

Tribal Pesticide Program Council Executive Committee
Monthly Conference Call
05/05/2020
Call Notes – Final
Call in number: 202-991-0477, Pass Code 6135015#

Roll call:

Tribes (11)

- Ted Puetz, Ak-Chin Indian Community
- James Jackson, Muscogee Creek Nation
- James Williams, Muscogee Creek Nation
- Andrea Mitchell, Cocopah Indian Tribe
- Larry Scrapper, Cherokee Nation
- Jasmine Brown, Confederated Salish and Kootenai Tribes
- Ryan Evans, Confederated Salish and Kootenai Tribes
- Jim Mossett, Three Affiliated Tribes
- Eric Gjevre, Cour d'Alene Indian Tribe
- Dan Hoyt, Gila River Indian Community
- Tony McCandless, Gila River Indian Community
- Nina Hapner, Kashia Band of Pomo Indians

Tribal Organizations (1)

- Diana Caudell, California Indian Basketweavers Association

EPA

- Emily Ryan, EPA/OPP
- Rachel Ricciardi, EPA/OPP
- Peter Early, Region 9
- Helene Ambrosino, EPA/OECA
- Amanda Hauff, EPA/OCSPP
- Chad Carbone, EPA/OECA

Other

- Suzanne Forsyth, University of California Davis Continuing and Professional Education
- Bob Gruenig, TPPC

Reported in advance as absent

- Fred Corey, Aroostook Band of Micmacs

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

Jasmine Brown, TPPC Vice Chairperson, facilitated the roll call. Attendance was logged throughout the call for the 12 tribes and tribal organization representatives.

2. EPA Updates (Emily, Amanda, Peter, et. al.) (00:05 - 00:15)

Emily Ryan, EPA/OPP – The new TPPC grantee will be ITEP, based at Northern Arizona University. EPA is moving forward with the grantee paperwork. The contact person will be Mehrdad Khatibi. The new grantee begins October 1, 2020.

Amanda Hauff, EPA/OCSPP

1. NTOC meeting – where NTC meets with EPA senior leadership. Fred usually attend and works with Amanda. Tentatively planned for July but it's postponed until further notice and no date yet known.
2. Sister tribal partnership group NTTC – just put out an announcement for that grantee to be the administrator for that.
3. Friday May 1, director of the American Indian Office sent an update on the grant on how the agency is looking to be flexible. FAQ document prepared with questions from tribal partners. Articulated GAP recipients can continue to work on GAP workplans if they are teleworking. You can work with regional PO to renegotiate workplan changes with the PO and an extension of their project period. Can request a 1-time waiver to extend it into a 5th year.

Helene Ambrosino, EPA/OECA – Helene re-introduced herself to the group and said that she will be working with the TPPC in the same fashion that Carol Galloway did. She is looking forward to tribal consultations based on the tribal comments EPA received about the circuit rider guidance. Chad Carbone runs the part of the office that runs inspector credentialing and will speak to that topic in a little bit.

Peter Early, EPA/Region 9 – Updates from the Regions:

- Region 1 tribal meeting for March is postponed with no date yet given.
- Region 5 is finalizing its tribal pesticide guidance for 2021.
- Region 9 is negotiating with their tribal grantees.
- Region 10 is working with tribes on their plans to make sure they are in compliance.

3. TPPC Tribal Administrator Update (Suzanne) (00:15 – 00:25)

a) Administrative

- o Efforts focused on wrap up from March meeting. The meeting notes and evaluation will post this week. All travel payments made.
- o Suzanne needs to recruit for the EC vacancy – At large position. The P&P states this is how I need to address this: *In the event that an At-Large position becomes vacant, there will be an election among the alternates for this position to fill the vacated primary At-Large position in a timely manner. The process shall include a call for nominations for the position, a ballot issued to TPPC members on which they shall cast their vote for a specific candidate, and any other steps that the full Council shall deem appropriate. There will then be a subsequent election process to fill the vacated alternate position.*

Action items:

- Suzanne to administer an election to fill the At-Large EC vacancy and will initiate May 2020.
- Suzanne to send out an email once all the files are posted and send a link to the page where the PPTs are posted.

4. TPPC Funding / Strategic Planning (Jasmine & Dan) (00:25 – 00:35)

Jasmine summarized some meeting highlights from March 2020 and the discussion on how to expend carryover funds. Suzanne reported that there should be about \$74,00 carryover in direct costs from years 1-4 into Year 5. Jasmine would like to see tribal community-based projects benefitting from TPPC.

Suzanne talked about the ideas prioritized in March by the Executive Committee:

#1 Risk assessment support (10)

- Literature review to look for scientific data and pesticide exposures on tribal communities in Indian Country
- Data/studies
- Other

Jasmine said at one time she had called hospitals and clinics and asked for exposure data. Chemical exposure is logged by a state code and this was missing from most of what was available so data this might not be easy to locate.

#2 Funding for pesticide-related training materials (8)

- (bed bug toolkit, gathering materials)

#3 Two-day strategic planning meeting (7)

#4 RIR (risk assessment workgroup, travel for TPPC members to tribal risk assessment forum, RIR for other interested peeps/WG or not) (4)

#5 Travel to pesticide-related trainings (3)

Consensus to proceed with the first two top ranked ideas. Eric would like to leave the floor open for future discussion to add to this.

Larry asked if there have been funds set aside to print the Report (estimated at 100 copies per tribe times 28 tribes). 3,000 copies. 60 pages. Tony said that if this is a doc that would be updated annually that we might not want to print many of them at the start.

Action item: Suzanne to get an estimate for the above print job.

Jasmine suggests we ask the larger membership for consensus. Consensus is that we move forward on #1 and #2.

Action item: Suzanne to send out an email stating that the above two items were priorities in March and consensus on the May call was to move forward with them. Please let Suzanne know of any questions or concerns or items to add for future consideration. Deadline to receive new ideas will be ~ June 5.

5. Update on Status of Pesticides in Indian Country Report (Bob) (00:35-00:40)

A few things have happened which has put the report behind schedule with respect to EPA's promised comments due mid-April. COVID 19 is one of them. Another is that upper management at OPP and OECA have concerns about some of the report content and this has delayed the report. They are concerned about the way that EPA processes have been described. Emily is working with EPA to see how they can get Bob feedback ASAP.

One TPPC member stated that the elephant in the room is that the tribes don't want to bite the hands that feeds, but tribes need to let the EPA what they need.

Some of the TPPC members commented that we have all agreed many times to the current timeline with everyone. This should be a tribal report and not have EPA's hand in it. Amanda clarified that EPA management feels there are non-factual statements in the report, not the point of view in the tribes or the requests from the tribes.

Jasmine suggests that we hold a separate call for the EC to talk about the Report to talk about the hurdles before the official comment letter reaches the TPPC. The group agreed we would set aside an hour on the May 20 call.

6. OECA Overview/Federal Credentialing Refresher (Chad Carbone, EPA/OECA) (00:40 – 01:25)

Chad is the Compliance Policy Staff Director at OECA. He has oversight of the national inspection program. He joined the TPPC today to give an overview of the credentialing process. The burden of proof to initiate a request for a credential comes from the EPA regional office, who should then determine the need to give a tribe a credential. It can be based on a geographic need. If the EPA office is 5-6 hours away and they cannot be responsive then perhaps they can credential an inspector at the local tribal level. Another example of need would be manpower issue or endangerment issues. Assuming that the tribal authority is willing to take on the demands then there are some criteria that must be met. There also needs to be a written agreement between EPA and the tribe specific to FIFRA and TSCA. When everything's in place, there are certain training requirements that must be satisfied for the inspectors. EPA's basic inspector training is the anchor piece, which has been offered in person in the past but due to resource constraints EPA has not been able to do this in the past couple of years. The majority of trainings are now online. The second requirement is health and safety training. EPA requires that all inspectors have a minimum of 24 hours of this. The third requirement is that inspectors need program-specific training (air, water, etc.) The fourth requirement to be met is to conduct on-the-job training. This can include reviewing inspection reports, conducting in-person inspections with a senior EPA inspector. The group discussion ensued.

7. Other Issues/Concerns/Hot Topics (All) (01:55 – 02:00)

None.

8. Next TPPC Conference Call (Wednesday, May 20, 2020, 2-4 p.m. EST)

ANNOUNCEMENTS

- Refer to the latest FIFRA calendar for a list of cancelled and postponed forums.