

TRIBAL PESTICIDE PROGRAM COUNCIL
MONTHLY EXECUTIVE COMMITTEE CONFERENCE CALL
Wednesday, September 18, 2024

Notes FINAL



1. Tribal Caucus

2. Welcome/Introductions

Mark Daniels, Institute for Tribal Environmental Professionals, facilitated roll call.

Tribes (19)

- Alexis Bruce, Saginaw Chippewa Indian Tribe
- Camilo Perez, Quechan Indian Tribe
- Curry Blankenship, Muscogee Creek Nation
- Dana Adkins, Chickahominy Indian Tribe
- Dorla Tartsah, Kiowa Tribe
- Eric Gjevre, Coeur d'Alene Indian Tribe
- Jaclyn Listo, Tohono O'odham Nation
- James Jackson, Cherokee Nation
- James Williams, Muscogee Creek Nation
- Jasmine Courville, Confederated Salish and Kootenai Tribes
- Jeremy Phillips, Salt River Pima-Maricopa Indian Community
- Jessica Raspitha, St. Regis Mohawk Tribe
- Jim Mossett, Three Affiliated Tribes
- Luis Sanchez, Cocopah Indian Tribe
- Ron Workman, Choctaw Nation of Oklahoma
- Steve Anderson, Choctaw Nation of Oklahoma
- Tacy Jensen, Gila River Indian Community
- Ted Puetz, Ak-Chin Indian Community
- Tison Gill, Gila River Indian Community

Tribal Organizations (4)

- Africa Dorame-Avalos, Inter-Tribal Council of Arizona
- Diania Caudell, California Indian Basketweavers Association
- Mark Daniels, Institute for Tribal Environmental Professionals
- McKenna King, Institute for Tribal Environmental Professionals

EPA (3)

- Lauren Achstatter, EPA/OCSP
- Linsey Walsh, EPA/OCSP
- Lisa Berrios, EPA/AIEO

Reported in advance as absent (2)

- Nina Hapner, Kashia Band of Pomo Indians
- Renee Keezer, White Earth Reservation

3. EPA Updates

Linsey Walsh, EPA/OCSP, shared that the National Tribal Operations Council (NTOC) meeting will occur October 29 in Washington DC. It runs 9am-4pm the first day with program specific breakout sessions. Meyo Marrufo is taking a year off and a new representative will replace her and provide a report out from the NTOC or Linsey will provide the update.

4. TPPC Administrator Updates

a. Fall Meeting Update.

Mark Daniels, Institute for Tribal Environmental Professionals, shared that the agenda is in progress. Mark will send out the draft agenda later this week and include the Zoom link for those who are attending remotely. The hotel has been booked. An in-person participant has dropped out, if you are interested in attending in person, contact Mark to arrange for travel. There will be a coastal field trip on Thursday.

b. TPPC Cooperative Agreement Coordinator Application

The application for TPPC cooperative agreement coordinator is open right now for the next 5-year cycle beginning in September 2025. If TPPC members have feedback to be included in the proposal, contact Mark with these thoughts.

5. Tribal Caucus Report-out

Africa Dorame-Avalos, Inter-Tribal Council of Arizona (ITCA), shared about the recent ITCA pesticide inspector training at Gila River. She is in the beginning phases of planning an Integrated Pest Management (IPM) training for next year.

6. Workgroup Report-out

a. Risk Assessment Workgroup

The pilot project with White Earth is ongoing, but there haven't been updates for a while, so recent meetings have been canceled. Goals for this and other workgroups will be discussed with the whole membership during a session at the Fall meeting.

Jasmine Courville, Confederated Salish and Kootenai Tribes, requested that Renee Keezer, White Earth Reservation, give the presentation to an upcoming Risk Assessment workgroup meeting that she gave at the ITCA Pesticide Inspector Training explaining increased pesticide toxicity to the TPPC. Renee was not present at the meeting to confirm if/when she could do so.

b. Pollinator Protection Workgroup

Linsey discussed a survey that the workgroup created to assess Tribal communities' needs regarding pollinators. The survey went out and responses were supposed to be submitted

recently, but she is not sure what responses have been received. She also shared about the Region 6 coloring book project featuring native pollinator protection from a native culture perspective that can be translated into various languages. This project came out of discussions from the workgroup and now has its own project team.

Jessica Raspitha was interested in joining the Pollinator Protection workgroup; Linsey suggested contacting Nina Hapner, Kashia Band of Pomo Indians, who manages the calendar invitation for the workgroup.

c. Policy Workgroup

Jasmine reported that the workgroup has started drafting comments on the insecticide strategy for the Endangered Species Act (ESA) and have recently completed a letter on seed treatment. The workgroup is monitoring the situation discussed in the last TPPC meeting regarding EPA vs Tribal authority for licensing. Mark will be submitting insecticide strategy comments on Monday. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) cooperative agreements guidance public comment period has closed but the Tribal consultation period ends October 18. Linsey is part of the group updating the cooperative agreement guidance, and although the official comment period is closed she explained that they are still seeking comments and to submit them by the October 18 consultation deadline to be considered.

7. NTC Updates

No updates noted.

8. Executive Order 14112: Reforming Federal Funding & Support for Tribal Nations

a. Introduction

Lisa Berrios, EPA/AIEO, provided a presentation on Executive Order (EO) 14112: Reforming Federal Funding & Support for Tribal Nations. She stated that she sent out a link to a PDF for the slide deck; refer to these slides for further information. In summary, the EO has two parts: 1) Increased federal funding available for Tribes and 2) Reduced barriers for Tribes to access this funding. Requires federal agencies to reform federal funding and support programs to be more accessible, flexible, and equitable. Some EO activities are being led by the White House, such as Tribal consultation, while others are the responsibility of other federal agencies. For purposes of this presentation, Lisa will focus on activities at EPA.

b. Timeline

The EO was signed in December of 2023. In January of 2024 the implementation of the EO began. During Summer 2024 the budget task force released assessment guidance to agencies. Summer of 2024 was the deadline for releasing budget guidance, and this should be finalized any time as summer is coming to a close. Each agency has until Spring 2025 to conduct an assessment of how they will meet unmet needs and provide this

information to the budget task force. Agencies are required to report actions being taken to implement the EO on a monthly basis.

c. Revisions to Grant Regulations: 2 CFR Part 200, effective October 1, 2024

Lisa shared about specific items that will impact Tribes directly, although there are many more she did not discuss. Please refer to the presentation slides and EO documents for full details. This includes an increase de minimis to indirect cost rate from 10% to 15%, and a change to the procurement policy that now allows Tribes to use their own policy and procedures when conducting procurement transactions under a federal award. There is a White House counsel listening session on all the revisions that are going to be part of CFR Part 200 on September 30th. **Lisa can provide information about the meeting if you are interested in attending.**

d. EPA Current Actions

EPA is sharing information through Regional Tribal Operations Committee (RTOCs), the National Tribal Caucus (NTC), site visits and presentations to partners such as the TPPC to understand what Tribe's recommendations are for reform actions. Based on these conversations, priorities include:

Best Practices

An example of best practices is extended rolling application periods. Lisa shared additional best practices that EPA has developed and are hoping to duplicate with the goal of TPPC members providing recommendations and ideas based on these. She spoke about training for EPA Project Officers and staff and the need for an internal culture shift towards adopting new systems such as a grant streamlining policy document for Tribal projects. The American Indian Environmental Office (AIEO) is working to ensure that EPA staff are informed on indigenous knowledge and data sovereignty. They are also leveraging and expediting pending changes to CFR 200 Revisions.

New Areas

Ideas such as exploring a Tribal competition advocate and advancing self-governance

Outside of EPA

The White House is focusing on cross-agency coordination and a whole-of-government approach. Systems that are not managed by EPA such as Grants.gov are being improved via EPA feedback.

Contact Lisa or others in the workgroup to provide feedback on the EO and reform actions. Jasmine noted she will review the EO further and provide comments and requested that the September 30th White House counsel listening session information be sent to Mark. Lisa will send this to Mark.

9. Other Issues/Concerns/Hot Topics

Jasmine discussed the need for App accessibility for Tribes for things such as notification of aerial spraying. She feels that this can help applicators take responsibility and prevent drift related complaints. Apps can also help with monitoring and inspections. She has gathered that Tribes feel like an affordable tool is necessary and suggested the idea of setting aside TPPC funding for training on this. Tacy Jensen, Gila River Indian Community, shared that Gila River has an App for all aerial applications and applicators must notify within eight hours of application per the Gila River pesticide code. Gila River was able to use EPA funding for the project and are open to sharing the project with others. Tison Gill, Gila River Indian Community, shared that the App development through Share Point cost was around \$10,000-\$15,000 and they can continue to add to the capacity of the App. He feels it's helpful for community members. Mark shared that it sounded like it may be less costly for other Tribes to use the Gila River App as a template to develop their own. **Mark will investigate ways of sharing this technology with other Tribes.**

10. Next TPPC Conference Call: Wednesday, November 20, 2024, 2:00-4:00 p.m. EST*

*** No monthly call in October since we'll be holding our semi-annual meeting**

ANNOUNCEMENTS

- September 23-26: Laboratory Issues PREP Course (<https://agsci.colostate.edu/agbio/prep/laboratory-issues-course/>)
- October 8-10: TPPC Fall Meeting (<https://tppcwebsite.org/meetings/#upcomingmeetings>) -
- November 6-7: Federal Certification Training for Private Applicators of RUPs within Indian Country (<https://www.epa.gov/pesticide-applicator-certification-indian-country/training-private-applicators-under-epa-plan>)
- December 9-10: Full SFIREG Meeting (<https://aapco.org/2015/07/30/sfireg-3/>)

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