

Tribal Pesticide Program Council Executive Committee
Monthly Conference Call
7/21/21
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 (14)

- Jasmine Brown, Confederated Salish and Kootenai Tribes
- Larry Scrapper, Cherokee Nation
- Andrea Mitchell, Cocopah Indian Tribe
- Ryan Evans, Confederated Salish and Kootenai Tribes
- Shyla James, Navajo Nation
- Jefferson Biakeddy, Navajo Nation
- James Jackson, Muscogee Creek Nation
- Tony McCandless, Gila River Indian Community
- Jim Mossett, Three Affiliated Tribes
- Jeremy Phillips, Salt River Pima-Maricopa Indian Community
- Camilo Perez, Quechan Indian Tribe
- Renee Keezer, White Earth Nation
- Ted Puetz, Ak-Chin Indian Community
- Dana Adkins, Chickahominy Indian Tribe

Tribal Organizations (1)

- Diania Caudell, California Indian Basketweavers Association

EPA (6)

- Rachel Ricciardi, EPA/OCSP
- Loren LaPointe, EPA/OCSP
- Amanda Hauff, EPA/OCSP
- Helene Ambrosino, EPA/OECA
- Sasha Mizenin, EPA intern
- Emily Ryan, EPA/OCSP

Other (4)

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

Reported in advance as absent (3)

- Blake Huff, EPA/Region 8
- Eric Gjevre, Coeur d'Alene Indian Tribe
- Joe Herrera, Yakama Nation

1. Welcome/Introductions

Jasmine Brown from Confederated Salish and Kootenai Tribes facilitated the roll call. Attendance was logged throughout the call for the 14 tribal representatives from 12 Tribes.

2. EPA Updates (Rachel, Loren, Amanda)

Rachel Ricciardi, EPA/OCSP mentioned that Danesha Carley, National Director of NSF Center for IPM (presented at March meeting) reached out because she is writing a book and would like to highlight tribes working with community gardens in the Southwest. The EPA will send an email with information to TPPC members so that they can contact Danesha if they know of someone who would like to collaborate with her.

The EPA and ITEP have created a document summarizing all the outside organizations that TPPC engages with. There are two vacancies that need a representative and another backup person for Jasmine. Please review the document [here](#), and let Rachel know if you or someone you know might like to fill one of these roles.

Loren LaPointe, EPA/OCSP provided an update on the Pollinator Protection workgroup that met in July. They met with the Ed Spevak of the St. Louis Zoo regarding pollinator initiatives and will help distribute a native foods survey that will provide useful information for the working group. The survey will be put on the TPPC website along with updates to the Pollinator tab. There is still time to register for the October (virtual) Pollinator conference, the early-bird registration deadline being August 2.

Amanda Hauff, EPA/OCSP and Rachel mentioned the quarterly training for the Federal Certification of Pesticide Applicators is August 11 and 12 (virtual). This is for private applicators to be federally certified to apply Restricted Use Pesticides (RUP's) in Indian Country.

[Training for Private Applicators Under the EPA Plan | US EPA](#)

The EPA is working on a strategic plan including issues related to climate change, air quality, research and development and they are seeking tribal input on July 28. Amanda will email information so that anyone who wants to will have the opportunity to provide input on priority areas. In addition, she will also send links to EPA Cumulative Risk meetings, possibly of interest for the TPPC Risk assessment work group.

Jim Mosset, Three Affiliated Tribes, began a discussion about his concerns regarding the Federal Certification Training for private applicators of RUP's on Indian Lands. Amanda clarified that this training is targeted to tribal environmental departments. Jim and others are concerned about the harmfulness of structural applications of RUP's made by certified applicators, and that the EPA training was not approved by the tribes or the TPPC. He has encountered EPA-certified applicators that have not consulted with the tribes prior to applying RUP's, and smaller tribes may not be aware of which pesticides are being used. Amanda mentioned that there were discussions with tribal authorities during the preparation of the 2014 plan. Jasmine reminded the group that the TPPC had put together a document with their concerns about the 2014 plan, and suggested resurrecting it to see what has and has not been resolved. The training needs to make it clear that applicators always need to contact the tribe prior to applying RUP's in addition to increased oversight and tribal participation. Amanda mentioned that they are building a new training program and feedback is important now as it is in the process of being developed. Rachel appreciated Jim's perspective and would like to include him in the direct implementation workgroup meetings so that this issue gets attention. Regarding RUP's, Rachel mentioned that all tribes can choose the EPA plan, have their

own plan, or completely opt out and not have RUP's applied on their reservation at all. In the effort of being transparent, the EPA has on their website the complete list of those certified to apply RUP's by state.

[Applicators Certified under the EPA Plan | US EPA](#)

Tony McCandless, Gila River Indian Community, requested clarification that the EPA training is primarily designed for private tribal growers and not commercial applicators. Rachel confirmed this and Amanda added that the training is for any private applicator (tribal or non-tribal) treating their own property on the reservation.

Ryan Evans, Confederated Salish and Kootenai Tribes, asked about people who work for tribal governments. Jasmine said that the tribe is a corporation and tribal buildings need to be sprayed by someone with a government or commercial license. If a tribe does not have their own Certification and Training (C&T) plan, they would need to be certified by an agency with a C&T plan approved by the EPA. Tony mentioned that a private grower certification is targeting growers who don't want to become a certified commercial applicator. Rachel confirmed that with the training you will become a certified private applicator for 2-3 years. Ted Puetz, Ak-Chin Indian Community, interpreted that this certification is for low level growers whereas Jim M. said that a private applicator can apply RUP's to any product grown on the reservation. Jasmine brought up that private applicators can potentially spray hundreds of gallons of product over their 10,000 acres and this is where the majority of pesticides are being used.

3. TPPC Administrator Updates

- The Tribal Lands and Environment Forum (TLEF) Conference will be held virtually Aug. 16-19, 2021. The TPPC is registered for a 45-minute discussion session to talk about what we do and to solicit feedback on pesticide issues. This is scheduled for Tues. Aug. 17 from 12-1 pm Pacific Time. Ted has volunteered for this, and we would like to have one or two more TPPC members involved to discuss and get feedback from non-TPPC members. <https://tlef2021.secure-platform.com/a/organizations/main/home>
- There are many conferences coming up this fall, if someone from the TPPC would like to participate in any of these to help spread the word about TPPC and potentially recruit new members, please let Mark know.
- Also, the TPPC will be offering trainings as part of the deliverables outlined in the grant and will be sending out a questionnaire soon to determine which trainings most people would like to have.
- A new consultation just opened up regarding the EPA's 2005 SAFETEA decision (Safe Accountable Flexible Efficient Transportation Act) and the state of Oklahoma's request to administer environmental programs in Oklahoma Indian country. This is primarily geared at OK tribes but there is an option for input from tribes nationwide. Jasmine suggested a support letter from the TPPC. If anyone is interested there is a SAFETEA decision webinar on August 24 and more information is available on the Tribal Consultation Opportunities Tracking System (TCOTS) website. [Tribal Consultation Opportunities \(epa.gov\)](#) James Jackson offered to put together a list of tribal concerns to guide the TPPC letter, and mentioned that when a rider like this can be added at the last minute with such huge effects, it shows the fragility of tribal sovereignty. **Mark will send Amanda any documents created before TPPC submits them so she can share with the team.**

4. Updates from June 7-8 SFIREG Meeting (Jim Mossett)

Jim provided an update on the June 7-8 SFIREG meeting in which he presented a summary of the TPPC. The SFIREG website has the meeting agenda and reports from Regions 1-10. They are looking for volunteers and seem very open to tribal involvement.

5. Meet and Greet with Tribal Advisory Committee Members (Danielle Pensley, Jill Grant and Associates)

Danielle gave a summary of her work with her law firm based in Washington D.C. that works on a variety of tribal environmental matters. She is currently working in Alaska but previous positions include several years with Navajo water and air quality, the Tanana Chief's Conference dealing with constitutions and codes of smaller villages, representing tribal victims of domestic violence and serving as the Deputy City Attorney for Fairbanks. Among other things, Danielle discussed some of her experience with PFAS in Alaska and is happy to share with the TPPC and Tribal partners.

6. Discussion about whether to hold the TPPC's Fall meeting virtually or in person (all)

Mark started the discussion with a series of questions for TPPC members:

- Do we want to meet in mid-October, November or December?
- Do we want to plan an in person or virtual or hybrid meeting?
- Is anyone interested in being a tribal host for an in-person meeting?
- Concerns regarding a hybrid meeting include technical challenges and time zone issues.

One idea put forward was holding the meeting in November hosted by Gila River Indian Community.

Mark will send out a Doodle Poll to get more input from the group.

7. Discussion about Fall TPPC elections (all)

TPPC EC elections are usually held at the fall meeting. To be eligible you need an authorization letter on file with TPPC. Mark will send out a list of the authorizations on file already.

8. Workgroup Report-out (Workgroup Leads)

(skipped due to lack of time)

9. Other Issues/Concerns/Hot Topics/COVID Check-in (All)

Larry Scrapper, Cherokee Nation, reminded everyone about the upcoming Inter-Tribal Environmental Council conference in August. He noted that there are lots of pesticide-related topics, and said he'll send the information to Mark to share with the group if they would like to attend (it's free!).

Mehrdad Khatibi, Institute for Tribal Environmental Professionals also mentioned the current TPPC regional representative vacancies. Renee Keezer, White Earth Nation, sent in her authorization letter for Region 5, and indicated that she might be willing to serve as the Region 5 representative.

10. Next TPPC Conference Call: Wednesday, August 18, 2021, 2:00-4:00 p.m. EST

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