

Tribal Pesticide Program Council-Full Council Meeting
Scottsdale, Arizona and Virtual
DAY ONE, Tuesday, October 18, 2022
Meeting Notes

The meeting was called to order by Jasmine Brown at 8:00 AM Pacific & Arizona Time Zone.

Attendees (for the overall, three-day meeting):

Tribes (33)

- Eliana Aguilar, Colorado River Indian Tribes
- Earl Bautista, Tohono O'odham Nation
- Jefferson Biakeddy, Navajo Nation
- Dwight Carlston, Gila River Indian Community
- Diania Caudell, California Indian Basketweavers Association
- Brittani Clairmont, Confederated Salish and Kootenai Tribes
- Jasmine Courville-Brown, Confederated Salish and Kootenai Tribes
- Maria Dadgar, Inter Tribal Council of Arizona
- Africa Dorame-Avalos, Inter Tribal Council of Arizona
- Eric Gjevre, Coeur d'Alene Indian Tribe
- Nina Hapner, Kashia Band of Pomo Indians
- Joe Herrera, Yakama Nation
- Chris Horan, Salt River Pima-Maricopa Indian Community
- Tracy Horst, Choctaw Nation of Oklahoma
- Daniel Hoyt, Gila River Indian Community
- James Jackson, Muscogee Creek Nation
- Phil Jackson, Saginaw Chippewa Indian Tribe
- Tacy Jensen, Gila River Indian Community
- Sheldon Jones, Navajo Nation
- Renee Keezer, White Earth Nation
- Breanna Knudson, Saginaw Chippewa Tribe of Michigan
- Dave Lewis, Yavapai-Apache Nation
- Tony McCandless, Gila River Indian Community
- Ryan Milazzo, Colorado River Indian Tribes
- Sean Parker, White Mountain Apache Tribe
- Camilo Perez, Quechan Indian Tribe
- Jeremy Phillips, Salt River Pima-Maricopa Indian Community
- Ted Puetz, Ak-Chin Indian Community
- Larry Scrapper, Cherokee Nation
- Bob Shimek, White Earth Tribal & Community College
- Dorlah Tartsah, Kiowa Tribe
- James Williams, Muscogee Creek Nation
- Ron Workman, Choctaw Nation of Oklahoma

Tribal Organizations (1)

- Meyo Marrufo, National Tribal Caucus

Federal (11)

- Helene Ambrosino, EPA/OECA
- Vanessa Emerson, EPA
- Jonathan Binder, EPA/OECA
- Michael Goodis, EPA/OCSPP
- Loren LaPointe, EPA/OCSPP
- Jake Li, EPA/OCSPP
- Mike Metzger, EPA/OPP
- Eric Nystrom, EPA
- Kaitlin Picone, EPA/OSCPP
- Emily Ryan, EPA/OCSPP
- Linsey Walsh, EPA/OCSPP

Other (4)

- Gary Bahr, SFIREG
- Mark Daniels, Institute for Tribal Environmental Professionals
- Eric Descheenie, Strategic Planning Consultant
- Jennifer Glennon, Institute for Tribal Environmental Professionals

Introduction to the Salt River Pima-Maricopa Indian Community's Environmental Protection & Natural Resources Division: Jeremy Phillips and Chris Horan

[Slide Presentation](#)

Jeremy Phillips, Salt River Pima-Maricopa Indian Community (SRPMIC) welcomed everyone and provided an introduction and description of his role working with pesticides. Chris Horan gave an overview of the Environmental Protection and Natural Resources Division within the Community Development Department. This division covers both land stewardship and environmental stewardship with programs in Range Management, Waste Management, Brownfields, Community Action and Revitalization, Noxious Weeds, Environmental Policies, Wildlife Management, Air Quality, Pesticides and Hazardous Substances, Water Quality and Archaeology/NEPA. Some of their annual events are Earth Day, Household Hazardous Waste cleanup days and Fall Overhaul.

TPPC Opening Remarks: Jasmine Brown and Nina Hapner

Jasmine Courville-Brown, Confederated Salish and Kootenai Tribes and Nina Hapner, Kashia Band of Pomo Indians provided opening remarks and welcome to attendees.

EPA Welcome Remarks: Linsey Walsh, Jake Li and Michael Goodis from EPA/OCSPP

Linsey Walsh, EPA introduced Jake Li, Deputy Assistant Administrator with OCSPP. Jake outlined several EPA Pesticide Program priorities and initiatives for 2023 including Risk Assessment, Risk Management, Rules and Guidance Programs and Grant opportunities. He mentioned the newly created National Environmental Justice (EJ) and Civil Rights Office and how FIFRA offers opportunities to advance EJ by considering how our actions affect vulnerable and indigenous communities. By working with the TPPC, EPA will continue to develop a better understanding of unique Tribal exposures to pesticides and provide trainings and tech support to Tribes for implementing Worker Protection Standards (WPS). In addition to over 2 million agricultural workers, they strive to protect the families from 'take-home

exposure' and ensure that effective procedures are in place to respond to pesticide incidents. They support Tribes when developing certification plans, or when a Tribe decides to opt-out of RUP's in Indian Country.

Their office holds regular internal discussions and workshops to find the best path forward and steps that can be taken to further EJ and protect communities with current resources, which have been declining for many years. He also mentioned that they are working to get pesticide labels printed in Spanish.

Jasmine brought up some concerns including a push for increased energy development on tribal lands, food sovereignty and effects on occasional gatherers, and how IPM is different for Tribes.

Bob Shimek, White Earth Tribal and Community College is concerned about the effects agriculture has on subsistence practices and the diminishment of natural resources that Tribes have relied on for generations in relation to EJ and Risk Assessment.

Michael Goodis, Deputy Director of Programs for OPP appreciates the commitment and work being done by the TPPC. He also mentioned the pilot project at White Earth Nation and how this will begin to address the gap in the understanding of risks and pesticide exposures for tribal populations.

Traditional Opening Ceremony, Welcome, Introductions

The Color Guard was presented and SRPMIC President, Martin Harvier provided welcoming remarks and a prayer along with a brief history of the Pima and Maricopa Tribes in the area. He was very appreciative of the Pesticide work being done.

Association of American Pesticide Control Officials (AAPCO), Association of Structural Pest Control Regulatory Officials (ASPCRO), and State FIFRA Issues Research and Evaluation Group (SFIREG) Updates: Allison Cuellar, ASPCRO; Liza Fleeson-Trossbach, AAPCO and Gary Bahr, SFIREG Chair

[Slide Presentation](#)

Liza Fleeson-Trossbach gave an overview of the mission of AAPCO which oversees SFIREG and works with states, territories and often Tribes. To accomplish their mission, they have standing committees and workgroups to focus on specific issues such as PFAS, Pollinator Protection, Label improvement, Tech and E-commerce. They meet monthly with EPA, OPP, OECA, National Association of State Departments of Agriculture and APSE (Association of Pesticide Safety Educators).

Their next in person meeting is scheduled for March 6-8, 2023 in Alexandria, VA

<https://aapco.org/>

Some issues mentioned by both Nina and Jasmine have to do with chemicals used to break down PFAS, the amount and nature of firefighting slurry being applied in nearby areas, and label improvement including languages in addition to Spanish.

[Slide Presentation](#)

Allison Cuellar, Vice President of ASPCRO the focus of which is non-agricultural pest control in structural and residential buildings, parks and any environments around people. The mission of ASPCRO is to be the premier source of information for non-agricultural pesticide use, compliance and regulation. They foster partnerships with industry and regulatory entities as well as promote education and emerging

issues. ASPCRO has several working committees including public health, inspector training, school IPM, ICAP task force, labels, rodenticides, and building codes. Allison covered work they have done with rodenticides becoming RUP's, sulfuryl fluoride, residential mosquito applications and pesticide devices that make public health claims.

<https://aspcro.org/>

The next meeting will be in Lexington, KY on April 4, 2023.

The ASPCRO annual conference is in Reno, NV on August 21-25, 2023.

Gary Bahr, SFIREG Chair and Washington State Dept. of Agriculture provided a description of how SFIREG is a standing working committee of AAPCO. There are several topics that they meet and coordinate with States, Territories and Tribes including PFAS, tracking EPA proposed decisions regarding pesticides, mosquito control involving how mist blowers are used in urban residential and commercial settings, and a recent issue paper and memo about treated seeds. They also look at managed pollinator issues, track issues with disinfectants and devices, and public comments on Atrazine.

Diania Caudell, California Indian Basketweavers Association brought up the policy in California for traditional gathering on federal lands. Is this something that could be initiated in other states? Most Tribes have treaties for hunting and fishing but not for traditional materials or Medicinals. Jasmine agreed about suggesting SFIREG look at this issue with states. Gary recommended that Jasmine and Mark bring this up at the meeting in December.

The Full SFIREG Meeting is December 5-6, 2023 in Arlington, VA.

Navajo Nation Hemp Inspections, Jefferson Biakeddy, Navajo Nation

[Slide Presentation](#)

During the pandemic a large hemp/marijuana greenhouse production facility was discovered on the Navajo Nation near Shiprock, NM. Subsequent inspections of this and additional facilities produced numerous potential violations regarding mismanagement of pesticides, labels, storage and disposal and insufficient worker protection standards from agricultural employers. A command center was set-up as a base for conducting field inspections and to share information with law enforcement agencies. Warning letters were sent out for 158 potential FIFRA violations. They were able to trace the large facility to investors from Asia and the west coast.

[Joint law enforcement operation results in major eradication in northwest New Mexico | USAO-NM | Department of Justice](#)

Many questions came up about enforcement of this case. It has been challenging due to the difference between the regulation of hemp vs. marijuana which is a controlled substance.

Meet & Greet with Tribal Advisory Committee Members: Dr. Jani Ingram and Dr. Cathy Propper, Northern Arizona University (NAU)

[Slide Presentation](#)

Dr. Cathy Propper is an Environmental Endocrinologist with NAU whose work stems from early studies by Rachel Carlson on how chemicals can interact with our internal functions through disrupting

information of the estrogen receptors (in both men and women). Studies by Theo Colburn in the 1990's gathered information on how pesticides and environmental chemicals were affecting humans and wildlife through internal hormonal processes.

Dr. Propper described work being conducted in her lab primarily with amphibians and fish as they are models for what happens in humans because many of the hormones are the same and have similar effects on development. She provided a list of chemicals studied in her lab and the health effects on humans such as low birth weight, cancer, higher risk for Alzheimer's and decreased sperm counts. The EPA is heavily involved in understanding these issues and supports many programs to evaluate effects on health and the environment.

Bob Shimek and Ted Puetz, Ak-Chin Indian Community both brought up that we have been researching this for a long time and have collected a lot of data, how do we go about doing something about it and changing policy? Very important to keep politics out of it so that they don't interfere with the issues. Also, EPA scientists continue to evaluate chemicals, enter information into the CDC database to determine if they have been measured in humans, and put data together to make a determination. The database contains only 10,000 chemicals of the 80,000 that exist.

Dr. Jani Ingram works in the Chemistry department at NAU and has a background in environmental health and analytical chemistry. In the past few years she has been working with the Cocopah Tribe in southern Arizona on pesticide issues and environmental contaminants in both air and water. Because waste burning is common along the Mexican border, they have set up purple air sensors at different sites to look at particulates and monitor temperature and humidity. Certain particulates get into the lungs and cause health issues, and the results from monitoring give a detailed picture of times and days when particulates are elevated.

For monitoring water quality, they look for the presence of metals (such as arsenic, mercury) that are associated with pesticide use. The community has reported that they don't trust the water and often notice a different smell. Results have shown elevated occurrence of chemicals in the water and they would like to further test for organics and certain pesticides to gain a better understanding of elemental issues. In addition, they would like to train the community to use air monitoring equipment and work with the Cocopah Tribe to get the results distributed to people in the area.

There was question about how the data will be used. They will provide findings to the Tribe and seek follow up funding for addressing problems and clean up measures.

Concerns arose about Mexico continuing to burn waste (empty pesticide containers included) even though the Mexican government reported education and outreach efforts were taken to limit burning. Camilo Perez, Quechan Indian Tribe in southwest Arizona mentioned that this will be an ongoing conversation with the Mexican government.

TPPC Coordinator Update: Mark Daniels, Institute for Tribal Environmental Professionals
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[Slide Presentation](#)

Mark Daniels, ITEP provided a summary of the administrative activities for April, 2022 through October, 2022. In the past 6 months, ITEP has held monthly teleconferences, planned the fall meeting, sent out a performance evaluation, made website improvements, finalized the cannabis document, worked with NPIC to provide two training sessions, and sent out newsletters. In addition, Mark showed a map of EPA

regions displaying the change in TPPC members, some new and some lost and an update on the budget which looks good for the upcoming year.

Pesticide Drift Catcher Projects: Introduction and Review of Examples: Emily Marquez, Pesticide Action Network (PAN) and Bob Shimek, White Earth Tribal Community College

Bob Shimek, White Earth Tribal Community College began with a description of a project conducted in the late 1990's at a new school on the White Earth Reservation. The school is located across the street from a potato field which uses pesticides so they set up a drift catcher at the school under the air intake. They notified the grower and asked which chemicals the grower used so that they could test for that one in particular, this was chlorothalonil applied every 5-7 days during the growing season. The grower then switched chemicals so that the drift catcher only picked up low levels of chlorothalonil from more than 8 miles away.

Note: when screening, it is most cost effective to test for known chemicals that are being used. However, a multi residue screen can be used if you know which 3-4 chemicals are being applied.

[Slide Presentation](#)

Emily Marquez, Senior Scientist with PAN, provided a summary of how to set up a drift catcher for a community based monitoring project that becomes necessary when there have been reports of odor and feeling sick in agricultural areas. Air samples are collected and sent to PAN for analysis. A key factor is recruiting a partner to do daily monitoring and equipment maintenance. PAN provides training, a site visit and certification.

Emily showed air concentration data from a project in Watsonville, CA in 2014. Results can be affected by environmental conditions such as wind and rain. She included calculations of cancer risk based on age and length of time a pesticide was used over a number of years.

Jasmine asked if they have compared school/community numbers to EPA's exposure models and are they aligned? Children and bystanders do get considered in the Risk Assessment but the focus is on the workers who have the most exposure.

Bob mentioned that in his area there is evidence that kids attending schools nearby to fields sprayed with pesticides have a higher occurrence of IEP's (Individualized Education Plan).

In Alaska where farming is relatively new but increasing, what can they do to prevent pesticide drift? Emily encouraged supporting pesticide free farming as much as possible. Farming has become very pesticide dependent mainly due to economic factors and it is best to support small diversified farming operations.

www.panna.org

Spray Drones for Protecting Crops: Dr. Dan Martin, USDA Agricultural Research Service

Dan Martin, Research Engineer for Aerial Application at USDA ARS in College Station, TX presented on the agricultural uses of spray drones for protecting crops. This drone technology can be used to spray fertilizer, pesticides or seed on smaller farms and in hard to access areas limiting human exposure by reducing the need for backpack sprayers. Some of the current challenges include a maximum 5 gallon payload capacity, limited battery life of 10-12 minutes and a smaller swath width of 10-20 feet. With

these limitations the drones can cover about 2 ½ acres on a battery charge or 12 acres an hour and therefore best utilized on smaller farms. He provided an example using a spray drone on a ranch in New Mexico that was infested with grasshoppers that were consuming all the cattle forage. Another use for the spray drone is to target invasive plant species without attacking all the plants in an area. Instead of spraying an entire field, the drones can target certain areas limiting pesticide load and reducing drift by only applying where it is needed.

This technology is regulated by the EPA and states as well as the FAA which requires users to have an aerial applicator license (FAA part 137) and regulations will continue to evolve as the technology advances. Future developments would include larger drones, multiple drones used at the same time, longer flight times and more precision in droplet size.

Inter Tribal Council of Arizona (ITCA) Overview: Maria Dadgar, ITCA Executive Director, and Africa Dorame-Avalos, ITCA Pesticide Program Manager

Maria Dadgar began with a background of her family, experience, and an introduction to the ITCA which consists of 21 of the 22 Tribes in Arizona, the exception being the Navajo Nation which they work with but is not a formal member. They have a sister organization dealing with political advocacy by going to DC once a year. Most of the funding they receive (95%) goes back to Tribes in the form of contracts, training and assistance. The ITCA is a non-profit with 70 employees with a focus on health, research, and environmental quality.

[Slide Presentation](#)

After introducing her background, Africa provided an overview of the ITCA and the Authorization Agreement between ITCA and US EPA which authorizes ITCA employees holding Inspector Credentials to conduct inspections in Indian country on EPA's behalf under FIFRA. ITCA does not handle enforcement but provides reports to EPA for their review. A separate agreement between the ITCA and Tribes gathers evidence, observes physical conditions, and conducts FIFRA inspections with Tribal consent.

ITCA currently has inspection agreements with 3 Tribes: Quechan Indian Tribe, Yavapai-Apache Nation, and Tohono O'odam Nation. In addition to providing inspection service to assist Tribes, ITCA focuses on outreach and education and collaborates with numerous partners. Africa provided an overview of the training services and technical assistance that they provide along with a summary of upcoming trainings in Region 9, although Tribes from other regions are welcome.

There was some further discussion about services provided within Tribal land boundaries and the frustration many have with obtaining federal credentials.

Status of Pesticides in Indian Country Report: Update and Work Session

Closed door session, Tribal members only

Tribal Pesticide Program Council-Full Council Meeting
Scottsdale, Arizona
DAY TWO, Wednesday, October 19, 2022

TPPC Opening Remarks, Jasmine Courville-Brown & Nina Hapner

Jasmine Courville-Brown, Confederated Salish and Kootenai Tribes and Nina Hapner, Kashia Band of Pomo Indians provided opening remarks and welcome to attendees.

Jasmine provided a summary of discussions from the previous day including interest in the drift catcher project, potential funding available for EJ pesticide projects mentioned by Jake Li, priorities for revision of the Status of Pesticides in Indian Country report, and upcoming pesticide code development training.

EPA Pesticide Registration and Re-evaluation Process: Shaja Joyner and Nathan Mellor, EPA Office of Chemical Safety and Pollution Prevention (OCSPP), Office of Pesticide Programs (OPP), Registration Division (RD); Andy Muench, OCSPP/OPP Pesticide Reevaluation Division (PRD)

Shaja Joyner, EPA/OCSPP provided an overall description and definition of pesticides as well as the origin of pesticide labels. The registrant (pesticide company) establishes the label and then it is submitted to the OPP Registration division for final review and approval. The science division may require revisions to ensure that compliance is met. She summarized how labels are built including registered uses for the product, where applied, the delivery mechanism and any specific instructions. The registrant also needs to provide testing data that has been made publicly available. A complete application package is provided to the registration division for review and a timeframe is established. The agency determines risk, benefit and food safety to the American public and environment with the goal of adhering to FIFRA and preventing adverse effects to human health and the environment. Sometimes the agency imposes use restrictions if a potential risk is identified.

Risk managers are responsible for implementing 1. label and mitigation obtained from the EPA risk assessment; 2. EPA interim decisions if applicable; 3. label review manual updates; 4. pesticide registration notices; and 5. label checklist. The registrant must agree to the agency's request for label provisions prior to approval. Once approval has been met, it becomes the law. The label is the law and is legally enforceable. There are ongoing efforts to ensure label consistency in both commercial and consumer markets.

Jasmine asked how Tribes can request changes to a label if there is a problematic situation. If this has been determined for a particular active ingredient you can contact the product manager which is available on the EPA website.

Part 2: Nathan Mellor displayed an example of a pesticide label and all the parts that are included on the label: ingredients, caution/danger, toxicity profile, first aid and PPE, precautionary warning statements, engineering controls, environmental hazards, interval required after spraying, spray drift information- both mandatory and recommended. There are also mixing instructions with language specific to EPA, safety for the user, ways to alleviate pests' resistance to chemicals, storage and disposal, and a warranty statement.

Jasmine, Bob and Eric G brought up some good questions and discussion about soil consideration and spray drift. Often there is only a response from officials when a person is actually sprayed with droplets

and there isn't consideration for air, water and gardens that can contain chemicals from nearby spraying.

[Slide Presentation](#)

Part 3: Andy Muench, Chemical review manager with the Pesticide Re-evaluation Division provided an introduction to Registration Review and a summary for OPP's overall goals for pesticides so that they meet standards defined by FIFRA, FFDC (Federal Food, Drug & Cosmetic Act) and FQPA (Food Quality Protection Act). Registration review makes sure standards are continuing to be met and incorporates any changes needed from attaining new information about active ingredients (not the overall product). He covered the stages of registration review and the value of risk/benefits assessments as well as a sample review timeline. This timeline includes a period of opportunity for public comment. Andy provided several EPA website links that deal with registration review.

Washington State's Water Sampling Systems: Katie Noland, Washington State Department of Agriculture

[Slide presentation](#)

Katie Noland, Washington State Dept. of Agriculture provided an overview of the localities in Washington State where they sample water, how often and what they look for in the samples; pesticides, chemicals, degradants and nutrients. Their goal is to sample during March to November, the time when most pesticides are applied. She summarized how they collect and bottle samples and prepare to send to the lab. One of their study sites, Brender Creek is in an orchard-dominated region of the state and an area they have been testing for 10 years. Ms. Noland provided their study design along with data for an 18-day period in April of 2020 that compares composite samples with grab samples for various chemicals. Additionally she outlined a recent collaboration with USGS and EPA/OPP in which they found that many chemicals can rush through streams and these may not show up in a weekly grab sample; daily sampling would provide more accurate information.

It can be challenging to choose which sampling method to use and very beneficial to check with colleagues who also do sampling.

There was some discussion and inquiries from Jasmine and Ted Puetz about ways to select pesticides of concern/interest. Katie mentioned that often a decision matrix is used to look for frequency of detection and concentrations that are exceeding aquatic life benchmarks and an additional challenge is when newer chemicals come out. Mixtures can also complicate matters if chemicals negate each other or become synergistic and multiply effects.

Regarding temperature of water samples, they haven't found a connection between higher temperatures and higher number of contaminants.

The most harmful pesticides of concern for salmon reproduction are malathion and chlorpyrifos, but rising temperatures affect salmon the most.

Understanding Pesticide Risk from Surface and Drinking Water Pete Savoia, EPA Office of Chemical Safety and Pollution Prevention (OCSPP), Office of Pesticide Programs (OPP), Health Effects Division (HED); Chris Koper, EPA, OCSPP, OPP, Environmental Fate and Effects Division (EFED)

[Slide Presentation](#)

Chris Koper provided a description of the Environmental Fate and Effect Division (EFED) including who they are and what they do and presented on Aquatic Modeling Monitoring for human health. He went through the driving factors of pesticide exposure and considerations from application rate to exposure concentration. Environmental fate studies include abiotic, biotic, batch equilibrium, and dissipation studies. They use the aquatic exposure modeling to determine drinking water concentrations and ecological risk assessment. The 'Pesticide in Water Calculator' tool determines aquatic exposure concentrations for surface and groundwater. The results show exposure concentrations based on length of exposure over time and use this to evaluate the human health risk.

[Slide Presentation](#)

Peter Savoia presented on the Human Health Risk Assessment of Pesticides in Water. The Health Effects Division reviews data on the properties and effects of pesticides to characterize and assess pesticide exposure and risk to humans. He covered a detailed risk assessment determination in water (drinking and swimming) and outlined a roadmap for pesticides in water including: 1. Hazard assessment-looking at required toxicity studies, 2. Hazard characterization, 3. Routes of dosing and exposure, 4. Dose response assessment and endpoint selection, 5. Dietary assessment, and 6. Swimmer assessment. He provided a detailed analysis of swimmer exposure to pool chemicals and incidental oral exposure/water ingestion as well as dermal exposure.

Nina mentioned that much of the modeling does not reflect Tribal lifeways. As an example, a swimmer in a chlorinated pool is different than someone who bathes ceremonially in natural bodies of water.

Everyone agrees there is still a lot of work to do to increase communication with Tribal groups.

Quechan Tribe Pesticide Program Camilo Perez, Quechan Tribe Pesticide Control Officer

Camilo Perez presented a summary of the Quechan Pesticide Program and some of the challenges he has faced becoming the first Pesticide Control Officer. The program previously was not completing deliverables and farmers and private applicators were not familiar with enforcement ordinance or certification requirements for applicators. While in this job, Mr. Perez has been able to complete reports and meet deliverables, develop forms for reporting, enforce compliance and develop the Pesticide Department's Standard Operating Procedures along with meeting with farmers and applicators as well as conduct outreach and education about pesticides. There are often boundary issues that arise for Tribal land checkerboarded with state land located in both Arizona and California that make it difficult to visit under Tribal authority.

Hot Topics Discussion with TPPC Members

Diania Caudell, California Basketweavers Association

- pesticides and herbicides in water and plants
- 'Follow the Smoke' burning of native grass in California

Jasmine Courville-Brown, Confederated Salish and Kootenai Tribes

- abundance of wildlife poisonings this year
- rodenticides are still being used incorrectly
- native pollinators is a big issue, have seen a decrease in plants such as huckleberry

Africa Dorame-Avalos, Inter Tribal Council of Arizona

- the work plan for the next year includes compliance assistance and in-person pesticide safety training for agricultural workers.

Eric Gjevre, Coeur d'Alene Indian Tribe

- mentioned two interesting follow-up inspections relating to aerial sprays

Nina Hapner, Kashia Band of Pomo Indians

- the Pollinator Protection workgroup presented at State of the Science
- they are in the process of bear monitoring

James Jackson, Muscogee Creek Nation

- gas and utilities industry pesticide use regulations and impacts on environmental health

Renee Keezer, White Earth Nation

- the Minnesota Dept. of Natural Resources continues to issue pesticide permits within exterior boundaries of White Earth. The EPA needs to step in and do something about this.

Breanna Knudson, Saginaw Chippewa Tribe of Michigan

- they just received funding and started a new pesticide program

Tony McCandless, Gila River Indian Community

- they are revisiting the current pesticide ordinance which will include restrictions for aerial applications. He hopes to present for the TPPC in the spring.

Ryan Milazzo, Colorado River Indian Tribes

- concerned with environmental waste from the large containers that the manufacturers will not take back.

Sean Parker, White Mountain Apache Tribe

- fairly new to the TPPC and in process of learning more about pesticides.

Camilo Perez, Quechan Indian Tribe

- working on updating their pesticide enforcement codes.

Ted Puetz, Ak-Chin Indian Community

- working to get a QAPP integrated into their plan and working on an antimicrobial database.

Larry Scrapper, Cherokee Nation

- mentioned that after completing training, he did not receive his credentials.
- a new pollinator (bees) flyer recently became available for distribution.

Bob Shimek, White Earth Tribal & Community College

- concerned about pesticide drift and pesticides in rain, also applications in right of ways
- would like to see government organizations and Tribes get a refresher on treaties.

Dorlah Tartsah, Kiowa Tribe

- concerned with pipelines in her area near Oklahoma City. Previous incidents with pipeline breaks have led to subsequent health problems.
- the TPPC offered to contact Amanda Hauff at EJ on her behalf.

Closed Door: TPPC Tribal Caucus, facilitated by Jasmine Courville-Brown

Tribal Pesticide Program Council-Full Council Meeting
Scottsdale, Arizona
DAY THREE, Thursday, October 20, 2022

Welcome and TPPC Opening Remarks: Jasmine Courville-Brown and Nina Hapner

Jasmine Courville-Brown, Confederated Salish and Kootenai Tribes and Nina Hapner, Kashia Band of Pomo Indians provided opening remarks and welcome to attendees.

FIFRA Inspections in Indian Country: Jonathan Binder, EPA Office of Enforcement and Compliance Assurance (OECA), Senior Indian Program Manager

[Slide Presentation](#)

Jonathan Binder gave an overview of Inspections in Indian Country including federal, Tribal and state roles and responsibilities and then EPA policies and guidance specific to Tribes. The primary goals of inspections are a. documenting compliance, b. support for enforcement, c. monitoring enforcement orders, d. creating deterrence and lastly providing feedback on implementation challenges. He covered Tribal and state inspectors in regards to boundaries and cross-boundary inspections, which can be done with a written agreement or at the request of EPA. There are 19 FIFRA cooperative Tribal enforcement agreements for 2022-25 to conduct compliance monitoring/enforcement in Regions 5,8,9 and 10. EPA is committed to ensuring Tribes and states are held to the same standards for information sharing in relation to the inspection and enforcement process.

<https://echo.epa.gov> Enforcement Compliance History Online (ECHO) that provides the number of inspections, the number of facilities manufacturing pesticides, how many violations and enforcement action taken by EPA, Tribes and states.

Pesticides and the Endangered Species Act at EPA: Paul Di Salvo, EPA Office of Chemical Safety and Pollution Prevention (OCSPP), Office of Pesticide Programs (OPP), Registration Division (RD); Jori Reilly-Daikun, EPA/OGC

[Slide presentation](#)

Paul DiSalvo gave a presentation on the consultation process for pesticides in relation to the Endangered Species Act (ESA), beginning with an overview of FIFRA and how this governs pesticides and the risk/benefits for humans and the environment. He covered the process for EPA's ESA assessments and the activities for EPA's FIFRA program and the effects to listed species and critical habitats. The data collected and used for determinations and Tribal consultations includes toxicity information, environmental fate and transport, spatial data, biological information for listed species and usage information from pesticide labels. Also covered was ESA's mitigation measures, registration review and information on comment periods.

Jori Reilly-Diakun discussed the role of Tribes and involvement regarding a particular species of interest and the opportunity for participating in the comment period both for the initial application stage and when EPA proposes its decision with a draft assessment for the public.

As of January of this year, EPA has been working through the first round of applications for new active ingredients for conventional pesticides and within the next 6 months the drafts of those proposed decisions will be coming out and open for comment. In April they released the ESA workplan outlining strategies to meet ESA obligations.

Link to ESA's workplan:

<https://www.epa.gov/endangered-species/epas-workplan-and-progress-toward-better-protections-endangered-species>

They have also developed a website tool that displays an interactive map of Pesticide Use Limitation Areas for products with active Endangered Species Protection bulletins.

<https://www.epa.gov/endangered-species/bulletins-live-two-view-bulletins>

Nina mentioned that occasionally areas have been designated as critical habitat are on Tribal lands and interferes with economic development and Tribes weren't made aware or included in the process.

National Tribal Emergency Management Council (NTEMC) and Disaster Relief for Alaska: Julian Atrilinguk Jacobs and Leonardo Wassilie, NTEMC

After a brief introduction and background, Julian Atrilinguk Jacobs, NTEMC discussed some of the projects they have been working on in Alaska to find ways to adapt to changes in climate and a reduction in sea ice and effects this is having on subsistence food resources. They have put together an Arctic strategy incorporating indigenous technology, knowledge and science with particular consideration for PFAS, pesticides and water quality as now villages are growing/farming (see photo) whereas in the past it had been all foraging. This is helping to build food security as they have built large food storage facilities that can store food for a long time. In addition, they are building hub centers with remote access to bridge data from various sources to expand renewable energy. They can store energy for future use with emergency relief (solar and turbines).

For much of Alaska, there is an estimated 1.5 trillion tons of carbon held in permafrost and currently there isn't a strategy to track or predict carbon emissions from melting permafrost. With the EOC's (Emergency Operations Center) they can attain information from Tribal communities to monitor and model what is needed to understand and predict rates of environmental change.

Leonardo Wassilie contributed that Alaska has now become the center of the discussion on climate change and models are continuously changing as levels of toxins increase. He stressed the importance of using technology and traditional knowledge together to find ways to give back, not just take. Their priorities focus on continuing to develop ways to better manage resources for food and energy security.



Many members commented that the TPPC is looking for a representative from Alaska.

USDA NRCS PLANTS Database, Development of Plant/Pollinator Interaction Data and Collaborations: Christine Taliga, USDA Natural Resources Conservation Service (NRCS)

[Slide Presentation](#)

National Plant Data Team Ecologist, Christine Taliga presented on the PLANTS database beginning with a description of the mission of the USDA and development of Pollinator Coordination efforts which is funded by the 2018 Farm Bill for private lands conservation. The NRCS (Natural Resources Conservation Service) PLANTS website was launched in 1994 as a nationwide resource for naturally occurring plants and includes plant names, characteristics, and taxonomy. This comprehensive database is a consistent source of standardized information that has been vetted by ecologists and taxonomists.

Two years ago, a massive modernization was undertaken in which a tab was added for plant-pollinator interaction and an ethnobotanical tab including additional common names. Through collaboration with the TPPC, they would like to add as many traditional indigenous plant names as possible. *Bob mentioned that plants with a wide distribution could have numerous indigenous names for the same plant.*

They are also working with the National Native Bee Monitoring Program to determine species range distribution across the U.S. in an effort to integrate information with the PLANTS database. Collaborations are key to achieving their goal of providing a rich repository of data and help insure protection of both agricultural and natural ecosystems.

PLANTS database: <https://plants.usda.gov/home>

Bob mentioned the following publication from Minnesota:

"Plants used by the Great Lakes Ojibwa" by James E. Meeker, Joan E. Elias, John A. Heim, Great Lakes Indian Fish & Wildlife Commission

<https://www.worldcat.org/title/plants-used-by-the-great-lakes-ojibwa/oclc/30589387>

Jasmine would like to see something added for plants that combat pests, such as companion planting suggestions.

There was a lot of inquiry about how Tribes can apply for funding for related projects. Christine offered to provide a map of NRCS contacts that have worked with Tribes in various states.

Diania Caudell, as part of a Tribal association, would like to work with the USDA to share information with the PLANTS database.

Tribal Caucus Report Out/ Open Discussion with EPA

Jasmine specified the top priorities for the TPPC as being 1. The permitting issue with White Earth Nation, 2. Draft a paper on the McGirt decision, 3. Finish paper on Certification and Training and send out.

The Cannabis paper was submitted to the EPA and still waiting for a response.

Jasmine recommended that the TPPC support Alaska Emergency Efforts. It was mentioned that often Alaska is separated out from the rest of the country to meet with DC as the state has specific considerations.

Emily Ryan provided an ESA update and possibility of bringing in some people on a future monthly call. Jasmine mentioned that US Fish and Wildlife often do not check for label violations and it would be beneficial to have more information on labels about the effects on specific endangered species.

Nina brought up the issue of Tribes needing federal credentials vs. their own Tribal code to manage areas on Tribal lands. There was discussion because needs vary depending on the individual Tribe, some see this as a threat to sovereignty while others benefit from having federal credentials.

Closing Remarks

Thank you to everyone for participating in the Fall Meeting!