

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

11/20/19

Call Notes – Final

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

[Note: the above number wasn't working properly so we used UCDE's Zoom line: 1 669 900 6833]

Roll call:

Tribes

- Fred Corey, Aroostook Band of Micmacs
- Jasmine Brown, Confederated Salish and Kootenai Tribes
- Eric Gjevre, Coeur d'Alene Tribe
- Amelia Marchand, Colville Tribes
- Nina Hapner, Kashia Band of Pomo Indians
- Theodore Puetz, Ak-Chin Indian Community
- Joe Herrera, Yakama Nation
- Tony McCandless, Gila River Indian Community
- James Jackson, Muscogee Creek Nation

EPA

- Emily Ryan, EPA/OPP
- Rachel Ricciardi, EPA/OPP

Other

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

Reported in advance as absent:

- Amanda Hauff, EPA/OCSP
- Lucy Parker, Southern Miwok Tribe
- Diana Caudell, California Indian Basketweavers Association

1. Welcome/Introductions (00:00 - 00:05)

Fred Corey, TPPC Chairperson, facilitated the roll call. Attendance was logged throughout the call for the 9 tribes and tribal organization representatives.

2. EPA Updates (Emily, Carol, Amanda, et. al.) (00:05 - 00:10)

- Emily, EPA/OPP – a) Emily invited Ryne Yarger to give an update on the AEZ on today's call. b) Today the TPPC RFA closes for the next cooperative agreement cycle. EPA will review in the next couple of months and will share news when they have any. c) Also, Lance Wormell recently returned as the Branch Chief of OPP's Government and International Services Branch.

3. TPPC Tribal Administrator Update (Suzanne) (00:15 - 00:30)

- a) Administrative
 - Recent membership list change:
 - New authorization letter received for Vivian Stevens and Laura Clark, Yavapai-Apache Nation. Uploaded to the TPPC DropBox site for safekeeping.
- b) Fall 2019 meeting completed, thanks to Yakama Nation for hosting on Tuesday-Friday, October 8-11, 2019. Attendees: 15 TPPC members, 4 EPA Tribal team members, 5 invited speakers.
 - Full Council Meeting: Tues-Wed, October 8-9, 2019
 - Executive Committee Meeting: Wed eve October 9, 2019.

- Risk Communication training with National Pesticide Information Center (NPIC): Thurs, October 10, 2019.
- Half-day tour of Yakama Nation (optional): Fri, October 11, 2019 – regrettably, this was canceled on the morning of the tour due to unknown reasons.
- All travel reimbursement made with one exception (he has not yet submitted it). Ave payment time is 6 days from the time we received their voucher to when they check is issued.
- Working on website updates for the presentations, photos, evaluations.
- Meeting notes went out today with a Nov. 27 return date.

c) Executive Committee election completed at the Fall Meeting

Suzanne emailed ballots on 9/25/19 to all eligible voters (25 total tribal ballots.) 17 Ballots were returned; 9 were submitted via email and 10 were cast in-person at the Full Council Meeting on October 8 in Toppenish, WA. Many thanks to all candidates for their willingness to serve the Executive Committee and additional thanks to the TPPC members for their participation in the selection process.

Congratulations to the following elected members:

Chairperson: Fred Corey, Aroostook Band of Micmacs

Vice Chairperson: Jasmine Courville-Brown, Confederated Salish and Kootenai Tribes

Region 1: Fred Corey, Aroostook Band of Micmacs

Region 2: Les Benedict, St. Regis Mohawk Tribe

Region 3: Vacant

Region 4: Vacant

Region 5: Dustin Roy, White Earth Reservation

Region 6: Larry Scrapper, Cherokee Nation

Region 7: Jarrett Pfrimmer, Sac and Fox Nation of the Mississippi in Iowa

Region 8: Ryan Evans, Confederated Salish and Kootenai Tribes

Region 9: Nina Hapner, Kashia Band of Pomo Indians

Region 10: Eric Gjevre, Coeur d'Alene Tribe

At-Large: Jefferson Biakeddy, Navajo Nation

At-Large: James Williams, Muscogee Creek Nation

At-Large: Diania Caudell, California Indian Basketweavers Association

At-Large: Lucy Parker, Southern Sierra Miwok Tribe

d) Spring 2020 meeting is up next. Announcement went out today.

- Note the change in hotel to the Courtyard Arlington Crystal City (behind the Renaissance.) Same walking distance to OPP from the Residence Inn where we've stayed in the past.
- Website update in progress but registration portal is open via the link shared today
- Deadlines:
 - Dec 13, 2020: Deadline for receipt of travel funding requests via registration portal
 - Dec 20, 2020: UCDE to notify travelers if funding request can be accommodated
 - Jan 6, 2020: UCDE sends instructions to funded travelers on how to book travel
 - Jan 20, 2020: Deadline to book airfare (funded travelers only)
 - Feb 11, 2020: Deadline to reserve hotel room in block (all attendees)
 - Feb 17, 2020: Deadline to register to attend (all)

e) Requests for travel funding to other pesticide-related forums. This option is available to all TPPC members with authorization letters on file. There is a request portal on the TPPC Travel tab on the website <http://tppcwebsite.org/other-travel/>.

- Background: in April 2018, the TPPC Executive Committee approved the proposal to allocate up to \$20,000 in the FY2019 budget for TPPC members to travel to pesticide-related trainings for the current project year. We encourage members to take advantage of the use of these funds.
- In October 2018, the Executive Committee set aside an additional \$10,000 for up to three TPPC members to participate in EPA's Regulator in Residence (RIR) Program. The goal of the RIR program is to foster communication between the Office of Pesticide Programs (OPP) and pesticide program managers of participating states, tribes, and territories. (Note: TPPC members would need to meet EPA's eligibility criteria in order to participate.) RIR shall be included in mention of "pesticide-related forums" mentioned below.

4. Status of Pesticides in Indian Country Report (Bob) (00:30 – 00:45)

The WG met again recently and the timeline. The WG reviewed an outline and subsections. Based on input Bob will assign to each workgroup member, Bob will draft. Need to revisit the call for data request to EPA. Tuesday Dec 2 is the next call and anyone interested who is not yet on the group is welcomed to send him an email to join.

5. SIREN Pilot Project Representative (Fred) (00:45 – 1:00)

Silent Siren Pilot project – risk screening tool that EPA is building to use internally. Intent is to take a quick look at a chemical and the potential risk. Looking at chemicals of emerging concern. Looking for tribal partners to participate. EPA will hold a meeting Dec 9-10 to discuss and Fred has a conflict. Plan is to move a chemical through the process and what the results look like at the end of the model and compare those to what is known. This will inform revisions to the model and how it's used. Fred said there are arrangements for the travel to pay for this. Cherokee Nation has agreed to assist EPA to arrange for this. Eric will check his schedule to see if he can attend and will let Fred know. Fred will send out an email to the membership with more information. James Jackson joined the call and invited topics of interest for the meeting agenda which folks may send directly to him at jajackson@mcn-nsn.gov.

6. Ecological Risk Assessment Presentation (Lawrence Martin) (see attachment) (01:00-01:20)

Lawrence joined the call to talk about EPA's ecological risk assessment. Office of Research at EPA. Science Coordinator for the Risk Assessment Forum. EPA's technical panel generated a paper prepared to develop the colloquium agenda. Colloquium participants included 30 in person attendees, and 26 remote access, and included eco-assessors from eight EPA Regions, and seven EPA program offices. A short list of potential priority actions were identified from each of the five Colloquium sessions.

Priorities included:

- a tools compendium website,
- methods for uncertainty analysis,
- guidance and best practices for extrapolation,
- best practices for quality review of field studies,
- incorporation of ecosystem services into ERA tools,
- systematic review of studies, and
- supplementation of the Registry of EPA Applications, Models, and Data Warehouses (READ).

The RAF Technical Panel considered all interim products in determining priorities for improving ERA practice. In the final analysis there was one priority which rose to the top – a one-stop-shop for assistance in finding existing guidance, tools and information to perform ecological assessments - a new direction for the RAF. In developing the portal for risk assessors, this could help them perform a gap analysis for the tools for risk analysis they don't currently have.

Conversation ensued and the TPPC asked Lawrence to bring back pointed messages to EPA about unique tribal routes of exposures including harvesting practices.

7. Smithsonian Suitland Potential Visit (Diania) (01:20 – 01:45)

Diania has been doing some research and looking into a proposal to visit a collection of artifacts at a tribal museum in DC. There have been several questions about how this is relevant to the current TPPC cooperative agreement and the TPPC meeting its goals and committed priorities. TPPC visited the museum a number of years ago and many found it interesting.

After discussion, an alternate proposal is to invite a museum speaker to join the March meeting. Suggestion that we send out links to related resources so TPPC members can prepare questions in advance of a session. Explore with Eric if there's a way for some TPPC tribes to come back to do an in-depth review of what's there. This might fall under the pesticide-related travel funding request option, pending demonstration of its relevance to the work of the TPPC and strengthening the capacity of TPPC and tribal pesticide programs. Some on the call suggested that this topic might be more relevant to tribes' cultural directors than to the majority of regular tribal attendees with or without pesticide program responsibilities.

8. Changes to the WPS and the Application Exclusion Zone (Ryne Yarger)

Ryne Yarger from EPA/OPP's Certification and Worker Protection Branch joined the call.

EPA made major updates to the WPS toward the end of 2015, the first major update in over 20 years. The changes were to improve and enhance protections before and after pesticide applications. One of the changes was a new requirement called the Application Exclusion Zone (AEZ). It was intended to define areas around app equipment for which persons must be excluded from direct contact from the application – like a virtual halo around the application equipment. When EPA proposed and finalize the requirements, the intention as for this new requirement to support compliance with the “do not contact” provision on a label so the product does not contact anyone not involved in the application. EPA started to hear from various stakeholder groups about the implementation and enforcement challenges of the AEZ. Based on this feedback, on 11/1/19 EPA proceeded with an effort to clarify this and are seeking comments in several areas:

1. Proposal to limit the boundaries on an ag establishment;
2. Adding an exception for easements where utility workers are in an easement but not on the applied property;
3. Proposing to eliminate language around spray droplet size; limiting AEZ zones for various applications spray heights; and
4. Expanding the WPS exemptions to exempt owners and family members to leave the AEZ so they may stay inside a home or enclosed space where they won't come into direct contact with drift.

EPA's tribal coordinator will be sending out an email with the above. EPA will hold briefings on December 3 and December 12 and will keep all apprised of these sessions.

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

None noted.

10. Next TPPC Conference Call (Wednesday, December 18, 2019, 2-4 p.m. EST)

ANNOUNCEMENTS

- Full SFIREG Meeting, December 9-10, 2019, Arlington, VA
- Pesticide Stewardship Alliance Annual Conference, Feb 4-6, 2020, San Antonio, TX
- 73rd Annual AAPCO Spring Meeting, March 8-11, 2020, Alexandria, VA

- TPPC Spring Meeting, March 11-13, 2020, Arlington, VA
- Western Region Pesticide Meeting, April 21-23, 2020, Bend, OR