EPA Region 6 Tribal Operations Committee (RTOC) Caucus Meeting
Tribal Caucus

December 1, 2020
10:00 a.m. – 3:30 p.m. CDT
9:00 a.m. – 2:30 pm MDT

Meeting Minutes

I. Opening – Cherokee Nation, Tribal Co-Chair

II. Invocation – James Williams, Muscogee Creek Nation

III. Roll Call/Declaration of Quorum – Pueblo of Santo Domingo, RTOC Secretary

a. Quorum established – 15 Tribes in attendance.

IV. Approval of Agenda

a. 1st motion – Wyandotte Nation
b. 2nd motion – Caddo Nation
   i. Agenda approved.

V. Approval of Minutes – July 21, 2020

a. 1st motion – Wyandotte Nation
b. 2nd motion – Muskogee Nation
   i. Minutes approved.

VI. Welcome/Introductions – Tribal Leaders, Tribal Caucus and Meeting Participants

a. San Felipe – Michael T. Sandoval, Tribal Council Member and former Governor.
b. Santo Domingo Pueblo – Cynthia Naha, RTOC Secretary.
c. Isleta Pueblo – Ramona Montoya, Vice-Chair.
d. Muscogee Creek Nation – Second Chief Del Beaver.
e. Others

VII. COVID19 Updates from Tribes

a. Cherokee Nation –When pandemic first stated and it had an effect on the Cherokee Nation, the administration was progressive and aggressive against the virus. Brought in the Environmental Department due to their familiarity with sampling for hazardous substances. 1,800 samples to date. 3% tested positive – top of desk, mouse, telephone handle, door handle, refrigerator handle. High traffic areas. To date, they have not had any employee catch it from one employee to another, its more likely family get-togethers and church. Collected a lot of good public health data. Just involved with the environmental testing.
b. Chickasaw Nation – Phillip Cravatt – missed the question – conversation on sampling. Sampling of wastewater?
   i. In charge of a CARES Act grant to work on safety measures – same information that was shared before. UV lights – all buses, Senior Centers & childcare. Phillip is willing to share the vendors that they have used as well as what they've used. Genesis Air Units into all the facilities – ions. Desk top dividers, sprayers. UVC lighting like a rumba to scan the building and kill any bacteria that is remaining.
   ii. COVID testing – Cherokee asked what they are doing? Flu shots and was doing testing. Scaled back on the testing.

iii. Staffing – 50% - Team 1 and Team 2. Phillip is on both teams. Cherokee Nation is doing something similar. Staggered shifts to

c. Santo Domingo Pueblo provided an update on COVID-19 mitigation efforts.

d. Has anyone seen a direct impact to their programs?

i. Cherokee Nation has seen the impacts as their Air Program and Lead-based Paint Program requires them to enter Citizen's homes. Have developed an SOP for continued sampling and their citizens have to agree and if they do not compile while on site, they will not sample.

ii. Chickasaw Nation – can only have 1 staff per vehicle. Have to wear a mask and if there are 2 people in the vehicle, can only be in there for 15 minutes. NEPA, who does this for your Tribe? The Environment Department does.

- Conversation we back and forth between Cherokee Nation and Chickasaw Nation.

- Action item - Chickasaw (Phillip) asked if Wayne could share how Cherokee Nation started their program and how they conduct the NEPA (NAHASDA).

e. Isleta Pueblo - Ramona: Similar approach at Pueblo of Isleta when in-home inspection is needed. Indian Health Service requires family members to leave (except 1 person to answer questions), windows opened before & during inspection, face masks, hand sanitizer, distancing, and separate vehicles. An employee was quarantined from the Pueblo department that demolishes homes after asbestos abatement is complete, it put 3 demolition projects on standstill due to staff shortage. Probably to be delayed to 2021 because of invoicing deadlines in Treasury. The quarantine effectively reduced their work year by 2 months.

f. Muscogee Creek Nation – 2nd Chief – COVID impact has been unreal. Unreal in the amount of people they have lost, not just in the past year, but in the past 2 months. Averaging 5 funerals per weeks. Loosing knowledge, language speakers, impacts to culture. Gaming Tribes are impacted. All their casinos shut down for 14 weeks. CARES Act helped, not whole but has helped. COVID has been challenging but provided a lot of opportunities for how they continue to conduct business.

g. San Felipe Pueblo – Pinu'u Stout thanked Chief Beaver for providing the update and sends condolences to his family and Tribe. It's a lot that the Tribes/Pueblos are going through.

i. Michael T. Sandoval called me and provided an update on what is happening in the Pueblo. They are in a similar boat as Santo Domingo Pueblo. Only the Directors are reporting to the office. There is a daily update call for the Incident Command Team. Pinu'u Stout would have been the one to update the group on what San Felipe is doing to safeguard their communities. Hopes that it will go away, and we will go back to normalcy.

h. Caddo Nation – Queen of PPE. Cost of PPE has gone up drastically and she has noticed the inflation. $118 for 2 cans of Lysol spray. Food pantry has been running since March. Running over 200 bags every Friday. Special Thanksgiving pantry with a total of 292 bags and another 500 on Saturday. 617 turkeys, plus food boxes and produce boxes. Mobile cold storage unit for the vaccine to do clinics with IHS. She is on the COVID-19 IHS talks for the vaccines and Caddo Nation is prioritizing their vulnerable populations. Environmental having a hard time with their water sampling due to staff turnover and the mandate on travel which is creating hardship due to having to get permission to travel. Going into an election and Polly Edwards is tolling with the idea of running for

Tribal Chairwoman for the Caddo Nation. Mentioned that the face to face is about building capacity and networking and it makes it easier to get things done. If anyone needs anything Emergency Management wise, please contact her, she is willing to share!

i. pewards.cn@gmail.com pedwards@mycaddonation.com 405-933-6749 cell

- Wayne asked for an overview of NTC responsibilities from Shawn – CPN NTC Secretary – executive committee – 2 EC calls with AIEO. To prepare the agenda, elevate any issues, discuss what EPA officials will need to be on the call. Regular NTC member – regularly monthly calls. Work with Tribal partnership groups to elevate issues. Work with TPGs on budget preparations. Expectation that if you are on the NTC that you participate! It is in the charter. Funding – cannot use grant funds to travel or do any work on the NTC. Considered an advisory committee to EPA and there are statutory requirements for the work under NTC.
    - Tabatha – Aren't there requirements to be on NTC?
        - Shawn – Certification provided through the Region and the Region has to write a certification letter as well.

LUNCH 11:30 – 1:00 p.m. CDT/10:30 a.m. – 12:00 p.m. MDT

VIII. New Business –

a. RTOC Charter Survey - https://survey.sogosurvey.com/r/cVk6bZ
    i. RTOC Secretary gave an opening remark regarding the questionnaire that was recently released.
    ii. Co-chair – how often should the Charter be reviewed? Majority of responses thus far have been to review every 2 years.
    iii. Vice-chair – no additional comments to add. The questionnaire will only be open a little bit longer. Convene a group to review the answers and to review the information. Encouraging Tribes/Pueblos to complete the questionnaire, if they have not done so.

b. Transition Document
    i. Co-chair Wayne Isaacs reached out to Pinu'u Stout (San Felipe Pueblo) to inquire with her about the latest version of the document and what we need to do to begin the process of updating it for the new administration. The transition document is timely and opened up the opportunity for all Tribes/Pueblos to participate in the development of the document.
    ii. Establishing a work group to complete the transition document
    iii. Secretary – reached out and encouraged all Tribal partners to provide information on their successes, challenges, etc., and how we can highlight the efforts in Indian Country. Working group may consist of Tribal RTOC members.

- Action item – Re-send out the Transition Document from 2019 to all Tribal partners and establish a working group.

IX. Progress Reports - Asked Randy Gee to resend the reports.

a. *National Tribal Air Association (NTAA)* – Quapaw Nation – began the TSC meeting. Tim Kent is on the call. See report. There was no National Tribal Air Forum – cancelled due

to COVID-19 and it is being planned for Tulsa, OK in May 2021. Forum workgroup just kicked off and will be developing the agenda. Not sure if it will be held in-person or virtually. Check NTAA's website for webinars that were recently held. Wood smoke workgroup – no new action. VW settlement – workgroup broadened into other Mobile Sources – lead and airplane fuel. Beneficiary to VW – ITEP has a technical assistance program to help tribes secure some of this money if they are interested. Working on a mobile application

    a. No NTAA alternate – RTOC has in the past voted on the Rep and Alternate. We can vote on an alternate. Need nominations.

b. *Tribal Science Council (TSC)* – Quapaw Nation – 1 pm to 4:30 every day. Just started their meetings along with monthly TSC seminars. Hosted a Canadian First Nations on their recent webinar in November 2020. TSC Continues to collaborate with the Tribal Toxics Committee and Pollution Prevention and participated in the recently held Indian Country Lead Awareness Roundtable, where the curriculum was launched. Quapaw Nation was a part of the Roundtable. Train the trainers – TSC will help anyone else in the region if they are interested in how to best implement the different modules within the curriculum. January 13th and February 10th for train the trainers. TSC continues to build awareness of Indigenous research methodologies. Tribal PFAS working group – more info this week.

    a. No TSC Alternate - RTOC has in the past voted on the Rep and Alternate. We can vote on an alternate. Need nominations.

        i. Alternate the responsibility of the groups and working out a schedule for when we return back to in-person meetings.

            1. Tammy Belone – Jemez Pueblo is interested in the alternate.

c. *Tribal Environmental Coalition of Oklahoma Report (TECO)* – ITEC

    a. See report

d. *Inter-Tribal Resource Advisory Committee (IRAC)* – ENIPC

    a. See report

e. *Texas and Louisiana Tribes* – Ysleta del Sur, Kickapoo Tribe of Texas, Alabama-Coushatta Tribe of Texas & Coushatta Tribe of Louisiana

    a. Reports?

    b. Coushatta Tribe of LA – Bethany (Enviro Division Mgr.) Out of the office since March due to COVID-19. They went back in August 2020 and were in the office for two weeks then got hit by two major hurricanes within weeks apart. Used social media for outreach and are currently conducting virtual activities with youth to keep them engaged. Tribal administration shut down all offices. Youth camp cancelled, scheduled for 2021. Field work has been difficulty, not only due to COVID, but hurricanes too.

f. *Tribal Governance Group (TGG)* – Muskogee Creek Nation

    a. Cherokee Nation - April Hathcoat – provided the update. Ask her to send a report. Data Academy

g. *E-Enterprise Leadership Council (EELC)* – EELC Representative – Santo Domingo Pueblo

    a. See report

    b. No EELC Alternate -

h. *National Tribal Water Council (NTWC)* – Seneca-Cayuga Nation

a. See Report – submitted a comment letter to US ACE. Water priority document. Monthly newsletter.
b. Tribal PFAS workgroup will be planning a few webinars. Reach out to Stephen Wolfe and Elaine Wilson for more information.
c. No Alternate

i. *National Tribal Toxic Council* – Seneca-Cayuga Nation – no in person meeting so are reallocating funding to make a video on the Toxic Substance Control Act. Available next quarter.
   a. Report will be coming.
   b. No Alternate

j. *Tribal Waste and Response Steering Committee (TWAR)* – Quapaw Nation/Choctaw Nation
   a. See Report - Choctaw Nation presented – November 13th, last meeting. 2021 Priorities Document will be done virtually this year. Started last week to get a schedule together for the updating of the document. Meeting every other week for a couple of hours to discuss the priorities document. If Tribes and Pueblos have anything they would like to share for this document, please reach out to Summer King and Tracey Horst.
   b. 2020 TLEF session are recorded and will be available for the foreseeable future. Biggest TLEF thus far.
   c. 2021 TLEF will be virtual.

k. *Other* (Ex. Tribal Pesticides, etc.)
   a. NTC Report – monthly conference call tomorrow, planning for the Winter NTC meeting on December 14-15, 2020. Planning meeting with NTC reps and AIEO. Agenda is still being developed. Question on who the next EPA Admin is going to be. Wont' be announced until GAO makes an ascertainment of Presidential leadership. New office being developed Mountain, Deserts and Plains. Looking at Uranium Mines. Other topics for winter meeting – R1 have requested that EPA look into how it is complying its 1984 Indian Policy on making determination. COVID-19 impacts responses and recovery. EPA delegations/consideration for Tribes when they delegate programs to states. Partnerships and communication.
      i. Indian Policy & Decisions – R1 elevated a question to NTC to EPA. The request is "How EPA evaluates issues utilizing the 1984 Indian Policy to make their decisions and determinations.
         1. AIEO – there is no matrix or evaluation tool they use. So, this is what Tribes want to know.

X. Announcement of incoming and remaining RTOC Members, Nomination & Voting of Tribal RTOC Leadership positions: Nominations were done via email to RTOC Tribal membership. Voting was completed via a survey link to RTOC Tribal membership.

Make a motion to cease voting for RTOC membership

- 1st motion – Laguna Pueblo
- 2nd motion – Zia Pueblo

Ayes – 15
Nays –
Abstentions –

a. Co-Chair – Isleta Pueblo
b. Vice-Chair – Ottawa Tribe
c. Secretary – Santo Domingo Pueblo
d. NTC Rep – San Felipe Pueblo
    i. Caddo Nation
    1. Alternate – Pueblo of Laguna
e. TPG Nominations and Voting – how do we want to proceed with this. We can correspond this at a later time. The RTOC Secretary will contact current representatives and will work with EPA to get a call out for the alternates.

    ii. NTAA –
    Alternate
    iii. TSC –
    Alternate – Jemez Pueblo
    iv. TGG –
    Alternate
    v. EELC –
    Alternate
    vi. NTWC –
    Alternate
    vii. TWAR –
    Alternate
    viii. Other -

XI. Old Business –

a. SAFETEA Update
    i. Randy Gee (EPA) & Tina Alvarado – Tina: EPA's approach is working on issues as they come up. No unified approach. Ad hoc in addressing the issues coming up.
    ii. Funding for the state and not the Tribes.
    iii. Questions – Tabitha – looking at all the grants – entities to see if they were affected? Can you further elaborate?
        - Grants $$ is allocated… Question about Brownfields. Staff working to address any issues re: land status based off McGirt. How is $$ allocated? Knew before if it was Indian country.
    iv. Current course of this matter, how do you see thing evolving? Change in administration soon. Doesn't know.
b. Workshop, Training & General Announcements – Tribal Caucus
    i. April 2021 RTOC/Annual Tribal Summit

XII. Review of Action Items – RTOC Secretary & Ombudsman – Provided a review of these. Will work with Phillip to get the language correct on his request to Wayne.

XIII. Closing and Adjournment – Cherokee Nation, Tribal Co-chair

Motion to adjourn

a) 1st motion – Ottawa
b) 2nd motion - Pueblo of Isleta
    - Meeting adjourned