

RTOC Representatives Retreat Notes

Opening (15-20 min)

Welcome/Introductions – Corn/Jeff/Laura

Agenda/Logistics Review – Lori Lewis

Reminders for Today (so we can be successful):

- Be concise & to the point
- Acronyms – explain them
- Speak up so people can hear you
- Keep on schedule – come back from break on time
- Cell phone on mute or off

Roles & Responsibilities January 27, 2014

Outcomes: Define, clarify and get general agreement on the RTOC "job" i.e., roles and responsibilities and understanding of process if a representative is unable to fulfill their roles and responsibilities.

- Review of official roles and responsibilities and presentations (@5 min each) by Syndi Smallwood and Tom Keegan sharing their perspectives of the representatives role and responsibilities
- Clarifying questions
- Large and Small group conversations(by geographical area) to identify additions/deletions and possible challenges
- General agreement on a draft list of roles and responsibilities

Roles & Responsibilities: Large Group Brainstorm Session

1. Make sure that tribes in your region receive the information they need & want and that you know about (feedback):
 - Keep a clear line of communication;
 - Have calls before and/or after RTOC meetings;
 - Share information you learn on conference calls, workgroup meetings, etc with those in your respective geographic areas.
 - Caucus and Regional Indian Program Steering Committee (RIPSC).

2. Actively participate in (e.g., RTOC, conference call, workgroups, etc.) meetings:
 - Be proactive (be prepared, review in advance);
 - Be engaged;
 - Attend all days - stay until the end as much as possible;
 - Bring alternates when possible; and,
 - Let people know if you need to leave early.
3. Raise local/regional issues to RTOC when appropriate or when a tribe requests:
 - Be persistent to get an answer; and,
 - Provide feedback to everyone.
4. Answer questions (re: who to contact, resources available, etc.):
 - i.e. If someone is having a problem w/ a project officer.
5. We are representatives of a region and tribes.
6. Some issues are specific to a tribe:
 - Be aware of policies and procedures; and,
 - Distribute to representatives **'a handbook:'**
 - Procedures to follow when dealing with EPA
 - Charter
 - Flow Chart
 - Brief History
 - RTOC Strategic Plan
 - Indian Policy of 1984
 - GAP Guidance & Statute
 - RIPSC Members
 - Tribal RTOC Members
 - Work Group Leads
 - What has been developed?
7. Support & assist the co-chair:
 - Review minutes and other information from the Tribal Co-Chair to ensure accuracy.
8. Engage the RTOC/tribal parties at the meeting.

Roles & Responsibilities: Small Group Discussion (divided by RTOC geographic area)

Southern California

- List of working groups with description of them
- Contacts list
- Dispute Resolution
- **List of examples of what is and isn't appropriate to bring to RTOC**
- List of policies and procedures already developed

Nevada

1. Duties of Representatives:
 - a. A prioritized list of duties.
2. A defined explanation of Representative etiquette:
 - a. **Do's and Don'ts of the Roll of Representatives** with EPA and Tribes;
 - b. What is the relationship between RTOC Caucus and Government to Government Communication; and,
 - i.e. Chairman to RTOC communication through a Representative.
 - c. Stress follow through to verbal commitments.

No group name identified

1. What happened to written work group reports? (Give us an outline of what you want!).
2. Primary Representative needs to appoint an alternate.
3. Periodically ask tribes to update tribal contact list and obtain EPA office counterparts (RIPSC).
4. Distribute RTOC guidelines to all tribal participants.
5. Travel information.
6. National Tribal Caucus Charter.

Suggestions for RTOC Handbook

- Roles & Responsibilities
- Charter
- The Handbook should be concise (not too big)
- Include Structure Chart (Organizational Chart) visuals
- Decision Making Process
- Context (i.e. History, Purpose)
 - o Indian Policy 1984
 - o GAP Guidance & Statute
- Tribal Travel Information
- Listing of current workgroups and general purpose

Suggestions RTOC Handbook – Digital Format

- Flow Chart(s) i.e. RTOC & budget
- Charter
- History
- RIPSC
- 1984 Indian Policy
- GAP Statute and Guide
- Workgroup leads and summary
- RTOC Strategic Plan
- Summary of Web links to documents (1 page summary)
- Synopsis about role of tribal leadership and RTOC

Decision Making January 27, 2014

RTOC Decision making process (30-45 min)

Outcomes: Identify and clarify the RTOC decision making process and agree on process when tribes/ people are not in attendance

- Review the current process (Corn)
- Identify what types of topics need decisions by the RTOC Tribal Representatives (Corn/All)
- Identify the process and expectations for when tribes and/or representatives are not present
- Clarify and revise process as necessary
- Check for general agreement (All)

What things does RTOC make decisions on?

1. Documents
 - a. Decided by RTOC representatives.
2. Strategy Plans
 - a. Decided by RTOC representatives.
 - b. May take longer than 2 meetings but should not be delayed for a long time.
3. Issues raised by tribes
 - a. Tribes need to supply all information.
 - b. Can be supported w/ raise of hands at meeting by everyone (Representatives and attendees of tribes).
 - c. **If there isn't** consensus individually, tribes can take information back to their own councils.

- d. Caucus usually provides a comment letter template.

Current Process and Comments

- At Tribal Caucus:
 - o Use the entire room (not just representatives), and,
 - o Consensus/raise of hands.
- In past have had decision making slowed because people have not been present.
- Propose we have representatives decide at meeting.
- Time in between meetings, representatives share information w/ others and they can comment.

Comments

- Need to clarify what decisions have been made or are going to be made for non representative tribes.
- Put decision making process in standard operating procedures (SOPs).
- Need to make sure we are not circumventing our own tribal council.

Suggested Process

1. Raise issue at meeting to discuss and identify if a decision needs to be made.
2. In between sharing information, obtain input from tribal councils, tribes not present and representatives provide information to individual Tribes respectively.
3. At next meeting bring item up for a vote.
4. If representative is unable to be there inform the Tribal Co-Chair: .
 - a. Send alternate;
 - b. The time for comment was in process #2; and,
 - c. **Unless unusual circumstances don't revisit vote.**

Group Vote – If you are absent, you will abide w/ vote of group

- Sometimes a document or issue may not be relevant to a specific tribe so that tribe may not be sure if the issue will affect them.
- Sometimes documentaion/information only goes to those who have dealt with the issue in past or the work group identified to handle the issue.
- Being an RTOC workgroup chair is a large workload, it would be impossible to read all relevant materials and provide summaries to Corn for dispersion to the larger RTOC community. It should be up to individual tribes to review what is important for them. It is big work load for workgroup chair, it would be too difficult to read & funnel everything to Corn workgroup leads
- Send workgroup summaries to Tribal Co-Chair for entire RTOC.
- Tribes need to take responsibility and sign up for work groups.

Ideas

- Could we ask Marta Burg to provide some policy updates?

- Could we have work group updates in Full RTOC Meeting And a 5 minute quick update at Tribal Caucus?
- Hard to go to concurrent sessions on day 2 of RTOC.
- Nevada representatives can divide Nevada tribes between themselves.
- Develop a work group update template.
- Identify/share w/ each other what our tribe is doing.
- We need our policy consultant on national issues.

Comments

- What happens if person (representative) is unable to attend a meeting?
 - If representative is unable to be there inform the Tribal Co-Chair:
 - Send alternate;
 - The time for comment was in process #2; and,
 - **Unless unusual circumstances don't revisit vote.**
- Some problems w/ electronic communication
- Some tribal representatives do not take or share information with their tribal councils and Environmental Director. Every tribe is different.

Communication (Mariela's role) January 27, 2014

Tribal Leaders Meeting

- Default communication is now electronic (via e-mail or website) or how you are doing it now.
- Let Mariela know if that changes (i.e. if you want hard copy letters, etc.).

Actions & Agenda Items

- Clarify that agenda development.
- Action Items should be submitted two-weeks prior but tribes can raise issues at the RTOC meeting.
- If EPA cannot address them in the moment they can identify a follow up action.

Virtual Meeting/ Webinars

What works?

- Shorter meetings.
- Video – when there is a good connection.
- **Don't spend travel** funds.
- Webinar is inexpensive.

What doesn't work?

- People disturb you at work because they know you are there.
- Need right setup to hear everyone.
- **Video doesn't work as well.**

**Lunch (approximately noon for @ 60 min including History of RTOC – Part 1);
Lunch will be brought in.**

History of RTOC – Part 1 (@30 min)

Outcome: Orient newer RTOC members and identify links and connections

Chart the history of RTOC and our current RTOC Tribal and EPA representatives
(Lori/All)

Afternoon Opening/Welcome (approximately 1 pm - 15-25 min)

- Welcome (Jeff/Corn)
- Introductions
- Afternoon agenda and logistics review (Lori)

History of RTOC - Part 2 (30-45 min)

- Review our history and identify key points and learning. (Lori/All)

Overview of Current Reality for USEPA (15-20 min)

- Share current available information re. FY14 funding and issues. (Jeff/Laura)

Quick recap of Morning Discussions (as appropriate for RIPSC benefit) (@15 - 30 min)

- Roles and Responsibilities.
- Communication and Tribal Leaders meeting invites.
- Use of Website, Webinars, Virtual Meetings.
- Decision making.

Future RTOC Meeting Ideas from Retreat

Identify a list of 1) possible topics/areas/issues that the RTOC can raise and focus on at FY14 and FY15 meetings and 2) possible outside invitees

For April 2014 – Focus / Caucus / Full RTOC

1. Drought

- a. California governor declaration.
- b. Strategies (artificial beneficial use)
- c. Better use of water resources
- d. Federal Drought Task Force

2. Fracking

- Follow-up to previous conversation
- Invite EFC West, Environmental Finance Center West. They attended the October 2013 Annual Conference Hydraulic Fracturing Presentation.

3. Budget and Funding

Future RTOC Meetings

1. Invasive species
2. Pesticide Issues i.e. drift
3. Different agencies upcoming policies
4. Tuba City Open Dump Closure
5. Yucca Mountain
6. Rural Community Assistance Corporation (RCAC) – small /rural water systems
7. Success stories for building capacity (grant writing)
8. Tribal Participation Network Exchange
9. Conservation Easements
10. Increase Work group time/California Issues
11. HAZWOPER 8-hour Refresher Re-certification
12. Open dump and solid waste implementation who: OSWER, I.H.S., USDA
13. Climate change/everyone Indian Program Policy Committee (IPPC) – an EPA group consisting of Deputy Regional Administrators (DRAs) and Deputy Assistant Administrators (DAAs).
14. Nuclear waste from Japan
15. Radiation from Japan
16. International Environmental issues and laws (cases)
17. Ecosystem & Mitigation Banking
18. **Presentation on National Program Managers' Priorities**
19. Border Patrol/Relationship building
20. Co₂ Sequestration
21. Operations & Maintenance Funding for Water/Waste Water Systems
22. Tribal Law - Native American Rights Fund (NARF) Tribal Case Studies
23. **There should be 'Interagency Task Force' for every media area!**
24. Sustainable development
25. Indoor Air Quality (EPA, HUD, I.H.S., USDA Rural Development, DOE)

Possible Ideas for future RTOC Meeting Theme Topics

Drought

- California
- FEMA, BOR, EPA, BIA, USDA, BLM, etc.
- Drought & Wildfires = Air & Water Quality

Mining

- Water
- Budget Over site, EPA, FS, BLM, BIA, USACE, DOI, DOE

Hydraulic Fracturing (Fracking)

- Paula Britton – Strategies for ground-water retention
- Immediate issues that affect Tribes prioritized – fracking DOE drought
- Nobel Energy (Fracking)
- Mining – Fracking BOEM, DOI

Chemtrails

- Persistent Organic Pollutants

Water

- Water Rights Related to drought
- Water Rights Quantity & Quality BOR – DOI
- Source water Protection (quality & quantity)
- Water Quality/Quantity
- Water Management plans BOR/BIA
- **'Owens Valley' Interbasin H2O Transfers**
- Water & Drought – BOR-DOI (California), EPA
- Arsenic Water Issues
- How to better use and reuse H2O – John Flores wants to hear what EPA has to say about reclaimed H2O
- Establish National Tribal Water Atlas
- Invite Non-Profits to RTOC
- Reclaimed Water uses
- Development of Sustainable Water use
- Safe Drinking Water – Everyone

CWA

- CWA Target Tribes – Obama Legacy
- CWA Over site need to look at Quantity=Quality
- Tribal CWA Targets established strategic planning

Individual Federal Environmental Laws (CERCLA, CAA, RCRA, CWA etc.)

- Environmental Health/Issues, I.H.S.
- Drinking water asset protection who: OW, IHS, etc.!
- TEK, BIA, USDA, FWS, FS, California
- Mercury in fish

DOE

- D.O.E Over site on Fracking Regulations
- Renewable Energy DOE

FUNDING

- I.H.S. Programs Funding
- USDA Funding
- BIA Programs Funding

- NRCS Funding
- Dedicated funds for programs with TAS Authority – Media Dependent
- USDA, NRCS More Money
- Leveraging Funding How? Who?
- Funding more broadly Homeland Security, BLM, EPA, USDA Rural Development
- Funding from other agencies who: Everyone (all agencies)

OTHER

- TAS= Funding as a state
- What/Who UDM Waste Who: Homeland Security, EPA, BLM, USDA Rural Div.

Retreat Bike Rack

(Questions, topics to bring up at RTOC at Caucus, etc.)

1. Ask representatives to call Mariela Lopez if you have trouble w/ registration.
2. Clarify for non-representative tribes the RTOC decision making process.
3. Follow-up on fracking issue from last RTOC meeting at the April RTOC 2014 Meeting.
4. Contracting out policy analysis.
5. Should make time on Tribal Caucus day or work group day for geographic areas to meet and talk together? Maybe you already do that.