

**Tribal Pesticide Program Council Executive Committee
Monthly Conference Call**

4/24/19

Call Notes – Final

Call in number: 202-991-0477, Pass Code 6135015

Roll call:

Tribes

- Fred Corey, Aroostook Band of Micmacs
- Joe Herrera, Yakama Nation
- Larry Scrapper, Cherokee Nation
- Dan Hoyt, Gila River Indian Community
- James Jackson, Muscogee Creek Nation
- Lorinda Antone, Ak-Chin Indian Community
- Jim Mossett, Three Affiliated Tribes
- Ivan Crow Eagle, Rosebud Sioux Tribe + one other
- Nina Yumberg, Blackfeet Tribe
- Eric Gjevre, Coeur d'Alene Tribe

Reported in advance as absent:

- Diania Caudell, California Indian Basketweavers Association
- Amanda Hauff, EPA/ OCSPP
- Carol Galloway, EPA/OECA

EPA

- Peter Earley, EPA/Region 9
- Emily Ryan, EPA/OPP
- Kelly Engle, EPA/OECA
- Helene Ambrosino, EPA/OECA

Other

- Suzanne Forsyth, University of California Davis Extension
- Bob Gruenig, TPPC

1. Welcome/Introductions (00:00 - 00:10)

Fred Corey, TPPC Chairperson, facilitated the roll call. Attendance was logged throughout the call for the 10 tribes and tribal organization representatives.

2. EPA Updates (Emily, Carol, Peter, Amanda, et. al.) (00:10 - 00:25)

- Emily – OPP offered C&T webinars for tribes on April 11 and 19 and these had a good turnout. Emily can send out the PPT for folks to review. Changed the Status Report workgroup dates to every other Tuesday. Fred was in town recently from NTOC.
- Carol/Kelly – no updates
- Peter – no updates from the regions

There were meetings in DC recently Fred attended with Amanda. Fred met with Alexandra Dunn, Assistant Administrator of OCSPP, and they talked about the lack of cooperative agreements in Indian Country and there are hundreds of federally recognized tribes but only 23 tribes covered by OECA cooperative agreements. They shared thoughts on the value of meaningful work. Fred had a chance to brief the Tribal Operations Committee and how EPA has a responsibility to implement FIFRA in Indian Country, while other tribes want their own program. He participated in a form with EPA Administrator

Wheeler, who received invitations by several to visit Indian Country. It was a good week of meetings and discussions. The American Indian Environmental Office is moving to EPA's front office and most felt this was a positive move. Amanda can add to this on the next call with respect to follow up actions.

3. TPPC Tribal Administrator Update (Suzanne) (00:25 - 00:40)

- a) March 2019 meeting
 - Final notes are attached to today's call reminder. Several redactions were noted from the first draft.
 - The presentation files, handouts, and images uploaded to the website this week.
 - Working on my two remaining action items from that meeting (e.g., request for tribal codes, invite SFIREG chair to October meeting).

- b) Fall 2019 meeting planning

The Yakama Nation will host the fall 2019 meeting. Dates are Tuesday-Friday, October 8-11, 2019. We are revising our agreement with the hotel for rooms, meeting space, and catering.

- o Full Council Meeting: Tues-Wed, October 8-9, 2019
- o Executive Committee Meeting: Tues or Wed eve October 8 or 9, 2019.
- o Risk Communication training with National Pesticide Information Center (NPIC): Thurs, October 10, 2019.
- o Half-day tour of Yakama Nation (optional): Fri, October 11, 2019.
- o This meeting will have a TPPC election associated with it so we cannot hold the Executive Committee meeting for the end of the week. That is because those folks are planning travel well in advance of the election.

Joe is working with growers (tribal and non-tribal) for tours.

- c) admin tasks – edits to the list serve, Cherise Maples from Region 4 has left her position and I was told by Pat Livingston at EPA Region 4 that the tribes does not yet have a replacement. Pat reported in early April that, "To my knowledge we have no other tribes who are interested in starting up their own pesticide programs." The proposal is that we leave the seat vacant until Seminole hires Cherise's replacement or another tribes from the region joins TPPC.
- d) Coordinating with Bob on his efforts, reported later in the agenda.
- e) PERC has a new suite of Spanish WPS resources shared this week (HTC, Ag Employer Handbook, and WPS Respiratory Guide). I will be bringing some free copies to the October meeting.
- f) PERC is looking for a tribal rep to serve on the PERC advisory Board from now through March of next year, if anyone is interested.

4. TPPC Pollinator Workgroup Expanded Discussion (Jasmine, et. al.) (00:50 – 00:50)

No workgroup members were on the call to report. There has been some activity recently (a webinar plus shared resources).

5. PPDC Update (Eric) (00:50 – 01:00)

The next meeting is two weeks from today and Eric is attending. PPDC is EPA's only dialogue committee. It has EPA getting together with a diverse group of stakeholders. EPA listens to comments they have on a variety of issues (work protection, subcommittees on current issues.) They meet twice a year (May and November). Some members include: U.S. Army, Dow, potato growers association, beekeepers association, and others. Because it's a FACA, it has term limits and Eric has met his service time limit.

6. TPPC Representative to PPDC (Fred) (01:00 – 01:10)

Historically it's been the Vice Chair of the TPPC to attend the PPDC as it's a high visibility forum. Jasmine needs to talk to her supervisor to see if she would be allowed to attend and participate. More on this next month.

7. FIFRA Jurisdiction in Indian Country (Fred, Eric) (01:10 – 01:20)

Each year Fred joins the Coeur d'Alene Tribe over the phone for their meeting with circuit rider tribes. A couple of the tribes were curious about jurisdictional issues in Indian Country. Questions about fee lands versus trust lands, checker-board situation, which rules apply in those areas. Tribal versus federal credentials, enforcing state versus tribal codes. He suggested that EPA offers a webinar for TPPC and other tribes and this would be a benefit for all. Helene will speak with Carol about the possibility of doing one. An alternate suggestion is to have a session at the October TPPC meeting.

8. Certification of Pesticide Applicators Rule Comments (Fred) (01:20 – 01:30)

This is something that happened quite a while ago. At the recent NTOC meeting tribes were briefed on what's required. One of the tribes (a TPPC member) was asking about the workload it's going to create for them in way of the legal review by their tribe, resulting in administrative burden imposed by the new rule. What kinds of resources is EPA making to assist with the burden? Fred proposes that we place something like this on the record: that tribes that need to update their plan that EPA provides resources for this.

Action item: Emily will check to see if there is an upcoming comment period for pre-implementation. We believe it was the end of March 2019.

The group agreed to take this up again on our next call.

9. Status of Pesticides in Indian Country Report (Bob) (01:30 – 01:35)

Now that the every other week workgroup calls are on the calendar, the hope is that we can get this item back on track. We are very far behind per the timeline we agreed to at the March in-person meeting. The goal is to have it finished in time to share at the October 2019 meeting.

10. Status of TPPC National Program Managers Guidance (NPM) Comments (Bob) (01:35 – 01:40)

Bob drafted comments for this and Fred will share with the group.

Action item: Fred to share the letter. Need comments back to Bob by Tuesday, April 30 by noon Mountain Time. Bob to send out revision by May 2 and he would submit the letter to the docket. Final comments by 9 AM Mountain May 3.

11. Status of Offer of Additional Information to EPA Inspector General (Fred) (00:50 – 00:55)

Fred apologized that he overlooked the action item to draft something to send to OIG.

Action item: Fred will send the letter to Bob by tomorrow, 4/25/19. Fred will share with the TPPC before it goes to OIG.

12. Other Issues/Concerns/Hot Topics (All) (01:45 – 02:00)

13. Next TPPC Conference Call (Wednesday, May 15, 2019, 2-4 p.m. EDT)

ANNOUNCEMENTS

- Full SFIREG Meeting, Arlington, VA, June 4-6, 2019
- National Industrial Hemp Regulatory Conference, hosted by MN Dept of Ag, ND Dept of Ag and Wisconsin DATCP, June 17-20, 2019
- National Integrated Pest Management Training for Tribal Communities, hosted by ITCA, June 26-28, 2019, San Diego, CA
- PREP Comprehensive Combo, Milwaukee, WI, July 29 – August 1, 2019

- PREP Risk Communication Course, Vancouver, WA, September 9-12, 2019
- TPPC Fall Meeting, Yakama Nation, October 8-11, 2019, Toppenish, WA
- Region 8 Manager's Meeting, October 16-17, 2019