

New Issues for October 2011
REGIONAL TRIBAL OPERATIONS COMMITTEE
Pala, CA.

Revised 2/6/12

	REQUESTED BY (DATE)	TASK	Follow up assigned to (Tribe/EPA)	WHEN (update or completion)	STATUS
General					
1	Northern Cal.	Request for RTOC form letter or recommendations for commenting on GAP guidance to help Tribes prepare responses	Corn	11/7/11	Will send out form letter or template to tribes.
2		How does EPA R 9 intend to proceed (how will they implement and how will it impact tribal programs?) in light of OIG GAP report (2008) and the recs that come out of the proposed Guidance?	Nate	10/28/11	Based on the schedule that comments are due on January 31, 2012, we anticipate any revised guidance will be reflected in the GAP announcement in Fall 2012 for grant awards to be made in FY 2013.
3		Update on FY 12 budget situation and potential impacts on FY 12 R 9 Tribal Programs (if we have our signed grant agreements in place, is our funding for FY12 secure?)			<p>a) Update on FY 12 budget situation and potential impacts on FY 12 R 9 Tribal Programs Response: EPA's FY 2012 budget of \$8.4 billion was approved on December 2011.</p> <p>b) If we have our signed grant agreements in place, is our funding for FY12 secure? Response: Any funding that has been obligated in a signed award is secure. However, please be aware that Congress has been reviewing the rate of expenditure in grant awards, and looking critically at unobligated balances. Tribes are strongly encouraged to drawdown their funds as soon as they have been incurred by the tribe.</p>

4		Update on the Indirect Cost Rate policy change – did this happen (ie: was it published in the Fed Reg as a final rule?)	Gwen Brown	11/7/11	This policy still remains in draft form. Office of Grants and Debarment (OGD) will be reviewing this Interim Policy sometime in FY-13, consulting with Tribes in accordance with the EPA Policy on Consultation and Coordination with Indian Tribes, dated May 4, 2011.
5	Central CA. Samuel Elizondo	What region were the Tribes in from USEPA's 2007 Audits? Results made public? Provide additional 16 audits (sample etc)	Gilbert Pam	11/7/11	After clarification from the RTOC "requestor", it was determined that this items was concerning the IG Report on the General Assistance Program titled: Framework for Developing Tribal Capacity Needed in the Indian General Assistance Program; Report No. 08-P-0083, dated February 19, 2008. This report is a public document and can be found on the EPA web site at: http://www.epa.gov/oig/reports/2008/20080219-08-P-0083.pdf The report states that field work was conducted in Regions 5, 6, 9 and 10 (See Appendix B of the Report). EPA needs clarification on the request to "Provide additional 16 audits (sample etc) in order to provide a response.
6		Update on the Tribal Program Managers position	Enrique		Due to budget issues, EPA cannot hire externally. EPA will fill the position within the Region and interviews have started.
7		Ask Region 9 EPA Staff for follow up on the tribal request for a Region 9 Certification and Training Plan.	Corn		A letter was sent to Corn and he will send that out.
8		Will USEPA ever have the National Environmental Conference on Environmental Management again? Last one held in summer 2008 in Montana.			At this time there are no plans to host another NECEM conference.
9		What Consortiums are currently funded by	Gilbert		Inter-Tribal Council of Arizona, Inter-

		GAP?			Tribal Council of Nevada, Owens Valley Indian Water Commission, Native American Environmental Protection Coalition and the Snake River Consortium (Duck Valley and Fort McDermitt are the R9 tribes that form half the consortium; the other two tribes are in R10)
10	Marie Barry/Marta	Is there language in the statute that says it has to be reauthorized?	Marie / Marta		
11	Marie Barry/NTOC Reps.	What happens once R9 gets the tribal strategic plan completed? Will it be shared across the regions?	Marie Barry / NTOC Reps.		
12	Tribal Caucus	Can this process be done under self governance? (asset protection) GAP Attachment E Guidelines.	Nate Gilbert		The question is whether a "638" process similar to that used for certain BIA and IHS programs can be used to transfer agency authority and support funding from EPA to tribal governments. Congress has not applied the 638 statute to EPA (it currently applies only to the Departments of the Interior and Health/Human Services). There is a similar mechanism available for certain EPA program authorities, which is the Direct Implementation Tribal Cooperative Agreement process; however DITCAs can only be used to transfer certain EPA statutory authorities, which do not include ongoing asset protection/operation & maintenance activities.
13	Tribal Caucus	Provide comments to HQ on OCSPP a. send electronic copy of comment letter to Corn. b. sent it on to RTOC.	Corn	10/25/11	
14	Jill Sherman-Warne	Does EPA have a formalized policy to respond to training requests from tribes/groups. How does a tribe or group of tribes request training from EPA that is	Gilbert Pasqua Kristin Gullet		For this specific request, EPA provided staff to conduct the tribal stream team training. Due to limited travel dollars, EPA may not be able to fund such a

		<p>provided by an EPA staff member? The Tribal Stream Team is requesting training from Robert Hall. There are six tribes already signed up and ready to go for training he will provide with at least another six that would be interested.</p> <p>Do tribes or casino tribes have to pay for hotel stay and also provide the car rental in order for EPA staff to provide training?</p>			<p>request in the future. EPA will continue to work with tribes to develop training for the various programs. Information of available training will be sent out electronically to environmental directors as part of the monthly tribal newsletter .</p>
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