

**Tribal Pesticide Program Council Meeting**  
**January 22-23, 2014**  
**Hosted by Salt River Pima-Maricopa Indian Community**

**Wednesday, January 22, 2014-Day 1**

- I. Traditional Opening Ceremony; Welcome, Introductions  
Vice President Martin Harvier, SRMPIC, provided the opening prayer.
  
- II. Opening Comments by SRPMIC Tribal Leader  
Vice President Martin Harvier presented a short history on the Salt River Pima Maricopa Indian Community. He discussed growing up in the community and his exposure to pesticides as a child. He extended his appreciation of what the TPPC members and tribal representatives were doing as part of their job in protecting their communities. He also delivered an opening prayer.
  
- III. TPPC Chairman Update / Fred Corey  
Mr. Fred Corey opened by introducing several members who helped put the meeting together and introduced several members of ITCA, the EPA and how quickly everyone coordinated this meeting in a short time. Mr. Corey discussed issues faced by state/ tribal pesticide inspectors and recommended the TPPC work collaboratively with state counterparts whenever feasible; he also mentioned this type of approach helps to leverage resources.

Mr. Corey mentioned tribes are seeking to identify examples of productive relationships, and one that could be useful is the American Association of Pesticide Control Officials (AAPCO), and their next meeting is in March 2014. He noted that he would like to see this group (TPPC) discuss Persistent Organic Pollutants (POPs). Mr. Corey reported he had a conversation with Pamela Miller who has been intimately involved with the POPs issue who is a member of the Community Action on Toxins in Alaska. Ms. Miller volunteered to help the TPPC with this activity and research on POPs. Fred stated the TPPC should also look at the use of Polychlorinated Biphenyl's (PCBs), and he also mentioned that the Toxics Substance Control Act (TSCA) might be considered for an amendment by the US Congress. The TPPC might want to come up with "shortcomings" of FIFRA for a future item.

**ACTION ITEMS / QUESTIONS**

- (1) POPs. Would it be possible for Ms. Miller to do a webinar on the POPs?
  
- (2) AAPCO. Regarding the AAPCO meeting in March –which meetings will be “showcased” Gila River Indian Community or the Navajo Nation? Also, the AAPCO March meeting agenda came out last week.
  
- (3) POPs and FIFRA. Dan Helfgott of EPA noted that there is international work going on in his branch. Dan also mentioned that the EPA has completed a report for POPs. He said he could share the report with the TPPC. There is a treaty on POPs that Congress had to ratify. The EPA could amend FIFRA and TSCA via the ratification. Dan noted

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that there will be opportunity for input to address the holes in FIFRA for tribes. There was an analysis study several years ago relating to FIFRA that could assist tribes. He will share all the POPs information with the TPPC. Also there was a discussion on what FIFRA does and what states can do (e.g., special needs registrations).

(4) FIFRA. In response to the discussion on pesticides and jurisdictional authority, a question was posed relating to why FIFRA could not be similar to the Clean Air Act, which tribes have Treatment as a State for air quality. This could allow tribes to pick and choose elements of FIFRA.

(5) PCBs. TPPC could work with the National Tribal Toxics Council to discuss the PCB issue.

### Introduction of ITCA & Administrator Update / Ms. Elaine Wilson

Ms. Elaine Wilson, Environmental Programs Director, ITCA, provided a background on the ITCA, which is composed of 21 member Tribal Nations. San Juan Southern Paiute Tribe is the newest. Land base totals 23% of the State of Arizona. The ITCA started as an association in 1952 with nine (9) tribes, and established a corporate non-profit in 1975. The ITCA non-profit is composed of staff who conduct work on behalf of tribes, such as providing technical assistance and training in the areas of health and human services, Area Agency on Aging, environmental and an epidemiology center, among others. Elaine gave recognition to the founders of the TPPC as they envisioned a group similar to SFIREG but relevant to tribes. ITCA will serve as the TPPC Administrator for the next two (2) years through a cooperative agreement. Currently, under a separate cooperative agreement, ITCA is assisting White Mountain Apache Tribe and the Tohono O'odham Nation with pesticide use assessments.

### ACTION ITEMS / QUESTIONS

(1) ITCA Clarification. The ITCA, Inc. submits grant proposals for federal, state and foundation funding and the 21 member tribes benefit from the grant objectives. The ITCA Association does lobby as they receive no federal funds that would limit that activity.

(2) RTOC.

Fred was recently contacted by Billy Maines, the current chair of the Tribal Operation Committee. Billy is outreaching to the Regional Tribal Operations Committees (RTOC) and the EPA Tribal Partnership Groups to discuss development of the annual national Tribal budget that is provided to the EPA administrator. An online meeting is currently being planned for the first week in April to discuss development of the budget, and Fred is seeking additional information regarding the meeting. Fred thinks the baseline Tribal pesticide program information that we have requested from US EPA should be helpful for developing a budget and statement of need for Tribal pesticide programs across Indian Country and Alaska Native Villages. In addition, Fred has requested that Tribes with existing pesticide cooperative agreements provide a description of their specific funding shortfalls and how it affects their program. Fred also mentioned that unless

specifically requested by the contributor, we will not attribute specific statements of need to individual Tribes.

(3) GAP Funding. Questions were asked about GAP funding vs. pesticides funding coming from OPP. Also mentioned is that TPPC needed to put together a “State of Pesticides” report for tribes, just like the one for ‘Air’. Discussion also included that there aren’t always measurable items in pesticide programs. It was noted that tribes must demonstrate a scientific need for the data.

IV. Hot Topics Discussion with TPPC Members, Moderated by Fred Corey

*The Hot Topics discussion provided TPPC members and other tribal pesticides staff with an update on OPP EPA actions while also allowing members to engage in a dialogue with Agency staff about issues of concern.*

- Ryan Callison (Cherokee Nation) - Cherokee Nation is a large tribe with pressing issues in housing, education, and health care, which are larger issues. They currently receive a small grant. They have developed metrics for their use. They are in the process of developing a pesticide code and pesticide notification system. Q: How does Cherokee get the applicators to comply? A1: The Cherokee Nation makes it easy for the applicators and establish a relationship early on.
- Nina Hapner (Kashia Band of Pomo Indians of Stewart’s Point Rancheria) - Discussed the traditional landscape on her tribe. She also mentioned the tribe has gathered several stakeholders discussing land management via three workshops. She said the tribe is also working with the western IPM Center through UC Davis.
- Africa Dorame-Avalos (ITCA) - In her scope of work, she is working with three tribes with coordination agreements - Fort Mojave, Cocopah, and Quechan. She is reaching out to White Mountain Apache Tribe, and the Tohono O’odham Nation. The focus is on outreach and education.
- Brenda Ball (Ak-Chin Indian Community)-Brenda’s office is revising the Community's Pesticide Control Ordinance. She reported that there was one high level episode that occurred in the Community and was investigated by the Department. She also mentioned that using sodium hypochlorite (bleach) used to treat water and wastewater, is a registered pesticide. The manufacturer/distributor the Community was receiving its sodium hypochlorite from was not providing end users with the entire label, specifically the Directions for Use. This is considered "misbranding", a violation of FIFRA. Ak-Chin's investigation also found that if drinking water utilities and water operators are following the National Drinking Water Standards then they are violating the pesticide label (sodium hypochlorite) since the National Drinking Water Standards allow a much higher concentration of sodium hypochlorite than the federally registered pesticide product labels throughout the nation allow. This issue was referred to USEPA Region 9, who sent it on to OPP Headquarters where Office of Water is also getting involved. Brenda said she is interested in the Performance Measures and the ongoing pilot project.
- Glenna Lee (Navajo Nation)- Glenna mentioned the tribe is focused on agricultural inspections.

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- Jeremy Phillips (Salt River Pima Maricopa Indian Community)- The tribe received funding to do IPM program in schools. They also received funding for the HHW program. With that funding they collected and disposed of household pesticides. The tribe is also working with R9 on their enforcement program. Jeremy characterized his program as a one man program, but they do have an enforcement officer.
- Luke Johnson (Ft. Mojave) - The tribe has more land in Arizona, and tribal headquarter is in CA. His tribe developed a Department of Emergency Response. His tribe has not developed a full environmental department. Their pesticide program person retired and he might inherit the program. Russell Ray is new and working the program. When council decides to move the program to his department, they will need an inspector.
- Jeff Biakeddy (Navajo Nation) – He discussed the shift to inspect pesticide uses in agriculture. They are also focusing on schools as well. They will also focus on Peabody Mine in the Black Mesa area. Jeff mentioned they are getting calls from schools about bedbugs.
- Albert Yoyhoeoma (Hopi) - Currently he only conducts outreach and education.
- Gayl Honanie (Hopi) explained the enforcement component of the program was eliminated because there were no enforcement actions done. Farmers are currently using natural/organic practices. The Hopi tribe is going to rely on EPA or ITCA for monitoring applications. She reported that they are encountering problems with ticks. Most farming is natural and dry farming. Africa Avalos said she was happy to assist Hopi’s program, although she is not a credentialed inspector. Q1: Does Hopi have a tribal code? A1: Hopi is currently working on completing the tribal code.  
Note. There was more discussion on requirements for funding numbers vs the general practice of Integrated Pest Management. This became a parking lot issue.
- George Ramirez (CRIT) mentioned the farms want to work with the CRIT EPO office. They grow mostly alfalfa, garlic, and squash. The farms will be starting to spray soon. Farmers are purchasing ground rigs. They receive 1080s so they know what chemicals are used. George’s office will be busy with inspections. CRIT goes through Indian Health Services for health brochures.
- Henry Ghiotto (Ft. Yuma Quechan) mentioned they were the lettuce capital of the nation. The department needs something that can help manage the contract labor. They farmers grow parsley, cilantro, cabbage and lettuce. Communication seems to always be an issue. Henry characterized his work as a one man team who works mostly out of his truck.
- Gary Burns (Shoal Water Bay Tribe) is the Environmental Programs Director for Shoal Water Tribe. One of the only tribes in the bay who sprays to kill noxious plants. Gary mentioned they have an environmental testing laboratory (owned by the tribe), which reports to Washington Department of Ecology. Oyster growers are trying to kill a certain species of shrimp.
- Hector Salas (Cocopah Tribe) said his work is 50% inspector, 50% administrative. There are invasive plant species on the Colorado River. At first they tried cutting down trees and roots, then spaying with herbicide. The plants would grow back and so they are now working on root distraction. Hector said they were having issues with spray drift. Residents feel they should be able to walk outside of their house without the fear of being sprayed. There are applications across the street not on the reservation, which presents issues. Dan Helfgott asked if he could coordinate with the state. George Ramirez

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(CRIT) said farmers cannot spray within a quarter of a mile of a school and they prefer they spray on weekends only.

- Hector Salas also mentioned he is working on outreach to offer solutions for home use. If the residents use citrus infused vinegar it is a good alternative to chemicals for cleaning.
- Jayme Mestes (Cheyenne River Sioux Tribe) said he was a circuit rider for nine (9) tribes. These tribes are in North Dakota and South Dakota. He is working on materials for the tribes. He believes the world needs pesticides. The tribes he serves have issues with water. Many studies have been done and the study shows 75% of wells with pesticides in it. Missouri River stretches through several states and has chemicals in it. Tribes need to get more stringent than the state and the EPA. Tribes are asking for more protection on their water.
- Delbert Longbrake (Cheyenne River Sioux Tribe) discussed his issues with wind drift. He has worked with the South Dakota Department of Transportation who sprays herbicides. There are also issues with spray drift on trees on private land. He is also monitoring 12,000 acres of farm land.
- Jody LaFiniere (White Earth Band of Ojibwe) discussed outreach. His biggest concern last year was to get credentials. His tribe is checker boarded which always presents issues. Everyone who lives within the boundaries of White Earth Indian Reservation is susceptible to The White Earth Environmental Code, which has a sub-part that is the White Earth Farm and Chemical Code. Our reservation is 36 square miles but the tribe only controls 11% tribal land. With my Federal credentials I will be able to regulate the entire reservation. Like most states I am hoping to handle all the use and mis-use complaints in tribal court. But it is going to be a challenge getting non-members in tribal court.
- Jim Mossett (Mandan, Hidatsa, and Arikara Nations) said because they are in North Dakota they have a short growing season. They lead the nation in honey production. Because of the short season, there is a need for a lot of pesticides in a short amount of time. There is one million acres of land (roughly) in his area. Drift is the biggest complaint. The tribe has a good working relationship with the state. Now the state sometimes calls Jim if there are complaints where people think pesticide application is coming from the reservation. People are careful using pesticides if Jim is around.
- Eric Gjevre (Coeur d'Alene Tribe) started by recapturing the thought that the TPPC has not met for over a year. Prior to 2001 there were no funds available. He has four inspections that could produce fines as of right now. Right now, he is dealing with container containments and another one right now that could result in a \$30,000 fine. There is a need for more funds.
- Willie Keenan (Confederated Salish and Kootenai Tribes) According to the EPA's Office of Chemical Safety and Pollution Prevention's (OCSPP's) FY 2011 – 2015 tribal strategic plan, several of the strategic goals were to 1) protecting America's waters and 2) ensure the safety of chemical and preventing pollution. The FY 2011 – 2015 EPA Strategic Plan states one of EPA's highest priorities is working hand-in-hand with states and tribes to develop nutrient limits and intensify or EPA's work to restore and protect the quality of the nation's streams, rivers, lakes, bays, oceans, and aquifers.

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In 2008, CS KT and the US Geological Survey partnered in an EPA Grant on surface water sampling for pesticide presence and magnitude on the Flathead Indian Reservation in Montana. Pesticides were detected in 11 of the 18 streams sampled and the pesticide program has we sampled the 11 sites annually. However, funding has decreased and the EPA laboratory can only analyze 5 sites. In 2008 we had reporting limits on 2,4-D, atrazine, diazinon, Dicamba, Glyphosphate, MCPA, Metolachlor, Prometon and Triclopyr, 2012 10 pesticide compounds and for emerging contaminants were detected in the June sampling event. The herbicide to 2, 4-D was most commonly detected compound. Pharmaceutical and personal care products (PPCP's) and the term emerging contaminants are used interchangeably and samples were collected in 2011, 2012 and 2013. Emerging contaminants include household and industrial compound used in pharmaceuticals, food additives, soaps and detergents, fire retardants, plasticizers, perfumes, and other commonly used products. These are termed emerging contaminants because the presence of surface and groundwater this has come to light with improved analytical detection methods that are capable of measuring range of compounds at very low detection levels. Detections of emerging contaminants in the June 6, 2012 sampling event were:

Tri(2-butoxyethyl) Phosphate-a flame retardant used the floor polishes and plastic product formulations.

Caffeine -stimulant found in some over-the-counter pain relievers, cold medications, and diet pills.

Tributyl Phosphate-a flame retardant used in plasticizers compound such as floor polishes and resins.

Warfarin-anticoagulant, medication used in controlling heart disease.

Glyburide-Type II Diabetes Medication an oral blood glucose lowering drug of the Sulfonylurea class.

At the beginning of FY 14, CS KT Pesticide Program partnered with the University of Montana Wildlife Biology Program/Environmental Biogeochemistry laboratory/Geosciences Department to collect blood, feathers of osprey chicks to determine levels of environmental contaminants. The purpose is to pair the Osprey nest was sample sites that are being monitored under the FIFRA surface water sampling sites. The contaminants be analyzed for cadmium, copper, lead, and zinc. These contaminants originated from historic mining and smelting activities in the headwaters near Butte and Anaconda, Montana and been transported primarily in fine sediments of the river, several hundred kilometers downstream. If possible, the University of Montana will also analyze for pesticides in the collected blood, and feathers of osprey chicks.

The FY 2011 – 2015 EPA Strategic Plan also makes head lice and bedbugs a priority.

The CS KT provided assistance to the public in managing head lice and bed bug infestations with no funding.

CSKT pesticide program has submitted two grants to the US EPA Environmental Justice and both grants were lost by the Environmental Justice Agency. They then partnered with Dr. Susan Ratcliffe of University of Illinois/Northern IPM center and she was able to find funding from USDA to purchase head lice shampoo, combs, and other supplies needed for low income families. The head lice supplies were disseminated on the Flathead, Blackfeet, Northern Cheyenne and Crow Reservations.

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Dr. Susan Ratcliffe has been a tremendous help to the tribe with low cost outreach materials to prevent and/or identify bedbugs.

- Ralph Morris (Gila River Indian Community) announced his tribe is almost done with the ordinance which will help with regulation.
- Brenda Ball (Ak-Chin Indian Community) Mentioned there is not a high need for pesticide issues, but have surface drinking water facility where they test for pesticides. They have a good working relationship with the Department of Transportation where they may spray for herbicide.
- KC Randall (San Carlos) talked about the GAP program with air and water.
- Brandon Ambrose (Yakima Tribe) discussed the new C&T plan and its applicability to the Yakima Tribe.

- Action Items/Questions

(1) Developing methods of outreach to discuss and minimize drift.

V. EPA Update and Discussion – OECA / Presented by Carol Galloway

- Dan Helfgott delivered his presentation and the work they are doing with tribes. He talked specifically about the work they are doing with grants and gave good suggestions where tribes can pull resources from states and other entities.
- Carol Galloway talked about the online inspector training.
- Carol Galloway gave her presentation on the work the Office of Enforcement and Compliance (OECA) is doing with tribes.

VI. TPPC Elections for 2014-2015 / Coordinated by Brian Davidson

Elections were held. All positions were filled except for Region 2 and 4.

The new elected positions are: Fred Corey- TPPC Chair; Nina Hapner - TPPC Vice Chair

R1- Fred Corey, Aroostook Band of Micmacs

R2- Vacant

R3- No tribe

R4- Vacant

R5- Hilery Spray, Winnebago Tribe

R6- Ryan Callison, Cherokee Nation

R7- Jody LaFiniere, White Earth Tribe

R8- Jim Mossett, Mandan, Hidatsa, and Arikara Nations

R9- Glenna Lee, Navajo Nation

R10- Eric Gjevre, Coeur d'Alene Tribe

At Large- Brandon Ambrose, Africa Avalos, Neil Abbott, Henry Ghiotto, Ralph Morris, and Willie Keenan

**Thursday, January 23, 2014, Day 2**

I. Opening Comments, Announcements

- Fred Corey welcomed everyone to Day 2 and asked everyone to sign in. Fred announced the elections of the TPPC Executive Council. He noted that the TPPC did not get to the Tribal Caucus the day before, so maybe we can fill in the time during the “Moving the TPPC Forward” section. The discussion was to be the issue of Pesticide Inspector Training requirements. He said the goal was to talk about what is required, what is proposed, and what the tribes need to know.
- Carol Galloway delivered her presentation via PowerPoint. She talked about her online course for new FIFRA inspectors. She discussed the mandatory on the job training. She also talked about the proposed changes to inspector training requirements. She had a slide on the process of tribal consultation. A slide was presented on the proposed changes to inspector training requirements. She presented a slide for available inspector training. There is a nomination process to attend the PIRT and PREP trainings.

Action Items/Questions

(Q1)- Henry Ghiotto asked if you don't have a cooperative agreement, can you still attend?

A- You can still attend the PREP, but priority of the PIRT training goes to those who have the cooperative agreement.

(2)Jim Mossett, Glenna Lee, Nina Hapner, and Jayme Mestes discussed their concerns about the training being tailored for just management.

(3)There was further discussion and concerns on the location of many of the training because tribes are in rural areas. Fred Corey suggested the Executive Committee put some thoughts together and come up with some suggestions for improvement.

II. ITCA Executive Director John Lewis joined the meeting and addressed the TPPC.

Mr. Lewis thanked the TPPC for coming to Arizona and recognized the importance of the dialogue.

III. Pollinator Protection presentation delivered by Carol Galloway, US EPA

Action Items/Questions

(1) Ryan Callison asked if there were areas where people are trying to target bees for larger bee kills. A- Carol said the EPA is encouraging people to report bee kills. Dan Helfgott said there is a web site where you can report them to the EPA and they have one full time employee who receives reports.

(2) Fred Corey suggested a bee inspection webinar would be beneficial to many people.

IV. Moving TPPC Forward

Fred Corey suggested creating a “State of Pesticides” report that could be submitted to the US EPA. Such a report could showcase success stories and the need for future funding. There was also discussion on the need to have representation with outside groups such as CTAG, AAPCO, and Falcon.

Mary Powell discussed the possibility of the TPPC contacting the American Indian Environmental Office. Nina mentioned coordinating with the National Tribal Operations Committee (NTOC) as well.

Fred Corey discussed labeling issues that might be sensitive to tribes. An example would be if a pesticide has a specific use on tribal land or is not allowed on tribal land, could there be a label that says “Before application, please consult with the governing board or local government to see if there are specific instructions.” Dan Helfgott said there is a list of issues for labeling such as whether the applicant can and will do it. Also, Dan asked if the tribes have the capacity to administer the paperwork and is the enforcement in place.

Action Items/Questions

The Executive Committee needs to make sure there are tribes represented on different pesticide stakeholder organizations.