

Fall 2020 RTOC Action Items
1/15/2021

Identifier	Action Items	Tribal Contact	Lead	Status	Category/Topic	Response
1	Request EPA collaborate with Tribes to develop a process whereby ETEP development can be streamlined and made more useful, and provide access to the R10 database of ETEP components - R10 gave a presentation on a database tool they are using to assist the process; Would like access to this database of ETEP components	Rob Roy, Southern Cal	Jeremy Bauer	In progress	GAP (ETEP)	Willard Chin led a call with Rob Roy, Lisa Gover, and Shausta Gaughen to talk about the ETEP process- GAP workgroup topic- should we standardize procedure for tribes in Region 9 to create ETEP with accommodating forms and templates to use? Discussion on tools? A discussion on weighing having flexibility, guidance, and tools for development. The process should ensure that the tribes priorities are the ones that are in the ETEP and workplan. At the next Tribal Caucus on February 2nd will decide next steps.
2	Is there an update from EPA on the COVID pandemic, alterations to normal regulations or procedures such as relaxing release reporting, and what is EPA's position related to ongoing assistance to tribes during the pandemic? Will EPA provide any funding for the ongoing and increased need for assistance with O&M? - A lot of what has been shared is from other organizations? - How can tribes get more attention to things like drinking water O&M? Pandemic shows that this is a strong need.	Rob Roy, Southern Cal	Emmanuele Rapicavoli	Ongoing	COVID and Drinking Water	Emmanuelle's response regarding drinking water O&M: Ensuring the provision of safe drinking water and sanitation to tribal communities is a top priority for EPA. We understand that the pandemic and the wildfires have only compounded the need for operations and maintenance support for tribal water utilities. Unfortunately, Congress has not granted EPA either the authority or the appropriations to fund operations and maintenance activities for water utilities. Region 9 has utilized the flexibilities allowed by congress to fund O+M training and technical assistance to support tribal water operators. Some examples of this include the funding we provide to our contractor, RCAC, to provide one-on-one technical assistance and extensive training programs for tribal utilities in the region. Region 9 has also funded drinking water operator training courses and certification services through the Inter-tribal council of Arizona. Lastly, EPA partners closely with other federal agencies such as the Indian Health Service and BIA who have broader authorities to support operations and maintenance at Tribal water systems. If your water utility has a specific training, technical assistance or O+M need, I encourage you to contact me or your tribal drinking water program manager. The tribal DW team, working with our contractors and federal partners, will help to identify the resources that can best assist each utility. EPA has not "relaxed" drinking water requirements as a result of COVID-19. If a drinking water utility has experienced changes to their population, service connections, infrastructure, or had other operational changes, please contact your EPA Drinking Water program manager. The program manager will determine the appropriate monitoring requirements and frequency of sample collection for the water system. EPA's national webpage for coronavirus resources for tribal drinking water utilities is here: https://www.epa.gov/coronavirus/tribal-water-utility-resources-covid-19-pandemic And for all utilities here: https://www.epa.gov/coronavirus/coronavirus-and-drinking-water-and-wastewater
3	Request update on the EPA role in and response to OK Governor request (midnight rider) - So far, the tribes have been able to maintain their programs since they are mostly non enforcement programs - Tribes wanted to consult with EPA but the OK Governor wanted to be part of that - How will McGirt decision affect or be affected by this?; McGirt is criminal so will likely have no effect.	Rob Roy, Southern Cal				
	Questions: 1. This is still alarming in the sense that if this could be tacked on as a rider, what stops Congress from doing the same thing throughout Indian County? (Shasta Gaughen, Pala) 2. Is it possible to get a copy of Governor request to EPA (Lisa Gover, CA) Note: Copy of the OK Governor's Letter is in the TCOTS listing (Wilfred) - link was shared	Various	Tod Siegel and Andy Bryne	Complete	Legal	Email shared with Caucus with responses on 11/2/20
4	NTAA to collaborate with the RTOC California Workgroup with regard to the Daimler-Chrysler Consent Decree, Supplemental Environmental Projects (SEP), CARB contacted NTAA to coordinate efforts and develop opportunities for Tribes.	Wilfred Nabahe, Arizona		In progress	Air	Wilfred will provide a status update at our next RTOC.
5	FOIA Questions 1. As a requirement Tribes are to be notified of FOIA request when specific information is pertinent to that individual Tribe along with information to be provided. Specific materials are exempt from FOIA that should be provided opportunity to confirm whether this information is to be shared. (John Parada) 2. It would be helpful to see what EPA tribal summaries are so an idea of the type of information to be released. (Teri Red Owl) 3. What type of information is included in the Tribal reports? (Shasta Gaughen, Teresa Romero, John Parada) 4. Will USEPA respect the exemption allowable for FOIA requests? This requires notification to each specific Tribe. (John Parada) 5. Will USEPA make the determination on exemptions applicable to documents? Sensitive information determined by a specific Tribe? (John Parada) 6. Who updates the fact sheets? Are they done on a regular basis or as needed (e.g. change in leadership, reservation size, etc.)? (Kelcey Stricker) 7. Is there any reasoning why he (requestor) wants the information? (Meyo Marrufo)	Various	Jeremy Bauer	Ongoing	FOIA	Email shared with Caucus with responses on 11/2/20

6	<p>Annual Reports: Can Jeremy talk about annual reports in addition to quarterly reports? Some Project Officer's or Programs want them, other do not. Should the Fourth Quarter GAP report also give a summary of the year? (Rob Roy)</p> <p>Laura - if your reports are cumulative; you satisfy two requirements in one. If not, requirements may vary by program. That may be something we can present on at the next RTOC?</p>	Rob Roy, Southern Cal	Jeremy Bauer	Complete	GAP	Webinar on Nov 12th addressed this point; information shared in an email with Caucus on 11/2/20
7	Summer RTOC Action Item # 10 Mervin to provide the "One Drive" information to Tribal Caucus		Mervin Wright	In progress	RTOC	
8	Spring 2020 RTOC Action Item #14 What are your recommendations when local law enforcement cuts down marijuana plants but wont remove due to illegal pesticides?" Juliann will share the guidance document on EPA's approach to marijuana sites with RTOC when final (before the end of the calendar year).		Peter Guria	In progress	Emergency Response	Juliann will share the guidance document on EPA's approach to marijuana sites with RTOC when final; estimated to be complete by January 20th