

Tribal Pesticide Program Council Executive Committee
Monthly Conference Call
3/16/16
Call Notes – Final

Roll call:

Tribes

Fred Corey – Aroostook Band of Micmacs
Nina Hapner – Kashia Band of Pomo Indians
Larry Scrapper – Cherokee Nation
Les Benedict – St Regis Mohawk Tribe
Eric Gjevre – Coeur d'Alene Tribe of Indians
Joe Herrera – Yakama Nation
Irv Provost – Oglala Sioux
Hilery Spray – Winnebago Tribe, Omaha Nation
Daniel Hoyt – Gila River
Glenna Lee – Navajo Nation
Tony McCandless – Gila River (not joining due to illness)

Tribal Organizations

Africa Dorame-Avalos, Inter-Tribal Council of Arizona

EPA

Cindy Wire, U.S. EPA, OPP
Gabriela Carvalho, U.S. EPA, Region 10
Lorry Frigerio, U.S. EPA, OPP
Amanda Hauff, U.S. EPA, OCSPP

Other

Suzanne Forsyth, University of California Davis Extension (UCDE)

AGENDA

1. Welcome/Introductions (Fred)

Fred Corey, TPPC Chair, facilitated the roll call. Attendance was logged throughout the call for 11 member tribes and tribal organizations.

2. PIRT Update (Shirley Fan)

Due to Shirley Fan's illness today, this topic will be postponed for another time. As a member of the PIRT Steering Committee, Africa Dorame-Avalos offered PIRT updates. There is an upcoming PIRT in North Carolina on the Worker Protection Standard (WPS). Only a handful of tribes submitted a nomination to attend and it's her understanding that all of the tribes who applied may have been accepted. She asked if tribes had any questions about how to submit forms or needed assistance on this to please let her know as she is happy to help for future courses. Africa shared the link for PIRT events, selection criteria, PIRT charter, steering committee members and Suzanne forwarded this to the TPPC.

<https://www.epa.gov/compliance/pesticide-inspector-regulatory-training-pirt>

3. EPA Updates (Cindy Wire, Gabriela Carvalho, Lorry Frigerio, Amanda Hauff)

a) Cindy Wire informed the group that the current OPP/OECA FIFRA Cooperative Agreement Guidance is being revised in 2016. The FY2018-2020 FIFRA Cooperative Agreement Guidance will be available

February 2017. Please send Cindy and initial comments you have on what parts of the document needs to be updated. She is also taking suggestions on national priorities to focus on for 2018-2020. Cindy is also checking in with Region 9 regularly about the pollinator protection template/guidance being developed. Region 9 will be ready to talk about their efforts at the May monthly TPPC meeting. Cindy asked Fred to talk about cannabis meeting held in Washington D.C. the day before the MP3 Symposium.

b) Gabriela Carvalho –Time factors: At the TPPC meeting in January, member tribes asked EPA to schedule a call to address concerns that tribes have about the OECA’s time factors. Time factors are the hours that OECA estimates are needed to conduct each type of inspection and EPA Project Officers use the time factors when negotiating with tribal cooperative agreement grantees on how many of each type of inspection should be conducted each fiscal year. Gabriela and Carol will be sending out an email in the next week to tribal inspectors and their EPA project officers to get a call scheduled in April to discuss the time factors. If anyone else on TPPC would like to be included in the conference call, let Gabriela or Carol know.

c) Lorry Frigerio is reaching out to EPA OPP and regional colleagues who have institutional and tribal knowledge regarding bed bugs. Lorry shared the TPPC issue paper with regional bed bug contacts, and Susan Jennings who is EPA’s lead on bed bugs. Gabriela and Lorry recently met with bed bug contacts to share tribal concerns, and talk about past efforts and what still needs to be done. Lorry is currently working on an EPA strategy to address bed bug concerns in Indian Country and will share that strategy with FEAD management, Hilery Spray and the TPPC.

d) Amanda Hauff – i) National Tribal Toxics Council April 12-14 in DC. Wants to have a discussion around risk assessments and what does that mean to insert into a tribal risk into model? There was a report (needs to be shared). At beginning stages of crucial conversations. But if TPPC wants to be included to let her know. ii) Feb 22 EPA Administrator announced its process of tribal consultations. Working on implementation, educating staff, moving forward, working with partnership groups like TPPC as to what it means moving forward. Amanda offered to be a part of next call to walk through the guidance and what this means. Cindy Wire shared this document with the group during the call.

One member received an email about tribal treaty rights training. Fred suggested this may be something we want a more in-depth discussion around. This may be good for an in-person meeting. Amanda is asking the Office of International and Tribal Affairs (OITA) to develop a presentation for in-person meeting or they can do one via phone. Proposal to have an initial scoping conversation on the next monthly call so folks can be aware of what they need to be asking with regard to this policy before we talk about at in person meeting. The consensus was that a short presentation on April monthly call should be planned to define the scope of conversation in preparation for June in-person meeting.

4. Highlights from the State Cannabis Meeting held March 9 in Arlington, VA (Fred Corey)

Fred attended a state led meeting about cannabis held in the DC area between the AAPCO and MP3 meetings on March 9. Some of the issues were ones states were addressing with EPA. There is complexity of controlled substance and EPA as a regulator of use of pesticide products. There was a lot of discussion around the needs of states as they approve the use medicinally and recreationally. One state is considering legalization of hemp use. There are no registered products with specific cannabis uses mentioned on label. There are financial pressures and health concerns. Discussion was held about some of the information EPA needs to be able to place pesticide use on cannabis on labels and the unique considerations (e.g., consumption), data gaps, etc. Regulatory process for this discussed as well. Registrants not overly interested in having their products registered for use on cannabis but some of this is changing.

Tribal participation is welcomed in this process. 6-8 tribes have legalized use (medicinal/recreational). Nicole Zinn has this list. Concerted action will be made to make these tribes aware there is a national workgroup where there is a process where they engage with states and EPA. Also discussed at the meeting was the need for funding for lab report for check samples for pesticide products. There is not lab capacity to support this new work load. States are developing a candidate list of pesticides for use on cannabis so when potential registrations come in, there will be some that are easier to register than others.

One members shared that some tribes are interested in growing hemp and this is something TPPC should consider. The national workgroup should include other federal agencies with similar interests and the TPPC should request documentation about the workgroup and who would be included.

Action item: Cindy Wire to ask Nicole Zinn for the list of tribes who have approved medicinal/recreational use and will share with the TPPC.

Action item: once the meeting notes from the above forum are available, Fred will share with the TPPC and will make a concerted effort to notify other tribes who want to be part of workgroup.

5. Managed Pollinator Protection Plan (MP3) Symposium Report (Fred Corey, et. al.)

Many tribal participants were at this including: Fred Corey, Les Benedict, Hilery Spray, Lorinda Sam, Glenna Lee, and Joe Herrera. Other non-TPPC tribal representative were Crystal Davis & Pah-tu Pitt.

One member reported that they were doing a plan. But based on questions discussions at the symposium, they are now looking at the possibility of only doing a best management plan (BMP) as opposed to a full pollinator plan, as they don't have a whole lot of beekeepers in their areas. The best management plan is a big part of a MP3 plan. Another member stated they were now doing this other plan option as well.

Another members reflected on the positivity of seeing so much tribal participation there. But the agenda mostly addressed managed bees and tribal concerns are mostly about native pollinators. This member's perception was that tribal concerns were underrepresented at MP3s as far as wild versus managed bees. Concerned that native bees being protected was not included in the language. The St Louis Zoo representative was very interested in working with tribes and brought a lot to the table and eager to help tribes and getting to know more about their concerns. (Edward M. Stevac).

Another member who attended said it was eye-opener for them as one who is just starting out to get a baseline on where to start. Helpful parts covered were how to do surveys and the encouraged practice to talk with farmers and their beekeepers. The majority of MP3 dealt with managed bees.

Another member who attended is leaning more towards a BMP versus a management plan. This now puts tribes on two tracks. Region 9 is working on a template for management plans and not BMPs. The Bureau of Indian Affairs (BIA) and the US Fish and Wildlife Agency should have been there as they have responsibilities in these areas. The National Containers Growers Association and US Forest Service out of Moscow Idaho would also be useful to know about and this will be shared with TPPC members. There is also work being done by the National Highway Administration to make sure native plants are considered.

Fred reported that he was able to give a tribal perspective in his keynote address. One main message he carried to attendees was the importance of native pollinators. Many local plants are at risk of extinction as the local pollinators who serve them are at risk or are disappearing. Many plants used for spiritual or medical or craft use may perish as native pollinators are. Performance measures also a consideration in

the managed plans to help determine effectiveness but there wasn't much consensus in this aspect as of yet. Not everyone has the same level of knowledge in understanding the role of native pollinators and this is an opportunity for tribes to raise this awareness level - especially with state regulators so their plans can be as protective as they can be. Fred expressed gratitude to Jim Mossett for working on the agenda and to EPA 9 (Amanda, Cindy, Lorry) for finding the funding to make this happen for tribes.

Lorry Frigerio reported that during the meeting there was a lot of time spent on the scope of the discussion: managed versus native. Rick Keigwin's closing remarks were that MP3s don't have to exclude native pollinators. They are working on getting a follow up call scheduled to decide on next steps.

Action item: Les Benedict will share the US Fish & Wildlife Service funding opportunity once it comes out in May.

6. TPPC Tribal Administrator Update (Suzanne Forsyth)

a) Planning for June Meeting

Kristy LeClair at UCDE has been working with the Twin Arrows Casino Hotel outside of Flagstaff, Arizona and they have meeting and lodging space available for Tuesday-Wednesday, June 21-22, 2016. The lodging rate is \$112 plus tax and is less than the federal limit for this area. The rate includes free wireless internet and there are no resort fees applied. Also included is free airport shuttle service from the Flagstaff airport. Meeting space is \$400 daily for a room that can fit 40 people U-shaped. Ceiling height is 20 feet so we will need wireless handheld microphones. UCDE has set up a block of rooms where members call in and reserve, the meeting announcement will go out next week with info on the hotel. The registration portal will open along with the request for travel funding as a part of this.

Early deadlines:

April 18: last day to request travel funding via the meeting registration portal

May 22: last day to book hotel at reduced rate – gov't. rate not readily available after that!

May 23: last day to book airfare for funded travelers

June 13: last day to register for the meeting

EC meeting will be June 21 in the meeting space. Cannot bring in festive beverages or snacks but we are clarifying if people can purchase their dinner in the hotel and eat it in the space.

b) Planning for October Meeting

Will the October meeting location be DC? The TPPC usually meets in DC March so tribes could also attend AAPCO. There are tradeoffs with coordinating with AAPCO, weather considerations in parts of the country, and other meetings to avoid.

Action item: Nina to send Suzanne draft language for a poll to members on their preference for the October meeting to be held in DC or Indian Country. Suzanne to send out poll tomorrow and report back before next meeting.

c) TPPC Appointment Letters – At the January Executive Committee (EC) Meeting, the EC upheld the need for appointment letters to remain compliant with the *Policies & Procedures*. Email reminders went out in November, January and last week. The Coordinator must have a letter on file to confirm their TPPC membership and if they would like to be considered for travel funding. This will be a condition of travel funding in June 2016.

d) TPPC Website Discussion – Fred Corey explained that we have lost the use of our former URL (www.TPPCOnline.org). The former domain owner let the subscription lapse and an enterprising

company successfully purchased it and took control of it before the TPPC was able to regain it. The old site is currently a mocked up “fan site”. We will keep an eye on it to make certain there is no maligning information shared there about TPPC. We have a need to select a new suite of domains to launch the new site. After options were presented a consensus was reached on the new URL: TPPCwebsite.org. TPPCwebsite.org and TPPCwebsite.net will also be secured and will direct to the first one listed.

e) Contact with Western IPM Center and Funding Options for Tribes

We ran out of time to talk about this topic so Suzanne will also send it out as a separate message.

At the January 2016 TPPC Executive Committee meeting in Arizona, we talked about sources of alternate funding for tribes if they wanted to attend training opportunities or other national outreach forums so they can better strengthen their pesticide programs. The TPPC funding is earmarked exclusively for them to attend the TPPC meetings and for the chairperson to attend selected national forums. Suzanne spoke to her contact at the University of California Ag and Natural Resources (UCANR) Division. Nina Hapner has worked with him through the Western IPM Center as well. Any funding available to tribes via the Western IPM Center would require a grant application. Funding from the Western IPM Center could only benefit tribes in that region but the other regional centers (north central, northeast, south) all have various granting mechanisms of their own. The Western Center’s website is <http://westernipm.org/index.cfm/center-grants/> The four major types are shown on the link and have caps between \$15K-\$30K. All of these require a robust project and budget narrative and cannot exceed 8 pages in length. The applications open in October and close in December of each year. The Special Issues grant has a cap of \$5K and only requires a 1-page narrative/budget and is less onerous.

Matt also shared a resource for staying apprised of national funding opportunities via a UC Davis subscription service. Suzanne will look into subscribing and share opportunities with the TPPC as they are identified.

f) Pesticide Educational Resources Collaborative (PERC) Advisory Board position for Tribal Member

We ran out of time to talk about this topic but Suzanne re-sent the solicitation about this 3/15/16. In effect, PERC is looking for a tribal representative to serve as an adviser in the creation and review of pesticide safety materials dealing with the WPS. PERC did not receive any tribal applicants to the Advisory Board and Suzanne hopes that a TPPC member with experience in creating training materials and who has excellent working knowledge of the WPS would consider applying. The Advisory Board will convene very soon and a tribal representative able to bring the perspective of tribal interests is an integral part to PERC’s success.

6. Proposal to Reschedule Conference Calls to Begin One Hour Later (Fred Corey)

Rationale for this proposal was that there is a conflicting teleconference call with the EPA regions. Consensus was that we begin a start time of one hour later beginning with the April call.

Action item: Cindy Wire to adjust calendar appointments for April and beyond to begin 1 hour later (11 AM Pacific Time.)

7. Action Item Process/Review (Fred Corey, Nina Hapner, Suzanne Forsyth) (see attachment)

We ran out of time to talk about this topic again so it will be placed at the top of the April monthly call agenda. Much work has been done to update this to share. And much time needs to be devoted on a call to review this together.

8. Other Issues/Concerns/Hot Topics (All)

Nina may not be able to attend the June meeting due to a professional conflict.

9. Next TPPC Conference Call (Wednesday, April 20, 2016, 2-4 p.m. EST)

ANNOUNCEMENTS

- TPPC Spring Meeting: June 21-22, 2016, Navajo, (Flagstaff), AZ
- Tribal PIRT (Pesticide Inspector Regulatory Training), hosted by Confederated Salish and Kootenai Tribe: August 16-18, 2016, Polson, MT