

Category	From	Issue	Who	When
AIR	Willard Antone, GRIC	Ozone attainment guidance included 3 options to define boundaries, none of which included TAS boundaries. Tribes want TAS boundaries included in the list of options.	Stephanie Valentine	9/5/2017
CONF	All NV Tribes	Conference Request – NV Tribes want Nevada BLM at the conference regarding mining and water concerns.	John Flores	October Conference
ENF	Lisa Gover, Campo	Regarding E-Enterprise, Nicole Moutoux has been named as the new Regional Coordinator. We would like to know about her experience working with Indian Tribes as co-regulators and her goals and priorities moving forward.	Nicole Moutoux	9/1/2017
GAP	All So Cal Tribes	Closing out a grant that has run for 4 to 5 years is a challenge for both EPA and Tribal staff. We request joint evaluations for GAP every year, then the end of grant closeout will be much simpler and quicker.	Laura Ebbert	8/15/2017
GAP	All So Cal Tribes	GAP Online requires using the Internet Explorer browser which has been discontinued and is insecure. We request that GAP Online use be put on hold until the program can accept use of a modern secure browser.	Rebecca Roose	9/5/2017
GAP	All NV Tribes	The Nevada Environmental representatives want more GAP Project Officers to attend the RTOC's and set aside time to meet with Tribes they are assigned to. Tribes transitioning to new staff especially need to be prioritized to ensure that they have up to date information from their PO on their grants and upcoming deadlines.	Laura Ebbert	8/15/2017
GAP	All NV Tribes	We want to stress the importance of the Inter-Tribal Council of Nevada's Environmental Liaison. That position had decreased funding and we want to keep that position. How can the Nevada Tribes ensure the Liaison position is maintained?	Laura Ebbert	8/15/2017
GAP	All NV Tribes	Response from Tribal Section: Please describe needed training and move to GAP Workgroup. Original action item: We want better assistance and support from EPA for new Tribal GAP managers. In NV there are a number of new GAP managers which would be better equipped with more training opportunities for GAP.	Cliff Banuelos and Alan Bacock	9/15/2017
GAP	All NV Tribes	We want better assistance and support from EPA for new Tribal GAP managers. In NV there are a number of new GAP managers which would be better equipped with more training opportunities for GAP.	Laura Ebbert	8/15/2017
GAP	Southern AZ	Please explain how eligibility to use the Tribal Travel Fund is treated for tribes with PPGs.	Laura Ebbert	8/23/2017

GAP		AIEO has identified that ETEPs must cover all EPA programs. Is GAP going to be used as the platform for all media specific programs in the future?	Rebecca Roose	October Conference
GAP		Since the publication of the 2013 GAP Guidance, how many tribes have lost eligibility because of the guidance?	Laura Ebbert	8/23/2017
GAP		Is GAP Online required for PPGs? Is it required for quarterly reporting?	Laura Ebbert	8/23/2017
GAP	CenCA	My new PO requested deliverables that were not included in my work plan. Why?	Laura Ebbert	
GAP	SoCA	Building environmental capacity requires we train a large audience of tribal members, who might in the future become environmental staff of the Tribe. Want to make sure education is available to a broader group of individuals at the tribe.	Laura Ebbert	8/23/2017
GAP	SoCA	Tribes want consortia to be able to support outreach events.	Laura Ebbert	8/23/2017
GAP	Tribal Caucus	Request to hear a report from AIEO of what they are currently working on and why they haven't reached out to tribes for comment, specifically including the language under consideration for making the Omnibus solid waste funding provision permanent	Rebecca Roose	9/11/2017
GAP	Tribal Caucus	Request for Felicia Wright to attend the Annual Conference to provide a detailed update on AIEO projects mentioned at May RTOC.	Felicia Wright	October Conference
GAP	Tribal Caucus	Tribal Caucus raised concerns with the lack of tribal comment on AIEO issues including NPM guidance, Omnibus funding provisions, and cuts to contractors. Request that AIEO respond to why the comment process didn't happen or was inadequate and suggest a process for obtaining tribal comments going forward.	Rebecca Roose	October Conference
GAP	Tribal Caucus	Share latest Working Effectively with Tribal Governments and Trust Responsibility training with Tribal Caucus	Laura Ebbert	9/11/2017
GAP	Tribal Caucus	Deliver a workshop on outreach and education programs eligible under the GAP Guidance.	Tribal Section	October Conference

GMO	All So Cal Tribes	Conference Request - Request grants.gov Workspace training at the annual conference.	John Flores, Craig Wills	October Conference
GMO	All NV Tribes	Conference Request - The Nevada reps want a grant writing session during the conference.	John Flores, Craig Wills	9/1/2017
GMO	NV and Eastern CA Tribes	Eastern CA and NV need clarification on indirect cost rate development process. The annual process that Tribes work through are fairly consistent, but are conflicting with EPA. Tribes need to know how to be able to budget for and drawdown indirect costs. <b>Clear commu with leadership when rates lapse?</b>	Craig Wills	8/23/2017
GMO	Eastern CA Tribes	EPA Exchange Network Regional Coordinators are not attending the National Exchange Network or Tribal Exchange Network conferences. There is a need to have staff in those positions at both conferences.	Connie Choy	9/5/2017
GMO	Eastern CA Tribes	Request to have the National Exchange Network Conference held on the West coast since it seems to be held regularly east of the Mississippi.	Connie Choy	9/5/2017
GMO		TREXX is going offline due to lack of funding, without advance notice. There are 17 tribes that were using the system that have no other way to grade and submit data. Why did this happen, and what systems will replace this function for users?	Connie Choy	9/5/2017
NTC	Tribal Caucus	Revisit issue with the GAP Guidance regarding intertribal consortia needing letters of support from all tribes (not just the majority)	NTC	9/11/2017
RIPSC	All So Cal Tribes	Tribes would like to see EPA Project Officers read Tribal quarterly reports within a timely manner. Tribes are frustrated when no response is provided until the grant closeout when the PO lists that a task deemed fulfilled within a quarterly report is listed as not complete. We request that EPA POs read quarterly reports and respond within an acceptable timeframe (within 30 days) that the report is accepted, or request updates. If no response is received the report will be considered to be accepted as submitted.	RIPSC	October Conference
RIPSC		Tribes would like a protocol that Project Officers would share in advance a list of topics that would be covered on site visits and what materials the tribe needs to prepare or have at hand. A tribe was surprised by Advanced Monitoring.	RIPSC	October Conference

RIPSC	Alan Bacock, Big Pine Tribe	The relationship between Tribes and EPA is dissolving at the national level with issuance of Clean Water Act Rule repeal and replace without response to Tribes which had commented during the tribal consultation process; issuance of draft National Program Manager Guidances which placed states in a higher category than Tribes; development of a FY19 budget starting with questions which would severely impact Tribal environmental programs; and lack of reaffirmation of the 1984 EPA Indian Policy. States are being placed on a higher level than tribes and this is highlighted through a workgroup of EPA and states making a decision in the NPM Guidance process which affected Tribes without tribal input. What is EPA's position on tribal sovereignty and self-governance?	Jeff Scott, Tomas Torres	8/23/2017
RIPSC		Some Nevada tribes have expressed their displeasure that they are continuing to have to make additional changes to their workplans that were not outlined in their respective guidance letters. Tribes are still in the process of making changes to their workplans for FY2018 in the middle of August when grant recipients typically are receiving their award documentation. Why is this happening?	Laura Ebbert	8/23/2017
SFD	Ginny Hatch, Yerington Paiute Tribe	The Yerington Paiute Tribe does not feel that EPA has met its trust responsibility to the Tribe for the cleanup of the Anaconda Mine Site. The Tribe has requested consultation between decision makers of the Tribe and EPA to discuss the consideration of deferring the Anaconda Mine Site from the National Priority Listing. However, EPA is moving forward to make a determination to provide the state oversight on lands that affect the Tribe. The Tribe also has jurisdiction over a portion of the clean up areas and decisions about those areas have been made without consulting the Tribe. The Tribe is being treated as merely a stakeholder and not as a governmental unit. In addition costs incurred by the Tribe on the deferral process are not being reimbursed by EPA to the Tribe, they may be in the next fiscal year but the work needed now for the deferral process is not receiving any additional funding.	Enrique Manzanilla	8/23/2017
Tribal Caucus	Tomas Torres	Send Tomas Torres a link for the Air program guide discussed during RTOC meeting.	Rob Roy	9/11/2017
WTR	Rob Roy, La Jolla	The CAA 103 program has a fantastic technical document that details every aspect of properly conducting air quality monitoring, titled Quality Assurance Handbook for Air Pollution Measurement Systems, Volume II. We request that EPA work to create a similar document for the CWA 106 program.	Gail Louis	9/15/2017
WTR	All NV Tribes	Conference Request - A major issue here in Nevada is over-permitting of water rights. We would like a session that speaks to this problem. It would make sense to tie it to the NDEP session that usually takes place on one of the mornings of the conference. We would like to invite the Nevada State Engineer, Jason King, to the conference.	John Flores	October Conference

WTR		Water Project Officers told tribes that water trainings were eligible for the Tribal Travel Fund, but the GAP Project Officers said otherwise. Is this training eligible?	Laura Ebbert/Gail Louis	
NTC	Tribal Caucus	Send letters to regional, national, and political offices and Ken Wagner detailing concerns	Alan Bacock and NTC	9/5/2017
NTC	Tribal Caucus	Send letters to each AA summarizing inadequate tribal consultation and coordination (short and sweet!), identifying desired future state, and inviting them to come consult with tribes.	Alan Bacock and NTC	9/11/2017
All Tribes	Tribal Caucus	Send success stories to John Flores by October 15th for inclusion in Annual Conference poster session.	All tribes	10/15/2017
GAP		Develop draft success story template to discuss at Annual Conference	Kate Fenimore	October Conference

## Status

In progress. New item - Stephanie will respond.
Resolved.
Resolved. Nicole is calling Lisa directly.
Resolved. As discussed at prior RTOCs, some grants are behind and the Section is nearly done with the "catch-up" EOYs. Going forward, Joint Evaluation will occur annually.
In progress. This item was sent to Rebecca for a response.
Resolved. When the RTOC is in San Francisco, all Project Officers should attend, and definitely should be prepared to communicate about any outstanding issues or upcoming deadlines.
Resolved. ITCN's funding this year was reduced because the Consortium did not provide timely documentation of tribal support for the work plan. Note that documentation is due with GAP proposals in December of each year. Nevada tribes can support ITCN by providing timely letters or resolutions of support that reflect the specific value of ITCN's work plan activities on the individual tribe's success under GAP.
In progress. Move to GAP Workgroup.
Responded in meeting. Please describe needed training. Move to GAP Workgroup.
Responded in meeting and following up with additional information. The Tribal Travel Fund is a GAP Grant, and all travel must support GAP-associated capacity building. This means that the GAP-associated work plan elements of a PPG, and the budget associated with those work plan elements, must identify how the travel under the fund supports the purpose of GAP. We are updating the Travel Fund explainer document to try to add clarity for PPG grantees.

In progress. This new item will be sent to Rebecca Roose for a response.
Responded in meeting. R9 is not aware of any grantees who have lost eligibility for GAP due to the GAP Guidance. There are a number of tribes each year who are not receiving GAP funds. For FY18, that includes 28 grantees who did not apply for GAP for FY18 (one of which may have decided they no longer find GAP useful to them, but that's speculation), 3 who may not receive a grant due to financial or programmatic performance issues, and one who is not being issued a grant due to an active grant enforcement related to performance.
Responded in meeting. No and no.
Responded in meeting. Need more information, please have requesting tribe contact Laura Ebbert directly.
Responded in meeting. The beneficiaries of GAP must be the individuals identified in the GAP work plan and budget. Individuals not listed in those materials are not eligible to attend GAP-funded training programs designed to build environmental staff capacity. See also grant regs about recipients of training.
Responded in meeting. Where Consortia are performing activities, it is on behalf of member tribes. Since outreach events are no longer about the recipient community, but instead about the capacity of program staff to deliver effective training, having consortia support outreach events could mean the recipient tribe is not eligible to support those events. How is the consortia building the capacity of environmental program staff to deliver new content to tribal members at these events? Suggest send to NTC/AIEO.
In progress.
In progress.
In progress.
In progress.
In progress.

In progress. Craig Wills will send John a contact at G.G
In progress. John Flores will identify a potential workshop leader. Craig Wills will send any potential contacts to John. Maybe a university?
Initial response in meeting. More detailed response will be forthcoming from EPA HQ. Federal Regulation 2 CFR 200, Appendix VII Section D.1.(a-d) describes submission of indirect cost rate proposals. In part, it states "each Indian tribal government desiring reimbursement of indirect costs must submit its indirect cost proposal to the Department of Interior" (Interior Business Center). Further, the regulation states "indirect cost proposals must be developed within six months after the close the Tribe's fiscal year". Currently, EPA Region 9 will allow a Tribe to budget for indirect costs when applying for EPA grants. However, the Tribe is not allowed to drawdown funds (get reimbursed) for those budgeted indirect costs until they receive an approved negotiated rate from the Department of Interior that covers the period of time when the indirect costs are to be expended. Additionally, EPA Region 9 is working with HQs EPA to update agency policy regarding indirect costs.
In progress.
In progress.
In progress.
In progress.
In progress. The Regional Indian Program Steering Committee will review this request and provide a response by the October RTOC.
In progress. The Regional Indian Program Steering Committee will review this request and provide a response by the October RTOC.



Responded in meeting. Expecting Administrator to reaffirm 1984 Indian Policy. From R9 position, nothing has changed. NOTE: If you submit untimely comments, suggest you copy your PO (while you send them to the AA and anyone else you can find!).

Responded in meeting. Grant negotiation may take more than one exchange to accomplish, and can be ongoing up to and, where documented, past the start date of the grant.

Complete. Enrique Manzanilla met with tribal leaders at YPT and WRPT on June 27 and 28 regarding the site and the state's deferral concepts and hear the tribes' concerns. On 7/31, NDEP requested a formal deferral and Enrique instructed them the process must be completed in a manner that respects tribal sovereignty and jurisdiction and provides for meaningful involvement by the tribes in the process as well as the work at the site under a deferral scenario. We are now working with parties on drafting agreements consistent with EPA guidance. There is much work ahead regarding a potential deferral, and I am in communication with Chairman Thom reaffirming our goal to not defer without formal consultation with YPT (sent 8/22).

In progress. Tomas Torres requested additional information on the Air document. Followup questions: Do you want a QA document or a manual? We will talk with HQ about this request.

Complete.

Responded in meeting. The Tribal Travel Fund is a GAP Grant, and all travel must support GAP-associated capacity building. Travel to support CWA106 or 319 objectives is not eligible. Gail Louis will ensure her staff share correct information going forward.
In progress
In progress
In progress
In progress