

**Tribal Pesticide Program Council Executive Committee**  
**Monthly Conference Call**  
03/17/21  
Call Notes – Final

**Join by Zoom: <https://nau.zoom.us/j/89303644703>**  
**or phone: 312-626-6799 or 888-788-0099 (toll free)**  
**Meeting ID: 893 0364 4703**  
**Password: 186136**

Roll call:

**Tribes (17)**

- Jasmine Brown, Confederated Salish and Kootenai Tribes
- Les Benedict, St. Regis Mohawk Tribe
- Larry Scrapper, Cherokee Nation
- Ryan Evans, Confederated Salish and Kootenai Tribes
- Nina Hapner, Kashia Band of Pomo Indians
- Jefferson Biakeddy, Navajo Nation
- Gerald Wagner, Blackfoot Tribe
- Brittani Clairmont, Confederated Salish and Kootenai Tribes
- Jim Mossett, Three Affiliated Tribes
- Shyla James, Navajo Nation
- Joe Herrera, Yakama Nation
- Ted Puetz, Ak-Chin Indian Community
- Brenda Ball, Ak-Chin Indian Community
- Andrea Mitchell, Cocopah Indian Tribe
- James Jackson, Muscogee Creek Nation
- Notah Silversmith, Navajo Nation
- Camilo Perez, Quechan Indian Tribe

**EPA (6)**

- Rachel Ricciardi, EPA/OCSP
- Emily Ryan, EPA/OCSP
- Amanda Hauff, EPA/OCSP
- Helene Ambrosino, EPA/OECA
- Blake Huff, EPA/Region 8
- Peter Early, EPA/Region 9

**Other (2)**

- Mehrdad Khatibi, Institute for Tribal Environmental Professionals
- Mark Daniels, Institute for Tribal Environmental Professionals

**Reported in advance as absent (1)**

- Diania Caudell, California Indian Basketweavers Association

**1. Welcome/Introductions**

Jasmine Brown of Confederated Salish and Kootenai Tribes facilitated the roll call.

## 2. EPA updates(Rachel, Emily, Amanda, Blake, et al.)

### a. Herbicides & wildfire

Rachel noted that the item on this topic scheduled for next week's Spring meeting had to be cut from the agenda and will be scheduled for a future Executive Committee call. The USDA has agreed to speak on the matter, and **would like to know if the TPPC has any specific questions.**

### b. PESP \$1M initiative for sustainable pest control in agriculture

Rachel reminded the group that the EPA's Pesticide Environmental Stewardship Program (PESP) has a \$1M initiative for sustainable pest control in agriculture that will fund one project up to a maximum of \$100,000 in each region. The request for proposals is anticipated to be released in April, and they welcome grant applications from Tribes. PESP membership is not a requirement or consideration for the grants. Rachel offered to **invite her colleagues from the Biopesticides and Pollution Prevention Division (BPPD) to present on the initiative at a future EC call** if TPPC is interested. Notah Silversmith of the Navajo Nation expressed interest.

### c. Upcoming PREP course

Rachel noted that nominations are open for the Pesticide Regulatory Education Program (PREP) Pandemic Enforcement Issues preparation course coming up May 17-20. The course goal is to increase knowledge of pesticide compliance and enforcement issues, especially as a result of the current pandemic. Nomination forms can be found on the PREP website (<https://prep.ipm.ucanr.edu/>), and are accepted through 5 PM (Pacific) on March 18<sup>th</sup>.

### d. Nominations for EPA Local Government Advisory Committee

Amanda informed the group that the Administrator's office is seeking nominations for the Local Government Advisory Committee, which is a Federal Advisory Committee that gives direct advice to the Administrator on issues that impact local (including tribal) governments. She thinks it would be a great opportunity if the **TPPC could nominate someone to focus on pesticide issues.** Nominations close by April 16<sup>th</sup>. Jasmine said we can provide a nomination letter on behalf of TPPC if anyone is interested in applying to be on the group; just email her or Mark and let us know.

### e. National Tribal Caucus (NTC) meetings next week

Amanda informed the group that the NTC is having meetings next week with the various Tribal Partnership Groups (TPGs) to coordinate on NTC priorities and the budget document NTC is preparing for EPA. They have invited the TPPC to join them on Monday, which unfortunately overlaps exactly when we will be meeting with EPA leadership during our Spring meeting. Gerald Wagner of the Blackfoot Tribe and NTC discussed options with Amanda, Jasmine, and Nina Hapner of the Kashia Band of Pomo Indians for rescheduling, and agreed to talk offline to figure something out.

### f. EPA's Environmental Justice grant - \$6 million available

Amanda informed the group that the agency is releasing their annual environmental justice grants, with a total of \$6 million available to multiple recipients for topics including climate change, Covid-19 impacts, resiliency, natural disasters, and others. She wanted to make sure people saw and received the email that went out recently, and to let her know if they have any questions.

### g. PIRT updates

Helene noted that the Pesticide Inspector Residential Training (PIRT) steering committee is looking for nominations for 3 new members. If anyone is interested or has questions about what this would entail please reach out to Kelly Engle ([engle.kelly@epa.gov](mailto:engle.kelly@epa.gov)). The nomination period ends soon (March 22), so if folks are interested they should jump on it right away.

#### **h. 2021 PIRTs**

Helene stated that the 2021 PIRTs have been announced, and shared the first five with the group (see below). Note that a couple of them have been postponed to 2022 due to the pandemic, but will remain on the schedule. Please contact Kelly with any questions.

- Basic/New Inspector Virtual PIRT: Host: North Carolina Department of Agriculture and Consumer Services and North Carolina State University: April 19-22, 2021. Registration is closed.
- Tribal PIRT: Host: Muscogee (Creek) Nation; Tulsa, Oklahoma - TBD
- Enforcement and Use Concern PIRT: Host: Massachusetts Department of Agricultural Resources; Northampton, Massachusetts – Postponed to 2022
- Basic Inspector PIRT: Host: Georgia Department of Agriculture; Savannah, Georgia – Tentatively Scheduled for August 1-5, 2021
- Enforcement PIRT: Host: Office of Indiana State Chemist; Indiana Postponed to 2022

#### **i. FIFRA STAG enforcement circuit riders**

Helene talked about the status of the new guidance for Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) State and Tribal Assistance Grant (STAG) enforcement circuit riders. The agency is waiting still to do tribal consultation, and has been instructed by the Office of Enforcement and Compliance Assistance (OECA) tribal liaison to hold off until they have a clear signal that all invited Tribes will be available. They will reach out at the end of this month to see how everyone is doing and assess the next steps.

#### **j. EPA regional tribal coordinators request**

Rachel noted that there was recently an EPA regional tribal coordinators meeting, and they asked if they could join some or all of our meeting next week. She asked if the group would be OK with that? There was some discussion of whether or not the group wanted them to attend, and it was decided that we could invite them to attend in a listening mode for the majority of the meeting, then maybe ask if they'd like to join our last day's wrap-up discussion session.

### **3. TPPC Administrator Updates (Mark, Mehrdad)**

#### **a. Region 5 RTOC TPPC 1-page summary**

Mark showed the group a one-page summary document on the TPPC that ITEP revised for the Region 5 Regional Tribal Operations Group (RTOC) meeting. He pointed out that the document can be easily adapted for other regions or any other purpose where someone needed a short summary of the TPPC and its activities.

#### **b. Newsletter**

Mark noted that the next edition of the TPPC newsletter will go out by the end of April, and will feature the Gila River Indian Community's pesticide program. As a reminder, we're always looking for content, so if anyone has a story they want to get out there, a program they'd like to feature, jokes or cartoons to share, etc., please send them Mark's way.

#### **c. Bob Gruenig's continued participation with TPPC**

Mehrdad updated the group on ITEP's ongoing communications with Bob Gruenig regarding his continued participation with the TPPC. Bob is willing to continue working with TPPC, and offered to attend monthly meetings pro bono. But he would like to maintain connections with the group beyond just consulting on specific projects, so he would want to participate in semi-annual meetings as well, which ITEP estimates could cost roughly \$3,000-3,500 per meeting for travel and his time. These costs are not currently budgeted in ITEP's grant, and therefore a budget modification approved by EPA would be required to account for these costs. Mehrdad also noted, however, that we have substantial cost savings this year that give us some leeway for expenses like this, and Bob specifically asked that we evaluate this on a year-to-year basis so there would be no long-term

commitment on either end. These costs would also be in addition to his fees for any work done on policy papers, etc.

There was discussion among the group about the matter. A concern was raised about whether or not Bob could actually provide legal assistance if the TPPC needed it, as in the past he had said he was only working for the TPPC as a consultant. Mehrdad clarified that attorneys on the Tribal Advisory Committee (TAC) wouldn't be legally representing the TPPC, but just providing advice. It's a nuanced question, and we should have them on a future call to clarify where exactly they have to draw that line.

Several members requested to continue working with Bob due to his 20 years of experience working with TPPC & Tribes and his vast knowledge of pesticides, Indian Law, checkerboard land issues, etc. It was also noted that his long association with the group is valuable in terms of retaining the TPPC's "institutional memory" so we don't have to start from the beginning with new consultants who aren't familiar with the history of the group and the pesticide regulatory world. **There was a call for Bob to share a resume with the group**, particularly so that newer members could become familiar with his background. It was also suggested that **ITEP should either give a presentation on the various people on the TAC and/or invite them to join a future EC meeting to introduce themselves**. Jasmine also asked the group to think about what policy statements or reviews we might want Bob and the other legal consultant on the TAC (Jill Grant & Associates) to work on, noting that they could collaborate rather than providing duplicate services.

#### **4. Final preparations for next week's virtual Spring meeting**

##### **a. Logistics for workgroup breakouts**

Mark and Mehrdad discussed how they are proposing to do the workgroup breakouts for that session in next week's meetings. Based on concerns from Jasmine and others about wanting to visit more than one workgroup during the breakout session, they thought it would be good to use three separate Zoom meeting links, rather than just breakout rooms in one meeting (which would not allow people to switch mid-way through). It was agreed that this is the way we should do it.

##### **b. Guidance document for workgroup breakouts**

Mark also shared a guidance template ITEP prepared for the workgroup breakouts, to assist the co-leads for each group in setting goals for the group, delegating tasks, thinking about meeting frequency, etc. He also noted that he will provide each group with a spreadsheet of current workgroup members, as well as the workgroup guidelines we shared at last month's EC meeting.

##### **c. Review and discussion of next week's agenda**

At the request of the group Mark walked through the agenda for next week's meetings, and talked about how the different sessions would work. The topic of hemp/marijuana and Tribes' concerns about pesticide use on those crops came up, and there was some discussion about how best to bring it to the EPA. It was decided to use the second hot topics session (on Tuesday) to address the matter and try to come up with questions to pass along to EPA and/or USDA about it.

#### **5. Other Issues/Concerns/Hot Topics (All)**

Jim Mossett of Three Affiliated Tribes asked for more information on the July 19 PACT conference. Amanda said she'd look into it and get back to the group.

#### **6. Next TPPC Conference Call: Wednesday, April 21 , 2021, 2:00-4:00 p.m. EST**

\*(**Yellow highlighting** in the notes above indicates action items)