

### Action Item List from Fall 2015 RTOC

What	Who	When	Status
1. Send out response from AIEO on 1 <sup>st</sup> 9 Issues regarding GAP questions	Laura Ebbert	10/27	Laura Ebbert sent this out on 10/26 to Alan Bacock.
2. Follow-up with Jackie regarding "missing" action item from Summer RTOC	Paula Britton		
3. Post action item list from RTOC meeting for people to reference	Alan Bacock	11/9	This item was posted on RTOC website: <a href="http://www.epa.gov/tribal/fall-2015-rtoc-documents">http://www.epa.gov/tribal/fall-2015-rtoc-documents</a>
4. Post and include in notes directions to get to action item list on website	Mariela Lopez	10/26	Will do an in-person demonstration at RTOC Reps Retreat, and did one @ Fall RTOC Meeting.
5. Discuss next steps for pursuing resolution on GAP Guidance issues raised by tribes	Alex Cabillo Paula Britton Clifford Banuelos	10/29	At the fall RTOC meeting it was determined that R9 representatives would hand carry, former Co - Chair Corn Antone's letter to President Obama; about R9's concerns about the GAP Guidance and our desire to work collaboratively and cooperatively with the American Indian Environmental Office (A.I.E.O) to improve the document that would support the needs of the tribes and AIEO. The R9 GAP Guidance concern letter was shared at the White House Tribal Forum and at the Department of Interiors listening session. We are waiting to see if this effort will have any success.
6. Email Alan the decision of the Region 9 NTC representatives on which strategy to pursue regarding GAP Guidance issues	Alex Cabillo	11/7	Between sessions at the Fall RTOC, I spoke with Paula and Clifford and we each agreed that we would continue to move forward on our GAP programs and

			the new guidance; with a qualifier, that if there was any meaningful discussions to change or modify the GAP guidance that we would participate.
<p>7. Salton Sea Issues - Coachella Valley tribes are frustrated with the ongoing issues with the Salton Sea and the Quantification Settlement Agreement (QSA). They have been inadequately consulted and have the potential to suffer major air quality degradation as a result of reduced inflow to the Salton Sea. They are also already experiencing air quality issues due to drought and the geologic location of the sea. This is not just an issue for all people and tribes in the Coachella Valley, but throughout Southern California. Additionally, they have major concerns about its use as a flyway for migratory birds and that current conditions and future actions will damage this habitat. The agencies in charge of the water diversion have not consulted adequately with the tribes. The tribes request discussion with the Regional EPA about what, if anything, it is doing to protect the area from the environmental consequences. They would also like to express their deep concerns on this matter with someone from the EPA. EPA Air Division will have a dialogue with 29 Palms and other Southern California Area tribes prior to next RTOC.</p>	Stephanie Valentine	Winter RTOC	There will be a meeting on January 21, an update will provided post-meeting.
<p>8. Collaborative ETEP Training - The Owens Valley Indian Water Commission recently held a workshop on developing an ETEP. During the workshop, participants shared that information provided by EPA Region 9 staff differed from information provided by EPA Headquarters staff at the Tribal Lands Conference on GAP Guidance issues including requirements for ETEPs. As ETEPs were being required through the GAP</p>	Alan Bacock Laura Ebbert	Winter RTOC	Training session will be provided at the Full RTOC Meeting on January 27.

<p>Guidance a previous RTOC comment was that a training be conducted in the region with headquarters staff, regional staff and tribes so that everyone has the opportunity to be on the same page. We recommend that a collaborative training be conducted to not only to help regional staff and tribes understand what headquarters is desiring out of the ETEPs, but also to inform headquarters of the practicability issues which may result for tribes and the region. Alan and Laura will work together to determine the most appropriate forum for sharing info, identifying concerns and developing solutions.</p>			
<p>9. Tribal concerns were expressed that communication has been inadequate with changes to project officer assignments. EPA will work on better communication and will use the website as a means to better inform tribes on new staff/project officers.</p>	EPA	Ongoing	Please discuss any concerns with your Tribal Co-Chair, Alan Bacock, EPA Project Officers or EPA Managers.
<p>10. Central California area tribes would like clarification on how EPA employees are provided cultural sensitivity training. In particular, tribes would like to know what is being shared about their cultural. EPA will meet with Mendocino area tribes to discuss.</p>	Laura Ebbert Meyo Marrufo	10/29	This was completed with a conversation between Laura and Meyo at the Fall RTOC Meeting on October 26.
<p>11. Moapa had a flash flood creating environmental and human health issues for the Reservation community. The President has declared flooding as a disaster, but the tribe has been unable to find financial assistance for work needing to be accomplished. It was shared that the Tribe should contact Catherine Looper of FEMA at 510-627-7285.</p>	Moapa Tribe		Moapa to follow-up with FEMA.
<p>12. Tribes had concerns regarding the Baseline Water Quality Standards and Air Rulemaking which are currently going through the consultation process. Specifically, how do these impact tribes, does the EPA</p>	Laura Ebbert Gail Louis Stephanie Valentine	Winter RTOC	CWA Workgroup Session covering this topic will take place on Thursday, January 28.

have funding to do enforcement for violators and will funding become more limited for tribes.			
13. Discuss how to bridge water quality and water quantity issues. This issue was passed on to the water quality workgroup for potential strategies creating a resolution to this longstanding issue.	Water Quality Workgroup – Nancy Sockabasin/Ken Norton	Update at Winter RTOC	CWA Workgroup Session covering this topic will take place on Thursday, January 28.
14. Pala Tribe would like further guidance in developing a PQAO for their area.	Stephanie Valentine	Winter RTOC	The Tribal PQAO we are proposing to establish will consist of five (5) to potentially thirteen (13) tribal air monitoring organizations located mainly in the Southern California region. The purpose of establishing this tribal only organization is to support tribal sovereignty, become more self-sufficient, and to ensure the measurement uncertainty among all member stations will be essentially the same as a result of common factors (similar standard operating procedures, quality control checks, etc.). Since our conversations, we have made contact with Pat Childers in the EPA OAR, who has shown interest in assisting our organization with locating funding. We will also be re-establishing contact with the TAMS Center to gain support and financial guidance.
15. There is a need to update the Tribal Caucus Representative handbook so send any new information to Mariela.	Everyone Mariela Lopez	RTOC Rep Retreat	Updated Handbooks will be handed out at the Reps Retreat on January 25, and posted on the RTOC website.
16. GAP Concerns brought up during the meeting included:	Laura Ebbert	Winter RTOC	A GAP FAQs session will be held at the Full RTOC meeting on January 27.

<ul style="list-style-type: none"> <li>▪ Restrictions on GAP funding to cover actual waste pickup and disposal. Program capacity for some tribes has greatly diminished as a result of this change in guidance.</li> <li>▪ Perception that different EPA Regions interpret these restrictions differently, so that some tribes in the Southwest appear to be funded for trash pickup under GAP while Region 9 tribes are not.</li> <li>▪ Dumping of abandoned trailers are an emerging concern. If abandoned trailers are then used as meth labs, tribes are going to be dealing with not just abandoned trailers but also hazardous waste sites.</li> <li>▪ GAP funding for education and outreach is not sufficiently flexible. Tribes are currently asked to plan their education/outreach activities down to the penny, but outreach needs can change significantly during the course of the grant planning and funding cycle. In some cases it's not feasible to explicitly define a tribe's education/outreach curriculum program for months in the future, given that priorities can shift. Tribes are being told that they can't be funded for a single outreach theme for more than one year; if recycling is an outreach theme one year then it can't be funded in a future year. However community education sometimes requires stating the same theme in different ways over time.        Laura will create a Frequently Asked Questions document on GAP Issues by the next RTOC.</li> </ul>			
<p>17. What is the role of EPA when NEPA is waived by departments in the federal government and is there a way to remove the ability of those departments to waive laws which were put in place to protect the environment and cultural resources of the nation. A discussion of this issue has been posted to possible January topics.</p>	<p>Kathleen Johnson</p>	<p>Winter RTOC</p>	<p>A presentation will be made by Connell Dunning, Environmental Review Office at the Full RTOC Meeting on January 27.</p>