

RTOC Meeting Tucson, Arizona
Notes - October 20, 2009

Opening Blessing

Blessing was done by Mike Juan of the Tohono O'odham Nation.

Welcoming Remarks

Welcoming address was given by San Xavier District Chairman Austin Nunez.

Welcoming Remarks

Laura Yoshi, Acting US EPA Regional Administrator gave the welcoming address. She was glad to see everyone there and stated that moving forward requires continued leadership. She also acknowledged the effort by the Obama Administration in meeting with Tribal Leaders on November 5, 2009. In Region 9, the EPA and tribes put together an accomplishments report that recognizes the work that tribes have done throughout Indian country. Dan Mosley was recognized for his work on being the Tribal Co-chair of RTOC; he was presented with a Pendleton blanket and a sculpture made of recycled glass.

In closing, Laura Yoshii extended her congratulations to Cornelius Antone as the newly elected RTOCco-chair. He has served as an Environmental Specialist at TO for 8½ years. His accomplishments included the coordination of water projects in the Sonora Mexico communities of Quitovac and San Francisquito. He is also involved in an annual Earth Day activity with the schools on the Tohono O'odham Nation. He has developed the Air Program and is currently working on developing the Pesticide Program. Laura thanked Corn for stepping up into the leadership role of RTOC Co-chair. No doubt he will do a good job for us.

Laura also mentioned that Steve Owens will be working as Assistant Administrator for the Agency. Region 9 is looking forward to working successfully with all the tribes in the Region.

Welcome/ Introductions/Roll Call

Introductions and roll call of all RTOC and EPA representatives and all tribes present. The meeting between Tribal Leaders and the Acting RA will take place in conference rooms 1 & 2. The agenda was revised so that when the tribal leaders meeting was over, Laura Yoshi and the tribal leaders could be back in the General Session when EPA reviewed the action items. It was also mentioned that there was a meeting at 5 pm for the emergency response working group in conference rooms 1 & 2, and it will be posted and any action items will be recorded.

Review Previous RTOC Meeting Action Items-

The last RTOC meeting review of 30 action items was completed. There are still several ongoing and several that have questions around actions and issues. These were addressed in the conference call and any future grants management issues will take place in another conference call.

Tribal Caucus Report - Cornelius Antone, RTOC Tribal Co-Chair

The session started with a blessing. The Managers Meeting Report's action items were divided up into categories. **PLEASE SEE HARDCOPY of ACTION ITEMS.** Sara would want a clarification on item number 35. There are QAPP water quality assurances but to develop a Surveillance Analysis Plan (SAP). Is there any comment to the Action Item report? If you're requesting a copy of the conference call report it will be made available.

Comments:

Roman Orna suggested that we are here and why can't we discuss these issues right now, face to face. Deb from Navajo Nation stated there is going to be a workshop on counseling and a lot attached and they say the money can work for this and not for that. Maybe RTOC can invite I.H.S. to discuss these issues.

Enrique Manzanilla recommends if tribes have specific issues or geographic questions about the grants process then they should contact the project officer or the program manager to get the issues resolved, don't to raise the issues during the RTOC meeting. Questions and issues should be raised and addressed before the RTOC meetings. For GAP, please call Jean Gamache if there are specific questions that are not being addressed. If resolution is not achieved with the project officer or with Jean, then call Enrique. The Region will do the best job to answer some of these questions. Some of the questions are better dealt with in a smaller venue than a larger venue, especially on grant issues which don't need to be presented to the entire RTOC. There will be a meeting or session that will just deal with grants issues. We are going to seek to answer questions and take the responsibility to get to all the concerns and have your questions answered. We will try to be responsible if there are additional issues on how to deal with the questions better or efficient than. Tribes are more than welcome to raise questions and bring to our attention as soon as they arise. You don't need to wait to raise them during the RTOC.

CRIT was not at the July meeting and noticed that they agreed with Ak-chin's comment. They also appreciate the availability to go higher up, and they have been working with the GAP for 5 years and now see that the Project Officer can't get involved and make decisions anymore. The turnaround time takes longer to get back to the tribe. It is systemic and could continue.

The tribes want to support Roman and count on RTOC to represent them when they can't be there. Roman said that with all due respect, if it is a problem that every tribe is facing then we need to include all tribes on a larger scale, and we as tribes are having issues on grants. This is the venue to handle these issues it needs to be dealt with right here and right now.

Jean commented on some of the changes that have occurred in the tribal office at EPA, she wants to create a greater consistency and to make sure that during reviews that EPA is being consistent across the board. So everyone is consistent if they get audited, and they do get audited. Now there has been a seven million dollar cut, so they look at GAP consistently, what the funding levels are going to be and not cut FTE. So when a tribe comes in with a request for more FTE, the decisions are made based on the same information regardless of which tribe is making the request. There was a more detailed meeting at 6:30 pm that evening to discuss this topic further.

Jean knows the whole focus is on GAP but would like some of the other project officers to join as well. The emergency response working group meeting is in conference rooms 1 & 2 and that will be the same room where the Grants meeting will take place.

Erica agrees with Roman and the reason why it has come up is because the questions have not been answered and if we can address a lot of the questions, addressed at this meeting then let's get them answered right here right now. Jean agrees to take the time while we are here together and attempt to address the issue as well as the systemic issues.

It was suggested and agreed upon that a working group be developed to deal with these issues. Roman agreed to be the tribal co-lead for this workgroup. This group can provide the status and the outcomes back to RTOC in January. Another sign-up sheet will be put up at the back for the work group if you are interested.

Corn commented that when the action items were discussed, it would have made it easier to write it as a tribal caucus action item. In the future, you need to say and make it a priority to call your reps. Find out if you need to be on a conference call.

Comments: For this conference call, a lot of the RTOC reps didn't know about it, they were told there were a limited number of lines as well as a limited amount of people that were allowed on the call. There needs to be an unlimited amount of lines so people can get on this call

Jean will be the EPA lead for the Grant Work Group. Some appointments were made and a request for a tribal rep to the tribal GAP committee; Mike DeSpain will be the rep to that committee.

Bill Campbell volunteered to be the Tribal Co-lead for the Consultation workgroup.

National Tribal Operations Committee (NTOC) Report

Clay Bravo, Co-Chair of NTOC noticed things have slowed down since the passing of Carol Jorgensen. The NTOC budget presentation for 2011 to Lisa Jackson EPA Administrator was discussed. Some of the highlights were 120 million went to GAP. The document will be sent to Corn then sent out to full RTOC. For the 2011 budget to tribal leaders, now is the time to make bold requests. Tribal leaders can take these requests to President Obama; this will help the tribal leader be prepared to make that presentation to President Obama.

Benefits of how a tribal representative be placed in a position based on appointment were discussed. Comments were made on the move of the AIEO into the office of the OIA. There was discussion about this in the Caucus meeting yesterday. If anyone has interests on this issue, they can contact Clay Bravo, and he can explain why the decision was made to move AIEO into the OIA. The request was made that the NTOC staff be put together and not separated. The next mtg for NTOC is November 16, 2009 and that is when they hold elections.

EPA Response to Tribal Caucus Report

Enrique requested that all the grants management questions be dealt with at the 6pm meeting.

Navajo Nation's request for increase funding levels for underground injection control program and for class V injection well inventory. This will be addressed at the NTOC level.

Navajo Nation requested funding to improve access to clean water for the Black Falls area on the Navajo Nation, where 100% of the water sources are often contaminated with uranium arsenic, etc. Incidences of gastrointestinal disease and cancer are very common. Black Falls has declared a state of emergency. This is in process.

Big Pine Reservation wanted to know if EPA can provide any technical or policy assistance with respect to new groundwater extraction wells that have the potential to impact tribal drinking water supply wells. Water Division has the lead.

Big Pine Reservation was wondering if the tribe had a zero tolerance policy for lowering the water table? Would this hold any weight for stopping activities off the reservation that would cause the tribal policy to be violated. If EPA could not provide assistance with respect to regulations, can they provide technical assistance. Water Division has the lead.

The Lone Pine Reservation is still seeking assistance from EPA to get their irrigation water

supplied from the Lone Pine Creek as in the past rather than from Los Angeles aqueduct. Water Division has been working with Lone Pine and will continue working with the Tribe on these issues.

From the Tribal Caucus: In Region 9, tribes are requesting more funding for drinking water projects than wastewater projects if surplus funding under the CWA for waste water projects is available. How can these funds be made available for drinking water projects. Water Division will follow up.

Transition Document Presentation – Clay Bravo, Hualapai Tribe and Marta Burg, Legal Policy Advisor

EPA Report – Hillary Hecht, EPA

Pesticides “Why Tribes Should Care”– Sara Ryan, Big Valley Rancheria and Nina Hapner, Stewarts Point Rancheria

Review Action Items/ Evaluation Forms/ Next RTOC Meeting Location/
Lori Lewis, Meeting Facilitator, EPA