

RTOC Strategic Plan 2012-2014 (draft v.01082013)

Introduction

This Strategic Plan has been developed by the Region 9 Tribal Operations Committee (RTOC) to provide a comprehensive guide to issues the RTOC intends to address and activities the RTOC intends to implement between October 1, 2012 and September 30, 2014 to achieve its goals consistent with the RTOC Charter. The Plan additionally serves to consolidate into one document the objectives, strategies and tasks identified by and/or assigned to various workgroups to address media-specific and cross-media focus areas, and other information fundamental to the success of the body. This Plan is intended to be a working document that should be reviewed annually and updated biannually, and can additionally be revised as priorities, needs and circumstances change.

About the RTOC

Originally established in or about 1995, the Region 9 RTOC is composed of EPA management and staff, alongside elected representatives of the 148 federally recognized tribes of Arizona, California and Nevada. The RTOC serves as an advisory body that advocates, primarily to EPA but also to other federal agencies, for policy and action that maximizes the effectiveness of EPA's tribal programs and protection of Tribal environmental priorities, interests and needs.

Consistent with its Charter, the RTOC's mission includes assisting EPA to meet its trust responsibility to tribes; provide support for tribal programs in Region 9; strengthen tribal environmental and public health programs; enhance responsiveness to tribal needs; and assist with communication and information exchange among tribes, the National Tribal Operations Committee, and EPA. The RTOC's role is to communicate and advocate general positions, views, beliefs and concerns of the tribes in Region 9 to agencies and relevant organizations at the regional and national level; the RTOC is not intended to replace government-to-government relationships between tribes and the federal government or to represent the interests of any specific tribe.

The scope of RTOC activities as defined in the Charter include: (1) policy and management of EPA's tribal programs; (2) coordination and communication among Tribes, EPA and other agencies; and (3) education. The RTOC utilizes both standing and ad-hoc workgroups to focus on specific issues, develop ideas and otherwise advance the goals of the RTOC. Workgroups convene as needed between RTOC meetings to review, discuss and draft documents, and perform other work. Workgroup activities are reported out at RTOC meetings.

Through workgroup effort and strategic focus of the larger group, the RTOC has been able to advance several goals regionally and nationally. For example, its advocacy influenced EPA's national consultation policy finalized in 2011. RTOC briefings and coordination with other tribal organizations advocated for the President's stimulus package to ensure funding for tribal projects, and the RTOC provided language to be included in the ARRA legislation. RTOC advocacy also encouraged the reinvigoration of the National Infrastructure Task force to address critical tribal drinking water and wastewater needs, and the ongoing participation by RTOC representatives in this and other national level organizations, such as the National Tribal Water Council, have ensured that the work of those organizations takes into account tribal concerns and perspectives and addresses tribal needs. More locally, RTOC workgroups have assisted EPA in developing regional policy and guidance documents, such as a FOIA policy governing public requests for tribal information; dispute resolution procedures for tribal grantees; drinking water funding guidance; and guidance regarding enforcement actions against off-reservation activities that impact tribal lands and resources.

RTOC-level Priorities

Over the last several years, the RTOC has engaged in an ongoing exercise to define and clarify priority environmental issues for action by the RTOC. While numerous important issues have been brought to the RTOC, at the highest level, the RTOC is focused on the following areas:

- Ensuring Agency Policy reflects Tribal Priorities
- Protecting Program Funding from Fiscal Climate
- Partnering with Outside Agencies to leverage resources

Further detail about the work of the RTOC on these three areas is included below. In addition, the RTOC has a number of additional areas of focus, many of which are currently supported by an active workgroup. Additional information about the work under these focus areas is included in **Attachment 1**. Information gathered during scoping exercises from RTOC members is included in **Attachment 2**.

Ensuring Agency Policy Reflects Tribal Priorities

Indicators of Success:

To be Identified at the February RTOC Meeting

Possible Action Items:

To be Identified at the February RTOC Meeting, but could include:

Assist tribes in focusing review of the Agency-Wide Plan on Solid Waste; and

Assist tribes in focusing review of the General Assistance Program Guidance and Guidebook.

Possible Barriers:

To be Identified at the February RTOC Meeting

Protecting Program Funding from Fiscal Climate

Indicators of Success:

To be Identified at the February RTOC Meeting

Possible Action Items:

To be Identified at the February RTOC Meeting, but could include:

Prepare and present a Regional Budget Request and Justification to the Regional Administrator; and

Make recommendations to the National Tribal Caucus on a National Budget Request.

Possible Barriers:

To be Identified at the February RTOC Meeting

Partnering with Outside Agencies to Leverage Resources

Indicators of Success:

To be Identified at the February RTOC Meeting

Possible Action Items:

To be Identified at the February RTOC Meeting, but could include:

Engage with Department of Energy to strengthen tribes' access to DOE resources; and

Identify and invite other Agencies' participation at no less than two RTOC meetings per year, to share information with tribes and receive input from tribes on barriers, needs, and strategies.

Possible Barriers:

To be Identified at the February RTOC Meeting

Attachment 1

Focus Areas

The following focus areas identified by the RTOC membership are supported by standing workgroups:

- Facilitate the Development and Maintenance of Effective Tribal Surface and Groundwater Programs
 - Supported by the Regional Water Quality Standards Workgroup
- Improve Tribal Access to Safe Drinking Water and Basic Sanitation
 - Supported by the Regional Drinking Water/Wastewater Workgroup
- Minimize and Manage Solid Waste
 - Supported by the Regional Solid Waste Workgroup
- Protect and Enhance Air Quality
 - Supported by the Regional Air Workgroup
- Support Tribal Capacity to Mitigate and Adapt to Impacts of Climate Change
 - Supported by the Regional Tribal Science Council Workgroup
- Improve Tribal Access to Resources that Support the Development of Sustainable Infrastructure in Tribal Communities
 - Supported by the Regional Sustainable Infrastructure Workgroup
- Other Cross-Media Issues
 - Support from the Pesticides Workgroup, Consultation Workgroup, Emergency Response Workgroup, Enforcement Workgroup, Quality Assurance Workgroup

The following focus areas identified by the RTOC membership are not currently supported by a workgroup:

- Facilitate the Development and Maintenance of Effective Core Tribal Environmental Programs
- Protect the Tribal Environment in the U.S. Mexico Border Area

Workgroup Action Plans follow.

FOCUS AREA: Facilitate the Development and Maintenance of Effective Core Tribal Environmental Programs

Background

- An effective core environmental program is a fundamental need of every tribe that undertakes environmental protection efforts
- Requires adequate resources to establish the program, undertake capacity building activities, and maintain the program over the long-term
- Adequate resources are also needed for implementation activities, such as the development and implementation of enforcement mechanisms
- The General Assistance Program (GAP) has traditionally been the primary, if not sole, source of funding for these purposes
- Limited funding of the GAP, coupled with multiple demands on it from other programs, has resulted in less than adequate funding to support tribal core program needs
- Limitations on allowable uses of GAP funds have also hampered tribal efforts to implement program activities and to develop and sustain enforcement capacity

To address these issues, the RTOC has identified the following objectives:

- A. Achieve adequate funding of the Indian Environmental General Assistance Program (GAP) to provide ongoing support for tribal environmental programs;
- B. Achieve greater flexibility in the use of GAP and other funds to address tribally identified priorities, including implementation;
- C. Identify opportunities to leverage funds to address priority needs in Indian Country;
- D. Ensure allowable uses of GAP and other funds honor and protect the traditional relationship between tribal communities and the environment; and
- E. Promote longevity of Tribal Environmental programs and capacity.

Relevant Provisions in EPA strategic planning and other documents

EPA's 1984 Indian Policy

EPA Strategic Plan 2011-2015

Objective 3.4: Strengthen Human Health and Environmental Protection in Indian Country. Support federally-recognized tribes to build environmental management capacity, assess environmental conditions and measure results, and implement environmental programs in Indian Country.

- By 2015, increase the percent of tribes implementing federal regulatory environmental programs in Indian Country to 18 percent (FY 2009 baseline: 13 percent of 572 tribes)
- By 2015, increase the percent of tribes conducting EPA-approved environmental monitoring and assessment activities in Indian Country to 50 percent (FY 2009 baseline: 40 percent of 572 tribes).

<http://www.epa.gov/planandbudget/strategicplan.html>

Region 9 Strategic Plan (2011-2014)

Geographic Area of Focus: Tribal Partnerships

The United States has a trust responsibility to federally recognized Indian tribes. We work on a government-to-government basis with all 147 tribes in Region 9. Region 9 tribal lands comprise half of all Indian land in the country, and more than 80% of the tribes in the Region have an environmental presence. Economically disadvantaged populations in Indian Country still suffer from critical environmental and health problems. We will protect the environment in Indian Country by focusing on the following priorities:

Building Tribal Environmental Capacity through the General Assistance Program

- Work collaboratively with tribes to build and maintain environmental programs to protect 27 million acres of land and the health of more than 300,000 reservation residents
- Each year, award approximately 130 grants totaling more than \$15 million and technical support to over 125 tribes and inter-tribal consortia to build environmental protection programs.

<http://epa.gov/region9/strategicplan>

Key Past Activities and Accomplishments of the RTOC

TBA

Recommended Activities

Short-Term Activities (Within 1-3 Years)

- Review, share information, receive input and comment on Revise Draft Guidebook for Building Tribal Environmental Capacity (due to be released 10/4/12 with a 90-day consultation and comment period)
- Continue to gather specific information regarding tribal needs; why funding is important and how it has made a difference; and disparity between tribes and states for use in budget and other advocacy
- Identify tribal compliance assistance needs
- Identify tribal enforcement capacity barriers and ways to address them for tribes with different levels of development

Long-Term Activities (Within 3-5 Years)

- Continue to advocate for funding to support implementation activities, through the President's proposed multi-media program or otherwise.

Strategies	Tasks	Time Frames	Leads
Advocate for appropriate budget	Tribal Caucus develops regional budget request	Annually – for presentation at “Spring RTOC”	Budget Workgroup
	Provide input into NTC budget development	Annually – before July budget meetings	Budget Workgroup
	Gather specific info re need; why funding is important and how it has made a difference; and disparity between tribes and states for use in these efforts	Ongoing	Budget Workgroup
	Coordinate with other organizations, e.g. NCAI	Ongoing	RTOC / NTOC Reps
Advocate for appropriate allowable uses / limitations	Prepare briefings, correspondence, comments to decision-makers as appropriate	As needed	To be assigned
	Review and comment on Guide Book for Developing Environmental Capacity	Pending as of January 2012	Guide Book Working Group
	On implementing Guidebook – Develop a recommendation from RTOC for the writing and implementation of TEAs	Pending	To be assigned, with NTOC
Leveraging	Peer Matching – develop sample language to add to grants notifications (across media) on Peer Matching. Note Peer Matching can be anywhere from sharing information to on-site technical assistance	TBD	Grants Workgroup
	Explore how or if EPA funds can be used as a match for any other Federal funds – can indirect costs be a match?	TBD	Grants Workgroup
Longevity	Develop a template to prompt staff at Tribes to think about operations plans and succession planning across media programs	TBD	TBD
Facilitate Support for Tribal Enforcement Capacity	Explore avenues to leverage enforcement authorities under “alternate” statutes/programs to address environmental problems that fall under “regulatory gaps,” such as enforcement for illegal solid waste dumps that don't contain hazardous materials and therefore aren't addressed under RCRA C, or are located in Indian Country but on privately held lands		
	Identify ways that enforcement activities can help tribes in the Border are to address migrant waste (e.g., MOU with Homeland Security?)		
	Facilitate environmental trainings for tribal leaders, police and judiciary to build awareness of issues/impacts related to environmental violations, the importance of using all aspects of tribal authorities to address noncompliance		
	Explore opportunities for joint enforcement actions (under which authorities can tribes share penalties resulting from joint enforcement actions as states do?)		
	Identify needs and opportunities for inspector training, sharing resources for federal inspector credentials and inspections		

FOCUS AREA: Facilitate the Development and Maintenance of Effective Tribal Surface and Groundwater Programs

Background

The fluctuation and decline of EPA funding for tribal water programs remains a significant obstacle for tribal governments as they strive to preserve, protect and restore the waters on their lands. Tribes require sustainable funding to provide program continuity and to allow tribal governments to engage in long-term program planning. As part of this requirement, Tribes call for the establishment of annual baseline funding levels for fundamental programs and funding targets for mature tribal water programs. This request would help support the long-term operations of tribal water programs. One method of achieving sustainable funding is to establish parity between tribal and state funding. Thus allowing Tribes to receive set funding allocations / targets on an annual basis for their water programs as states and territories currently have.

Another area of concern for tribes is the removal of barriers to the attainment of flexibility in water programs. The lack of flexibility works against the tribes' need to maintain water programs that are closely aligned with fluctuating environmental conditions on their reservations. Particularly, amongst these barriers are the statutory funding caps for the CWA NPS, SDWA SRF, CWA SRF tribal programs. Eliminating these caps and other regulatory barriers would improve funding in Tribal environmental programs.

Tribes have developed water programs tailored to meet the unique challenges of environmental protection on their lands. These programs have led to significant improvements to the environment on tribal lands in the past decade, thus demonstrating the effectiveness of the EPA/Tribal partnership....a partnership built on the foundation of Tribal sovereignty and the Federal government's trust responsibility. Under this partnership, Tribes expect Federal support for tribal water programs into the foreseeable future.

Relevant Provisions in EPA's Strategic Planning Documents

EPA's 2011-2015 Strategic Plan: The plan calls for protecting and restoring America's Waters by ensuring that both human health, and watersheds and aquatic ecosystems are protected. Through 2015, EPA hopes to ensure that the condition of the nation's streams and lakes does not degrade beyond 2006 baseline levels; and that water quality in Indian country will improve at 50 or more baseline monitoring stations in tribal waters (cumulative) (i.e., show improvement in one or more of seven key parameters: dissolved oxygen, pH, temperature, total nitrogen, total phosphorus, pathogen indicators, and turbidity) and identify monitoring stations that are showing no degradation in water quality (meaning the waters are meeting uses).

http://water.epa.gov/aboutow/goals_objectives/goals.cfm (Water elements of EPA's Strategic Plan, 2011- 2015)

EPA Region 9's 2011-2014 Strategic Plan – EPA Region 9's strategic plan describes a two-fold approach to protecting water quality which is to 1) Use the the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA) as regulatory tools to develop effective permits and enforce compliance; and 2) Coordinate and leverage resources by providing financial and technical assistance towards specific goals that restore water quality. The Region expects to address its efforts in several areas including the Klamath River and Lake Tahoe, among other areas, home to several Region 9 tribes. Some of the efforts will include TMDL development and financial assistance. The Region has also included developing a sustainable water infrastructure for homes, industry and communities, including tribes. This is expected to be accomplished via funded infrastructure projects and tribal capacity building through contract circuit riders to assist tribal governments to endure SDWA compliance and providing safe water.

<http://www.epa.gov/region9/strategicplan/StrategicPlan2011-14.pdf> (Region 9 Strategic Plan, 2011-2014)

Key Past Activities & Accomplishments of the Region 9 RTOC

Data collection and Education to support RTOC advocacy of increased funding for CWA programs:

- Region 9 Regional Tribal Operations Committee (RTOC) initiated a CWA 106 needs assessment survey in May 2011 to help determine how much CWA 106 funding is needed to run a basic CWA 106 environmental program. Tribes are continuing to complete these to support future advocacy.
- The RTOC CWA Workgroup oversaw the development of the Water Quality Assessment Report (WQAR) template that provided a picture of water quality in Region 9 Indian Country. As a result, 80% of tribes receiving CWA 106 funds submitted completed WQARs in 2012.
- The RTOC CWA Workgroup provided education at RTOC meetings in 2010, 2011 and 2012 regarding completion of CWA 106 Water Quality Assessment Reports, that illustrate tribal water quality needs in Region 9. Information from these WQARs was used in the RTOC's FY2014 budget presentation to EPA at the May 2012 RTOC.

Accomplishments of Region 9 tribes to further their water quality programs:

- Number of eligible Region 9 tribes who achieved Treatment as a State under CWA programs:
 - CWA 106: Water Pollution Control Program – 104 tribes
 - CWA 319: Nonpoint Source Pollution Prevention – 88 tribes
 - CWA 303: Water Quality Standards – 11 tribes
 - EPA approved Water Quality Standards – 8 tribes

- Number of Region 9 tribes completing CWA 106 Reporting Requirements:
 - Monitoring Strategies – 80 tribes
 - Submitting STORET-compatible Data – 74 tribes
 - Water quality Assessment Report – 83 tribes

Recommended Activities

Short-Term Activities (Within 1-3 years)

Provide advocacy through the budget process on a regional and national level for flexibility in allocation of CWA funding to tribes. Advocate at Regional and national level for continued water quality training for tribes. Advocate for meaningful inclusion of tribes during NPDES actions affecting tribal lands.

Long-Term Activities (Within 3-5 years)

Same as above plus:

Advocate for simplification of the Treatment as a State under the Water Quality Standards Program process using legal tools.

Goals & Strategies	Specific Tasks	Time Frames	Leads
Advocacy through budget process on the regional and national level	Regional budget request	Annually	Budget Workgroup / Clean Water Workgroup
	Advocate for flexibility in allocation of funding (Achieving TAS means being treated like States). Issues include: 1) Recertified funding should be reprogrammed to other entities (i.e., State recertified funds should be given to Tribal Governments; 2) Raise Tribal CWA 106 allocation from 12.4% back up to 15.49%. 3) Support RTOC request for 20% or \$38 million.	Ongoing	NTOC/RTOC
	Provide input into NTC budget	Annually	Budget Workgroup / Clean Water Workgroup
	Coordinate with other organizations (i.e., NCAI, NTWC)	Annually	RTOC/NTOC reps
	Gather info re need; achievements; disparity between tribes and states	Ongoing	Budget Workgroup / Clean Water Workgroup
Provide input re EPA strategic plan, other documents & proposed actions	Prepare other briefings, correspondence, comments to decision-makers as appropriate	As needed	Clean Water Workgroup
Advocacy through RTOC, NTOC, NTWC	Advocate that tribes have meaningful voice during NPDES actions affecting tribal lands (i.e., State of California); - Obtain list of off-reservation permits affecting tribal waters in R9	Ongoing	RTOC, NTOC, NTWC reps; Clean Water Workgroup
	Advocate that EPA reinterpret CWA TAS provision as a delegation of authority to streamline WQS TAS application . Gather information/legal tools to simplify the approval process for the Treatment as a State under the Water Quality Standards program	Ongoing	RTOC, NTOC, NTWC reps; RTOC, NTOC, NTWC reps; CW Workgroup
Ensure continuous and accessible water quality training	Provide circuit riders Develop framework for peer matching/training	Annually	Clean Water Wokrgroup
Ensure continuous and accessible Water Quality Training	Work with EPA to find solutions to provide one-on-one water quality assistance for R9 tribes: Explore resources for Circuit Riders Develop Framework for Peer Matching/Training	Annually	Clean Water Workgroup
Continue to find ways to address non-native species			
Develop a strategy to incorporate flow into Water Quality Standards to connect Water Quality and Water Quantity issues			CWA Workgroup

FOCUS AREA: Improve Tribal Access to Safe Drinking Water and Basic Sanitation

Background

Tribal communities continue to experience a significant disparity in access to safe drinking water and basic sanitation: although progress has been made, particularly with ARRA funding, 18% of the Tribal homes in R9 lack access compared to 1% of non-Indian homes. This is a fundamental environmental and public health issue that requires both physical infrastructure and operations & maintenance (O&M) needs be addressed

The US committed at Johannesburg Summit on Sustainable Development to reduce by half, by 2015, population lacking access to safe drinking water and basic sanitation (Access Goal). This Goal has been captured in EPA's Strategic Plan as a specific commitment in Indian Country, and represents one step toward Congressional policy of ensuring all Tribal homes have access to safe drinking water and basic sanitation as soon as possible (25 USC §1632(a)(5))

Funding for new infrastructure, as well as for repairs, rehabilitation and upgrades to existing infrastructure is provided by several federal agencies including EPA, IHS, USDA-RD and HUD. Last year's increase on the CWA and SDWA Tribal Set Asides to 2%, along with ARRA funding, contributed to increased access in Indian Country, but significantly more is needed. According to HIS's marginal cost analysis, \$1 BILLION is required to address all Tribal drinking water and wastewater infrastructure needs in Region 9, including \$300 MILLION to provide access for 18,990 homes. Due to expected cuts in the SDWA and CWA SRF, a Tribal funding floor at FY10 levels with adjustments for inflation should replace the percentage-based Tribal Set Asides

Operation & Maintenance funding is also critical to ensure delivery of safe drinking water and the sanitary operation of wastewater disposal facilities, as well as to protect the federal investment in infrastructure over long term. For many Tribal communities, it is not possible to cover O&M costs through rate structures due to small system size, high poverty levels and lack of income sources; however, THERE CONTINUES TO BE NO FEDERAL FUNDING TO SUPPORT O&M FOR TRIBAL FACILITIES. This represents a significant gap in resources necessary to address this critical public health and safety issue.

The overall objectives of the Region 9 RTOC are to take steps to achieve the following:

- A. Protect and enhance infrastructure funding
- B. Identify / facilitate the establishment of funding to support asset protection (O&M)
- C. Increase tribal technical, financial & managerial capacity to operate and maintain drinking water and wastewater facilities
- D. Maintain/increase funding to support technical assistance providers (such as RCAC) to ensure all Tribes in Region 9 have access to technical assistance for both drinking water and wastewater-related needs

Relevant Provisions in EPA's Strategic Planning Documents

EPA National Program Measures to Implement Strategic Plan 2.1.1:

SDW-18.N11 Increase number of American Indian and Alaskan Native homes provided access to safe drinking water in coordination with other federal agencies, to 119,000

SDW-SP3.N11 Increase percent of population in Indian country served by community water systems that meet receive drinking water meeting all applicable health-based drinking water standards

WQ-24.N11 Increase number of American Indian and Alaskan Native homes provided access to basic sanitation, in coordination with other federal agencies, to 67,600

Key Past Activities and Accomplishments of the Region 9 RTOC

- Advocacy with supporting briefings led to reinvigoration of national level multi-agency task force to address Tribal drinking water and sanitation needs
- Participation by RTOC Representatives on the National Infrastructure Task Force ensured Tribal priorities and interests were included in its work, including its report of barriers and recommendations to overcome them
- Facilitation and support for development and completion of Region 9 Tribal Baseline Needs Assessment
- Advocacy regarding Tribal O&M needs led to the development of criteria for funding O&M pilot projects under GAP
- Advocacy to address deficiencies in California criteria for certifying wastewater operators ensured that time spent working at Tribal utilities is included as eligible experience under new state regulations (currently in public review and comment period)
- Facilitation and hosting of Regional Multi-Agency Workgroup, which has resulted in
- Resource matrix
- Support for collaborative projects to address Tribal operational and maintenance needs

Recommended Activities

Short-Term Activities (Within 1-3 Years)

- Support proposed revised regulations for the California Wastewater Operator Certification program
- Continue to participate in the National Infrastructure Task Force and O&M Study Workgroup
- Monitor, perform outreach, and coordination, and provide input on anticipated revisions to the Clean Water and Drinking Water Tribal Set-Aside guidance documents
- Identify tribes in Region 9 that do not have access to technical assistance to address their utilities' needs
- Host Resource Fair for Nevada tribes
- Host Regional Inter-Agency Workgroup meeting

Long-Term Activities (Within 3-5 Years)

- Continue to advocate for a adequate infrastructure funding
- Continue to advocate for sources of O&M funding
- Advocate to ensure technical assistance is available for all tribal drinking water and wastewater utilities

Goals & Strategies	Tasks	Time Frames	Leads
Advocate for the inclusion of tribal needs and projects in upcoming federal legislation (i.e., stimulus funding, jobs bills)	Draft briefing papers and comment letters as necessary	As needed	DW/WW Workgroup / Budget Workgroup
Advocate for a funding floor for SDWA & CWA tribal set asides at FY2010 (or at a minimum at FY2011) dollar levels if overall SRF funding is reduced	Annual budget request	Annually	DW/WW Workgroup / Budget Workgroup
Continue to participate in national activities and to coordinate with national organizations to ensure tribal input and consistency of message	Ongoing participation in Infrastructure Task Force	Ongoing	ROTC / NTOC reps
Continue to initiate and participate in regional activities to facilitate tribal access to funding and other resources	Sustainable infrastructure resource	Annually	DW/WW Workgroup / Sustainable Infrastructure Workgroup / Solid Waste Workgroup
Engage other federal agencies to promote tribal needs and priorities	Infrastructure Task Force; Sustainable Infrastructure Resource Fairs	Ongoing	ROTC / NTOC reps; DW/WW, SI & SW Workgroups

FOCUS AREA: Minimize and Manage Solid Waste

Background

Ensure the safe and effective management of solid waste and promote sustainable and culturally appropriate solutions to address solid waste challenges. More than 1,400 open dumps exist on tribal lands in Region 9. In partnership with tribes, EPA is identifying sites posing the greatest threat, closing them, and preventing their recurrence. The adoption of Tribal Solid Integrated Waste

Management Plans leads to long-term planning for safe solid waste disposal. To achieve this goal, the RTOC will:

- Increase the number of tribes with integrated solid waste management plans,
- Increase the number of dumps that are closed or cleaned up on tribal lands, and
- Promote sustainable waste collection, recycling, reuse, and composting programs through training, technical assistance, and outreach.

Possible barriers for achieving these goals could include:

- Financial resources available to implement the tasks highlighted below, and
- Personnel resources for both EPA and tribes to address the goals.

Relevant Provisions in EPA’s Strategic Planning Documents

FY 2011-2015 EPA Strategic Plan

- Goal 3: Cleaning Up Communities and Advancing Sustainable Development. Objective 3.2: Preserve Land - By 2015, close, clean up, or upgrade 281 open dumps in Indian country and on other tribal lands compared to FY 2009. (At the end of FY2009, 412 open dumps were closed, cleaned up, or upgraded. As of April 2010, 3464 open dumps were listed.)
- Cross-Cutting Fundamental Strategies. Strengthening State, Tribal, and International Partnerships. With Tribes – Focus on increasing tribal capacity to establish and implement environmental programs while ensuring that our national programs are as effective in Indian country as they are throughout the rest of the nation.

Region 9 Strategic Plan, 2011-2014 – Tribal Solid Waste Management

- Close, clean up, or upgrade at least 35 open dumps during 2012, and improve tribal solid waste management.
- Increase by two each year the number of tribes that will have an Integrated Solid Waste Management Plan in place, for a total of 39 plans region-wide by October 2012.

Key Past Activities & Accomplishments of the Region 9 RTOC

As of end-of-year FY10, 91 dumps were closed or cleaned up. In FY11, 52 additional dumps were cleaned up.

Three Integrated Solid Waste Management Plans (ISWMPs) were completed by tribes in FY10 and five plans were completed in FY11 that met the 5 Critical Elements. EPA has determined that including these elements in an ISWMP ensures the greatest opportunity for success.

Various publications and outreach material were developed and training and workshops were provided to tribes in Region 9. Training included the organization of 6 Waste Characterization Trainings. An EPA contractor led participants through both classroom and field activities to plan an effective solid waste characterization effort. This type of waste characterization is a critical step in developing a comprehensive Integrated Solid Waste Management Plan. As importantly, participants discussed how to collect meaningful and useful data to make decisions and take action.

Recommended Activities (i.e., measures of success)

Short Term (Within 1-3 years)

Long Term (Within 3-5 years)

Goals (desired results) & Strategies (pathways to get there)	Specific Tasks	Time Frames	Leads
Reduce the number of open dumps in Indian country (Clean up 35 dumps in FY13).	<ul style="list-style-type: none"> - Determine how RTOC will assist in prioritizing clean up of open dump sites? - Determine how tribes can maintain open dump inventory and prioritize/rank their importance/need for closure. - Determine how RTOC can be proactive in assisting in tracking open dump closures and ensuring an annual reduction in numbers. 		
Ensure that every tribe has an approved Integrated Solid Waste Management Plan and is implementing that Plan (2 ISWMPs in FY13).	<ul style="list-style-type: none"> - Determine how RTOC will plan a role in advancing this annual goal/measure. - Determine how RTOC can be proactive. 		
Ensure RTOC participation in the finalization of the EPA-Wide Plan to Provide Solid Waste Management Capacity Assistance to Tribes	<ul style="list-style-type: none"> - Encourage SW Workgroup members to participate in the Infrastructure Taskforce. - Provide input to OSWER through the consultation/coordination process 		

	<p>regarding tribal waste needs.</p> <ul style="list-style-type: none"> - Participate in the development of additional measures/indicators of capacity built for solid waste management. Potentially could include: <ul style="list-style-type: none"> Waste generated in Indian country and other tribal areas is disposed of in regulated facilities, and the tribe has adopted solid waste codes, ordinances, or regulations and is implementing them. 		
Conduct training on specific waste management issues.	<ul style="list-style-type: none"> - Determine which topics should be the focus: <ul style="list-style-type: none"> Design and Operation of Transfer Stations Conducting Waste Characterization Audits Greening Tribal Casino Operations Refrigerant Removal Solid Waste Business Planning and Management Pay-As-You-Throw Source Reduction Developing Composting and Recycling Programs (Zero Waste) IWMP Development Training Biodiesel Feasibility Training - Determine which tribes are willing to host and present at these trainings. 		
Conduct outreach on specific waste management issues.	<ul style="list-style-type: none"> - Determine which topics should be the focus: <ul style="list-style-type: none"> Guide for Design and Operation of Transfer Stations Illegal Dumping Enforcement Website * Tribal Green Building Guide (web-based) Source Reduction Developing Composting and Recycling Programs (Zero Waste) Waste Sort Guide for web publishing Tire Removal/Management Guide for Managing Dumpsites After Cleanup. Guide for Haz Waste clean up <ul style="list-style-type: none"> Drug labs Marijuana grows One/Two page factsheet What to look for, who to contact, what to do, and what not to do - Determine which tribes would be willing to share examples of success. 		
Focus on capacity building activities	<ul style="list-style-type: none"> - Determine the tribal waste capacity assistance needs: <ul style="list-style-type: none"> Solid Waste Management Plans Technical training Long term financial sustainability (no grant funding) Developing SW Program in to sustainable, revenue-generating program Business planning 		
Broadcast types of technical assistance available:	<ul style="list-style-type: none"> - Develop a resource guide to include the following: <ul style="list-style-type: none"> Technical assistance providers <ul style="list-style-type: none"> ITEP NAEPC RCAC Circuit Riders EPA Other Federal agencies Are they funded by EPA, and will it continue? Can we expand? By topic area <ul style="list-style-type: none"> Development of a landfill Development of a transfer station Long term financial sustainability and business planning Develop a matrix that includes <ul style="list-style-type: none"> Grant funding and allowable costs Resources that aren't just funding <ul style="list-style-type: none"> § Include peer match initiative 		
Improve relationships with other federal, state, and local agencies.	<ul style="list-style-type: none"> - Have a higher-level conversation with Department of Homeland Security regarding UDM waste. - Facilitate more collaboration among tribes, with federal and state agencies, with counties and locals, and with foundations, etc. e.g. new California diversion rate (75%) with state and counties, equipment and expertise with other tribes. 		
	<ul style="list-style-type: none"> - Include impacts of climate change on waste management, e.g. methane gas capture. 		
Advocate for grants, EPA-sponsored training and targeted technical assistance to support the development and implementation of tribal integrated waste management plans	<ul style="list-style-type: none"> - Prepare annual budget request. 		

Advocate for grants, increased cooperation between the R9 Tribal Solid Waste Team and the R9 TPO, as well as partnerships between EPA and other federal agencies to support open dump clean-up in Indian Country	- Prepare annual budget request.		
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FOCUS AREA: Protect and Enhance Air Quality

Background

The following information gives a brief summary of the air programs in Region 9, keeping in mind that there are 147 Tribes within the Region:

From the Draft RTOC Barriers Document 2005:

Tribal communities are more greatly impacted by air pollution than non-Tribal communities as a result of subsistence lifestyles and location nearer to sources than urban populations. Thus, regulatory schemes deemed adequate to protect the public at large do not necessarily address Tribal health and welfare concerns. Many Reservations are located in non-attainment areas for criteria pollutants (pm & ozone in particular in Region 9), or otherwise subject to unhealthy air quality from toxic/hazardous air pollutants, despite the fact that most sources of air pollution affecting Tribal communities are located off-Reservation. As a result, Tribes must perform air program activities such as assessing ambient air quality, conducting emissions inventories, monitoring and tracking changes, and regulating on-Reservation sources, as well as participating in off-Reservation and regional air quality control efforts, so they can take appropriate steps to protect the health of their communities. EPA's goal of reducing the number of people whose health is affected by air pollution must take these circumstances into account.

From the FY2014 Tribal Air Quality Budget Analysis Document developed by NTAA:

According to the OAQPS Report supplemented with data from Region 9 EPA the following numbers were reported for the region:

Air Monitoring

Monitoring shows fluctuations in the number of Tribal monitoring sites from 2005 to 2011. During this time eleven (11) Tribes submitted monitoring data in 2005 and twenty-two (22) Tribes submitted data in 2011. Tribal air monitoring sites have shown increases from seventeen (17) sites in 2005 to thirty-one (31) Tribal monitoring sites in 2012.

Air Monitoring	Diesel	Emissions	Grants	Permits	Regulations	TAS
31	0	27	28	21	3	3

Diesel Work: In FY 2011 Tribes in Region 9 had two (2) diesel projects with fifteen (15) retrofits completed. In FY 2012 there are no current programs in Region 9.

Emissions: In Region 9 there are twenty-seven (27) completed emission inventories. 23 Twelve (12) Tribes have completed emission inventories with submissions to the NEI24.

Grants: As of 01/19/2012 Region 9 reported two (2) Local Showcase grants. According to EPA data, Region 9 has twenty-three (23) 103 air grants and three (3) 105 air grants.

Permits: Currently there are twenty-one (21) permits identified in Region 9 Indian Country. These permits are: Title V: Major permits.

Regulations: Regulatory programs can be developed by a tribe as they see fit and the types of regulations include TIP's, rules or permitting regulations. In Region 9, one (1) Tribe has submitted a regulation report, one (1) Tribe has regional approval and one (1) Tribe has a final rule.

TAS: Under the TAR and Section 301(d) of the Clean Air Act, eligible Tribes can be "treated in a manner similar to states". In Region 9 ten (10) Tribes have submitted TAS applications, one (1) Tribe has regional determination and one (1) Tribe has the decision document signed.

Non-attainment or Maintenance Areas

In Region 9, Tribal lands in non-attainment or maintenance areas are as follows:

Fifty-one (51) non-attainment areas for 8-hr ozone standard (1997 std), seventeen (17) in non-attainment for PM-2.5 (2006 std), fourteen (14) in non-attainment for PM-2.5 (1997 std), twenty-seven (27) in non-attainment for PM-10 (1990 std), one (1) in non-attainment for SO₂ (1978 std) nine (9) are in a maintenance area for PM-10 (1990 std), twenty-nine (29) in maintenance for CO (1990 std), and three (3) in a maintenance area for SO₂ (1978 std).

Program Delegations: In Region 9, one (1) Tribe has submitted a FIP and one (1) Tribe has been approved for a FIP. One Tribe has delegation of Title V (Part 71) operating permit program.

Information still needed for this section: How many Tribes received grants for FY2012/2013, How many Tribes applied, How many more Tribes would apply if there was funding available?

Relevant Provisions in EPA's strategic planning documents

Region 9 Strategic Plan Geographic Area of Focus

The United States has a trust responsibility to federally recognized Indian tribes. We work on a government-to-government basis with all 147 tribes in Region 9. Region 9 tribal lands comprise half of all Indian land in the country, and more than 80% of the tribes in the Region have an environmental presence. Economically disadvantaged populations in Indian country still suffer from critical environmental and health problems. We will protect the environment in Indian country by focusing on the following priorities

Tribal Clean Air

- Support tribes in building capacity and protecting air quality through \$2.5 million in 2012 grant funds for training, education and outreach, monitoring, emission inventory development, and rule development.
- Provide technical support to 25 tribes for emission inventories and air monitoring during 2012.

National EPA FY 2011-2015 Strategic Plan

The Strategic Plan provides a blueprint for advancing Administrator Lisa Jackson's seven priorities and EPA's mission to protect human health and the environment. EPA submitted the Plan on September 30, 2010 to the Congress and to the Office of Management and Budget.

The Plan identifies the measurable environmental and human health outcomes the public can expect over the next five years and describes how we intend to achieve those results. The Plan represents a commitment to our core values of science, transparency, and the rule of law in managing our programs.

The Plan also introduces the following five cross-cutting fundamental strategies which set clear expectations for changing the way EPA does business in achieving its results.

Goal 1: Taking Action on Climate Change and Improving Air Quality

Objectives

- Address Climate Change. Reduce the threats posed by climate change by reducing greenhouse gas emissions and taking actions that help communities and ecosystems become more resilient to the effects of climate change.
- **Improve Air Quality**. Achieve and maintain health-based air pollution standards and reduce risk from toxic air pollutants and indoor air contaminants.
- Restore the Ozone Layer. Restore the earth's stratospheric ozone layer and protect the public from the harmful effects of ultraviolet (UV) radiation.
- Reduce Unnecessary Exposure to Radiation. Minimize unnecessary releases of radiation and be prepared to minimize impacts should unwanted releases occur. (pg 6)

Reduce GHG Emissions and Develop Adaptation Strategies to Address Climate Change (only one strategy listed that specifically mentions tribes):

EPA's strategies to address climate change support the President's GHG emissions reduction goals. EPA and its partners will reduce GHG emissions domestically and internationally through cost-effective, voluntary programs while pursuing additional regulatory actions as needed. Our efforts include:

- Collaborating with state, local, and tribal governments on regulatory and policy initiatives, technical assistance, and voluntary programs related to climate change mitigation and adaptation. (pg 7)

EPA must adapt and plan for future changes in climate, work with state, tribal, and local partners, and continue to collaborate with the U.S. Global Change Research Program and the Interagency Task Force on Climate Change Adaptation... (pg 7)

Improve Air Quality

Over the next five years, we will work with states and tribes to develop and implement plans to achieve and maintain these standards. Our research provides the tools and information necessary for EPA, states, and tribes to implement air quality standards and controls... (pg 8)

EPA can substantially reduce the resources needed to develop standards; provide more certainty and lower cost for industry; simplify implementation for states, local, and tribal agencies; and, enhance cost-effective regulatory approaches.

Along with these regulatory efforts, EPA has a wide range of voluntary efforts to reduce emissions, including programs to reduce multi-media and cumulative risks. Through data from our national toxics monitoring network and from national and local

assessments, we are able to better characterize risks and assess priorities. We work with state and local agencies, tribes, schools, and community groups to identify communities where air toxics pollution is occurring at unsafe levels and aggressively take action to reduce air toxics pollution within those areas.

Often the people most exposed to air pollutants are those most susceptible to the effects—the young, the elderly, and the chronically ill. To improve indoor air quality, EPA deploys programs that educate the public about indoor air quality concerns, including radon, and promotes public action to reduce potential risks in homes, schools, and workplaces. EPA also collaborates with state and tribal organizations, environmental and public health officials, housing and building organizations, school personnel who manage school environments, and health care providers, who treat children prone to or suffering disproportionately from asthma. The focus of these efforts is to support communities' efforts to address indoor air quality health risks; We also provide policy and technical support and financially assist states and tribes in developing and implementing effective radon programs. (pg 9)

Key Past Activities & Accomplishments of the Region 9 RTOC

- Work with the RTOC Budget W needs workgroup and National Tribal organizations to communicate consistent budgetary needs for Tribes in the region
- Work on Barriers document
- Work on Strategic planning strategies and tasks

Recommended Activities

Short-Term Activities (Within 1-3 years)

- Develop list of common issues (may be geographical. Include priorities or top 3 issues with summary of each
- Coordination of NSR by EPA and Tribes – How many Tribes have to deal with technical compliance assistance? This rule affects economic development and sovereignty. What is EPA's role? What will be permitted? Need a Blanket Permit for small generators. Need Compliance Assistance training, more communication strategy...
- GHG permitting streamlining, need more information
- Continue to advocate for more funding
- See attached table below

Long-Term Activities (Within 3-5 years)

- Continue to advocate for more funding

Then use the chart to capture the universe of goals, strategies and specific tasks that have been identified during workgroup meetings and RTOC breakout sessions.

Goals (desired results) & Strategies (pathways to get there)	Specific Tasks	Time Frames	Leads	
Advocate for the appropriate budget (e.g.: funding for mature programs, indoor air, radon analysis, regional planning organizations)		Yearly – as needed	On-going	Budget Workgroup/Air Workgroup
Share Best Management Practices with each other	Encourage networking between Tribes		On-going	Tribes
Advocate for flexibility in specific situations (e.g. exceptional events, boundary determinations)	Continue the dialogue		On-going	Tribal Governments/USEPA (Air Workgroup as needed)
EPA staff must be well versed in Tribal needs and issues, TAR, TAS, exceptional events, designation process, consultation policies, etc.	Training			USEPA/Air Workgroup/R9 Air
Insist on meaningful and effective consultation as government-to-government	Clarify what consultation is (ie: conference calls, webinars?)		On-going	Tribal Governments/USEPA (Air Workgroup as needed)
Coordinate with other Air organizations	Networking/communication		On-going	Air workgroup
Consistent recognition of Tribal Authority Rule	Training			Tribes/Air Workgroup/USEPA/R9 Air
Consistent relationships between Tribes, EPA R9, and Headquarters Air Division	Training			Tribes/Air Workgroup/USEPA/R9 Air
Training, tools and resources for Tribes	Communicate needs			Air Workgroup/Tribes/USEPA
Tribal Air Programs for all Tribes who want them	Access needs			Budget Workgroup/Air Workgroup/USEPA
Advocate for Climate Change as its own media with its own funding	As needed			Budget Workgroup/Air Workgroup

Develop list of common issues (may be geographical). Include priorities or top 3 issues with a summary of each	Networking communication	On-going	Tribes/Air Workgroup
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FOCUS AREA: Support Tribal Capacity to Mitigate and Adapt to Impacts of Climate Change

Background

Climate change affects almost everything in our environment and communities, including Tribal communities. Climate change not only poses threats to the health of our environment and the ecological health of the biological population, it also poses threats to the health of our community, especially to our elders and children who are more sensitive to adverse impacts than the general population. Tribes are disproportionately impacted by climate change. Tribes and Native Alaskans have a deep-rooted connection to the environment in direct correlation to their culture.

Traditional lifeways are drastically affected by environmental changes. Climate change has altered many of traditional ways of life. Tribes have been observing various changes in their environment, such as the reduction of natural ecosystems and biodiversity. Seasons are changing. In some part of the country, the rainy season has shifted to later in the year. Gathering periods for native plants and animal migration patterns also have been altered. Moreover, heavy winter rain storms resulted in storm damage. Parts of the southwest Tribes experienced prolonged drought and enhanced threat from wildfires.

Native plants and habitats are also affected. Tribal elders and communities still gather their food according to the traditional knowledge with respect to seasons. Climate change is adversely impacting the health of these communities and altering traditional way of life by shortening and/or eliminating growing seasons for native plants and damaging habitats. Tribes in California have noticed production of native food sources, such as acorns, has been significantly lower for several years in a row. Native plants seem less available, and trees, such as Tan Oaks, are suffering from sudden oak death. Lastly, populations of wild animals, such as deer, northern spotted owl, and quail are significantly reduced and less prevalent on Tribal lands. Other concerns include the indirect impacts on drinking water supplies caused by rising sea levels, and new migration patterns of animals traditionally hunted and harvested for foods.

Relevant Provisions in EPA's strategic planning documents

- Consequences of Global Change for Water Quality (USEPA, 2008) http://epa.gov/ncer/rfa/2008/2008_star_gcwq.html
- USEPA Climate Change Adaptation Plan – Draft (USEPA, June, 2012) <http://www.epa.gov/climatechange/impacts-adaptation/>
<http://www.epa.gov/climatechange/impacts-adaptation/adapt-tools.html>
- USEPA FY 2011-2015 Strategic Plan Goal 1: Taking Action on Climate Change and Improving Air Quality <http://www.epa.gov/planandbudget/strategicplan.html>
- National Tribal Science Priority (2011)

Key Past Activities & Accomplishments of the Region 9 RTOC

- Region IX RTOC Position Regarding Global Climate Change (2007)
- Region IX RTOC Climate Change Tribal Perspective Questionnaire (2006)
 - Note: Received 14 responses to the questionnaire.
- Region IX RTOC Annual Conference Climate Change Tribal Presentation (2009, 2010, 2011)
- Presentation at the National Tribal Science Forum (2010)
- Region IX RTOC Priority (2010)
- National Tribal Operations Committee (NTOC, 2011)
- National Tribal Science Priority (2011)
 - <http://www.epa.gov/osp/tribes/who.htm>

Recommended Activities

- A. Achieve adequate funding to support climate change programs for all Tribes
- B. Promote Tribal understanding of the climate change impacts on traditional ways of life and natural ecosystems
- C. Ensure Tribal readiness to address and adequately manage climate change impacts through the development and implementation of tribal specific climate change mitigation and/or adaptation programs

Short—Term Activities (Within 1-3 Years)

• ****** Establish and facilitate the work of a committee of Tribal & EPA representatives to develop a regional implementation plan for EPA's national Climate Change Adaptation Plan.

Participate with USEPA Region 9 to develop a regional Climate Change Adaptation Implementation Plan.

Continue to gather information and document impacts of climate change on Tribal communities.

Facilitate the inclusion of Tribal representation in local, state, and federal multi-agency working groups addressing climate change issues.

Identify and advocate for tribal access to funding sources to support resource management and mitigation strategies to address impacts of climate change on tribal communities.

Provide information to Tribal representatives and facilitate Tribal input on any climate change regulations that may impact Tribal communities.

Advocate for the inclusion of Tribal access to resources in any regulations, policy and/or guidance documents issue by EPA, and other federal agencies.

Long Term Activities (Within 3-5 Years)

Provide information to Tribal representatives and facilitate Tribal input on any climate change regulations that may impact Tribal communities.

Advocate for the inclusion of Tribal access to resources in any regulations, policy and/or guidance documents issue by EPA, and other federal agencies.

Goals (desired results) & Strategies (pathways to get there)	Specific Tasks	Time Frames	Leads
Advocacy Tribal needs through budget process on regional and national levels	Provide input into NTC budget and regional budget request	Annually	Budget Workgroup / SI, Air, Tribal Science Workgroups
Document climate change impacts from R9 Tribes	Continue gathering climate change impacts from R9 Tribes (by filming of Tribal climate change stories such as: <ul style="list-style-type: none"> Adaptive gardening and landscaping by Bridgeport Indian Colony Sustainable Housing by Pinoleville Rancheria Climate Change and Water Loss by Big Pine Tribe 	Ongoing	Tribal Science Workgroup / others TBA
	Document climate change impacts on habitats, culturally sensitive plants needed to support traditional lifeways (Traditional Ecological Knowledge)	Ongoing	Tribal Science Workgroup / others TBA
Collaborate with all appropriate agencies to promote and ensure Tribal involvement in climate change policy development and decision-making as well as their implementations	Advocate for more comprehensive multi-agency discussions, and adequate tribal consultation, prior to policy development and decision-making	Ongoing	TBA
	Coordinate with other organizations (i.e., NCAI, NTSC)		
	Obtain tribal seats at Intergovernmental Panel on Climate Change, other national and regional organizations		
	Promote the recognition of federally recognized Tribes as “Domestic Dependent Nations” and equivalency to “Developing Nations” status for trading of carbon offset credits in the global markets per Kyoto Protocols. Tribes can use these generated incomes to finance climate change mitigation and adaptation activities such as purchasing degraded forest lands for carbon storage and natural resource improvement projects.		
Facilitate tribal access to resources that support mitigation and adaptation planning	Continue to communicate and discuss climate change issues at RTOC breakout sessions and workshops at EPA conferences	Ongoing	Tribal Science Workgroup / others TBA
	Sponsor and/or facilitate Tribal specific events such as Tribal climate change workshop, sustainable infrastructure resource fair (locally such as San Diego, Santa Rosa)		
	Create collaborative understandings of climate change with: <ul style="list-style-type: none"> Traditional Ecological Knowledge (TEK), Permaculture Sustainable infrastructure (e.g. straw bale house, solar & wind energy in arid southwest region) 		

FOCUS AREA: Protect the Tribal Environment in the U.S. Mexico Border Area

OBJECTIVES:

- A. Ensure Border Tribes have access to adequate funding to address their environmental protection needs
- B. Achieve greater flexibility in the use of existing funding to ensure Tribal environmental priorities can be addressed
- C. Ensure Border programs, plans and policies reflect Tribal input and incorporate Tribal environmental priorities and needs

Strategies	Tasks	Time Frames	Leads
Advocate for adequate funding from EPA, BECC and other sources, as well as flexibility regarding allowable uses	Regional budget requests	Annually	
	Input into national budget requests	Annually	
	Coordination with other tribal organizations that advocate for tribal environmental funding	Annually	
	Gather info re need; achievements; disparity between tribes and non-tribal communities	Ongoing	
Identify and work to remove barriers that limit or prevent Border Tribes from accessing funding	Assess funding criteria and scope Border Tribes to gather info regarding barriers		
	Identify future tasks to remove barriers based on results of assessment and scoping		
Education and outreach to resource providers and policy-makers regarding tribal needs, including advocating for greater focus on funding environmental needs and results, rather than academic research	Sponsor multi-agency meetings		
	Prepare briefings, comment letters, correspondence to decision-makers as appropriate	As needed	
Education and outreach to border tribes regarding available resources	Sponsor multi-agency meetings		
	Prepare and regularly update resource matrix		

FOCUS AREA: Improve Tribal Access to Resources that Support the Development of Sustainable Infrastructure in Tribal Communities

Background

In 1996, Congress passed the Native American Housing and Self Determination Act (NAHASDA). From this Act, tribes gained the authority to manage their building programs and adopt building codes; however, they were not given sufficient resources or technical assistance toward program development nor to develop or adopt codes. One consequence of this has been that the majority of tribes have not incorporated sustainable building practices into their infrastructure development projects, nor have adopted building or energy codes. Consequently, homes on tribal lands continue to be built poorly, especially in terms of energy efficiency and healthy indoor air quality.

OBJECTIVES:

- A. Maintain communication between EPA, Tribes & other federal agencies
- B. Increase the number of tribal homes that are weatherized and/or powered by renewable energy
- C. Increase the number of tribes covered by tribally developed sustainable building codes.
Known Barrier: Tribal housing departments often face housing shortages and are reluctant to incorporate more sustainable building practices due to perceived and/or actual increases in cost.
- D. Work from the existing Resources Fair model that is used by HUD and EPA to develop a Tribally-controlled Resources Fair in each state within Region 9.

Relevant provisions in EPA's strategic planning documents

TBD

Key past activities & accomplishments of the Region 9 RTOC

- 1) In February 2009, a Green Building Strategy was completed. This Strategy was drafted by US EPA and guided by input from RTOC representatives. The Strategy outlines EPA's role in assisting tribes as they pursue sustainable infrastructure development. This is a living document and will be reviewed throughout each year to ensure it reflects the development goals of tribes and appropriately outlines the role of US EPA and the RTOC Sustainable Infrastructure workgroup.
- 2) In response to guidance from the SI workgroup, EPA compiled a list of funding opportunities for tribes. This included federal and state resources, and non-profit organizations. These resources are on the EPA website at [Funding Resources for Green Building \(http://www.epa.gov/region9/greenbuilding/funding.html\)](http://www.epa.gov/region9/greenbuilding/funding.html)
- 3) Two draft tribal green building codes have been developed and circulated for comment, and a workshop on code development has been held (see below).
- 4) to be inclusive of tribes and created a new webpage [Green Building: Building and Energy Codes](#)

- (<http://www.epa.gov/region9/greenbuilding/building-codes.html>) that lists and describes greener building and energy codes.
- 5) In FY11, EPA, tribes and contractors began developing a model code template to provide technical assistance to tribes that are adopting green building codes. This has become a national effort including tribes, federal agencies and organizations from across the country. To date, 2 tribes receiving direct technical assistance have adopted green building codes (Pinoleville Pomo Nation and Kayenta Township within Navajo Nation). The codes template will be published on the web in late summer, 2012.
 - 6) In FY11, members of this workgroup started the National Tribal Green Building Code Workgroup which includes several tribes, federal agencies and non-profit, private sector organizations that work on sustainable building. **The goal of this national workgroup is to advance tribal goals in developing, implementing and enforcing culturally relevant green building codes, policies and programs leading to healthier, more sustainable communities.**
 - 7) In late 2011, the Tribal Green Building Codes Workgroup webpage was also made available online and will be continuously updated with codes resources for tribes. (<http://www.epa.gov/region9/greenbuilding/tribal-workgroup.html>)

Renewable Energy Efforts

- 8) Since early 2009, EPA, and tribes in the region coordinated with DOE which conducted 4 3-day workshops in Region 9. The first workshop was held in Mendocino County and included participation from 6 tribes in the region. The second workshop was January 2010 at the Tohono O'odham Nation and included participation from tribes in Arizona. The third workshop was February 2010 at the Bishop Paiute Reservation and included participation from 6 tribes. The fourth workshop was held in Nevada and included participation from 9 tribes.
 - a. Networking through the workgroup has helped several tribes access Grid Alternatives, a non-profit organization that assists low-income homeowners, leading to installations of roughly 3 kW systems on dozens of homes and counting.

Resource Fair

- 9) In April 2011, the Sustainable Infrastructure workgroup submitted a FY13 budget proposal through RTOC to support tribal staff needed to achieve this objective.

Recommended Activities

Short-Term Activities (Within 1-3 years)

Goals (desired results) & Strategies (pathways to get there)	Tasks	Time Frames	Leads
Advocate for funding	Annual budget request		TBD
Increase partnerships with other federal agencies	Annual sustainable infrastructure resource fair		Michelle, Rob Roy,
Increase awareness of tribes' interest and efforts in green building. Increase tribal networks.	Participate on National Tribal Green Building Code Workgroup	Ongoing	EPA
Provide information and outreach to tribes	Template green building codes	Summer 2012	EPA
	Web resources for funding green building, energy efficiency and renewable energy		EPA
	Presentations at RTOC meetings, EPA conferences		TBD
	Annual sustainable infrastructure resource fair		TBD

Long-Term Activities (Within 3-5 years)

TBD

FOCUS AREA: Other Cross-Media Issues

A. PESTICIDES

Background

- Coordinating outreach and/or efforts in reducing risks to health and the environmental in Indian Country from pesticides;
- Increase tribes' ability and capacity to manage pesticide issues and concerns that impact Indian Country;
- Advance tribes' understanding of the pesticide program;
- Provide information about **Integrated Pest Management (IPM)** and promote mechanisms that enable tribes to adopt IPM in Schools programs;
- Advocate for tribal participation in pesticides issues at a regional and national level; and,
- Promote health care providers' awareness of potential pesticide poisoning **and/or pesticide related illnesses.**

Relevant Provisions in EPA'S Strategic Planning Documents

- EPA Strategic Goal 4: *Ensuring the Safety of Chemicals and Preventing Pollution
- OCSPP Strategic Goal 3: Increase Tribal Program Coverage. Objective 2: Fund innovative approaches for delivering various OCSPP program services to interested tribes.
- OCSPP Strategic Goal 4: *Ensuring the Safety of Chemicals and Preventing Pollution
- Goal 3: Increase Tribal Program Coverage.
Objective 1: Reduce Tribal Risks from Pesticides
Objective 2: Strengthen Integrated Pest Management (IPM) Practices
Objective 4: Leverage other funding mechanisms and sources and simplify administrative requirements associated with various programmatic activities.
- OCSPP Strategic Goal 5: Improve Tribal Partnership, Outreach, Communication and Consultation Objective 3. Empower tribal organizations through information sharing, training and outreach.
- OCSPP Cross Cutting Fundamental Strategy 4: Strengthening State, Tribal, and International Partnerships.
- Administrator Jackson Priority 7: Building Strong State and Tribal Partnerships.

Key Past Activities & Accomplishments of the Region 9 RTOC:

- Pesticide Assessment conducted by Pesticide Workgroup
- Maps showing Region 9 tribes and impairments to water from pesticides (R9)
- Webinars and presentations on pesticide issues (NPDES permits, C & T) and increased feedback from tribes to OPP regarding these issues
- Region 9 Tribal Pesticide Inspector Workshop, with attendance by tribes without pesticide inspection and enforcement programs (2011 and 2012)

Recommended Activities

Short-Term Activities (Within 1-3 years)

- Identify and support development of IPM in Schools programs for tribes (The R9 Pesticides Office has selected a contractor to provide IPM in Schools Training for tribes in FY13. IPM in Schools template will be developed and provided to tribes (at training and via EPA website).
- Improve communication and cooperation between tribes, states, counties and EPA. (In FY13, the R9 Pesticides Office is sponsoring Working Effectively with Tribal Governments for DPR and CalEPA.) Cooperation between tribes, states, counties and EPA will improve.
- Facilitate communication among tribes so that tribes that want copies of existing tribal pesticide ordinances can get them. Awareness of tribal regulatory schemes for pesticides will improve.
- Increase tribes' understanding of pesticide issues and FIFRA by providing outreach to tribes that don't have tribal pesticide programs. Identify topic and provide 1-2 focused outreach webinars to tribes on pesticide issues.
- Provide Tribal Pesticide Inspector Training in FY13 (funded by EPA and organized by ITCA).
- **Increase awareness of and make available EPA's Recognition and Management of Pesticide Poisonings to tribes and health care providers for tribes. Identify and share information about similar additional resources (such as information available from state programs).**

Long-Term Activities (Within 3-5 years)

- Continue to provide outreach and education to tribes so that tribes can better protect their communities from risks associated with pesticides.
- Increase tribes' knowledge and awareness of pesticide issues by working with individual tribes, as requested.
- Increase tribal program coverage where possible by leveraging or providing funding and/or technical support.
- Provide training to health care providers in Indian country on recognizing potential pesticide poisoning and or pesticide related illnesses.

Goals (desired results) & Strategies (pathways to get there)	Specific Tasks	Time Frames	Leads
Increased number of IPM programs for tribes, including support for School IPM	- Provide IPM in Schools training - Provide IPM in Schools template	1-5 years	R9 Pesticides Office; RTOC Pesticide Workgroup
Reduce risks to health and the environment from pesticides, including reducing exposure at collection sites	- Provide focused outreach to tribes (including community members and health care providers) that can be used to protect the health of kids and communities from pesticides - Provide Recognition and Management of Pesticide Poisonings to tribes and health care providers - Provide training to health care providers in Indian country	1-5 years	R9 Pesticides Office ; RTOC Pesticides Workgroup
Improve tribal participation and communication on pesticide issues	- Increase outreach and education to all R9 tribes dealing with pesticide issues - Provide tribal access to resources, information, outreach materials, webinars and training	Ongoing and as requested	R9 Pesticides Office; RTOC Pesticides Workgroup
Support tribal capacity to minimize and manage pesticides and prevent pesticide exposure	- Provide copies of existing Pesticide Ordinances and Pesticide Plans to interested tribes. - Help tribes develop their own templates (including Pesticide Plan templates)	-As requested - IPM in Schools template (FY13)	- R9 Pesticides Office; RTOC Pesticides Workgroup
Increase cooperation and communication with EPA and other agencies/entities (such as IHS), including states.	- Work with tribal and state contacts to increase awareness of issues, including jurisdiction. - Inform tribes of opportunities for participation and feedback on pesticide issues - Look for and participate in national dialogue with other groups on pesticide issues.	- At present – 5 years - Ongoing - Ongoing	- R9 Pesticides Office; RTOC Pesticides Workgroup
Identify and overcome barriers to increasing pesticide program capacity and coverage in Indian country	- Provide feedback to EPA HQ's on tribes' funding needs - ID available grant funding from EPA (including GAP) and other potential sources (such as HUD, BIA, IHS,APHIS, USDA, Western IPM) to support pesticide objectives		- R9 Pesticides Office; RTOC Pesticides Workgroup

Attachment 2

An essential part of strategic planning is examining 'where we've been,' and 'what worked and didn't work.' To that end, we asked two questions and received responses that include the following:

What stands out for you when you think about RTOC past activities and accomplishments?

- There are specific past areas where the RTOC has been successful in moving national policy or taking other nationally or regionally significant action, like the Baseline Needs Assessment, input on the Guidebook, increases to tribal set-asides, the AIEO reorganization, and other successes.
- There are things that the RTOC does well, which aren't specific accomplishments but reflect the RTOC's areas of strength, like planning, providing a good forum for discussion of issues, advocating for tribal interests, enhancing communication and coordination, and engaging leadership.
- The RTOC is a useful means of disseminating information (among tribes, EPA, and other Agencies and entities).
- The RTOC provides valuable networking opportunities.
- The RTOC provides a venue for elevating issues among tribes and/or within the Federal family.
- There are areas where the RTOC can improve as a functioning body.

What have we learned from RTOC efforts that were successful and those that were not as successful?

- The RTOC has been successful at bringing tribes together, building relationships among tribes and with the Agency, sharing information, and resolving issues.
- The RTOC can work to overcome barriers to common understanding, ensure consistent participation, address issues in a timely manner, and engage tribes effectively.
- The RTOC Charter Workgroup should consider, when developing the new Charter and SOPs, making some edits to meeting structure, preparation, and organization that would benefit the functionality of the group.

We wanted to assess our current "state of affairs:"

What are the RTOC's possible strengths that will help us be successful and possible weaknesses that will affect our work?

- The RTOC benefits from passionate, knowledgeable participants, and from being a forum where EPA and tribes are comfortable engaging on important issues.
- The RTOC may struggle because not all the right people are in the same place at the same time, there may not be enough time for quality dialogue, and because of misunderstandings or personal differences.
- The RTOC structure includes great processes for elevating and resolving issues, provides a venue for creativity, is an opportunity for quality engagement, and allows us to focus on the work and build the relationships necessary to be successful.
- The RTOC structure could benefit from some changes to allow more time for deep discussion, greater organization, a better method to ensure broad representation of tribal issues...and much, much more.
- Our work together is sometimes limited by funding to travel and funding to support work in Indian Country.
- The Agency's continued funding of the RTOC as a priority makes a strong statement about commitment to the tribal dialogue.

What are the possible external opportunities and threats we need to be aware of?

- The amount of Federal funding, and limitations on the use of those funds, seems to be increasing.
- There are emerging opportunities to leverage funds, help each other, and bring additional partners into the conversation.
- There are some limitations, both in leadership positions and at the staff level, that may hinder our successes, for example staff turnover, political leadership changes, etc.
- We have a wealth of opportunities in our existing representatives, tribal staff, communities and leaders that we can leverage to great effect.
- There are great opportunities for leveraging non-cash resources that we could explore!
- There are environmental threats, like climate change, natural disaster, population shift, and similar that concern us.
- There are social and political changes that may affect our ability to be successful, including local and national politics, legal questions, the economy, etc.
- There are emerging technologies that may help us work better, smarter, and faster.

And, finally, we wanted to have participants look at the current areas of focus and identify what might be missing, from their perspective.

What Policy issues does it make sense for RTOC to focus on in the next 12-18 months? Review the list of RTOC policy work. Identify if there are key policy issues that are missing from this list.

- The RTOC should focus on Solid Waste issues and funding.
- The RTOC should focus on drinking water, groundwater, infrastructure, and watershed health.
- The RTOC should focus on preparing for a potential political transition.
- The RTOC should focus on cross-media areas of broad potential impact, such as capacity building, traditional ecological knowledge, increased funding flexibility, etc.
- The RTOC should focus on air quality issues.
- The RTOC could find ways to help tribes move forward, such as streamlining grant processes, ensuring funding availability, and addressing policy flaws.
- The RTOC could focus on ways to bring other Agencies into the conversation.

1 Past RTOC Accomplishments and Learnings

1.1 RTOC Successes and Accomplishments

Number of tables participating: 20 tables of 4-5 people each

Centering Question: What stands out for you when you think about RTOC past activities and accomplishments? Focus on activities and accomplishments that the RTOC (as a whole committee) has worked on *What was successful? *What contributed to our successes?

There are specific past areas where the RTOC has been successful in moving national policy or taking other nationally or regionally significant action, like the Baseline Needs Assessment, input on the Guidebook, increases to tribal set-asides, the AIEO reorganization, and other successes.

- RTOC has been able to advocate for funding for Tribes
- In getting EPA into Tribal country
- went from 7 tribal and 60 epa employees, to now 22 tribal reps & 18 epa staff as a RTOC body, more tribal participation.
- Network and Circuit Riders availability to the Tribes has been very successful and would like to see additional funding to continue
- RTOC has been able to expand resources for training for specific needs like water quality for Tribes
- Baseline Needs Assessment
- Since the start of GAP the number of Tribes brought into the program and developed Environmental Programs has grown.
- Increase to Tribal Set-Aside funding for Tribes.
- The development of consultation processes is a success. Has developed the underpinning for national consultation.
- The reorganization at Headquarters - AIEO has now been elevated and R9 RTOC was a major factor of that happening.
- Pesticide workgroup has been valuable in increasing awareness of program.
- Comments on the Guidebook - significantly moving the Agency's approach and timeframe because of R9 feedback.
- Technical Assistance and Partnerships with BOR
- *Early 90s the formulation of RTOCs and NTOCs due to CWA programs as catalyst for more collaboration
- Advocate for Tribes to build capacity in several medias - TAS
- *Formulation of RTOC Charter - Realization and Working relationship between EPA and Tribal collaboration was necessary
- RTOC has moved the Agency in terms of development of consultation approaches
- successes include HQ consultation policy, participation on drinking water/wastewater task force, regional policies

There are things that the RTOC does well, which aren't specific accomplishments but reflect the RTOC's areas of strength, like planning, providing a good forum for discussion of issues, advocating for tribal interests, enhancing communication and coordination, and engaging leadership.

- Workgroup Efforts have become more effective over the years...it has evolved
- Bringing Action Items to appropriate agencies
- RTOC has been successful in providing a forum for improved environmental programs for tribes
- Advocating for additional resources and funding for tribal programs
- RTOC provides forum with tribal reps to bring their concerns and requests, such as ground funding availabilities.
- Good communication between project officer and EPA; Tribal leadership and staff are notified on major issues.
- Past planning - setting goals at the beginning.
- CWA workgroup works well in serving as a platform for discussing and troubleshooting tribal issues.
- RTOC is effective in influencing and communicating to HQ
- provides continuity with programs and peers...even if there is turnover, you can jump in and gain learning experiences
- We have been successful when the whole RTOC pulled together toward a common goal
- RTOC really came together to address individual issues that have come down from EPA affecting all of Region 9
- contributions to success is that rtoC provides a venue to voice opinions and sometimes get results that may change programs
- Tribes and EPA can help develop the agenda
- RTOC has generated discussion of issues in regards to policy and how the Agency deals with Tribes.
- RTOC has been fundamental in giving the smaller Tribes an equal voice
- Organization: Action Items, Agendas, Tribal Caucus, Workgroups
- The opportunity for tribes to caucus is facilitated and legitimized
- Having a robust RTOC that has been meeting for so many years is important - it gives continuity to issues, history.
- EPA leadership helped pull this off, the Felecia's, etc
- the venue provides tribal people a voice to get help with serious environmental (cultural) issues effecting their tribal lands.
- Allows people to work on their environmental interest

- EPA is more in tune with the Tribes because of the communication that happens through RTOC
- contributions to success: we're vocal, brief lots of issues, have back up numbers and information to support our positions
- Improve planning process between tribes and EPA
- tribes have vision to strengthen department
- Allows tribes to set or influence priorities
- Policy Review - effective with making changes and including tribes in strategic planning etc.
- Consistency and accountability by having the Committee with Tribal representatives and EPA representatives
- Tribal Leaders participates when RTOC is in the Indian Country.
- another contribution to past successes is collaboration between tribes and EPA
- Good examples of government cooperation with tribes
- Attempts to create an agenda that improves attendance and participation

The RTOC is a useful means of disseminating information (among tribes, EPA, and other Agencies and entities).

- Helped keep Tribes informed on issues.
- RTOC has been a good instrument for getting out information
- Information exchange and bringing issues to all levels
- Tribes are kept informed via handouts, presentations that share different perspectives from Tribes across the Region, email updates (sometimes too many), hearing different speakers from different parts of the region.
- Promoting an understanding why things happen (why the Agency does or asks for the things it does).
- RTOC helps R9 understand tribal issues and how to solve them together.
- RTOC brings Tribes together around similar issues that affect them
- For tribal reps., hearing updates on policies in all medias, and how other tribes are approaching them.
- Bring relevant information to Tribes and focus on important issues
- EPA being able to hear tribal experience educates EPA about the tribal creativity at problem solving environmental concerns.
- RTOC is can explain specific new measures (ex: of SP 14) in work group sessions.
- RTOC good for timely dissemination of information; issues may be addressed in timely manner
- With high transition and change over within tribal government and environmental programs, RTOC can assist with additional information sharing
- RTOC has brought the Tribal perspective (not limited to environmental issues) to the policies coming out of Federal Agencies
- Assist Tribal members to better understand EPA Tribal Programs
- Sharing and collaboration of Tribal stories/successes/examples of managing their resources are shared at RTOC...showcased
- EPA has learned most effective means to get messages out to tribes and receive feedback.

The RTOC provides valuable networking opportunities.

- Having headquarters folks engaged.
- Having a forum to present and share case studies.
- networking meeting tribes learning their issues
- new tribe to RTOC learning from other tribes, common issues, helping each other
- Networking directly with EPA is important for new people...it is unique in its interface....face to face gives us a voice
- rtoc in the past has always been inactive and continues to evolve..it is a chance to meet with your peers
- Before RTOC EPA didn't know how to communicate with Tribes
- avenue for lessons learned from other Tribes
- Information sharing within Tribes on additional funding resources available
- Tribes sharing their environmental issues, successes and needs
- Getting other agencies involved in tribal issues
- Networking with colleagues from other tribes, sharing ideas and getting to know each other.
- RTOC fosters Solidarity = coming together of tribes
- Having RTOC meetings is impressive in how the meeting facilitates collaboration, problem solving, and knowledge exchange.
- growth of the RTOC, more tribes have come to join
- RTOC has been successful in having full participation of EPA R9 staff at meetings to focus on tribal issues.
- Having the opportunity for Tribal Leaders to meet one-on-one with the Regional Administrator at RTOCs.
- Meeting at different reservations and going on tours is key to understanding the diversity of tribal experiences. Very valuable for many.
- The networking and pulling people together and being able to visit tribal lands.

The RTOC provides a venue for elevating issues among tribes and/or within the Federal family.

- R9 RTOC being able to escalate issues to NTOC.
- RTOC influences regional and national policy.
- RTOC can define issues for Tribes and brings the topic to the National level
- Raised the awareness of /Tribal needs and EPA has expanded the number of funded programs.
- raising local and regional issues to the national level
- Participation of and Access to EPA upper management - the decision makers
- more attention is given to region 9 by Headquarters in DC. on how work is being done by the RTOC.
- Successful in advocating to protect tribal budget in this budget climate of program cuts
- HQ participation with regional tribes
- Access to political appointees and Regional Administrator.
- forum bringing new ideas to the regional and national level
- RTOC has increased the visibility of tribes in R9.
- Major issues are resolved by Tribes and EPA
- Serves as means to raise issues with HQ
- Tribes speak with one voice, sending a consistent message that carries more weight from the regional to the national level

Areas where the RTOC can improve as a functioning body.

- continue to encourage participation with Tribal Leadership
- EPA to act on the RTOC action items
- Lack of participation from tribal leaders - it's unclear how involved leaders are in environmental issues. Varies from tribe to tribe and issue to issue.
- Centralized RTOC locations i.e. Reno, Arizona, great turnout. SF is expensive.
- Tribes need to go much further in building capacity for their programs than states
- Tribes are co-regulators but don't receive the same equality in funding like state co-regulators
- Tribes are preservers of their environment and should be recognized as such
- Bringing EPA to Indian Country for RTOC needs to continue.
- Tribes are environmental stewards and take care of all medias including endangered species, but sometimes their hands are tied by env regulations and lack of funding and lack of watershed partnerships
- For the changing tribal staff, there could be more RTOC orientation sessions at each RTOC meeting (e.g., a packet of information at each training session about what has been done and will be done).
- We need to be consistent in carrying our voice out to the leadership, and we need to commit to participate in the RTOC process... expressing our voice, overtime that carries a lot of weight
- with the turnover, RTOC needs to better educate the new representatives (e.g., information package with charter, current work, upcoming work, more background)
- educating and preparing new RTOC representatives to better represent their tribes and participate at RTOC
- How do we meet the needs of the tribes.
- Ideas brought during RTOC sometimes set up preference and adversely affect other tribes.
- Lack of tribal leaders participation leads to difficulty in making decisions requiring leadership input.

Responses that didn't answer this question

- br
- Went from suits to jeans and Enrique still hasn't got it.
- T

1.2 What have we learned from RTOC efforts?

Number of tables participating: 19 tables of 4-5 people each

Centering Question: What have we learned from RTOC efforts that were successful and those that were not as successful? Focus on activities and accomplishments that the RTOC (as a whole committee) has worked on.

The RTOC has been successful at bringing tribes together, building relationships among tribes and with the Agency, sharing information, and resolving issues.

- Success is building the communication process with EPA R9
- More tribes comment on national and regional policy as a result of RTOC meetings.
- Better process to bring interest to the variety of the RTOC workgroups
- RTOC brings Tribes together as one powerful voice to speak on things that are of importance to all Tribes in R9
- Transfer of communication tribal caucus portion from Regional RTOCs to NTOC (good in R9, but not across nation)
- RTOC helps facilitate help to individual tribes and has been successful in mitigating those issues
- Orientation for new RTOC members
- RTOC allows collaboration with colleagues, for example dissemination of the tribal survey for Safe Drinking Water
- Transfer of communication from tribal caucus RTOC discussions to NTOC (good in R9, but not in all Regions)
- RTOC has been successful in having an increase in EPA participation.
- EPA has learned the best means to get messages out to tribes and receive feedback.
- RTOC has been a good forum for updating Tribes on EPA matters
- RTOC has not worked as effectively when Tribal and EPA representatives have focused on their personal agendas rather than the tribal programs
- Information sharing is key.
- Successful - the value of a large group enables greater conversation and ease of interaction.
- a lot of important collaborative work got done during track 6 - we need to bring it back!
- Created a process for dealing with action items
- Using success stories during the annual budget presentation has improved getting the budget needs across to EPA.
- RTOC will be persistent in trying to tackle an issue
- Forum for people to ask questions before they come to their first RTOC
- decision makers are all at the same table
- With current budget constraints, hearing ideas from EPA at different levels (Region and HQ) can help tribes change strategy, or even learn about new funding sources.
- assessments such as the pesticides and 106 assessments were successful.
- RTOC has been successful at inviting different EPA managers to come and speak to issues and concerns from tribes.
- EPA is allowed time to answer tribal issues, which allows for more information to be gathered and exchanged.
- Bringing non-EPA issues to RTOC (i.e. Forest Service.)
- The addition of workgroups has been effective, including the CA workgroup and continuation of grants workgroup.
- Budget development - taking the lead
- Successful in pushing major issues to a national level - making a change - e.g. Core Water Q S - first round = bad

The RTOC can work to overcome barriers to common understanding, ensure consistent participation, address issues in a timely manner, and engage tribes effectively.

- RTOC does not work as effectively when representatives and EPA personal bring their personal agendas to the table
- There has been a disconnect in the past between Tribal representatives and their constituents
- GAP Online doesn't work, intent was to build capacity for tribes and not do EPA's job.
- Tribal EPA Offices are understaffed and can't participate on workgroups. Lack of tribal EPA staff.
- Lack of participation in workgroups
- People should come prepared - when people aren't prepared for sessions or discussions, we get lost in catching people up.
- EPA and HQ still need to understand tribes and individual tribal issues better

- When we let individual interests drive discussions, we often end up in difficult situations.
- Information overload
- Lack of tribal leader participation.
- when workgroup participation is low, important RTOC work doesn't get done
- Consultation process of implementation has problems
- Lack of active participation on workgroups
- Ideas brought to RTOC sometimes affect adversely to other tribes.
- GAP Online doesn't work, the intent was to build tribal capacity , not do EPA's job.
- conference calls are great but you need to participate.
- Effective and appropriate consultation still a challenge
- Participation is fluid because of resource constraints and it has been a challenge.
- RTOC still has not dealt with the issue of Native representation on the committee
- Communication needs to be able to facilitated across all environmental collaborators (Consultation practices need to be improved by HQs - not meaningful...better in Region 9 with regional staff)
- Tribal response to assessments for 106 funding have been slow to come in
- Active participation - could be better
- Some issues are not resolved because of environmental staff change over.
- RTOC has not been successful in getting increases in tribal set a side for budget request.
- No active participation in the last EPA Strat Plan development
- Follow-through on some issues has not been completed, issues from the past are still on the table
- As a tribal committee RTOC still has not been successful in being able to bring the concept of Cultural
- lack of collaboration with tribes BEFORE policy is developed, such as Luke writing the Guidebook
- Limited resources from EPA.
- EPA has failed to listen to the voice of RTOC

The RTOC Charter Workgroup should consider, when developing the new Charter and SOPs, making some edits to meeting structure, preparation, and organization that would benefit the functionality of the group.

- Meeting structure changes - some times for the good and others not so good.
- Difficult to come to a common agreement on issues, because of so many reps. with diverse perspectives.
- Some of trainings, for example GAP Online, are too short. We need to make sure there's adequate time and flexibility to meet the shifting needs of Tribes.
- No substitute for face to face meeting
- Not enough time to go into complex issues in depth.
- We should have people RSVP for the RTOC and for sessions so we know where there's heavy interest.
- RTOC leadership requires setting aside personal political agendas when in a leadership position.
- technological tools are wonderful but!!
- Too many workgroups and due to lack of tribal staff can't participate
- Trainings should be scaled by interest, and we should have people RSVP so they can come prepared for discussions and so that there's enough time allowed for discussions that may run long.
- too much time spent talking about charter, procedure issues, prevents RTOC from addressing substantive issues
- Transfer of issues raised at RTOC and NTOC getting to the administrators and HQs Decision makers
- Meeting structures that change sometimes are good and others not so good
- Need approaches/forum to get up to speed other than RTOC meetings
- RTOC representatives in the past have had a disconnect with the tribes they represented
- RTOC should be a place for productive discussions, not soapboxing. People should remember to come to this collaborative discussion ready to collaborate.
- Breakout sessions are very helpful and relay information on specific issues
- Not enough time to respond to EPA Action items
- Because R9 is so big, often unwieldy, it's hard to get continuous representation from every tribe, or even every geographic region.
- It's sometimes hard to keep focus on the forest, instead of the trees.
- RTOC Session needs to be better organized
- Strong personalities can dominate discussions, it's important to remember to seek input from all present, not let just a few run the show.
- Access to GAP Orientation when new Tribal staff join the Environmental Program
- EPA's efforts to reduce number of meetings / face time is bad for morale
- Technology no substitute to face to face meeting
- Interested in knowing about Workgroups (who is on the workgroups) and what workgroups are working on
- Tribal leaders issues and concerns need to be able to be carried with confidence to NTOC leaders and shared with HQs EPA
- There is a need to expand the orientation into RTOC to help open up the lines of communication amongst the Tribal EPA Departments as well as EPA itself
- Sometimes agenda is not relevant to all participants, need to be put in break-out session
- Wish there was a way to streamline info - I sometimes get the same darn email from 3-4 different people, I then have to weed through it to find the gem that has value for me to interpret and inform my council and community. I should get fewer repeat emails, and they should clearly articulate what's actionable, and what's important (don't bury the lede!!!)
- Time needs to be used more effectively to discuss issues - RTOC, NTOC - rather than being rushed by HQs - need more access to the decision makers regarding specific programs/concerns/issues/upcoming rules, etc
- Want to set up a better agenda which includes collaboration for tribal leaders and EPA during national meetings
- Agenda development - more meetings of the mind not presentations
- Attempts to change the RTOC agenda in order to get better participation on all days of the RTOC meeting not so successful. Lots of people still missing.

These responses didn't seem to fit the question, or were unclear.

- the funding for the tribes has been the same, no increase
- RTOC interagency agreement was signed, but no implementation
- separating grants issues from rest of action items
- Challenging - a large organization of people coming together and making sure the group continues to move forward.
- Ooops

- How can we better integrate new Tribal environmental program into their environmental program(s) as well as the RTOC
- H

2 Our Current Environment- What do we need to be aware of?

2.1 RTOC Internal Strengths and Weaknesses

Number of tables participating: 20 tables of 4-5 people

Centering Question: What are the RTOC's possible strengths that will help us be successful and possible weaknesses that will affect our work? Focus on internal RTOC strengths and weaknesses. type a + before strengths and a - before weaknesses

The RTOC benefits from passionate, knowledgeable participants, and from being a forum where EPA and tribes are comfortable engaging on important issues.

- +people are passionate
- +combination of people with a lot of history, as well as new people with fresh ideas
- A lot of Tribal and EPA Participation make the group concept work with continued support
- Strength - turn over can bring fresh ideas
- Strength in number of tribal participants
- + Everyone who participates in RTOC with a willingness to hear what issues are, wanting to know what's going on and what we can do to fix it.
- The mindset of Region 9 EPA and the recognition of EPA's role with the tribal programs
- RTOC strengths: tribal partnerships, working with EPA.
- the divideside knowledge that the group has.
- Strength - R9 Tribal and EPA Staff continue to articulate well to HQ what Region 9 needs regardless of the push-back received from HQ.
- Bringing a positive attitude to RTOC helps with resolving concerns.
- RTOC enhances the relationship between Tribes and EPA
- + Improved communication via email in the recent past, from EPA and Corn. Networking.
- +robust RTOC participation
- Number of tribes within the region - diversity
- +RTOC members are willing to help new tribal staff...but they need to be aware of the problem to help.
- the workgroups do great work when there is tribal participation
- RTOC good for networking -getting direct contact with EPA staff and also RTOC reps and workgroups
- EPA R9 listens to Tribes and cares about their perspective
- RTOC policy advisor position is critical

The RTOC may struggle because not all the right people are in the same place at the same time, there may not be enough time for quality dialogue, and because of misunderstandings or personal differences.

- Weakness - turn over in staff
- -some people are burned out on RTOC, some new people do not understand the process
- Turn over - both on the tribal side and EPA
- -leadership doesn't allow flexibility that used to occur in meetings - we used to be able to discuss issues and find resolution. People that were leaders have passed on. Are we too compliant?
- Structure of the meetings sometimes become more personal agendas and hinder the process
- Need to reinvigorate and take RTOC to next level, noticing lack of interest within EPA Region 9
- lack of tribal representative outreach to constituents
- - Tribal decision-makers are not able to come to RTOC meetings.
- -we need people to speak up. We have a lot of discussions or calls where just a few people are asked to represent all of Indian Country.
- Tribal Representatives need to be here or their alternates. It is not sticking to the charter.
- - If tribal leaders come to RTOC meetings, they expect EPA R9 leaders to be there to interact with. (Annual Conference is best time for this.)
- lack of education of the representatives and alternates.
- Roles of RTOC Reps - needs to be more clear for new reps.
- Tribal Representatives need to face to face with their constituents...so that everybody can be heard. Needs to be more interactive during the Tribal Caucus
- Is RTOC articulating to tribes their importance in participating?
- Bridges to Tribal Councils need to be strengthened and maintained
- EPA is an Agency and Tribal EPA Programs are their "lives", mindset might be different
- - need better communication from RTOC to environmental staff, not just tribal leaders
- not enough tribal participation on workgroups and other RTOC activities
- Sometimes EPA staff doesn't really understand the multi-hats that Tribal Staff wear.
- a-lack of participation by Tribes at the consultation that are provided by EPA at RTOCs

The RTOC structure includes great processes for elevating and resolving issues, provides a venue for creativity, is an opportunity for quality engagement, and allows us to focus on the work and build the relationships necessary to be successful.

- + coffee is good to have during meetings
- the ability to communicate to all tribes in the region and EPA, being the liaison for the tribes to EPA.
- RTOC offers EPA opportunity to understand the issues and concerns of tribes
- Having a better orientation packets for new environmental staff what RTOC is all about, i.e. history of how RTOC is created and past concerns and where RTOC is going.,
- Sharing of information of tribal successes and challenges
- +Video conferencing technology
- stable tribal representation to bring important issues to the committee
- RTOC is really great at telling the Tribal story; promoting Tribal leadership via success of these individuals
- Strength is that we have a charter
- Attempting to resolve questions from tribes at RTOC instead of allowing time to gather information and ensure reply is complete.
- Having EPA bring everyone together collaboratively and the help from EPA in general.
- + sharing of tribal stories and successes

- being able to visit the tribes communities and seeing how they deal or address an issue.
- +number of meetings
- the workgroup process is a strength
- RTOC has been great at bridging the relationship between the Agency and Tribes
- +we have a strong commitment to process, we should use that to our advantage. (build a stronger agenda)
- Brings the EPA leadership down to the ground level and connects them to the Tribes
- +we should use the power of the Chairman of the TOC to get stuff on the agenda.
- regular meeting schedule and other RTOC activates (workgroups) help EPA understand tribes and tribal issues better than other federal agencies - this makes RTOC unique
- Creative ideas to make additional resources, technical assistance available to tribes
- +Tribes should use their representation on the TOC to get valuable stuff onto the agenda.
- Out of all federal agencies EPA is very proactive with tribal programs
- + Networking, getting to know other tribal reps, is the most positive use of RTOC.
- RTOC can be used as training for tribes, special sessions or extended work group
- R9 and R10 Tribes are leaders in impacting change. RTOC venue for developing the collective voice
- Strength is that RTOC gives a venue for interaction for EPA to meet tribes given this time of funding issues
- Tribes can network and assist each other on common issues
- Organization - structure - best region

The RTOC structure could benefit from some changes to allow more time for deep discussion, greater organization, a better method to ensure broad representation of tribal issues...and much, much more.

- weakness is the size of the region. tribes have different needs and issues.
- -too many presentations, not enough discussion
- -meetings aren't always as organized to be effective to discuss communication
- - redundancy during meetings
- -lack of participation in some workgroups
- strength of RTOC is a regular known expected quantity. also a weakness because people tend to wait for issues to be brought up at RTOC
- The delay of addressing issues so the topic can go through RTOC has caused a delay in resolving issues quickly.
- lack of Climate Change education
- -agenda is all presentations, we used to spend days just talking about issues. I don't come to meetings. We're over-reliant on technologies like this instead of discussing issues.
- RTOC website has lots of information, but it could be more inviting!
- - R9 is SO big, it makes the meetings unwieldy....
- -unavoidable bureaucracy
- hard to find a general consensus on one issue. weakness is are we missing issue that may be important to a smaller tribe?
- -doesn't like talking about fluffy ideas.
- - not enough time to share tribal stories
- RTOC in the past has become more presentation then discussion this is being worked on
- Many issues on the table and have not followed through
- Some tribes or people in RTOC are too reticent. Can it be made more inviting?
- -issues in the present to us, transition, climate change, etc. Why aren't we talking about these things at every meeting? In the Caucus, we used to talk about things like that, strategize. We used to caucus a lot more, and frequently. People don't speak up.
- identify clearer process to raise issues to tribal caucus and rtoc
- -number of meetings
- No cultural connection because EPA programs do not recognize this issue
- Weakness - spreading self too thin
- lack of participation on the workgroups and no real outputs or accomplishments. such as the Charter.
- Lack of understanding the roll of the RTOC and the EPA - side track meeting focus
- Concerns are brought up without possible solutions.
- - all information is shared out in the halls...communication is not shared from point a to point b and back again....rather goes from point a to point z with no follow through
- Break out session is not long enough
- when there are a lot of issues on the table, the RTOC can lose focus and effectiveness. If we utilize the limited RTOC time on a few key priority issues of regional/national significance, our voice will be stronger.
- develop a process to capture all issues, including all the individual tribal issues
- -election process is lengthy, involves a lot of work
- - need to present appropriate trainings for new staff...
- Inherit weakness, EPA as an Agency and strongholds
- - EPA R9 needs to do more outreach to tribes about environmental issues.
- a weakness is that a tribe uses the RTOC to lay out an issue
- -we don't celebrate our successes, so people don't remember them.
- Weakness: There needs to be program training to new staff to understand compliance, reporting, etc.
- Are we too set in our process ways? Are we willing to revolve to something that's different than what we done in the past 15 years.
- develop a clear process to share individual tribal issues to tribal representatives and the tribal representatives to raise them appropriately to the tribal caucus and rtoc
- Some staff and Tribal Councils find the meetings dull, boring
- -we need to actually DO STUFF. We talk about strategic planning a lot, but don't do anything. Does planning matter? In the GO briefing, it says we should write our grant to focus on DC's priorities, align us with the major objectives of EPA. Why are we doing this? What is this supposed to be used for?
- -RTOC should make better use of processes that it has in place
- Having EPA the only Agency to support RTOC limits other agencies to participate and narrows the discussions from other other agencies.
- - did not know process for getting issues and concerns brought up at RTOC

- spending too much time on minor changes to the rtoc charter. some things need ot be done outside of the charter, e.g., sops,
- need to provide more legislative analysis

Our work together is sometimes limited by funding to travel and funding to support work in Indian Country.

- Restrictive on funding to get to RTOC
- direct funding to tribes to implement programs
- -EPA travel budget
- - Travel restrictions (funding and distances) make it hard for all tribes to participate.
- Have we leveraged other federal agencies as much as we could. it has it in the charter
- develop Tribal "Environmental Agreements" to focus direct federal funding
- EPA fails to inform the new people to RTOC of the availability of programs and what they encompass... what is available to us
- Need to have more media participation in RTOC. Funding limits this need.
- EPA's ability to travel will not allow for as much collaboration at RTOCs.
- We submit a grant based on our own strategic plan, but if it doesn't meet the objectives of EPA it's not worthy of EPA's funding. Why can't EPA just pay attention to what Tribes need over what EPA needs for itself?
- increased tribal capacity is matched with decreased resources. we as tribes are not able to meet the demands for reaching capacity with the decreasing resources available to us.

The Agency's continued funding of the RTOC as a priority makes a strong statement about commitment to the tribal dialogue.

- +established funding for RTOC
- EPA continues to give support funding for the RTOC

Unclear

- Different Tribes are affected by different issues
- Multi media - can be both
- Workgroup - organization, admin., coordination, structure, membership
- EPA R9 list
- Cultural traditions and practices are strongly held by Tribes in R9
- -/+ AIEO

2.2 Possible External Opportunities and Threats

Number of tables participating: 20 tables of 4-5

Centering Question: What are the possible external opportunities and threats we need to be aware of?

Focus on the immediate external environment, e.g., R9 tribal programs, EPA programs, other federal, state, local agencies etc.)

The amount of Federal funding, and limitations on the use of those funds, seems to be increasing.

- -Federal budget
- - Potential cuts to funding at all levels.
- -funding is always a threat for non collaboration
- - Inequality of funding between states and tribal programs
- -EPA reducing the number for RTOC
- threat - possibility of dramatic funding declines because of economy crashes
- Inconsistency in funding driven by political changes, minus
- - bad economy means less funding for resources needed keep up environmental programs
- + wirj with the Administrator to remove funding caps
- -Funding requirements
- -Funding constraints
- -the bean counters want to count things that don't necessarily measure positive progress in Indian Country. eg ISWMPs - having a plan doesn't indicate success and good operations.
- -Federal Budget Recessions, limited funds
- lack of funding and participation due to the funding.
- - Funding situation
- -political climate, senior leadership, congress & the house, the voting public - all of these things can have very real and drastic impact on funds available to Tribes across the board (not just EPA).
- - Global/national economic situation = limited/ decreasing funding
- threat - with limited funding and multiple agencies vying for same dollars, it reduces the funding available for everyone
- - Environmental management is so grant driven - competitive
- - IHS needs to work more effectively with all levels of tribal government and not just dictate
- threat: the economy / budget cuts
- + similar to Pacific Island Territories, provide more flexible funding to tribes (see omnibus territories act)
- - Hqs requiring unfunded mandates on their programs - demanding more for less
- threat - Tribal environmental programs don't always have the capacity to handle destructive environmental issues
- -With reduced funding in future years, we NEED to maintain the RTOC in Region 9. Very important
- - The uncertainty of funding could effect future ROTC meetings.
- state of global economy
- - Global economy - recession that won't end.
- -GAP funding
- federal budget
- Global economic volatility
- threat - environmental programs aren't sustainable

- lack of funding
- Decreased budgets across federal government
- World wide economic situations still unstable
- Increased indirect cost rates decrease available funds
- Recession or depression?
- Disparities between rich and poor - people in congress can't imagine what it's like in Indian Country because as a society we are so far removed from the reality in remote, rural communities - no wonder we have a hard time convincing congress to fund our programs, they have a hard time believing it's a reality that 30% of people on Navajo lack access to safe drinking water, or that so many of us lack reliable power, drinking water, wastewater services, roads, etc.
- Disinvestment on part of Federal programs in Tribal Trust responsibilities

There are emerging opportunities to leverage funds, help each other, and bring additional partners into the conversation.

- + peer matching opportunities should be used in more programs
- +/-RTOC can advocate to Tribes to do more with less
- Reaching out to other agencies for resources, i.e. NRCS (USDA), BIA, DOI.
- +leveraging funding from other agencies
- +additional resources, building stronger partnerships with agencies that don't have strong tribal programs
- +It's great when an RTOC meeting can be "one stop shopping" for access to opportunities for tribes
- .EPA works with other agencies for cooperative funding
- +Invite other federal agencies (partners) that have funding available to support tribal programs. (ie: DOE)
- + as we learn about other federal agencies, an opportunity for more funding
- RTOC and EPA can point Tribes to new opportunities for new resources
- +/- need to look for other sources of funding for programs
- + work with the Administrator to remove funding caps
- + or - : Look for more co-funding opportunities for tribes.
- -opportunity to find and leverage other funding sources for tribal programs
- rtoC can bring in other federal agencies for complementary work and funding
- +RTOC to invite other federal partners to participate to share additional information sharing (resources)
- Invite foundations to participate
- opportunity: interagency leveraging, agreements

There are some limitations, both in leadership positions and at the staff level, that may hinder our successes, for example staff turnover, political leadership changes, etc.

- -/+ AIEO - some staff are just climbers and looking for a way up and out.
- -/+ political leadership
- -Change of administration
- -Different administration with a new election cycle
- - House of Representatives is a big threat
- -the mindset of 'that's the way things have always been done'
- - Other EPA Regions and different interpretations of policies and continual questioning of Tribal Capacity.
- - EPA HQ staff does not view Tribal governments as co-regulators
- -Turnover with a lack of training opportunities
- -Sometime political boundaries cause for unsuccessful partnerships between surrounding communities and tribes
- - HQ continues to try and take the blanket approach for policies concerning Tribes across the nation.
- threat: a new, conservative administration next year
- -Tribes that complain when EPA is not around, but won't stand up when the opportunity arises.
- - Tribes are provided very limited access (time wise) to the EPA Administrator /EPA R9 RA to present and discuss key issues/concerns
- -Some environmental staff does not check with their councils on what they want.
- -EPA Project Officer changes
- Change in Tribal departments/programs and lack of understanding of the structure
- -difficulty recruiting and retaining staff without significant funding, not partial funding.

We have a wealth of opportunities in our existing representatives, tribal staff, communities and leaders that we can leverage to great effect.

- +Chukchansi RTOC was good because it brought in other agencies for networking
- -opportunities to build coalitions and networks including other federal agencies
- + Environmental issues come down to education. We could all recommit to educating whoever we are in contact with.
- + being able to speak in a unified voice on issues or policy.
- +NTOC as advisors to AIEO (provided they are actually taking the advice of the NTOC).
- opportunity: R9 reps on the NTC, NTWC
- +opportunity to engage the millennial generation. It can be hard to engage them, they're independent, not competitive, how do you engage them and use their talents to benefit? Is that millennial mindset of 'everyone a winner' affecting EPA? We're giving everyone something, such that everyone gets pennies. Give the best the most!
- +Perseverance pays off

There are great opportunities for leveraging non-cash resources that we could explore!

- + tribal and non tribal organizations for partnership
- + better communication/integration between Tribes and other Tribal organizations that might have a more media-specific focus = stronger collective voice
- + maximize leveraging of NTOC
- + more opportunities to expand to other watershed partners to meet environmental goals
- Cities can help on environmental issues , plus
- opportunity - there are more ways to collaborate with other agencies and with the states for funding and environmental protection
- +partnering with state and local agencies

- + Possible co-managing parks between states and tribes.
- Opportunities to work with multiple agencies and tribes
- Other federal agencies may be able to assist on environmental issues, plus
- +supporting tribal circuit riders for all media throughout our programs, reach out to other organizations, schools, learning establishments, and brought to the RTOC meetings to establish that connection for our programs.
- + States are starting to look for help/funding from tribes
- + Coordination with other agencies to be more efficient in pooling resources
- +opportunity to educate politicals, ensure they understand the value of our work.
- + Watershed partners (stronger relationships) help in advocacy of tribal issues and environmental concerns
- +RTOC can be an intermediary for other Agencies that may not be as "Tribe savvy" as EPA
- + Use tribes' traditional ecological knowledge to promote stewardship of the land and appropriate decision-making. Partnership with state and federal parks. Tribes have the knowledge base from their heritage.
- opportunity: better relationships with states and access to state funding
- -/+Video conferencing
- + convene and build an effective federal agencies work group to work with tribes in r9
- Social media
- RTOC should establish a social network for sharing of ideas

There are environmental threats, like climate change, natural disaster, population shift, and similar that concern us.

- - Energy development - drill baby drill!
- - Mining - impacting all resources with no regard of long term impacts
- +/- Climate Change
- -natural disasters (i.e. drought, fire)
- man-made disasters (i.e. Fukushima)
- Climate change threats (i.e. West Nile virus, rising sea levels land use)
- - Shift in public view on protection of natural resources - regulations
- - Global climate change
- -climate change
- - climate change is a threat
- long term sustainability of fresh water
- impacts of climate change
- -Climate Change will affect
- Climate Change, education is important
- overpopulation leads to overuse of resources
- Climate change/Major catastrophes that will impact funding and priorities
- - Food resources dwindling, as well as clean water....
- tsunami debris heading our way and ongoing concern on radioactive long term impacts
- Divisive issues for tribes. Energy Development
- desertification in az
- rising water levels, floods
- Global Warming-Climate Change: Fracking, Erosion, Fires, drought=more reactionary funding rather than capacity and programs
- tsunami
- Need to take environmental trends seriously and act on them
- +/- The next generation is both aware of environmental issues, and part of the consumer culture.
- - water shortages a threat, maybe more than global warming

There are social and political changes that may affect our ability to be successful, including local and national politics, legal questions, the economy, etc.

- Immediate threats are the political changes because they coincide with funding
- - Uncertainty of upcoming presidential election and its outcome for tribes.
- -legislation can effect our effectiveness with other agencies
- - Sup. Court negative to tribal rights
- - the Republican platform
- 2012 Election
- -gas prices
- National politics - could be negative changes no matter who wins
- Impact of 2012 Elections on Environmental Laws - pressure to leasen environmental laws/authorities
- - lack of listening and dialog by so many Americans
- wars, global political climate
- continuity of programs due to political leadership
- - Inaccurate public perception of all tribes having casinos and being rich, and therefore undeserving of government funding or assistance.
- terrorism attacks
- Tribal court cases that affect tribal sovereignty
- military global conflicts impacts domestic program funding
- increasing world population, finite global resources
- increasing international influence on US policies
- increase tribal population
- - Multi international corps - setting up shop in areas with no environmental regulations
- - Change in administration

There are emerging technologies that may help us work better, smarter, and faster.

- technological advances
- + Possible new technologies to help clean the environment.

- +Internet access, information sharing
- +Video Conferencing allowing additional tribal partnerships
- Technology is pushed, but not everyone is trained to use it...need to provide training...Communication would be able to be facilitated more efficiently...better networking between tribes
- -Limited access due to lack of internet access
- Technology has brought more opportunities with epa and possible environmental consequences without regulations
- Limited technology.

Here are some other positive ideas that didn't fit into a category above!

- +We've worked hard to get other RTOCs as active as us - that's an opportunity we should continue to try to promote. Smaller Regions don't express such passionate opinions as Regions 8, 9, 10. We need to help them get more involved in issues. Climate change is one such opportunity, funding issues are another.
- +/- technology because it can isolate and bring people together
- Overall increase in awareness in tribal and general population that can help support of environmental program and budget support; plus
- + identify and provide additional training opportunities
- Native American Water Master Association for tribal water operators is a great opportunity
- + All resources for environmental work are challenged.

Here are some other concerns that didn't fit into a category above

- - HQ doesn't truly understand the trust responsibility.
- - lack of commitment by EPA / TRIBES to the RTOC as a functioning body.
- -Office of Inspector General is continuing to threaten our programs(i.e. Capacity Guidebook, IWMP Changes) without taking the time to consult, coordinate, with the people that these changes will affect.
- -GAP guidebook
- -lack of consultation

These responses were unclear.

- +Invit
- -TREAT: could limit the focus of the continued collaboration between EPA and Tribes.
- - Mid night riders - OK - water
- + Op leadership on the NTOC
- the definition of consultation.
- RTOC should establish it
- Split - R vs D = division

3 Our Current Environment and Future Work

3.1 RTOC - Our work on Policy Issues (Brainstorm)

Number of tables participating: 18 tables of 4-5.

Centering Question: What Policy issues does it make sense for RTOC to focus on in the next 12-18 months? Review the list of RTOC policy work. Identify if there are key policy issues that are missing from this list. Think about what have you discussed in Rounds 1 and 2 that might affect the RTOC's work

The RTOC should focus on Solid Waste issues and funding.

- Minimize and Manage Solid Waste - need to work on sustainable resources.
- have a policy that gives tribes access to RCRA
- Need a sustainable program for Solid Waste.
- Need an ability to deal with individuals with solid waste issues and not just open dump situations.
- Not enough funding for Solid Waste, that is an area that should be focused on by RTOC to focus on efforts like recycling etc. and other forms of implementation
- Focus Area #8 - Sustainable Infrastructure for Tribes ... especially solid waste issues

The RTOC should focus on drinking water, groundwater, infrastructure, and watershed health.

- Groundwater protection, there no laws that protect our groundwater for those tribes that rely on that.
- Water and Solid Waste seem to be the most important issues for tribes, environmentally.
- Water issues - drinking water quality, quantity, infrastructure is old.
- Have drinking water, but having qualified technicians to manage the system. O&M for drinking water and wastewater!!
- FAE requirements to even get a water grant. I already am in the grant process, why do I have to prove again that I'm capable of taking on another grant.
- Water: ensure continuous and accessible water quality training
- Establish targeted funding for mature tribal water programs...treatment in same manner as states and territories
- Permanently lift the statutory cap on tribal 319 funding
- Policy for intertransfer of DWTS/CWISA infrastructure funding
- Surface and groundwater need to be linked so that Tribes can get support from EPA regarding water extraction from outside entities which degrades the environment
- Support infrastructure because its a national issue - how do tribes fit into the national issue - how to access the "infrastructure bank?" as an example.
- Targeted funding for CWA programs for Hualapai ... and other Tribes...

The RTOC should focus on preparing for a potential political transition.

- Reaffirming Tribal perspectives in advance of possible post-election transition
- start transitioning planning in the event that there is a change in administration
- r9 rtoC needs to be a part of the transition team regardless of the election results

- focus area #1 appears to be the main point that affects all of us in RTOC . we need to address how we will continue to operate under changes brought upon by different administrations
- The EPA has something to share about how to work effectively (or try to) with Tribes.
- how can the rtoc support EPA in the national stage
- After next November election, R9 staff should be present to ensure change is effective for the region and the tribes.

The RTOC should focus on cross-media areas of broad potential impact, such as capacity building, traditional ecological knowledge, increased funding flexibility, etc.

- connect environmental health to public health
- needs to be more funding for infrastructure and capacity building
- Tribal EPA Agreements should become part of the policy focus and needs to be funded. The tribes priorities (water, pesticides, etc) should be met.
- Greater flexibility of the possibility of consolidating funding application process of EPA programs, for GAP, Water, Air.
- Distinct lack of information about how pollution affects health - Cross Media Issues (Focus Area 9)
- Have a tribal set-aside for all EPA programs
- with the failure of congress to fund multimedia implementation, have rtock work on alternative methods to allow for implementation funding
- TEK = cultural tie in to environmental protection
- Allowing more flexibility in EPA tribal programs to meet individual tribal goals and objectives
- Climate Change
- Cross Media (Focus #9) could be refocused to Human Health and Environment
- Pesticides: Use time to influence national policy
- Most tribes do not have pesticides management programs - more advocacy around cross media issues like pesticides. More funding available to focus on actual environmental threat
- Cross media: Have a conversation about how to include cultural concerns in work, if it can happen
- The Tribe's relationship to the environment is one of cultural and needs to be a component in the introduction to the policy
- Border: achieve greater flexibility with allowing individual tribes to address their border environmental issues.
- GAP needs to have more flexibility in the use of funds - IMPLEMENTATION and use of funds to leverage
- Recognition of cultural preservation tied into environmental work. How can we help EPA recognize these actions are PART of the Mission, not distracting from the mission?
- Flexibility between medias - tribal needs focus on
- Continue to work on sustainability for tribal medias.
- Cultural needs to be integrated into all of our issues, basically the core of Tribal takes on environmental issues

The RTOC should focus on air quality issues.

- Focus are #5 Enhance air quality - add "build Tribal capacity for technical (monitoring, emissions inventory, AQS) and programmatic air work.
- For Air (Focus Area #5) the most important issues are developing tribal capacity to understand air issues, EPA to provide technical support (monitoring, emissions inventory, etc.) and information about issues.

The RTOC could find ways to help tribes move forward, such as streamlining grant processes, ensuring funding availability, and addressing policy flaws.

- tribes should be assured that we are always protected.
- Policies to try to change the indirect rate
- Use a federal funds to use as match for other federal grants
- Administrative burdens - that can be changed fast track by Nov 2012
- Expanding resources to assist tribes in eliminating cultivation of illegal crops
- Allow EPA/other federal agencies to utilize 638 granting process for tribes
- Focus on how the strategic plan will be implemented instead of just being a stationary document.
- More capability in terms of enforcement of tribal laws and ordinances against other federal entities
- Administrative burden - I'm a one woman operation and all these hoops are holding me back. If the requirements are unavoidable, how is EPA making it as easy as possible to comply?
- recognition that guidance is guidance and the law is the law
- Give Regions the ability to make funding decisions, not HQs...
- Are RTOC policies connected to EPA policies and all the way to the top.
- we need targeted funding
- in all programs that have the ability to have TAS, to really honour that commitment and allow Tribes to have the power to prosecute to the fullest extent of the law
- go to annual reports and away from qtrly reports
- Focus on fewer items and do a good job
- let's discuss how EPA can give the tribes the funds and just trust them
- meaningful consultation
- How can EPA support/fund data management (including regional solutions) to support environmental programs
- Focus area #6 is also an important area to address, it covers many different media that will help the various needs of different tribes
- Additional enforcement on solid waste, air quality, issues within tribal lands
- The policies are focused on epa's statutes rather than the maintenance of funding for tribal environmental priorities. We reinvent our programs when EPA's priorities change.
- Focus Area #1 - add "formulate a policy for EPA to provide compliance/enforcement support and training to build tribal capacity"
- More flexible of use of EPA funding to address a Tribe's priority program issue(s)

The RTOC could focus on ways to bring other Agencies into the conversation.

- develop more MOA/MOUs between tribes, EPA and other federal agencies to accomplish environmental goals
- One-stop-shopping for \$ within the Federal Agencies. More streamlining with other Federal agencies
- Bring other govt agencies to meetings for better networking and development of partnership
- Legislative analysis on topics coming out - based on priority issues - collaborate with other entities.
- How to bridge the gap between agencies (IHS, EPA), and bring in NRCS, BLM, etc.
- Identify and prioritize leveraging opportunities with other federal agencies.

- Better collaboration with other agencies.

These items didn't seem to fit a category above:

- Advocacy is too broad a term for the focus areas. We need a more specific term for each policy issue.
- There should be a training for EPA before they work with Tribes. There maybe should be a training for Tribes on how to work with Federal agencies.
- OIG audit of GAP - Tribes didn't find out until it was too late. Those findings may affect the future of the program, and a lot of that was about how Tribes report on accomplishments under the grant. How could the Agency have informed Tribes early about the audit?
- Federal explanation of their authorities versus their Trust responsibilities
- go back to tribal issue discussions as opposed to just discussions (bottom up discussions)
- An issue with this session is that we feel like this is almost a vote on the issue focus not the individual tribes needs as a whole