

**Tribal Pesticide Program Council Executive Committee**  
**Monthly Conference Call**  
11/15/17  
Call Notes – Final  
Call information: 1-866-299-3188; code: 415-947-4242#

Roll call:

**Tribes**

- Fred Corey, Aroostook Band of Micmacs
- Les Benedict, St. Regis Mohawk Tribe
- Kevin Greenleaf, Kootenai Tribe of Idaho
- Larry Scrapper, Cherokee Nation
- Glenna Lee, Navajo Nation
- Ryan Evans, Confederated Salish and Kootenai Tribes
- James Williams, Muscogee Creek Nation
- Neil Abbott, Ak-Chin Indian Community
- Dustin Roy, White Earth Nation
- Tiffany Wolfe, Pechanga
- Suzanne Fluharty, Yurok Tribe
- Tony McCandless, Gila River Indian Community
- Diania Caudell, California Indian Basketweavers Association
- Amity Furr, Eight Northern Pueblos
- Lorinda Antone, Ak-Chin Indian Community
- Nina Hapner, Kashia Band of Pomo Indians

***Reported in advance as absent:***

- Willie Keenan, Confederated Salish and Kootenai Tribes
- Eric Gjevre, Coeur d'Alene Tribe
- Joe Herrera, Yakama Nation

**EPA**

- Emily Ryan, U.S. EPA, OPP
- Zoe Emdur, U.S. EPA, OPP
- Cindy Wire, U.S. EPA, OPP
- Amanda Hauff, U.S. EPA, OCSPP

**Other**

- Suzanne Forsyth, University of California Davis Extension
- Bob Gruenig, TPPC

\*\*\*\*\*

**AGENDA**

**1. Welcome/Introductions (Fred)**

Fred Corey, TPPC Chairperson, facilitated the roll call. Attendance was logged throughout the call for 16 member tribes and tribal organization representatives.

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

- a) Cindy reported that EPA OPP/OECA pesticide managers will meet the first week of December via video conference. On the first day states and tribes are invited to participate.

- b) Emily Ryan reported that a bed bug issues on tribal lands webinar will be presented at December 12 at 2 PM Eastern. It will be taped and posted to EPA's website. Larry Scrapper offered to participate and speak on behalf of the TPPC. Marsha Anderson from OPP is coordinating the webinar. Emily will share a more formal announcement soon.

### 3. TPPC Tribal Administrator Update (Suzanne)

Efforts from this past month include:

- a) Shared the PREP dates for 2018 with a request for tribes to update their PREP contact information.
- b) Wrap up of the October in-person meeting
  - All travel claims have been paid. UCDE has refined the process whereby Kristy is the one creating the travel reports in the system instead of the Financial Services group. This has significantly cut down on the time it takes for checks to be mailed. The average time was less than 10 days, as opposed to several weeks in former meetings.
  - Notes for the October in-person meeting have been drafted and shared with all attendees. Edits requested by 11/22. Will share the final notes via the website after that date.
- c) Made website edits for the pollinator protection workgroup resource updates.
- d) March 2018 meeting planning. Cindy Wire has reserved the meeting rooms at OPP at South Potomac Yards (Crystal City). UCDE has set up a lodging block at the Residence Inn in Arlington, VA (the same location as last year). Proposed timeline for planning:
  - o Nov 17: launch registration portal and send out announcement
  - o Dec 16, 2017: Deadline for travel funding requests via registration portal
  - o Dec 20, 2017: UCDE to notify travelers if funding request can be accommodated
  - o Jan 8, 2018: Deadline to book airfare (funded travelers only)
  - o TBD, 2018: Deadline to reserve hotel room in block (all attendees)
  - o Feb 12, 2018: Deadline to register to attend

Some folks asked more about the PREP events and funding. PREP's policy is that the trainings are only open to Tribes with cooperative agreements. The Yurok Tribe does not have a cooperative agreement but they would like to be notified of training events coming up. Fred said this is a long standing issue. Funding for Tribes to attend PREP is from OPP and is separate from the STAG monies via OPP/OECA which fund states to attend PREP. Is there any wiggle room to bring Tribes which do not have a cooperative agreement? Cindy will go back and ask the organizers as to what can be accommodated. Nina said she received an email from a tribe in California with a cooperative agreement asking if Tribes in Region 9 would like to have a PREP or a PIRT. This is still an issue that could be resolved. What if Tribes who have money to attend and could pay their own way? Nina offered comments to Dea Zimmerman about what PREPs and PIRT should be offered in 2018-2019.

Action item: Cindy Wire to contact Dea Zimmerman and ask about tribal participation for 2018 and if Tribes without a cooperative agreement can be notified about PREP courses in 2018, and if Tribes who can pay for their own funding can attend.

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

Les Benedict made contact with NRCS USDA has a connection with Xerxes Society, who can assist Tribes with developing their MP3 plans. The St. Regis Mohawk Tribe explored the scope of the plan. Xerxes suggested that the Tribe be very specific about the geographic size of the plan so it would be manageable in cost and time. Les will contact Xerxes in the next week for more information. Les would like to invite this person to participate in a Pollinator Protection workgroup monthly call. Fred asked if the workgroup has discussed assistance to Tribes who would like training on how to conduct pollinator surveys on their land. Les' technician attended such a training and said that the learning curve is steep unless one has a strong background in entomology. The first round of training focus is identifying

pollinator species; second round of training would focus on flower identification. There is also an online web-based component where learners can take images and they get uploaded into a training forum via Xerxes which has helped the identification efforts. Les was very encouraging and said that if Tribes want to put the effort into it that Tribes can walk away with some good skills to do their own surveys. Fred suggested partnering with cooperative extensions to obtain this training and to assist with surveys and research guides.

#### **5. TPPC Membership Recruitment Discussion (Fred, Suzanne) (00:45 – 01:00)**

Each year the Institute for Tribal Env Professionals holds a Tribal Lands Forum. In August 2018 it will be held in Spokane, WA. James Williams' Tribe and others in Oklahoma have hosted this in the past. They ask for proposals to do sessions on the agenda. Some of the EPA partnership groups use this to do presentations with broad interest to participants. It was suggested this could be used to recruit new members.

There would need to be some consideration given to the UCDE workplan and if marketing costs could even be covered. If so, this would take away resources from other activities and we don't know what the FY18 or FY19 budgets will look like ahead.

Fred asked if it would be worth it to get a pesticide session on the agenda at the Tribal Lands Forum agenda in Spokane in August 2018. The group was silent so we will table for now. There may be some Tribes who already plan to be there and we could leverage their attendance on behalf of TPPC. The remaining potential cost is the vendor space and whatever marketing materials, pending EPA Grants Office permission to use monies for this type of activity.

Amanda notes that each person who attends has to pay a registration cost and Fred concurred this would not be free. Amanda suggests that TPPC consider sharing a table with NTTC. Fred said that makes sense since they are both under OCSPP. The Tribal Science Council put together a brochure and it has one like NTC's with the same look and feel. Cindy feels like it's not out of bounds to amend the workplan but the budget questions remain (e.g., is the cost reasonable? Would OGC approve marketing related costs?) But TPPC would need to decide how they want to allocate resources while considering the tradeoffs. Fred suggests we look into this further.

Jasmine wants a chance to talk more about budget detail on the FY18 cooperative agreement. By December we would have a better sense of where we stand financially and the carryover to FY18. Lead time for this effort needs to be considered as well.

#### **6. TPPC Policy Development Update (Fred) (01:00 – 01:05)**

TPPC has been meeting to talk about a code of ethics and attendance amendments to its *Policies & Procedures*. The TPPC has created multiple versions, still in progress. Jasmine took the more recent version, redrafted it and passed around for comments. Last week they had a call to discuss next steps with the policy. They would like to move this forward and have weekly and all are invited to attend. Fred will share conference call appointments with the draft of the most current revision. Goal is to have something done and approved by the TPPC by the end of the year.

#### **7. Rule of Law and Process Issue Paper Discussion (Fred) (01:05 – 01:15)**

This is something formally discussed at the October call in response to Administrator Pruitt's strategic plan. Fred is excited that he's committed to the Rule of Law in TSCA and wants to see EPA's statutory programs implemented uniformly across the country. Fred says this is not the case with FIFRA – it's not uniformly implemented in many parts of the country. Something useful would be to identify some of the shortfalls as the TPPC sees them and assist EPA to start to develop a plan to make sure that the goal in the strategic plan for the Rule of Law is achievable. Fred said there are areas to gather some info they could incorporate into an issue paper. He has a good sense of what's out there in Tribal pesticide cooperative agreements. Nick Hurwit has provided some good data for this as well. Also curious about

direct implementation and what it looks like in Indian Country. This may help identify some shortfalls. Someone from Region 8 and how it's run in Wyoming will join the November call. Fred is curious about the thresholds in place by EPA and primacy. As far as we know there are no size thresholds for primacy or for states in implementing FIFRA but there are for Tribes. This would be good for Administrator Pruitt to be aware of that EPA has put in place some barriers for Tribes that are not in place for states. If we can pull these thoughts together in the form of an issue paper for administrator Pruitt then it would be helpful. Jasmine and Fred have talked about this and Fred has drafted an outline and will send to TPPC for some feedback. TPPC would like to ask Bob Gruenig to assist with this effort for both EPA and the Tribes and in line with Administrator Pruitt's goals for the EPA over the next 5 years pertaining to the Rule of Law for TSCA and FIFRA. Nina said it's probably something we should look at.

#### **8. Western Region Managers Meeting Discussion (Jim, Fred, Suzanne) (01:15 – 01:35)**

The meeting will be hosted by North Dakota Department of Agriculture, Wed-Fri, May 9-11, 2018 in Bismarck, ND. Jerry Sauter is the contact there. Jim Mossett is coordinating tribal topics. The hosts are interested in tribal participation and help in planning the meeting. They are looking for agenda topics. They could give TPPC 20-30 minutes on the first day to talk about the TPPC. They have about five or six topics they are considering. Jim asked Suzanne Stevenson at EPA/Region 8 funding for a tribal breakout and it was not available. TPPC is not be able to fund a non-TPPC activity so no funds exist to support this.

Topics currently under consideration: pollinators (state monarch butterfly strategy), noxious weeds, hemp (grower and state regulatory perspectives), Dicamba. Potential Tribal topics: Tribal interest in cannabis issue and how to partner with other entities in the regions. Suzanne Fluharty said that there are many tribes who want to explore this but there are barriers. Jim Mossett said that the meeting hosts could pay for the presenter's travel.

Action item: Suzanne to draft the priority topics for Fred and Jasmine's review. Once edited, send to Jim Mossett who will share with the meeting host by Friday 11/17.

There is interest in holding a one-day Executive Committee meeting in conjunction with the Western Region meeting. In the past there have been efficiencies in holding a meeting there as a number of TPPC members were already planning to attend. But we need to look at this more closely for 2018 as it would be adding a major output to the workplan in the way of cost and effort. Things to consider include an urgency of agenda items, costs, and the availability of the participants. The TPPC needs to decide what's the most money they could apply toward this meeting and still meet the other commitments in the workplan.

Action item: Suzanne to come up with an estimate of effort and expenses for the TPPC to hold a one-day Executive Committee meeting there.

Western Region meeting & Tribal Lands Forum. Need to make some decisions in December about what we want to do. We also need to start thinking about what we want on the March agenda.

For the March meeting, Fred would like to meet with EPA's Assistant Administrator (AA) and other senior positions at EPA. They will have differing perceptions and many don't have knowledge about tribes. Fred would like to get a chance to brief them on who we are and tribal concerns.

Action item: Cindy to ask about the TPPC meeting with the AA plus Division Director plus two new Deputy Assistant Administrators.

#### **9. TPPC Spring Meeting Topics Solicitation (All) (01:35 – 01:50)**

Action item: Suzanne to design a process to solicit topics via email in anticipation for an agenda planning call in December (7-8?)

#### **10. Other Issues/Concerns/Hot Topics (All) (01:50 – 02:00)**

Nina would like more assistance in dealing with the cannabis issue.

**11. Next TPPC Conference Call (Wednesday, December 20, 2017, 2-4 p.m. EST)**

**ANNOUNCEMENTS**

- 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