

Summer 2023 RTOC Action Items

#	Action Items	Tribal Contact	Response
1	<p>RTOC Meeting Planning:</p> <ul style="list-style-type: none"> - Post travel information further in advance and provide information on field trips and/or trainings to aid in securing advance approval for travel arrangements. - Post responses to Action Items 3 or 4 weeks in advance of RTOC meeting. - Schedule RTOC meetings on consistent schedule i.e., 2nd week of the quarter. - Schedule RTOC meetings to avoid scheduling during other important environmental meetings and trainings. 	S. Cali - Syndi Smallwood	Roman Orona can take this under advisement for future meetings. EPA will work on posting response to action items farther in advance of RTOC meeting.
2	<p>Recommend create a RTOC website on the existing tribalepa.com website with a calendar. Include a link of the R9 EPA RTOC page to help coordinate the scheduling of meetings, trainings, national conferences, etc..</p>	S. Cali - Syndi Smallwood	Roman Orona and Viejas can discuss since Tribalepa.com Web site is not managed by EPA. The R9 Web Team plans to present at the Winter RTOC to get feedback about the RTOC web site and other R9 tribal web content. The EPA R9 Quarterly Tribal Newsletter is a great resource to see upcoming meetings, trainings, national conferences, etc..
3	<p>EPA programs need to provide for implementation grant funding in addition to EPA grant planning funding?</p>	Mervin Wright	There was a discussion at the Summer RTOC focused on the funding trends and challenges associated with CWA 319 water program implementation funding. EPA is available to have similar discussions about other program areas and available implementation funding, as requested. Besides available funding, EPA also has direct implementation responsibilities under nine major federal environmental statutes and for emergency response activities: https://www.epa.gov/tribal/direct-implementation-indian-country
4	<p>EJ funding – Provide information on how Region 9 will ensure that the EJ grantees are following their work plans and completing their outputs and outcomes beneficial for ALL the Tribes in their service area where grantees have existing relationships with a single Tribe or with only a couple of Tribes. Many of these EJ grantees serve urban areas or other non-tribal jurisdictions. How will EPA ensure that this will not happen?</p>	Cliff Banuelos	EPA staff are regularly meeting with EPA's Thriving Community Technical Assistance Centers (TCTACs) and working closely to ensure deliverables are being met. TCTACs are required to report information about the services being provided, engagements they participate in, and supported community activities. Although both TCTAC project leads are centered in urban areas, their project scope includes all of Region 9, including Tribes and rural areas. Our TCTACs are designed with numerous partners in order to reach as many communities as possible. Partners with Tribal experience and/or focus include but are not limited to: Environmental Protection Network, Institute for Tribal Environmental Professionals, Climate Science Alliance, and University of Arizona's Indigenous Resilience Center. TCTACs and their services are not static entities and if there are ways our communities feel we could better serve them we encourage them to share their input, thoughts, or concerns! We encourage Tribal members to meet and connect with some of our TCTAC partners at the upcoming 2023 Tribal Conference. More information on SDSU's Center for Community Energy and Environmental Justice can be found at https://ccej.sdsu.edu/ and University of Arizona's Western Environmental Science Technical Assistance Center for Environmental Justice can be contacted at (520) 626-1370 or WestEJ-Center@arizona.edu .

5	How does Region 9 evaluate its compliance with the Justice 40 Initiative? Is Region 9 conducting any analysis on the % of benefit for Tribal communities?	Lisa Gover	EPA is in the process of developing better methodologies to track and report the benefits going toward disadvantaged communities that are marginalized, underserved, and overburdened by pollution. Once this tool is developed, EPA R9 will request OEJECR present on this. https://www.epa.gov/environmentaljustice/justice40-epa
6	Can Region 9 provide information on which waters will be covered by the proposed Federal Baseline Water Quality Standards for Tribes if the proposal to promulgate the standards is finalized? Can EPA determine what waters in Region 9 are WOTUS under the soon to be proposed WOTUS definition? Can EPA Region 9 provide information on the extent to which tribal waters will be covered by Federal Baseline standards (without knowing what waters will be Opted Out)?	Lisa Gover	From the Proposed Federal Baseline Water Quality Standards for Indian Reservations May 2023 Fact Sheet: https://www.epa.gov/system/files/documents/2023-05/Tribal-Baseline-WQS-fact-sheet-proposed-rule-2023-05.pdf EPA is proposing to apply the baseline water quality standards to all U.S. waters on Indian reservations except: <ul style="list-style-type: none"> •Where EPA has approved the Tribe's water quality standards (47 Tribes) •In specific cases where EPA has expressly approved a state's water quality standards for such waters or where EPA has promulgated other federal water quality standards, and •Where a Tribe requests and receives an exclusion from baseline water quality standards coverage of this rule. •The proposed baseline water quality standards would not apply in off-reservation Indian allotments or dependent Indian communities.
7	Discussion on Program Funding from Action Item #5 (Spring RTOC); reimbursement vs advance funding. Small Tribes are impacted when funding is based on reimbursement, as small tribes do not have immediate funding available to implement projects. Would advance payment be an option?	Tribal Caucus Question for Angela Mendiola, Grants Management	In Region 9, all recipients are on Automated Standard Application for Payments (ASAP), with the exception of a few who are on reimbursement due to specific conditions. Per the RAIN-2018-G06-R, all EPA grant recipients are required to participate in the ASAP system managed by EPA's Research Triangle Park Finance Center (RTPFC). Once a recipient has access to ASAP, they can request funds (whether reimbursement or advanced). There are requirements for these requests, such as recipients must disburse substantially all funds within 5 business days of drawing down the funds from EPA. Recipients may not retain more than 5% of the amount drawn down, or \$1,000 whichever is less, 5 business days after drawdown.
NOT ACTION ITEMS, BUT ITEMS FOR DISCUSSION			
1	Tribes have not received their CWA Section 106 funding. Tribes submitted all grant requirements. Grant start date was July.	E. Cali - Teri Red Owl	(The EPA Water Program followed up with the specific tribe that raised the concern and it was addressed.)
2	EPA to communicate when there are new staff, i.e., Grants Management Staff. Tribes were not aware until they received their cooperative agreements.	E. Cali - Teri Red Owl	(The Grants Office recently hired 4 new Grant Specialists and appreciates the feedback.)
3	EPA support and cooperation on Tribes push on co-management. Example with the wildfires/climate change. Tribes do co-manage with Marine projects and with the Forest Service (Washo project)	Nina Hapner	(GAP workgroup is working on creating a capacity building indicator on this topic)