



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

MEMORANDUM

SUBJECT: Notes from the U.S. EPA Region 9 – Regional Tribal Operations Committee Meeting; Sustainability and the U.S. EPA
TO: Beth Termini, Office of Policy
FROM: Nancy Sockabasin, U.S. EPA Region 9 Tribal Solid Waste Team
DATE: February 13, 2012

1. Background

This Listening Session was held in Chandler, Arizona at the February 8, 2012 meeting of the U.S. EPA Region 9 Regional Tribal Operations Committee (RTOC). The RTOC, which is the regional counterpart to the National Tribal Operations Committee (NTOC), is a forum for EPA and tribes to collaborate and coordinate toward strengthening environmental protection in Indian country. The RTOC does not replace direct Tribal-to-EPA relationships, and recognizes and respects the existing tribal jurisdiction and the cultural, political, and social continuity of tribes. The goals of the RTOC are to enhance government-to-government relationships between EPA and all tribes while promoting and strengthening the inherent ability and continuing efforts of tribes to manage programs to provide environmental and public health protection.

2. Key Messages

- Federal solutions do not always fit the tribal needs. Agencies need to think more broadly, determine long-term tribal needs, and create programs to address those.
- EPA and Federal Agencies need to revisit/revise the way that tribes are funded through Federal programs. Allocations, funding levels, and mechanisms for funding need to be reevaluated and revised.
- Tribes have a great deal of knowledge when it comes to developing sustainable programs. EPA and other Federal Agencies need to listen to tribes, particularly when it comes to addressing sustainability in Indian country.
- EPA should develop case/success stories regarding sustainability, that direction apply to tribal communities.

3. Attendees and Notes

Name	Tribe/Organization/Program	Email
Nancy Sockabasin	US EPA R9	sockabasin.nancy@epa.gov
Don Bay	Hualapai	donbay@citlink.net
Matthew Hays	Lone Pine Paiute-Shoshone	water@lppsr.org
Linda Reeves	EPA R9	reeves.linda@epa.gov
John Mosley	Pyramid Lake	jmosley@plpt.nsn.us

Nathan Lau	US EPA R9	lau.nate@epa.gov
Ethel Garcia	Tohono O'odham	ethel.garcia@tonation-nsn.gov
David Lewis	Yavapai-Apache Nation	dlewis@yan-tribe.org
Richard Campbell	Coyote Valley Band of Pomo Indians	epaone@CoyoteValleyTribe.com
John R Feliz Sr.	Coyote Valley Band of Pomo Indians	JohnFelizSr@yahoo.com
Dan Rodriguez	Coyote Valley Band of Pomo Indians	epa1@coyotevalleytribe.com
Willard Chin	US EPA	chin.willard@epa.gov
Julie Hagen	Viejas	Jhagen@viejas-nsn.gov
Rhonda Pope	Buena Vista Tribe	Rhonda@buenavistatribe.com
Christina McDonald	North Fork Rancheria of Mono Indians of California	cmcdonald@northforkrancheria-nsn.gov
Denise Tayler	SRPMIC	anndenise.taylor@srpmic-nsn.gov
Robert Goodwin	Karuk Tribe	rgoodwin@karuk.us
Bev Harry	PLPT	bjharry@plpt.nsn.us
Ed Wait	Elk Valley Rancheria	ewait@elk-valley.com
Nina Hapner	Kashia Band of Pomo	nina@stewartpoint.org
Marie Barry	Washoe Tribe of NV&CA	marie.barry@washoetribe.us
Via Video Conference:		
Jill Sherman-Warne	NAEPC	jill@naepc.com
Destinee Cooper	US EPA R9	cooper.destinee@epa.gov

Bicky Corman, Office of Policy, gave a presentation on the NAS Report, the findings, and the recommendations. After the presentation, a few questions were asked about the project in general, which Bicky responded to.

Does sustainability focus more on regulatory functions of EPA and other programs?

This is a question that will be answered in this process. How robustly do we incorporate into all EPA actions? As examples, EPA has worked on green products, green chemistry and energy star. The agency is still looking at ways to have a more comprehensive approach including asking the question should we consider regulations. The CAFÉ (Corporate Average Fleet Emissions) standard was cited as an example of having an approach that does not punish the industry.

Where are you in your schedule of listening sessions?

Approximately 100 encounters are planned. There are 30-40 planned sessions to get feedback and they will be scheduled throughout the US. Including this one, about 12 or 13 have taken place. There has been a lot of input on how EPA can be a better partner and the suggestion that EPA integrate health (physical, emotional, and economic) in a better way.

Which agencies are most beneficial in supporting sustainability?

- EPA has a partnership with DOT and HUD where we are leveraging resources and helping communities plan better.

- The US Department of Agriculture has a nutrient trading program to prevent non-point source run-off. The agency works with framers to limit nutrient release in water bodies. Nutrients are extracted to be used for fertilizers.
- NASA has been working on emission standards.
- The General Service Administration, the major government purchasers and property manager, has been very good about buying green and putting agencies in green and energy efficient buildings. The GSA efforts were compared to Walmart's efforts to green their supply chain.
- Department of Defense is also working towards zero emissions in some of its programs and activities.

We then asked participants to discuss three questions. Below are the notes from those discussions.

What should EPA do to promote sustainability within our work or with our partners?

- Provide guidance and case studies/examples of sustainable practices applied in regulation
- Trust tribes
- Create/establish sustainability workgroups between Federal Agencies and the State/Local level (BIA, USDA, HUD, IHS, EPA, Tribe, State, County, City)
- Traditional Ecological Knowledge of tribes has/contains sustainable practices.
- Tribes need tax credits for renewable – tribes tax exempt, so they don't qualify. Oil and gas gets billions \$ in subsidies, why can't tribes get subsidies? Can tribe become corporation to become eligible? What about grant program for tribes?
- EPA sustainability has been icing on the cake (lipstick on pig), need to look more systematically – maybe bran muffin instead of cake
- Tribes want to develop compact agreements with all federal agencies to replace year to year funding that limits sustainable capacity at tribes – well outlined on NCAI website (National Congress of American Indians)
- States get formula allocations, individual tribes do not. Tribes put outside box on so many funding streams.
- Need one-stop-shop for tribal funding programs
- Need federal legislation to get compact agreements
- Tribal online resource matrix ala WEB MD, need tribal resource search engine
- Examples: Omnibus Territories Act – permits pooling of \$ from EPA
- CARE and Climate Showcase – community level, have worked well but defining sustainability
- Best management practices – make them apply
- Continued relationships/positive relationships
- Historically, Federal Regional Council (EPA, HHS, DOI, HUD)

What experiences or examples do you have to share that might be helpful?

- ICDBG (HUD) grant for elder efficiency home w/solar energy (North Fork Rancheria)

- DOE grant for solar retrofit for community building (Rosalind Lwenya at Buena Vista wrote proposal)
- Communication between different agencies important – develop contact list from all agencies
- Collaboration between different depts. Within and between tribes (eg. housing and environmental)
- Gila River – CARE grant to reduce toxics in community, ID solid waste which led to another grant (climate change showcase grant) which led to pilot recycling program (reduce GHG emissions was overall focus)
- Economic Development Administration – public works (climate change)
- USDA – solid waste component
- Elk Valley Tribe – DOE grant to do assessment of facilities. Also \$ for upgrade facility for energy efficiency
- Hualapai used a EPA grant from the Waste Management Division (reuse or sustainability grant) to use waste tires/cans to build Earthship
- Hualapai – USDA grant – goal to reduce/control invasive species by another invasive species. Unintended impacts on two invasive species (tamerex and leaf beetles)
- GAP = Get All Programs. “maximize flexibility to address sustainability issue through allowing implementation”
- Kashia – ICDBG – PV installation of water utility and backup propane generation
- Yavapai – ICDBG – 30 kw solar cover at parking lot, 10kw solar cover at parking lot
- Nevada State Energy Rebate: Washoe Tribe – Solar generation installed in Tribal govt. building. HeadStart building installed solar and wind (turbine). Health clinic has solar.
- Washoe, with EPA funding, alternative livestock watering sources/solar.
- Tribal funded stormwater runoff basin off of casino parking lot. Mixes with treated effluent for golf course irrigation
- Arsenic removal for ground water (IHS funded) – Yavapai Apache
- Wastewater treatment facility built (IHS)
- Washoe Tribe – Energy audit on tribal buildings (DOE)
- HUD for residential - weatherization

What tools or resources do you need to implement sustainability in your organization?

- Partner w/IHS (and counties) to train engineers so tribal water (and solid waste) systems have sustainable designs to save \$ on chem., energy, reduce water consumption
- Tribes can explain problems, but federal solutions don't always fit tribe's needs long term, including all tribes needs (casino)
- Tribes need technology to help address needs
- Federal solutions meet some of the tribes needs but don't solve all problems
- Tribes need way to get fed/state tax credits for solar power. Since tribes are tax exempt – would help tribe pay solar costs
- IHS doesn't understand how tribe works – tribes now need to map water lines because IHS did not provide. IHS didn't hand off drawings, so tribe can't bring water system to next level.

- Tribes given high tech water system, but don't have resources to operate and maintain and consider entire life cycle (removal of portion of system)
- Can fed govt together help design, build, maintain sustainable systems (eg drinking water)?
- Need funding for tribal programs and systems
- CA has CFCC where tribes ID issues, and CFCC works together to develop funding.
- Best management practices/success stories appropriate to Indian country (eg. small systems, individual homes)
- Technical/legal consultation re: any env issues (eg air attainment/non-attainment)
- Training tools on-line – webinar - recorded, rated (4stars?) and streaming webinars, Netflix public service
- Bes Majoya = Bring Money!
- Infrastructure assistance
- Well drillers, tanks & pipe