

October 2018 RTOC Action Items

<p>Request a status update on the issue previously raised regarding the EPA proposed plan for CA Tribes to follow CARB requirements for Stage II Vapor Recovery and potential need for recapture retrofits to Tribal GDFs. What is the status of this proposed change and has or when will EPA respond to Tribal comments?</p>	<p>We have shared this item with the Air Division who continues to work on it. Air Division will provide for the next RTOC.</p>
<p>So Cal previously asked EPA to set an internal policy to respond to Tribal progress report submissions within 60 days and that if no response is received then progress reports are considered complete and accepted. We don't believe there was a formal response to this and we renew the request that this practice take effect. While EPA has been making progress on closing out GAP projects annually rather than the 2-4 years it was taking, adoption of this policy across all EPA programs will help EPA and Tribes to properly document completion of work plans in a timely manner.</p>	<p>We have provided this input to the managers of tribal grant programs in each division as they consider setting performance standards for employees in FY2019. Each supervisor sets the expectations for Project Officers. It is important that project officers review documentation of commitments to ensure that grant drawdowns are commensurate with work completed. We expect project officers to conduct timely reviews of reports, and we have observed improvements. We are continually looking to improve efficiency and reduce wait-time, especially as we implement our Environmental LEAN Management System.</p>
<p>We request clarification (and hopefully written policy) on EPA response time for tribal comments in regards to GAP Evaluation and other requests for comments.</p>	<p>AIEO Response: The EPA Policy on Consultation and Coordination with Indian Tribes lays out the four-step process, with "follow-up" as the fourth phase. Consistent with this policy, EPA will follow-up with tribes that provided written comments on the GAP Guidance (June 1-Aug. 31 consultation comment period) to explain how their input was considered in the final action. OITA will follow up to written tribal comments from the June 1-Aug 31 consultation period prior to initiating the second consultation on the GAP guidance.</p>

<p>We request a status update on the GAP Guidance revision process and responses to tribal comments.</p>	<p>AIEO Response: From April to August this year, EPA received more than 800 individual comments from tribes and consortia, including written consultation comments, and comments recorded during webinars and other discussions about the GAP Guidance. The American Indian Environmental Office is in the process of reviewing those comments as well as input from GAP Project Officers and EPA regional managers, including the Regional Administrators. AIEO continues to engage regularly with the EPA-NTC GAP Workgroup, seeking valuable input from NTC representatives on the process for the Evaluation. In the coming months, EPA will develop draft revised guidance and AIEO will present a new consultation opportunity to tribes nationwide to review and comment on the draft.</p> <p>AIEO is also developing a comment summary matrix to share with tribes later this fall. The comment summary matrix will provide the scope and number of tribal comments received (representing both verbal and written comments) during the first phase of the GAP Guidance Evaluation, April-August 2018.</p>
<p>We request EPA conduct PPG training in the form of a workshop to educate Tribal Environmental Staff on Policies, Regulations and Requirements for PPGs and the merits and challenges associated with managing a PPG.</p>	<p>Complete: Please see the Conference brochure for PPG training sessions.</p>
<p>GAP issue: In the negotiation process, it seems that what the project officers are looking for, in the overall work plan, is unclear. What constitutes as enough work to justify full-time employee funding? It seems that the tribes are now being asked to do more work with less money. How is USEPA looking at the estimated work cost in relation to the estimated component cost?</p>	<p>Complete: Please see the Conference brochure for GAP sessions that include budgeting, work plan preparation, and costing.</p>
<p>Revisit the question of using ETEP as capacity indicators. How do indicators work with ETEPs and work plans? There was discussion on where and how the indicators should be included. What is the recommendation of EPA to their POs when discussing indicators and ETEPS?</p>	<p>As previously discussed, indicators implicated in a grantee's ETEP should appear in the "Measures" section of the work plan at the component level. Indicators create a tie between a grantee's overall capacity-building direction, the 4-year performance goals stated in the ETEP, and the one-year scope of work negotiated in the work plan.</p>

<p>What about the panel review process? How is this organized and configured? We know 4-5 people look at the grant proposals and comment, so why isn't there a peer review process? Can EPA fund someone, a tribal representative (?), so they can participate?</p>	<p>There is no panel review process. Each Project Officer is responsible to review work plans assigned to them, renegotiate work if appropriate, and make recommendations on appropriate funding levels for allowable, reasonable, necessary work presented. Draft workplans are peer-reviewed within the EPA tribal section to promote consistency among project officers. In addition, we consult programmatic experts in other divisions and at EPA headquarters to advise on the reasonableness, allowability, and appropriateness of media-specific capacity building work proposed by grantees. Tribes participate in the review of their work plans by answering questions and making edits as appropriate.</p>
<p>Where are we on these issues? As of 9/19/2018 the July Action Items are not available on the EPA Website.</p>	<p>Complete: Action items from July are posted.</p>
<p>Is EPA holding fast to "if no ETEP, no funding?"</p>	<p>ETEPs are a requirement, as stated in the GAP Guidance. In the limited cases in which an ETEP is not yet complete, we are working with grantees to complete the requirement.</p>
<p>We need to leverage resources for indoor air. Tribes have concerns with smoke, mold, pesticides, etc. Ask Priyanka to be a part of this group. We need a list of resources <i>or a toolkit</i>. Webinars are great, but they aren't helping solve the issue of getting something done. Can this be done with EPA assistance? Tribes are asking for indoor air to be included in Air Workgroup, in addition to her sending out a monthly report.</p>	<p>This item has been referred to the Air Division. The plan is to include this topic in future Air Workgroup discussions.</p>
<p>Please explain again why the last two years of Annual Conference fees have been so high? Is this a temporary hike, or a permanent one?</p>	<p>This item was discussed in the Caucus.</p>
<p>How will the reorganization within the EPA Regional Offices affect Tribal Programs?</p>	<p>This item was covered in RA Mike Stoker's opening remarks. We will provide an update on the reorganization at the next RTOC.</p>
<p>Being able to fund water operators for small tribes is still a difficulty. Drinking water quality is a priority, but how do we keep systems in compliance when we cannot keep a certified water operator because of lack of funds.</p>	<p>Water Division supports tribal operators with trainings and one-on-one assistance through RCAC and funding to ITCA for operator certification. Asset and financial management tools are available for water systems through EPA, along with training and system specific assistance.</p>
<p>Want to see R9's comments regarding the GAP Guidance evaluation.</p>	<p>These comments are internal, deliberative and cannot be distributed.</p>
<p>Regarding GO3, we'd like to see a document that included all the input from tribes (feedback) as they were working through it. Want to see what changes have been made in response to feedback.</p>	<p>As we receive input from project officers and grantees on GO3, we will share with AIEO. This feedback may inform future updates to the system.</p>

Why is the final GO3 being rolled out when there is no new GAP Guidance?	There was an opportunity to build on the prior GAP Online interface and work to develop an improved system.
Review the GAP roll-out - it has a due date for consortia being 2.5 weeks after tribes. They would like more time.	Deadlines were extended in light of shutdown.
Want to invite islanders (HI, GU, AS, etc) to the Conference. Can EPA support them in being able to attend?	We have notified John McCarroll, the EPA Pacific Island Office Manager who is very supportive of this opportunity; he will be reaching out to our Pacific Island partners.
What would it require to take on 404g authority? Costs, technical assistance, etc.	Danielle Angeles will provide information to the Caucus to support an upcoming call. Also see Weds 10am session to talk about 404 program assumption latest and greatest.