

ACTION ITEMS (Full RTOC Meeting)
 REGIONAL TRIBAL OPERATIONS COMMITTEE – EPA Region 9
 Wednesday, July 29, 2009
 San Francisco, CA

Revised: October 6, 2009

| ACTION ITEMS | | | | | |
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| # | REQUESTED BY | TASK | WHO | WHEN | STATUS |
| 1 | Navajo Nation | Request for RTOC's continued support to increase CWA 106 primacy funding. | Loretta Vanegas/Tiffany Eastman | 10/2/09 | Danielle Angeles and Wendell Smith have presented supporting information in past RTOC's on EPA's continued support towards increased CWA 106 funding. |
| 2 | Navajo Nation | Request for baseline funding for wetland programs. | David Smith | 10/2/09 | EPA strongly supports wetlands baseline funding for Tribes, but each fiscal year Congress appropriates only project funding and not baseline funding. |
| 3 | Navajo Nation | Meeting with CDC revealed that between 2000-2008, 30% of water that was hauled by residents had contaminants. Requesting additional funding to assist with more water sampling in those areas. | Scott Stollman | 10/2/09 | Ongoing- CDC is doing more sampling of more wells in October. EPA helped CDC target the wells. |
| 4 | Navajo Nation | Requesting more funding to complete classified inventory of contaminated wells. | Scott Stollman | 10/2/09 | Ongoing- EAP has worked with CDC to sample more wells this calendar year. EPA has also allocated money to support outreach related to any wells that are then found to have elevated levels of uranium. |
| 5 | Navajo Nation | Requesting EPA staff assistance with the uranium action plan. | Scott Stollman | On going | On going with the Navajo Nation Uranium Mining workgroup |
| 6 | Navajo Nation | Requesting assistance from Region 9 to help resolve Indirect Cost issues. Tribe is losing money. | Kristin Gullatt, EPA | 8/7/09 | Complete - A conference call will be scheduled between NN, Alba Espitia, and Carolyn Truong. |
| 7 | Central CA Tribes | <p>A. State parks and beaches are closing due to state budget issues. Tribes are requesting assistance from EPA to obtain a list of which areas will be closing, and if special permits can be obtained by tribes who use these areas for cultural purposes.</p> <p>B. Tribes have approached the Fish & Game offering to purchase closed parks and have been</p> | <p>Jean Gamache, EPA</p> <p>Tribal Caucus</p> | 8/7/09 | <p>On going – The Tribal Caucus will provide a list of specific State Parks for EPA follow up action.</p> <p>Irena Iquitquit will draft language and send to the Tribal Co-chair. The Tribal Co-chair will forward to RTOC reps and tribes for comment. Note that California</p> |

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| | | denied by the State. Requesting a support letter from RTOC. | Dan Mosley | | is no longer closing parks. |
| 8 | Central CA Tribes | Requesting EPA to provide clarification as to why certain activities/tasks once funded under GAP are no longer funded. (For example, a tribe had an ongoing youth oriented environmental education gardening project that was once funded under GAP. They were then told it could no longer be funded). | Jean Gamache & Hillary Hecht, EPA | 8/31/09 | Complete- EPA will schedule a “Grant Management Issue” conference call on Aug. 20 th from 11am to 12pm PDT to discuss this issue. Enrique Manzanilla will be participating. |
| 9 | Central CA Tribes | Tribes have not been kept informed, or invited to planning meetings regarding the CA Statewide Integrated Regional Water Management Plan, can EPA help get tribes involved in the planning process? | Kristin Gullatt, EPA Sarah Ryan, Big Valley | 8/14/09 | The Dept. of Water Resources and EPA have been working with Barbara Kroff regarding the CA plan, and have been waiting for tribal input. A conference call will be scheduled. Sarah Ryan will gather a list of those tribes wishing to participate. |
| 10 | Central CA Tribes | There is inadequate GAP funding for projects. Request for additional funding. | Jean Gamache | On going | Ongoing effort to increase GAP funding (increasing the GAP formula) by EPA, RTOC, NTOC, and Tribes. |
| 11 | Central CA Tribes | GAP Project Officers advocated for tribes in the past, but it is believed this process has stopped. Tribes need PO’s who are actually involved with and are aware of tribal needs. Can EPA provide clarification about why project officers do not advocate any longer? | Jean Gamache & Hillary Hecht, EPA | 8/31/09 | Complete- EPA will schedule a “Grant Management Issue” conference call on Aug. 20 th from 11am to 12pm PDT to discuss this issue. Enrique Manzanilla will be participating. |
| 12 | Central CA Tribes | Can the EPA provide a detailed description of the GAP award process? | Jean Gamache & Hillary Hecht, EPA | 8/31/09 | Complete- EPA will schedule a “Grant Management Issue” conference call Aug. 20 th from 11am to 12pm PDT to discuss this issue. Enrique Manzanilla will be participating. |
| 13 | | | | | <i>Item removed during Tribal Caucus Report. See meeting minutes.</i> |
| 14 | | | | | <i>Item removed during Tribal Caucus Report. See meeting minutes.</i> |
| 15 | Central CA Tribes | Need to address the serious need for lead outreach funding. There is a mandate to end childhood lead poisoning by 2010, but there is no funding for outreach or baseline assessments. A. Can the EPA convene an inter-agency taskforce | Adrienne Priselac, EPA | 8/31/09 | EPA will schedule a conference call regarding the funding and intra-agency issue. EPA will review the document and schedule a conference call later in August to discuss. Adrienne Priselac will be the contact. |

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| | | to meet the national mandate consisting of EPA, HUD, IHS, CDC and tribes to identify solutions? B. Requesting EPA to develop a Lead Circuit Rider Program so tribes can host and train circuit riders to evaluate homes for lead hazards? | | | Complete – Call occurred on September 8, 2009. |
| 16 | Central CA Tribes | Clearlake is having some serious algal blooms that produce toxins. E. Coli. Request for EPA assistance to review data and schedule a meeting or conference call with State Regional Water Quality Board and tribal staff to determine whether or not CWA is being followed. | Corine Li, Loretta Vanegas, EPA | | A conference call will be scheduled with Big Valley and Janet Mitchell (Regional Board Liaison) to find out more about the algal bloom and to find out if the state is enforcing the CWA. |
| 17 | No CA Tribes | Request for EPA to identify who is responsible for micromanaging the project officers? Some tribes have been told their project officer no longer have authority. Do issues go to another level? Is there a group or board? Tribes need to be kept informed. | Jean Gamache & Hillary Hecht, EPA | 8/31/09 | Complete- EPA will schedule a “Grant Management Issue” conference call on Aug. 20 th from 11am to 12pm PDT to discuss this issue. Enrique Manzanilla will be participating. |
| 18 | No CA Tribes | Requesting EPA to provide tribes with new rules and guidelines so grant writing can be planned. Are there new regulations? What are they doing to build? Are they turning monies back that we are not using? | Jean Gamache & Hillary Hecht, EPA | 8/31/2009 | Complete- EPA will schedule a “Grant Management Issue” conference call on Aug. 20 th from 11am to 12pm PDT to discuss this issue. Enrique Manzanilla will be participating. |
| 19 | So CA Tribes | How can tribes address air quality issues when there is no funding? | Stephanie Valentine, Maeve Foley, EPA | 10/2/09 | Complete-Ongoing effort to increase Air funding by EPA, RTOC, NTOC, and Tribes. |
| 20 | So CA Tribes | Tribes want to know what exactly is required for submitting data into the fields/columns of WQX. | Vijay Limaye & Kristin Gullatt, EPA | 10/2/09 | This has been an on-going issue with WQX, and there is a new document that details what is required. There will be a breakout session to discuss issues, and if tribes have further questions, they can contact the water team directly. |
| 21 | So CA Tribes | Tribes are attending WQX workshops but are still confused. Requesting that EPA do site visits to each reservation to conduct WQX training. | Kristin Gullatt & Audrey Johnson, EPA | On-going | The Water Dept. is in full support of offering workshops for tribes. Kristin will commit to contacting HQ to find out if they can access contract dollars to hold the trainings and report back. Syndi Smallwood will email tribal contact information to Audrey Johnson. |

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| 22 | So CA Tribes | Requesting an update regarding the Strategic Plan. Does it include Climate Change? Can tribes comment on draft? | Eugenia McNaughton, EPA | 10/2/09 | Climate change is included in the Strategic Plan. A draft went out for public comment in Nov. 2008. Comments received will be added to the full text draft, and the draft will be opened again for comment. |
| 23 | So CA Tribes | Requesting updates from all workgroups and from workgroups that have not recently met. | All Tribal and EPA Workgroup Leads | | See workgroup report. |
| 24 | So CA Tribes | Are Quality Management Plans still required from Headquarters for QAs? | Jean Gamache & Hillary Hecht, EPA | 8/31/09 | Complete- EPA will schedule a “Grant Management Issue” conference call on Aug. 20 th from 11am to 12pm PDT to discuss this issue. Enrique Manzanilla will be participating. |
| 25 | So CA Tribes | Recalling Action Item 11 from April RTOC - EPA to provide a complete, updated, user friendly grant application kit as the current forms are outdated. Forms are still not fillable or savable, and some forms do not match. | Jean Gamache & Hillary Hecht, EPA | 8/31/2009 | Complete- EPA will schedule a “Grant Management Issue” conference call on Aug. 20 th from 11am to 12pm PDT to discuss this issue. Enrique Manzanilla will be participating. |
| 26 | So CA Tribes | Request that EPA provide the section by section score on grant proposal evaluations. | Carolyn Truong, Susan Chiu, EPA | 8/31/2009 | Complete- EPA will schedule a “Grant Management Issue” conference call on Aug. 20 th from 11am to 12pm PDT to discuss this issue. Enrique Manzanilla will be participating. |
| 27 | | | | | <i>Item removed during Tribal Caucus Report. See meeting minutes.</i> |
| 28 | NV Tribes | Requesting clarification on Regional GAP review process. General discussion regarding GAP Online issues – e.g. work plan comments, etc | Jean Gamache & Hillary Hecht | 8/31/2009 | Complete-EPA will schedule a “Grant Management Issue” conference call on Aug. 20 th from 11am to 12pm PDT to discuss this issue. Enrique Manzanilla will be participating. |
| 29 | NV Tribes | What is EPA’s consultation process in keeping with EO 13175 under Department of Energy’s policies? How does EPA fulfill its trust responsibility to effected Tribes i.e. permitting for nuclear storage facilities, transportation routes – such as Yucca Mt.? | EPA Region 9 Karen Vitulano, EPA | 10/2/09 | Complete- Regarding NEPA, EPA comments on DOE’s NEPA documents as with other federal agencies. However, with the example of Yucca Mtn., EPA HQ is involved. In general with NEPA, EPA will interface with federal agencies by phone with any questions it has on the project, and then by sending a comment |

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| | | | | | letter. If the letter identifies significant concerns (was rated EO or worse) – EPA will generally call them to discuss and work with them to resolve the issues. |
| 30 | All Tribes | What is EPA’s definition of “cultural”? | EPA Region 9 | By October RTOC | The EPA will take time to discuss and address cultural issues as tribes define them. EPA’s definition of “cultural” is not as important as individual tribe’s definition. On an activity by activity basis, the EPA tries to exercise discretion with what is listed in the EPA statues, rules, and policies. They compare cultural aspects of work to cultural aspects of tribes as they relate to environmental protection. The EPA looks to tribes for information through consultation. Dialogue is occurring at the National level to address issues about disparities. The EPA will assemble as many policy documents as possible to address this issue by the annual conference in October. |
| 31 | Marta Burg | Update existing 2001 briefing for incoming EPA Regional Administrator. | Jean Gamache, EPA | 8/31/09 | On going discussions to prepare for Regional Administrator briefing. |
| 32 | RTOC | Distribute meeting minutes and action items to RTOC and participants. | Russell Cook, PLPT & Hillary Hecht, EPA | 8/14/09 | Draft minutes and action items emailed 8/10. Final versions will be out by 8/11.0 |
| On-going Action Items from April RTOC | | | | | |
| 2 | AZ Tribes | Follow up on “Treatment as a State” issues. Why do tribes have more requirements than states? | Danita Yocom /Colleen McKaughan, EPA | Provide status by next RTOC | COMPLETE – Update provided during EPA report at July RTOC meeting. See meeting minutes. |
| 18 | No CA Tribes | Request for EPA to update the Tribal Environmental Contact List | AIEO, EPA Headquarters, Maria Castain, EPA | Oct. RTOC | Maria Castain has been working on the list. On-going with AIEO. |

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| 19 | No CA Tribes | Request for EPA to look at wage sustainability for tribes. Budgets that are flat-lined and EPA doesn't provide funding yearly wage increases. Other agencies receive funding for wage increases, why is it not included in tribal funding? | Clancy Tenley, EPA | Oct. RTOC | Budgets remained flat-lined and EPA would have to take funding from somewhere else to cover the costs. Hopefully funding can be found elsewhere and an update will be provided at the next RTOC. |
| 21 | Eastern CA Tribes | Would like EPA assistance to deal with a production well, within 3300 feet of Lone Pine domestic water well. Concerned with pumping protocols. This is an off reservation activity that is going to negatively affect tribal drinking water sources. | Corine Li, EPA | On-going | The EPA is still working with the Owens Valley Indian Water Commission on this issue, and will continue to update RTOC. |
| 22 | RTOC Tribal Caucus | Request that the charter workgroup look into the RTOC Charter to address action items from previous meetings. | Charter Workgroup | Provide status by next RTOC | The Charter Workgroup will be working quarterly to address this. Proposed amendments will be submitted to Marta Burg (RTOC Policy Advisor) and Danita Yocom (EPA, ORC) for legal review. |
| 28 | So CA Tribes | Recall Action Item #26- Update and make changes to RTOC website – workgroup tab; there is nothing there. Keep this on the Action Item list; follow-up is needed on this item | Hillary Hecht, EPA | On-going | Workgroup leads can send information to Hillary to upload to website. |
| 33 | All Tribes | Tribes are having difficulty getting samples of documents assigned to complete grants. Some are known documents (TAS, TIP, etc) and others are not as common, such as EPA Region 9 Tribal Environmental Inventory (or assessment). Is there a database or website with examples available? If not can one be created? | Jean Gamache, EPA | 1 week | Some documents are already available online and many sample documents are available in the GAP Award Package. EPA is still working on links to the website. If tribes have questions regarding specific documents, please email EPA. |
| 37 | Nina Hapner | Request for EPA to identify funding for pesticide training for tribes that don't have funding. | Pam Cooper, EPA | Update by Oct RTOC | Tribes interested in Funding for Pesticide Training should contact Pamela Cooper, Manager, Pesticides Office. Funds may be available. |
| 38 | Nina Hapner | EPA to send notices regarding 4 th quarter pesticide meetings to ALL tribes, not just those who have pesticide funding | Pam Cooper, EPA | Update by Oct RTOC | Tribes will be notified of meetings and trainings that may be relevant to all Tribes. Some meetings are directed at a specific Tribal group and may not be applicable to invite all tribes. |

Conference Planning Workgroup ACTION ITEMS

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| 1 | | Send invitation to State Directors | EPA | 3 Weeks | |
| 2 | | Keynote Speaker – find out more information, Steve Cornell, U of A | Lorinda Sam | 2 Weeks | |
| 3 | | Keynote Speaker – Prepare invitation, Steve Owens, OTPPS | Jean Gamache | 3 Weeks | Complete |
| 4 | | Keynote Speaker – prepare letter, Jodi Gillette, White House | Lorinda Sam | 2 Weeks | |
| 5 | | Posting of Tribal Colors/Flags. Letter to tribes to send tribal flags to be displayed during the conference. | TON Conference Team | 2 Weeks | |
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