

Tribal Pesticide Program Council Executive Committee Meeting

June 21, 2016

Hosted by Navajo Nation EPA ~ Flagstaff, Arizona

Meeting Notes - Final

The meeting was called to order at 6:15 PM at Twin Arrows.

Attendees (15):

Tribes (8)

Fred Corey, Aroostook Band of Micmacs
Tony McCandless, Gila River Indian Community
Joe Herrera, Yakama Nation
Willie Keenan, Confederated Salish and Kootenai Tribes
Jasmine Courville-Brown, Confederated Salish and Kootenai Tribes (sitting in as alternate for Region 8, Jim Mossett)
Eric Gjevre, Coeur d'Alene Tribe
Martina Wilson, Fort Peck Tribes
Hilery Spray, Winnebago Tribe

EPA (5)

Gabriela Carvalho, U.S. EPA, Region 10
Lorry Frigerio, U.S. EPA, OPP
Amanda Hauff, U.S. EPA, OCSPP
Don Lott, U.S. EPA, OECA, OCE
Oscar Morales, U.S. EPA, OCSPP

Other (2)

Suzanne Forsyth, UC Davis Extension
Bob Gruenig

Agenda

1. Budget
2. Travel policies
3. TPPC priorities
4. Other

Several topics emerged from discussions during the tribal caucus held earlier in the day.

Budget

The TPPC Coordinator's report indicated that there is a cost savings from the first two meetings. One of the concerns tribes expressed was that if the TPPC is under-spent in FY2016, will the funds be allowed to be carried over for FY2017? If it's unspent will EPA hold it back? Is there a perception in OPP that it's not needed if it's not spent?

Oscar Morales reassured the Executive Committee (EC) that nothing will happen to the unspent funds and the funds should be available next year. Oscar feels it's more important for tribes to meet where more TRIBES can meet versus having access to EPA staff. So he highly encouraged the TPPC to continue to meeting in Indian Country as opposed to the more costly DC area.

Don Lott noted that EPA's Office of Civil Enforcement (OCE) has not been a major participant in the past with TPPC meetings and that is something that EPA needs to correct. OCE has some direct implementation authority in some areas and also where there is not a cooperative agreement with a tribe, so they need to be more involved.

The decisions about where and when to meet were vetted with the Executive Committee. Meeting in Indian Country twice has contributed to this.

Another issue hanging out there is the authorization letters. If a tribe doesn't have an authorization letter then they would not support travel for that person. This is a provision in the TPPC's *Policies & Procedures* and must be satisfied.

One member asked about the October meeting planning and if we will be on budget for that.

Action item: Suzanne to present financial data on costs for the next meeting and present on the 7/20 monthly call.

TPPC Travel Policies

There was discussion about the TPPC travel policy and how it is different from the federal system. Federal is per diem and UCDE's system is based on actual expenses. A concern was shared that paying a room deposit in advance was a hardship for a few. The block for the host hotel was handled in the same manner as the January meeting, where members call and reserve their room in the TPPC block and are reimbursed after the meeting. Conversation about this for the June meeting was held between the Coordinator and Chair and Vice Chair as the decision was time-sensitive. The method was chosen to protect the TPPC from being financially liable for non-committed rooms. UCDE already pays for several members' room in advance and is able to do the same for others if UCDE is notified in advance.

Action items:

1. UCDE to share communication with TPPC for assistance with travel/financial hardships.
2. Ask Cindy Wire to provide statement why travel reimbursement method is not mandated as GSA/federal.
3. Suzanne to research expenses for October meeting and present on next EC call.
4. UCDE to share again the TPPC website password so members can access the entirety of the travel policy info on TPPC website.

Other

Attendees engaged in a brainstorming session about funding for programs.

GAP guidelines for funding is too restrictive for tribes and it leaves tribes in a "state of lawlessness" as there is no mechanism to provide assistance. Program funds are essential for them to manage their ag practices and their economic engine.

The American Indian Office is working to identify gap and measures will do a pilot to see how they can improve funding, how to get more circuit riders in place.

Fred realizes that there are not EPA folks available in the regional offices to assist with activities. So tribes are looking to EPA staff to come and offer assistance.

Cannabis and marijuana is a hot topic and there may be tribes who don't want to pursue legalizing it. This may be a potential funding source yet so much is not known. If it's made legal then more tribes may

consider this. EPA won't be driving answers to that question and is trying to find ways to be ahead of these conversations with the pesticide component.

Some registrants wondered if they were needing to pay state registration fees if the tribes legalized growing on tribal lands. What are pros and cons?

Can FIFRA fees pay for some of these activities? This bears more research. Oscar says this has never come up in negotiating strategies. But he doesn't see why tribes could not pursue this and ask for more clarity. There might be some complementary ways that tribes and regions can help one another and to talk about this at regional meetings.

Action item: Oscar Morales to have tribal issues more frequently at RDD meetings and to invite more tribal participation at these meetings (e.g., October 2016)

Don asks if TPPC come up with a standard approach to handling this whereby they save resources and standardize things and have industry pay these fees.

Gabriela – how do you create a program that's sustainable? The PSEPs got together and created a PSEP-IMI and got some registrants to donate a pilot program they identified pilot PSEPS in each state to change business model. These are programs selling services for a fee. How can tribes self-organize to charge fees for their services? Is there a way to create a registration / certification program that tribes can create a funding mechanism? It would need to be an organized effort to create this.

CSKT gets a lot of calls for fertilizers which appear to be pesticide drift.

What happens when there was an allocation made to a specific tribe when it isn't used? What can EPA do about those funds? What's the best way to turn those funds around and use them? Remedy would be a conversation on an EC call. Tribes would like to have a voice.

One attendee reported that people call her once a week looking for a household hazardous waste program. Fred thinks there is an RFA out there right now to support this.

Action item: Amanda to send Hilery more info on this.

Action item: Continue to brainstorm on revenue building opps and have this conversation in the future. The more we talk the more likely we come up for some solutions.

Meeting was adjourned at 7:45 PM.