

New Issues
Summer RTOC
 August 4-6, 2015

	Requested By	Division	Task	Who	When	Status
1		WATER	Status on Item #2 Tribal Water Quality Data- Set up a tribal only call to discuss this	Audrey Sarah Ryan	8/21/15	EPA contacted the CA Issues workgroup lead to determine a date for the next data call with N. CA tribes. We are still determining a date on which the call will be scheduled.
2		ARMY CORPS	Army Corp Discuss key issues <ul style="list-style-type: none"> - Is MOU working? - Is providing list of permits on Navajo working? 	Ronnie Ben Sally Diebolt	8/6/15	Army Corps and Navajo follow-up discussion.

		WATER	Review Moapa issue & identify how federal agencies can work/fix flood issues so wastewater problems do not reoccur after every flood	Audrey Quana Higgins	8/30/15	Chairman Darren Daboda of Moapa Band of Paiutes and William Campbell of ITCN are tentatively scheduled to meet with Quana Higgins, District Tribal Liaison from US Army Corp of Engineers (USACE), on October 5, 2015 to discuss potential partnership and assistance opportunities to address the area affected by the flood. In addition, EPA contacted the Tribe and obtained more detailed information to better understand the issue. The issues raised at RTOC are related to a FEMA project that has not been constructed yet. The EPA Region 9 Emergency Response Team and FEMA liaison staff plan to coordinate with FEMA to discuss the project at Moapa Band of Paiutes at an upcoming meeting in early November 2015. Both FEMA and Tribal representatives will be invited to participate.
4		WATER	IHS Meet to discuss ongoing 401 issue; Erskine will raise with IHS ABO contact - Report back to Navajo	Erskine-EPA NEPA Mick- IHS Erskine	At lunch 8/5/15 8/18/15	This is has been followed up on.
5		ENFORCEMENT	Enforcement Folow up with CEQ re: TDK - Discuss with TSC	Kathleen Carlotta	8/30/15 9/4/15	EPA consulted with CEQ on this matter. Neither EPA nor CEQ is aware of any guidance or policy statement regarding TEK that is applicable to EPA's NEPA/309 commenting responsibility. We will continue to include recommendations in our comment letters, as appropriate, that NEPA lead federal agencies engage in meaningful tribal consultation regarding their proposed actions and that they fully document the results of such

						consultation in their Environmental Impact Statements.
6		ENFORCEMENT/ AIR	Follow up with Air Division re: R9 ability to comment on CEQA projects	Kathleen	9/15/15	Due to resource constraints, EPA Region 9 does not typically comment on CEQA documents. Region 9 may have involvement in some activities that trigger CEQA. In the case of dust issues at Owens Lake, we will continue to work with the local air district on these issues.
7			Give Kathleen name of tribe that has enforcement questions re. Priority of inspections.	Nina Hapner	8/30/15	Nina Hapner, Director of Environmental Planning, Kashia Band of Pomo Indians sent an email to the Tribes in here area that brought it up. Contact information for Kathleen Johnson was provided for individuals to contact her. Nina will also forward inquiries on their behalf.
8		ENFORCEMENT	Follow up on how is enforcement handled when project has not been turned over to tribe & still has involvement by another federal agency (eg. I.H.S.)	Nina Kathleen	9/15/15	EPA has policies and procedures for pursuing enforcement actions against federal facilities; such actions would be informed by case-specific facts. It would be challenging to demonstrate that the federal agency had prior knowledge of a system failure. However, EPA would like to know more because there other avenues that could be explored to investigate this further such as notice to the specific agency's Inspector General , or EPA criminal investigation authorities. The best contact for this issue is Ken Greenberg, Manager, Wastewater Section, Enforcement Division. 415-972-3577 / Greenberg.ken@epa.gov .
9		LAND, Tribal Section	If you have questions re. a federal credential for tribal inspector that is not moving forward send info. To Jeff & Laura.	Laura Nina Wilfred Kathleen A..	When received	As needed basis.

10		Land, Jeff Scott	Follow up with headquarter/ AIEO re. schedule for answering 44 questions (ie. GAP issues raised by tribes) & issues raised by R9.	Jeff	Before NTC meeting 9/2/15	In conversations with OITA leadership and will report back to the RTOC as soon as he has an update to share.
11		GMO	Begin discussion on grant budget (eg. Salaries etc.) at grants session on 8/6/15. Provide summary & next steps to RTOC.	Vernese Laura	8/15/15	Items posted on RTOC website (Past Meetings Page).
12		LAND, Tribal Section	Develop a process for providing confidential feedback on PO's. Provide information by October RTOC.	Laura	Before next RTOC	As always, tribes are welcomed to provide feedback on their grant experience directly to their Project Officer or to their Project Officer's supervisor (for any grant!). If a grantee is uncomfortable providing that feedback directly, they can utilize their RTOC representative or, if there are concerns that using a rep will reveal what area the concern came from, ask that the RTOC Tribal Co-Chair share the information with the appropriate supervisor. Note that direct feedback is most actionable, and therefore most likely to achieve results.