send information for the website to UCDE and distribute the educational package. Need to collaborate on a distribution plan.

Carol:

- a) EPA was able to increase the funding for the tribal PIRT to \$50,000. Fort Peck Tribes is hosting. Dates will be September 16-21, 2018.
- b) 2011 Enforcement Issues Paper – ready to pick this back up in a future call with proposed follow up actions.

Action items: Carol will report back on:

- o EPA's capability to advise and assist tribal inspectors who are called to testify about their inspections.
- o Do inspections conducted under tribal pesticide code "count" toward work plan commitments?
- o EPA's concern when inspections do not identify violations, and whether those inspections "count."

Fred remembered that EPA is looking for tribal members to be in the PIRT workgroup to decide on topics for the next year. Africa had been serving on this.

Action item: Fred will send out an email to invite tribal members to participate on this process.

Regarding federal credentials and documentation – EPA switched from a fiscal year to a calendar year so that the paperwork didn't all fall in September for tribes and EPA. Training which occurs in the calendar year is what counts.

3. AAPCO Collaboration Discussion (Tony Cofer, AAPCO President joined by Amy Bamber, Executive Secretary)

Suzanne invited the Association of American Pesticide Control Officials (AAPCO) to join the meeting and offer their perspective on opportunities for Tribes to participate in AAPCO's activities. Tony Cofer is AAPCO's new President, following the early retirement of Bonnie Rabe from New Mexico. AAPCO was formed in 1947, the same year FIFRA was enacted. It was formed to bring consistency in trying to implement programs. They had five states with five separate programs and trying to interact with the federal agency at that time (USDA.) Each state regulatory agency is designated one voting member in AAPCO. AAPCO's mission statement says they are to build and promote effective communication between Congress, NASDA, AAPSE and TPPC. They also coordinate with federal, state and local organizations such as ASPCRO. It's built in the AAPCO mission statement that early on AAPCO needed to be working with TPPC to do anything to assist TPPC in the formulation of tribal pesticide programs. There are currently no tribal representatives reflected in AAPCO membership as the AAPCO By-Laws do not provide for this. Much of the policy and decision-making is done within SFIREG (State FIFRA Issues

Research and Evaluation Group) and their working committees Pesticide Operations and Management (POM) and Environmental Quality Issues (EQI). Fred serves as the AAPCO liaison to SFIREG. These committees are open to TPPC members to assist with the problem solving formulas. AAPCO has not seen much tribal participation in these groups. Tony expressed an interest in having more tribal representation in these workgroups to further this work. Tony suggests that legal opinion would need to be consulted in order for tribes to be a member of AAPCO. But there are several mechanisms for participation mentioned above.

TPPC represented on PREP and PIRT steering committee which are standing reports at AAPCO. There is active tribal membership there. AAPCO usually tries to allot a tribal update or a discussion of an issue of interests to TPPC at its annual meeting, or invite tribes into panel discussions on various issues.

Tony asked, "What benefit would be of tribes to be a member? What is not being served by not being a member of AAPCO?" He understands that AAPCO's role is to help tribes succeed at what they want to do. He also recognizes that the states and tribes have very different jurisdictions. He has always considered AAPCO and TPPC on equal footing. He welcomes to hear of ways which AAPCO and TPPC can cooperate more closely. SFIREG is the place to bring up the issues and hash them out – this is where the policies are being developed. Tribes have always been welcome and continue to be a part of these discussions. Two standing committees for WPS and for C&T have been reactivated. These are two more opportunities to participate for TPPC and/or tribes to participate as well.

Fred reflected that equal footing he's seen between TPPC and SFIREG. Working on issues together will help bring a more unified voice on issues of concern to elevate both. Tony would like to see AAPCO be more active in soliciting for pesticide program funding and he sees that AAPCO and TPPC can work well on that together.

One member asked that AAPCO surveys also address and include tribes. Amy Bamber said if they had a tribal voice to go along with the state voice that it might be a benefit for other federal partners to see this. AAPCO welcomes tribal input on the development of the surveys as an equal partner.

Tony said that the March 2018 meeting will be more issue driven and panels will be put together and will invite the tribes as well. AAPCO wants to hear from tribal partners on the call for topics for the meeting.

4. TPPC Policies and Procedures Discussion (see attachment) (Africa, Glenna)

Glenna Lee introduced a draft a policy document she and Africa Dorame-Avalos collaborated on as a proposed contribution to the current *P&P Policies* document. The language was taken from ITEP's policy related to travel funding to attend ITEP-funded trainings. Glenna and Africa were asked by the Executive Committee in May to draft this. The origin of this draft proposal was from several comments contained in the March meeting evaluation asking that TPPC consider adopting an attendance and reimbursement policy.

One member asked if this effort was related to two attendees at the March meeting. If a member has a travel delay then would this apply to them as well? The suggestion was made that cases such as this might be dealt with by talking to the individuals personally. Another member said that his tribe already has a code of behavior and this is what he follows. Another member added that the tribes need to be notified if their attendee does not comply with behavior standards. But who should do that? The chairperson?

Several of the tribes on the call felt that the policy as drafted had some subjective language and these portions would be difficult to enforce.

Fred mentioned that he's neither in favor of or opposed to the policy but he mentioned that a policy would be a benefit to having something to back up an Executive Committee decision about whether a TPPC member should be eligible for future travel funding in the event they are not in attendance at meetings they are paid to attend.

Several TPPC members concurred that denying future travel funding benefits is the only enforcement. Some were concerned that this could foster an environment where nobody wants to work together. Fred stated that the consensus is not favor for strong statements which are subjective and hard to enforce. A suggestion was made to hold a phone conference call for people to work on draft and then bring it back to the full group.

Action item: Glenna and Africa to work on a policy that strengthens the need for attendance and participation. They will schedule a conference call and invite others to help collaborate on revised draft language.

5. TPPC Tribal Administrator Update (Suzanne)

- a) Website edits: more events added to the calendar, pollinator protection workgroup & resource updates.
- b) Attended the ITCA tribal bed bug workshop at UC Davis last week.
- c) Worked on a proposal for tiers for the action item list (attached) and we will address later in the call.
- d) Planning for TPPC Fall 2017 meeting. Dates are October 3-4, 2017 with the EC meeting the eve of October 3. Thank you to the Winnebago Tribe for hosting. The registration portal is now open on the TPPC website. The first deadline is 8/1 for travel funding requests via the portal. 14 registrations so far (10 tribes, 2 admin, 2 EPA).
- e) Draft agenda (attached) has been refined. Lance Wormell won't be able to attend due to travel funding shortfalls so it's proposed that the FIFRA Overview be offered in March and that the lunch hour is free for networking.

Action item: Fred sent the TPPC's letter to Administrator Pruitt and will send Amanda a copy.

Action item: Suzanne to send out another reminder about the October meeting.

Action item: Suzanne send out draft agenda for feedback and to ask members to ensure the stated goals align with needs, and that topics and timelines are appropriate.

6. Pollinator Protection Workgroup Update (Jasmine, Mary, et. al.)

We ran out of time and did not address this topic.

7. Rozol Labelling Issue Follow-up (see attachment) (All)

We ran out of time and did not address this topic.

8. Action Item Follow-up (see attachment) (Nina)

We ran out of time and did not address this topic.

9. Other Issues/Concerns/Hot Topics (All)

Diania was invited by Region 9 to give a presentation on August 2 and will share more information as it's available.

10. Next TPPC Conference Call (Wednesday, August 16, 2017, 2-4 p.m. EDT)

Action item: Fred to send out a survey asking what date to move the August meeting.

ANNOUNCEMENTS

- TPPC Fall 2017 Meeting: October 3-4, 2017, Winnebago Tribe of Nebraska (Sloan, IA)
- Association of American Pesticide Control Officials (AAPCO) Spring 2018 Meeting: March 5-7, 2018, Alexandria, VA
- TPPC Spring 2018 Meeting: March 7-9, 2018, Arlington, VA
- Tribal Pesticide Inspector Training- Structural and Public Health focus. September 26-28, 2017, Wild Horse Pass Resort and Casino, Chandler, AZ (hosted by ITCA)
- National IPM for Tribal Communities, Sept 6-7, 2017 (tentatively), Wild Horse Pass Resort and Casino, Chandler, AZ (hosted by ITCA)