

Tribal Pesticide Program Council – Full Council Meeting
Virtual (due to pandemic)
DAY ONE, Monday, March 22, 2020
Meeting Notes

The meeting was called to order by Jasmine Brown at 10:00 AM MDT.

Attendees (for the overall, four-day meeting):

Tribes (26)

- Jasmine Brown, Confederated Salish and Kootenai Tribes
- Les Benedict, St. Regis Mohawk Tribe
- Larry Scrapper, Cherokee Nation
- Ryan Evans, Confederated Salish and Kootenai Tribes
- Nina Hapner, Kashia Band of Pomo Indians
- Eric Gjevre, Coeur d'Alene Indian Tribe
- Jefferson Biakeddy, Navajo Nation
- Tony McCandless, Gila River Indian Community
- Gerald Wagner, Blackfoot Tribe
- Brittani Clairmont, Confederated Salish and Kootenai Tribes
- Daniel Hoyt, Gila River Indian Community
- Jim Mossett, Three Affiliated Tribes
- Shylah James, Navajo Nation
- Joe Herrera, Yakama Nation
- Ted Puetz, Ak-Chin Indian Community
- Brenda Ball, Ak-Chin Indian Community
- James Jackson, Muscogee Creek Nation
- Earl Bautista, Tohono O'odham Nation
- Notah Silversmith, Navajo Nation
- Camilo Perez, Quechan Indian Tribe
- Brenda Pusher-Begay, White Mountain Apache Tribe
- Jeremy Phillips, Salt River Pima-Maricopa Indian Community
- Julie Simpson, Nez Perce Tribe
- LaShawna Tso, Tohono O'odham Nation
- Phil Jackson, Saginaw Chippewa Indian Tribe
- Troy Techlin, Saginaw Chippewa Indian Tribe

Tribal Organizations (2)

- Africa Avilos, Inter-Tribal Council of Arizona
- Diania Caudell, California Indian Basketweavers Association

EPA (11)

- Rachel Ricciardi, EPA/OCSP
- Emily Ryan, EPA/OCSP
- Amanda Hauff, EPA/OCSP

- Helene Ambrosino, EPA/OECA
- Kaitlin Picone, EPA/OSCPP
- Blake Huff, EPA/Region 8
- Amy Mysz, EPA/Region 5
- Carol Ann Siciliano, EPA/OCSP
- Ed Messina, EPA/OPP
- Jackie Mosby, EPA/OPS
- Peter Earley, EPA/Region 9

Other (3)

- Ann Marie Chischilly, Institute for Tribal Environmental Professionals
- Mehrdad Khatibi, Institute for Tribal Environmental Professionals
- Mark Daniels, Institute for Tribal Environmental Professionals

Traditional Opening Ceremony, Welcome, Introductions

Many thanks to Eric Gjevre from the Coeur d'Alene Tribe of Idaho for delivering the opening prayer

TPPC Opening Remarks, by Jasmine Courville Brown

Jasmine Courville-Brown from the Confederated Salish and Kootenai Tribes, Acting TPPC Chair, gave brief remarks to open the meeting and welcome all the attendees and guests from EPA.

EPA Welcome Remarks, by Michal Freedhoff and Ed Messina

Amanda Hauff, National Tribal Program Manager with the Office of Chemical Safety and Pollution Prevention (OCSP), introduced Michal Freedhoff, Acting Assistant Administrator of OCSP, and Ed Messina, Acting Office Director of the Office of Pesticide Programs (OPP). Michal thanked the TPPC for inviting her to speak, and said she is looking forward to working with the group and hearing more about the recommendations in the Status of Pesticides in Indian Country Report ("Status Report"). She also stressed that she wants to work on true government-to-government consultation moving forward, and acknowledged some of the challenges currently facing Tribes in terms of meaningful consultation, noting the COVID-19 pandemic in particular.

Ed congratulated the TPPC on the completion and publication of the Status Report, and extended his availability to discuss this and any other matters of importance to the group. He touched on several topics of importance to the TPPC including the recently discovered issue of contamination of fluorinated pesticide containers with per- and polyfluoroalkyl substances (PFAS), and questions about pesticide use and FIFRA enforcement on hemp/cannabis. He noted that his office wants to better understand the unique needs & concerns of Indian Country, and to continue to work together to build useful resources for Tribes such as the bed bug packet produced a few years ago.

Jasmine asked Mark Daniels of the Institute for Tribal Environmental Professionals (ITEP) to go through the remainder of the tribal and EPA participants on the call one by one to have people introduce themselves.

Present High-Level Overview of Recommendations to EPA: Status of Pesticides in Indian Country Report, By Jasmine Courville-Brown

Jasmine walked through her [presentation](#), highlighting the five priority areas included in the Status Report and the recommendations for each, then opened up the floor for discussion. Several TPPC members talked about how the checkerboard nature of many reservations, with alternating sections of different land ownership and jurisdictions, makes inspection and enforcement of FIFRA requirements in these areas extremely difficult. Jefferson Biakeddy of the Navajo Nation gave an example of a state inspector coming onto their lands in a checkerboard portion of the reservation without permission. Helene Ambrosino of EPA's Office of Enforcement and Compliance said they're working on this issue via their training of state inspectors.

There was a substantial discussion about the Status Report recommendations on risk assessment, and what can be done to fill the data gaps around pesticide exposure on tribal communities. Ed pointed out that when EPA does their risk assessments, sensitive populations like children are already included and the level of protection is set based on that (along with one or more additional safety factors at 10 times each). So he asked where in tribal areas are those conservatisms not effective. Ryan Evans from Confederated Salish and Kootenai Tribes said he's seen some data from the Pacific Northwest on fish consumption, and he believes native folks may consume a lot more fish than what EPA is considering in their analyses. Jasmine noted that her Tribe started developing a list of tribal exposures and frequency of those exposures, and found that the frequency is quite a bit higher than for the average person (activities that are considered occasional or recreational for the general public are often just day-to-day activities for tribal people). Ed and Amanda talked about the need for filling the data gap while safeguarding tribal data about sacred sites, special plants, etc. Ed said that EPA is required to make data public so others can verify their analyses, but there are ways to mask the data to remove any personally identifiable information, etc. Ryan noted that collecting data requires funding, and can create hoops to jump through for the recipients. Les Benedict from the St. Regis Mohawk Tribe noted that having an idea of what to focus on is key, and determines the level and quality of data that's needed. He suggested that if Tribes don't already have an idea of what they're concerned with, maybe some screening tests would be helpful (i.e., less expensive tests to see if you need to focus on something in particular). Ed said he's hearing that prioritization would be useful, and his office would be happy to educate folks on what they're doing with risk assessments with Tribes to see what might be missing.

Jeff also noted that it would be helpful if there was more flexibility in EPA funding to allow larger Tribes with established programs to assist smaller neighboring Tribes with inspections if needed.

TPPC Coordinator Update, by Mark Daniels

Mark went through his [presentation](#), talking about the achievements ITEP has made since taking over coordination of the TPPC cooperative agreement in October of last year, and gave an update on where we're at with the budget. Mehrdad also brought up the training needs assessment ITEP is planning for the third and fourth quarters of this year, and noted that we're really hoping for feedback from the TPPC via a questionnaire we'll be putting out in the next few months. We will use the results to tailor the training we will offer in years 2-5 of the cooperative agreement. Jasmine asked if the training ITEP will provide would be just for TPPC, or could it be provided to Indian Country more broadly. Mehrdad noted

that to his knowledge we're not prohibited from providing it to Tribes outside TPPC, and with webinars specifically there aren't any cost issues with including additional people.

Hot Topics Discussion with TPPC Members, facilitated by Jasmine Courville-Brown

Jasmine Courville-Brown, Confederated Salish and Kootenai Tribes – Jasmine said her Tribe is developing a hemp policy, so they're trying to get information on how to make it effective. They have a list of products approved for use on hemp from Oregon & Washington, but are getting feedback that those products are not necessarily effective. She also noted that a lot of the products approved for use on COVID are on the strong side (in terms of possible effects), and should be used with caution.

Camilo Perez, Quechan Indian Tribe – Camilo introduced himself as a new member of the TPPC, and shared that prior to him coming on there had not been a pesticide officer at his Tribe for 10 years or so. He has been working on saving paper by having farmers email applications to him instead of using regular mail, and has submitted a new pesticide enforcement code to the tribal government.

Brenda Ball, Ak-Chin Indian Community – Brenda mentioned that her Tribe recognizes the state of Arizona's licensing standards for inspectors that come on the reservation, but there's no category for licensing & certification for people who treat mold, water damage, etc. She noted that lots of them aren't as familiar with FIFRA and pesticide regulations in general, so she has a bit of a concern in terms of an unregulated group out doing applications. She asked other folks on the call what their Tribes do in terms of training and regulation of these types of applicators, and there was some discussion on the issue, as well as recommendations to be sure the applicators have sufficient liability insurance if an incident were to occur.

Jefferson Biakeddy, Navajo Nation – Jeff says with the pandemic they have run into people repackaging and selling sanitizers without the appropriate label information. He wondered if this is a concern other folks have encountered. Rachel said the EPA has been hearing a lot about folks selling unregistered pesticides (especially now during the pandemic), and that if anyone encounters this they should submit a complaint to EPA so they can investigate (<https://echo.epa.gov/report-environmental-violations>). Jeff also brought up the hemp issue. Rachel and Jasmine pointed out that tomorrow's hot topic session will be devoted to that issue, to try to come up with questions for EPA and/or other federal agencies.

Les Benedict, St. Regis Mohawk Tribe – Les noted that they had to address the use of sanitizers and pesticides by tribal staff and they found that Staples was marketing a product for dispensing these chemicals, and their salespeople had just a 1-hour training course. They had to have a discussion with those salespeople about labeling requirements, etc. Les said information about the label was hard to get hold of without getting it from the EPA, and that the material safety data sheet (MSDS) does not include all of the information on the pesticide label.

Larry Scrapper, Cherokee Nation – Larry said when they came back from working at home to their offices they found that their telecom company wanted a Section 18S exemption for emergency use of pesticides, but he told them the Tribe doesn't have the ability to do that. They're also doing sanitation of the offices of folks who test positive, and are now doing indoor air sampling for COVID. Their RTOC meeting is coming up soon, and they're planning a session on COVID sanitizers and e-commerce. He asked Mark to send him a copy of the RTOC 1-pager ITEP revised for Region 5. Larry noted an issue with

an older law that has recently been implemented in their region to allow folks to petition EPA to take away environmental enforcement from Tribes. Amanda noted that a lot of things are changing in this issue based on the McGirt Supreme Court decision, and asked if the group would like **to bring in EPA legal folks to talk about this at a future meeting**. It was agreed that we would do this.

James Jackson, Muscogee (Creek) Nation – James said he thinks it would be really good to get together and talk about these sovereignty-related issues, and that they can share some information they have regarding some tribal/state agreements they’re working on.

Association of American Pesticide Control Officials (AAPCO) Update, Liza Fleeson Trossbach, AAPCO Board Member and Previous SFIREG Chair

Liza gave her AAPCO update [presentation](#), covering some background on AAPCO and its leadership, implications of COVID-19, and some select issues they’re working on right now. She ended with an invitation to look for opportunities to collaborate with the TPPC on these or other issues, noting that many voices are better than one.

There was some discussion about pest-control robotics and other automated technologies, which can pose problems with enforcement of the application exclusion zone (AEZ), among other things. It was noted that a lot of pesticide label language was not written with these technologies in mind, and that the states have a hodgepodge of regulations as they try to keep up with the technology. Liza said that although drones and other automated technologies are not widely used right now, she expects that once payload capacity goes up and cost goes down, they will be used more widely. Jasmine noted that states will sometimes reach out to Tribes for comment when they’re looking to use FIFRA’s Section 24c to register additional uses of federally registered pesticides, which can be helpful since Tribes don’t otherwise have an avenue to get their concerns onto the labels. She suggested that other states should do this if they’re working on an issue in an area where Tribes may be affected.

AAPCO Meeting Highlights from TPPC Members in Attendance

There was a brief discussion from TPPC members who attended the recent AAPCO Spring meeting. Notah Silversmith of the Navajo Nation said that since he’s new to the field the meeting was a learning experience for him, so he was mostly just listening and trying to pick up what he could. Liza said they would be distributing a survey soon to meeting attendees for their thoughts. They are considering a hybrid approach next year with both in-person and remote options to reach a wider audience.

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DAY TWO, Tuesday, March 23, 2020

Meet EPA Management in the Office of Program Support, by Carol Ann Siciliano, Director, Office of Program Support, Jackie Mosby, Director, Mission Support Division, and Kaitlin Picone, Chief, Intergovernmental and Community Relations Branch

Amanda introduced Carol Ann Siciliano, Jackie Mosby, and Kaitlin Picone.

Carol Ann talked about her background and concern for the environment, and noted that she had previously spent time in the general counsel office and did work on acknowledging tribal treaty rights. Her goal is to have a fully integrated OCSPP, to promote efficiency and engagement within the various offices.

Jackie talked about her work with pesticides, toxics, lead, and bed bugs, and stressed her strong public health background. She noted that she has attended a couple of previous TPPC meetings and is grateful and humbled to be able to attend again, to get to know people and hear about the issues that people are facing. She is looking forward to hearing more about the Status Report and tribal pesticide concerns, and wants to build a new section on tribal issues within EPA's exposure handbook.

Kaitlin talked about her background, noting that she has always worked in and around the pesticide program. She would like to advance EPA's ongoing collaboration with TPPC, discuss concerns, and find solutions with senior leadership.

Jasmine noted that in the last ten years she's seen a huge increase in the amount of EPA documents & policies in which Tribes are included, and thanked the OCSPP folks for that. Mehrdad pointed out that it would be helpful for ITEP as the TPPC administrator to be engaged in terms of early rulemaking, so we can have a dialog with the TPPC to see if there are issues that might be of interest. Jackie said **that is something that they can help with**, while Carol Ann agreed that early engagement is critical, and they are happy to take TPPC concerns into consideration.

Demonstration of List N Tool: COVID-19 Disinfectants, by Anita Pease, Director, Antimicrobials Division, EPA/OPP

Anita gave her List N Tool [presentation](#) and talked about what the antimicrobials division has done over the past year. She noted that approximately 189 products have been reviewed since the pandemic began. The List N web application (<https://cfpub.epa.gov/giwiz/disinfectants/index.cfm>) has been one of the EPA's most visited since last March, with over 23 million hits. She answered a few questions about how to look for environmentally sound products, pointing out that the Design for the Environment website (<https://www.epa.gov/pesticide-labels/dfe-certified-disinfectants>) is a good resource. Anita also mentioned an online resource called the pesticide product and label system (PPLS; <https://iaspub.epa.gov/apex/pesticides/f?p=PPLS:1>) that can be used to search pesticide labels.

EPA COVID-19 Disinfection Research, by Shawn Ryan, Director, Homeland Security Research Program, EPA/ORD

Shawn gave his [presentation](#), noting that they've been working closely with Anita's group throughout the course of the pandemic. Their mission is to provide a solid science background for all of EPA's COVID efforts, and to work with partners such as Tribes. There was some discussion about the pros and cons of mixing or layering different disinfection products. The consensus was that mixing products while still wet is a bad idea (since hazardous byproducts could be formed), but layering products (letting the first dry before applying the second) may be safer. Anita noted that either is probably unnecessary, however, since transmission via the air is much more of a concern than via surfaces, especially if people wash their hands after touching shared surfaces. Shylah James of the Navajo Nation talked about how she educates the people she works with to understand what they're being exposed to when they mix or layer products, and that doing so may not provide any added protection.

The group also asked questions about various disinfection technologies such as bipolar ionization, oxidizers, and aerosols. Shawn pointed out that many of these haven't been studied thoroughly yet, and that improving ventilation for indoor spaces is probably a better option at this point. Jasmine asked if EPA would be open to doing research with Tribes on some of these technologies. Shawn said they have already been working with one Tribe so far (the Organized Village of Kwethluk), and that folks should reach out to him if they are interested in participating in studies. **Nina Hapner of Kashia Band of Pomo Indians asked Mark to tag ionizers and ozone for further discussion with the National Tribal Toxics Council (NTTC).**

Indoor Air Quality and COVID-19 Resources, by Secody Hubbard, Tribal/EJ Coordinator, EPA/OAR and Tracy Washington Enger, Indoor Air Quality in Schools Team Lead, EPA/OAR

Secody and Tracy gave their [presentation](#), first walking through various COVID-19 resources from the EPA and other federal agencies, then focusing more specifically on addressing the virus through improving indoor air quality in schools. Tracy talked about the connection between what people do to clean/disinfect surfaces, ventilation systems, and indoor air quality, and that we have to take into account what happens outside of schools as well as inside. There was some discussion about schools being used for other cultural activities in tribal communities, which can result in COVID spikes, so the environment needs to be managed for that as well as regular classroom activities.

TPPC Open Discussion on COVID-19, facilitated by Jasmine Courville-Brown

We were running over time from previous presentations and discussion, so Jasmine suggested moving the COVID open discussion to Thursday.

Hot Topics Discussion with TPPC Members (continued), facilitated by Jasmine Courville-Brown

It was decided that this time would be used for a discussion of the issues Tribes are facing with regard to the cultivation of hemp/marijuana, the pesticides used on these crops, and the legalities of FIFRA inspections of grow operations.

Jasmine started out talking about the difference between hemp & marijuana, which is really just about the THC content as it's the same plant otherwise, but that the distinction leads to various complications since one plant is legal under federal law and the other is not. Various members discussed the problems they've faced: wondering what to do if they encounter an illegal operation, who can test the THC content to determine the status of the crop, whether or not Tribes can use FIFRA money for inspections, and the disparity between the way states and Tribes are affected by the legality of marijuana cultivation and sale. Helene noted that information gathered by the Tribes can help the agency determine how to proceed on the matter, and that **a written document with examples would be really helpful**. James Jackson asked who has oversight of the operations if not the federal government, in the 30-ish states that have now legalized marijuana cultivation (medical and/or recreational). Emily responded that it typically falls to the state, with lots of variation from state to state. Tony McCandless of Gila River Indian Community pointed out that the discussion about marijuana really isn't going to go anywhere because of the massive gap in regulation between the federal and state governments, so he thinks **we need to include something in the paper we develop about how the health issues involved**. People are consuming products that possibly have pesticides applied to them at higher than approved levels, or even pesticides that shouldn't be used at all.

Integrated Pest Management (IPM) Strategies Presentation, by Frank Ellis, Chief, Environmental Stewardship Branch, Biopesticides and Pollution Prevention Division, EPA/OPP

Frank gave his [presentation](#) on IPM Strategies for Tribes, noting that IPM is a smart, sensible, and sustainable approach to pest control that started with agriculture, but is now being applied to lots of other places like schools, hotels, etc. He discussed IPM as an approach to treating bed bug infestations and COVID, providing information and resources for each topic. He then talked about EPA's efforts to promote IPM, including various projects they've conducted in cooperation with Tribes around the country, and closed by noting the venues through which the agency provides outreach for their webinars, to ensure they reach a broad tribal audience.

Engaging Tribal Governments in Integrated Pest Management , by Dr. Lucy Li, Arizona Pest Management Center, University of Arizona

Lucy walked through her [presentation](#), giving some more information about IPM and how it can look different depending on the setting, and that the human component of IPM is particularly important. She talked about the University of Arizona's extension program on public health and IPM, and how they work with the Inter Tribal Council of Arizona, ITEP, and various collaborators from Tribes, government agencies, and academia to engage with Tribes about IPM through trainings and workshops, field visits, and lots of regular communication. She stressed the importance of tailoring an outreach program to the specific needs of the community being served, and gave examples of numerous outreach efforts her program has conducted.

Protecting and Promoting Native Pollinators Through Habitat Enhancement and Other Landscape Management Strategies, by Danesha Carley, Director, National Science Foundation Center for IPM; Director, Center of Excellence for Regulatory Science in Agriculture

Danesha gave her [presentation](#) on native pollinators, informing the group about the wide variety of insects, birds, mammals, and even reptiles that can serve as pollinators, noting that after bees, the second most efficient pollinators are flies. She discussed the factors contributing to pollinator declines, and spent the bulk of her time providing information about various ways to enhance habitat for native bees when gardening or landscaping

State FIFRA Issues Research and Evaluation Group (SFIREG) Update, by Gary Bahr, SFIREG Chair

Gary gave his SFIREG update [presentation](#), talking about the purpose and structure of the organization and its working committees, leadership, and partners. He discussed various SFIREG actions and issues of interest, and what is on the horizon for the working committees.

Jasmine said it would be great if we could collaborate, perhaps with the TPPC endorsing or commenting on SFIREG issue papers, and vice versa. Amanda noted that Fred used to represent the TPPC in SFIREG meetings, and suggested **we may want to have someone stand in for Fred while he's out**, which Gary agreed would be good. Gary finished by noting that the next full SFIREG meeting is scheduled to be held June 7-8.

Tribal Pesticide Program Council – Full Council Meeting
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DAY THREE, Wednesday, March 24, 2020

Opening Remarks, facilitated by Jasmine Courville-Brown and Nina Hapner

With the approval of Jasmine and Nina, Amanda gave a review of the National Tribal Caucus (NTC) meeting with the Tribal Partnership Groups, held the previous day, in which Eric Gjevre and she had represented the TPPC. She noted that Eric had gone over the two-page priorities document the TPPC previously provided NTC to educate members of the incoming presidential administration on TPPC concerns and recommendations, along with various other pesticide-related issues important to the TPPC membership. Much of the discussion that followed focused on budget issues, and the funding request NTC is preparing to submit to the EPA administrator by the end of May. NTC wants each partnership group to provide a baseline of funding so they are represented in the NTC's request, and suggested that TPPC allocate some time to consider this.

Amanda said she would share the previous NTC budget report with the group so we can update the TPPC-related parts for the new version. It was decided that **the TPPC's April Executive Committee call would be dedicated entirely to the NTC budget request.** Nina noted that people can start thinking and putting together comments on it now, and not wait for that meeting, and that it might make sense to **look at using something like Google docs to track what people are thinking and collaborate on this.**

Meet the New American Indian Environmental Office (AIEO) Director, by Jeff Besougloff, Senior Advisor for Planning and Communications, EPA/AIEO, Andy Byrne, Senior Advisor for Policies and Partnerships, EPA/AIEO, and Karen Gude, Tribal Program Manager, EPA/Office of Water

Jeff said that he was sitting in for newly appointed AIEO Director JoAnn Chase to talk about AIEO priorities, as she unfortunately had a last-minute scheduling conflict. He noted that JoAnn has been back at AIEO for a little over a month now, after having previously been AIEO Director for about 6 years during the Obama administration, and that they are also hoping to bring on Janet McCabe (who has a lot of good tribal experience as well) as deputy administrator. Jeff reminded the group about President Biden's executive order requiring all agencies to review their efforts for tribal consultation, and that Andy Byrne (also here today) leads the review for their office. He said JoAnn wants to relay that the AIEO is in the process of re-setting the relationship with the Tribes, and is hoping to see a lot of beneficial partnership and collaboration between the Tribes and the EPA moving forward. They have done a number of things already, including rescinding a memo from the previous administrator that made the process for securing treatment-as-state (TAS) harder. The AIEO knows that the Indian Environmental General Assistance Program (GAP) is important to Tribes, and they are working diligently to evaluate the program along with NTC. The agency as a whole will put a big emphasis on environmental justice, under a clear direction from the administration, and the recent American Rescue Act included funding for the agency to address this. Jeff concluded his remarks by once more relaying JoAnn's regret that she was not able to attend the meeting.

Ann Marie Chischilly, Director of ITEP, asked if any documents from the recent meetings on consultation are available yet, and Karen said the office is still working them up, but they will be made available at some point. Jasmine said she really appreciated hearing about the PFAS contamination issue as the

research was going on, rather than after everything was done, and suggested it would be nice if the agency can continue to keep the group apprised of other issues as they emerge in the future.

Karen went over the AIEO [presentation](#) on consultation, discussing the history of EPA's consultation policies and practices, and focusing on their current effort to address President Biden's Executive Order 13175 requiring agencies across the federal government to strengthen consultation and coordination with tribal governments. She talked about some tools the agency has developed to track consultation opportunities, including the Tribal Consultation Opportunities Tracking System (TCOTS) website (<https://tcots.epa.gov>), which is intended to be a one-stop-shop for Tribes on consultation. She noted that you can also email Join-epa_tcots@lists.epa.gov to sign up for updates from the TCOTS listserv.

Jasmine asked about how the EPA determines whether or not consultation was required for a given action. Karen said the process is led by the regional and program lead offices, and they make that determination (Amanda noted she is that person for anything pesticide-related), although they also have processes within the agency to look at and review upcoming consultation decisions.

Nina noted some of the difficulties for Tribes to participate in consultation due to closed tribal offices (from the COVID-19 pandemic), and said she's concerned that EPA still isn't taking this into account when they schedule short comment periods such as this one (31 days), especially given that this is a consultation on how to improve the consultation process itself. Karen agreed and said they have gotten a lot of similar feedback about short comment periods, but pointed out that sometimes external deadlines tie their hands (including in this case, when they have to meet the 90-day overall turnaround required by President Biden's executive order).

National Tribal Caucus Update, by Gerald Wagner, Blackfeet Tribe; NTC Chair

Gerald thanked the TPPC for keeping him involved and in the loop with regard to what the group is doing, and noted that he's been involved with the TPPC for over 20 years now. He said that under the new administration NTC is really trying to reach out and stay connected with TPPC and the other tribal partnership groups (TPGs), and keep their concerns in mind in NTC interactions with EPA headquarters. They are currently trying to get the priorities document and budget information out the door and into the hands of the powers that be, in cooperation with TPGs. He really wants to take TPPC concerns into consideration in these documents, and wants all of the TPGs to work with NTC as a group. He noted that communication between the NTC and TPGs hasn't always been the best in the past, but he hopes that we can keep up the momentum we have now. He would really like to have TPG leaders present at more EPA meetings (particularly at the first face-to-face meeting with the new administrator, if the pandemic situation allows).

TPPC Website Upgrade Presentation and Discussion, by Julie Sullivan, Shine Creative Industries

Julie showed mock-ups of a new design they're proposing for the TPPC home page and the "About" page, to give folks a feel for the way an updated site could look and work. The group was generally very supportive of the new design, with people saying it looked like a good change to make the site look fresh and more usable. There was some feedback from several folks that the TPPC logo should stay at the top, rather than the stylized leaf image Julie's team had placed there in the mock-ups. Jasmine said she thought the layout would make it easier to access things. Julie and Mark noted that the images she included in the mock-ups are from the web, but that it would be really nice to include pictures from the

TPPC. The home page could have a rotating series of particularly good images if we want, and we could also include a gallery somewhere with pictures of people at events, etc.

Brenda Ball asked if the website would be mobile-friendly. Julie gave an emphatic “yes,” noting that something like 65% of people use mobile devices as their main way to access the web now; so they always design with mobile in mind and then go to the desktop version. Brenda also asked if it would be cross-browser compatible (Chrome, Firefox, Safari, etc.), and Julie said that they test everything on Chrome and Firefox (not so much Safari these days as it’s gotten very buggy, but if it works on Chrome it should work on pretty much anything else, since most browsers are based on Chrome these days).

There was some discussion about the calendar, and whether the group wanted a link to the calendar on the home page vs. an actual listing of upcoming events (as is the case on the current page). People said they’d like to see a list on the home page, although it’s nice to be able to go to the calendar page and switch to a monthly view sometimes. Mark showed how this can be done with the current page, and Julie said that option would stay the same on the new page.

Shylah asked if the TPPC would consider creating a social media chair or committee, to reach out to people through social media outlets (e.g., Facebook, Instagram, Twitter). Julie said that’s definitely something they can help set up, but of course this means someone needs to manage it moving forward. Nina doesn’t know who has time to manage social media for the TPPC, and noted that if we tried it the responsibility might fall on Mark. She suggested that maybe we can evolve into the social media realm over time.

With regard to expanding the content on the site, Tony said that he thinks resources for Tribes should be the focal point of the website. Nina agreed, saying that we could have a page for prospective pesticide programs with lots of stories from folks who’ve been through the process of setting one up. We could also provide information on how to become a member. It would be good to provide honest, transparent assistance on the site.

TPPC Workgroup Discussion, facilitated by Mark Daniels, Institute for Tribal Environmental Professionals

Mark introduced the workgroup breakout session, showed people the documents ITEP prepared to structure the conversations and answer key questions for each group, and distributed the Zoom links for each of the three workgroup breakouts to follow.

TPPC Workgroup Breakouts, TPPC Workgroup Members

- Workgroup Breakout #1 – Risk Assessment Workgroup, *facilitated by Jasmine Courville-Brown*
- Workgroup Breakout #2 – Direct Implementation Workgroup, *facilitated by Tony McCandless*
- Workgroup Breakout #3 – Pollinator Protection Workgroup, *facilitated by Nina Hapner*

The three workgroups moved to their respective Zoom meetings and met for approximately an hour to discuss goals, resources needed to accomplish those goals, member roles, etc., before reporting back to the larger group.

TPPC Workgroup Report-out, TPPC Workgroup Members

Risk Assessment workgroup: Jasmine noted that the workgroup agreed to meet monthly (preferably on Mondays), and wants to develop tools for Tribes that want to do risk assessments, and try to get some of that information back to the TPPC. The workgroup also plans to revamp a questionnaire that was used previously (to look at pesticide impacts on moose meat), to get it out to the people so they can assess pesticide risks to their communities.

Pollinator Protection workgroup: Nina said their group agreed to meet monthly (preferably not on Wednesdays). They want to do a pollinator awareness assessment based on one that Ed Spevak has done previously for the Confederated Salish and Kootenai Tribes, and may want to put it on the website. Mehrdad noted that it might make sense to combine this assessment with the Risk Assessment questionnaire discussed earlier. Brittani noted that they would be asking different questions, but perhaps they could at least see what kinds of overlap there might be between the two. Mark suggested perhaps putting two separate surveys on the website, but doing a combined outreach campaign to let people know that the two surveys are available, so people could then fill out one or both as appropriate.

Direct Implementation workgroup: Tony said their group's main goal is to develop a communication strategy, specifically identifying the appropriate tribal and EPA contacts in each region, as well as relevant contacts at the Office of Enforcement and Compliance Assistance (OECA). They would also like to create a feedback loop between EPA and Tribes so that all the information is available for anyone to access. Additionally, the group would like to develop a communication strategy on how GAP funding can be utilized for pesticide-related purposes. Finally, they want to identify additional resources for Tribes, including extension services for education of inspectors, possibly additional circuit rider programs, and sharing tribal codes and other enforcement documents (could be located on the TPPC website). They discussed meeting monthly, possibly before or after the EC meetings. Jasmine suggested that they pull in BIA at some point since they keep the contact list for Tribes that federal agencies use to contact Tribes (and their list is often outdated). Nina brought up that Tribes in Nevada don't have cooperative agreements but do use BIA weed control funding, and when the National Certification and Training Plan was being developed BIA stopped funding the Tribes for weed control; she wondered if that plays into Direct Implementation (since it impacted other federal agencies like EPA who work with Tribes). Jasmine says she thinks this may have impacted Tribes in several different regions. Tony said their group can discuss it.

Mark also reminded the group that it would be good to figure out whether the workgroups will meet together/on the same day, or at different times. **He will start an email chain to discuss and decide on this.** Amanda noted that we have also previously discussed having a report-out session in each monthly EC meeting (maybe rotating through with one group for each meeting), which Mark said **he can add to the agendas.**

Closed Door: Preparation for TPPC Tribal Caucus, facilitated by Jasmine Courville-Brown

The tribal TPPC members moved to a private Zoom meeting to begin the Tribal Caucus session, which was continued the following morning.

Tribal Pesticide Program Council – Full Council Meeting
Virtual (due to pandemic)
DAY FOUR, Thursday, March 25, 2020

Closed Door: TPPC Tribal Caucus, facilitated by Jasmine Courville-Brown

The tribal TPPC members convened in a private Zoom meeting for the main Tribal Caucus session.

EPA Lead Region Update and Discussion, by Blake Huff, EPA/Region 8, Tribal Pesticides Sub-lead Regional Coordinator

Blake introduced himself and went through his [presentation](#). Each slide presented updates from the respective EPA region.

Mark asked about the Winnebago Tribe's participation in the TPPC (after having been asked to check on this during the Tribal Caucus) and was told that nobody seems to know what's happening with the Tribe and their previous TPPC representative Hillary. Rachel and Emily will look into the situation and get back to the group.

After noting that Blake mentioned one Tribe in Region 3 that had expressed interest in a pesticide program, Tony asked if Tribes that show interest to the EPA are being forwarded to TPPC as well? Rachel said she assumes the regions would do this, but asked for Blake's thoughts. Blake said there's a lot of interest, but he doesn't know if all the regions are also forwarding interested Tribes to the TPPC. (Blake said he would follow up on the Tribe in R3 to be sure they know about the TPPC.)

Mehrdad asked about the amount of GAP funding being used for pesticide-related activities. Blake said it would be hard to get that information without going through every single GAP grant, but he can ask the regional coordinators in their next meeting if they have at least a rough idea. Emily said she doesn't think it's very much. Nina added that we understand Blake won't be able to get numbers, but we'd like to be able to tell the story: if Tribes are using GAP money for pesticide work we'd like to know about it since it ties into a lot of other things we've been discussing). Rachel said she thinks AIEO may have a list of Tribes receiving GAP grants, so she can follow up on it and let Blake know.

After several requests to share presentations from this meeting, Mark let the group know that he will PDF and post all the presentations to the website soon.

Tribal Caucus Report-out /Open Discussion with EPA, facilitated by Mark Daniels, Institute for Tribal Environmental Professionals

Mark was asked during the Tribal Caucus to report out to the larger group, so he presented the points/requests below.

- To prepare for the NTC budget request, the TPPC would like to ask for whatever tribal pesticide activity funding data we can get from EPA: for cooperative agreements, circuit riders, TPPC funding, or any other sources along those lines. Rachel said they would have to go to AIEO for this. Emily said they can look into it and get it back to us. Nina asked if we can get numbers for the last 5 years to see trends. Emily noted there was a year when they sent that information to

Fred and Bob; **she can get it to us and look for more recent numbers**. Helene said that Cindy Wire will have numbers for the program grants, and Helene has them for enforcement grants. Jasmine noted that the earlier request to Blake for GAP funding amounts also plays into what the TPPC's ask should be to NTC.

- The TPPC also asked if EPA can provide information on the time/work commitment for the PFAS working group, and if it might be possible to name two TPPC representatives (including an alternate). Amanda said she believes they meet monthly, and that the group is managed out of Tribal Waste and Response (TWAR) committee. **Amanda will connect Mark to who's heading it up so he can relay it to the group.**
- Another request was made of EPA to clarify the constraints on TPPC-funded work products being used by the agency (e.g., the risk assessment literature review that was proposed previously but not funded because it was determined that TPPC funds couldn't be used for that kind of project). Rachel said that any project being done with TPPC funds and then handed over to EPA to finish would not be allowed, but if the TPPC does it from the start all the way through it's fine. Emily agreed with Rachel's assessment. Mark asked for clarification about the literature review example, as he thought it would just be used to inform EPA risk assessments, and therefore should be OK by that standard. Emily said in that specific case there was some tie-in with an EPA deliverable, which is why it was problematic. Tony asked if the TPPC could pull together the data we have and submit it to EPA to use as a notification that something is missing (i.e., "here's where to look"). Rachel said that should be OK because they wouldn't be plugging it directly into an EPA product.
- Camilo Perez said he is interested in serving as the TPPC representative to SFIREG, and **will touch base with his Tribe to get approval**. He asked if it would be possible to have an alternate for this position as well? Gary Bahr (SFIREG Chair) said yes, that would be great. Amy Sullivan, AAPCO's executive Secretary, can coordinate with us for that. Mehrdad asked if both the primary and alternate members could attend at the same time. Gary said yes, that happens sometimes and is fine, particularly now with meetings held virtually (though he said it would be OK even when we go back to in-person meetings).
- ITEP and the TPPC will look into beginning a strategic planning effort prior to the (hopefully) in-person Fall meeting, and maybe add a day to that meeting to wrap it up.
- A lot of things were brought up in this meeting to add to the website, so the TPPC hopes to get the website update workgroup up and running soon. Brittani will be the TPPC co-lead (yay!).
- Mark gave a quick reiteration the result of yesterday's workgroup breakouts:
 - Risk Assessment:
 - Jasmine is currently the TPPC co-lead, but she'd like to have someone step up to be a co-co-lead because she's not sure she can make every meeting. Ryan Evans volunteered. Rachel is the EPA co-lead.
 - Goal: providing resources and a questionnaire to Tribes (through a revamp of the EPA's moose meat questionnaire). The group also wants to provide a risk assessment tool on the website so Tribes can start to conduct their own risk assessments down the road.
 - Rachel noted that Amanda had talked about the risk exposure factors handbook, and that **the group can go-ahead with the Office of Research and**

