



**U.S. EPA**  
**United States Environmental Protection Agency**  
**American Indian Environmental Office**

Carol Jorgensen, Director  
Hosts Conference Call with Tribal Leaders on American  
Recovery and Reinvestment Act

**March 11 2009**  
**2:00 pm EDT**

(Carol, Director, American Indian Environmental Office):

Yes, hello everybody. I'm sure that we're going to hear a lot more beeping. We will move forward, people coming online. But I just want to first acknowledge that you've - thank you for taking the time to come and join this call.

We plan to hold it from - well 2:00 our time, which is a little past now to 4:00 pm and - Eastern Standard Time. So and as Janice had said earlier, there will be a CD available. Sometimes you want to listen, maybe you didn't get it all or you just need some other tribes you know that didn't - weren't able to come on you can give them the number.

And I'll repeat a little bit what Janice said just to make sure that everybody understands that as we record this you can call 205-564-0303 and leave your name and phone number, and we'll contact you and make sure you get a copy of the CD.

I know you've all been waiting for this, because I - it's such an incredible opportunity. And we all want to make sure that we're giving all the information we can and that you have every chance there is to be able to put in for the stimulus funding if you haven't already.

So I don't want to take anymore time. I just wanted to start the call and welcome everybody. But so we have a number of speakers today. Our agenda is we will have Roy Simon with the Director of Municipal Support Division, Office of Water.

We have Ron Bergman, the Chief Protection Branch Office of Water. We have Armina Nolan, the Grants Management Officer for Region 10 on the inner agency agreement with IHS. And we have (Risolve Tapia) Mobile Source Office and Darrell Harmon, Senior (Unintelligible) and Program Manager for the Office of Air and Radiation.

We have (William Lanesh), Tribal Program Coordinator, Office of Underground Storage Tank - Office of Underground Storage Tanks, Office of Solid Waste Emergency Response. We have (Felicia Wright), National Tribal Program Coordinator, Office of Solid Waste and Emergency Response.

And we will also have then questions. And I think for the sake of time, because we really would love to know who all is on there, but we - for the sake of time it would be probably not prudent to go around and do introductions of all tribes.

So as we do questions and answers please identify who you are in the question and we will - it will be recorded.

So to start we have (Risolva Tapia). Is she here?

(Risolva Tapia): I'm right here.

(Carol): Okay, great, (Risolva). You want to take off and then we'll do (Darrell) after?

(Risolva Tapia): Okay, sure. I work with the National Clean Diesel Campaign. And I've joined the call; I wanted to let you guys know what we've received under the stimulus package.

And this is going to be actually the second year of the program that we have funding. The first year we receive \$50 million. And we think that we're going to receive the same amount for the FY '09 appropriation.

But between those two allotments we received \$300 million from the stimulus act - from the American Recovery and Reinvestment Act. And we are actually starting pretty quickly to get those grants out.

And so the way that we were going to appropriate those sums very similar - in a very similar manner as we appropriated the \$50 million. And the way the program works is there are four components to the program.

And there is a state program that the States in DC can apply. There is a national program that any eligible entity can apply, including the tribe. So that's where the tribal government probably want to focus, because that's where they'll be able to apply for grants.

Out of the \$300 million EPA is able to withhold 2% for administrative costs. And all the grants that we're going to be asking under these \$300 million are new, so they're not going to be expanded grants from the previous year.

So what the breakdown for these funds are going to be is 70% of the funds, which is 206 million is going to go to the national program, which encompasses three of the four programs that I spoke about.

So under the national program there's the Funding Assistance Program, and these are basically competitive grants. And that portion will receive 156 million out of the 206 million.

And then there's the Clean Diesel Finance Program. And I'll explain these programs in a couple of minutes. They're going to receive 30 million out of the 206 million.

And then there's the Emergency Technology Program - excuse me, Emerging Technologies Program. And they're going to receive 20 million out of the 206 million. And the other 88 million is going to go to the state program, so all that together is the \$300 million that we received.

Now for the larger part, the Assistance Program, that's the one that's receiving \$156 million, regional entities, state agencies, local governments, tribal, poor agencies. Anybody that has a jurisdiction over the transportation or air quality that's also a nonprofit organization can apply for these grants. It can be anyone from the educational services to organizations, etcetera that operate diesel fleet or diesel generators, etcetera.

And the only overall requirements that we have in terms of how we divvy these funds up is that 50% of these funds, so 50% of the 206 million, must go to benefit public fleets. So these are either school buses or transit buses or they're municipal buses that benefit the public.

And the difference between the stimulus funding and the regular appropriations is that in addition to the criteria that the regular DERA sets out for these grants you also have to focus on either retaining or creating green jobs.

The way - the exact language on the criteria for these competitive grants we're still getting a little bit of guidance about that, but the rest of the criteria remain the same. So we are looking for grants that maximize public health benefits, that are cost effective, that are - focus on areas with high population and areas of noncompliance or areas that have a disproportionate amount of air pollution such as truck stops, ports, etcetera, and also that utilize a cleaner fuel.

And I mean some examples that have been done under the assistance program, some of the competitive grant examples that we got last year were electrification of parking spaces. Very popular is the APUs to put an auxiliary power unit on a truck.

Also to re-power generator sets, it's a stationary engine, but we still cover that under our program. Also put fuel, operated heaters, on school buses, thermal storage, etcetera, shore power for marines or fishing vessels is also something that we cover.

Another change that we have for the stimulus funding versus what we had last year is the matching for the projects has changed. So last year for anything that's retrofitted or anything that's an auxiliary engine we would cover 100%.

But for re-powers or for replacements we would cover less than 100%.

Because of the stimulus language and the purposes of that we are covering a little more than what we covered last year in terms of the re-power.

So last year we would fund up to 50% of an engine re-power cost. With the stimulus funding we'll fund up to 75%. And with a replacement, so this is if you completely replace a vehicle, we had 25% last year. And we're going to leave that at 25%. In other words, we cover 25% this year. However, for school buses we'll cover up to 50% as long as they meet the 2010 standards.

Let's see, under the National Assistance Program the grant - the projects that the grant fund cannot at this point be mandated under federal, state, or local law. So if it's required by a law the grants don't cover that project. These are for projects that are above and beyond the legal mandates.

They also do not cover emissions testing. This is actually for devices to be put out there. They also do not fund fueling infrastructure costs. For example, if they do alternative fuel the cost of rebuilding the storage tanks, etcetera, that will not be covered under our grants.

And these are the competitive grants. And we're going to hope to put out the RSAs this month. And the deadline is going to be sometime in April depending how soon we can get them out.

This is going to be a really quick turnover. EPA will evaluate in April and early May. And we hope to have the awards out in June. And the implementation or the grant period is going to be between June and September 2010. So these funds are pretty much geared towards expedited grants.

And then the other part of the - under the national component is, as I mentioned before -- hello -- is the Finance Program. And this program - part of the program is going to receive \$30 million.

And this portion of the program is geared for entities to use the funding to setup a loan structure. In other words, we're looking for entities that'll leverage setup bonds or setup a loan guarantee.

Last year we mostly concentrated on on road just because that's what the applications came in. But it's open to off road. It's open to any of the projects that are covered under DERA.

And basically they need to offer a finance package that's better than market terms either with a lower interest, lower closing costs, lower - they will take lower FICA scores, etcetera, and they're for projects, obviously, that are geared towards their DERA goals.

The remaining \$20 million under the national portion of the program go to emerging technologies projects. And this if someone is going to use a technology that's just about to - it has to be commercially available and it's just about to go out to market, they're new technologies.

And this portion has two steps to it. First of all, the actual manufacturer has to apply to have their technology reviewed by DERA and placed under the emerging technologies list. And then the grant covers the entity that wants to apply this technology or any other technologies that under the emerging technology list for a project. So that portion received \$20 million.

And they're also going to have to be under the same timeline as the national grant, which we're going to put out the RFAs on March, do the evaluation March and June, and get the awards out in June.

And the last portion of the program is the state Clean Diesel Grant Program. And this is the portion of the program that received the \$88 million. And it's open to the 50 states plus the District of Columbia.

And the main difference between the state programs funding and all the rest of the DERA funding is that these are noncompetitive grants. So essentially we award the states the funding and they put it towards whatever grant that they want. They don't have to compete it.

Some of them choose to compete it; others already have their projects lined up. And that's fine. They can sub award it or sub grant it.

And in the past this portion of the funding also had to cover the projects that were above the mandated emissions, you know, if it was mandated by a law then they couldn't cover that project.

But under the stimulus funding we've actually lifted that restriction. So states can fund projects that are covered under state or local mandates with the stimulus funding.

Like I said, this portion of the program received \$88 million -- yes -- we received \$88 million - pardon me?

Woman: I don't think we have any states on this call, so we could maybe make this brief.

(Risolva Tapia): Okay. The only thing I really want to point out is because the states don't have to compete there actually is no matching as well on this fund. So if a tribe would like to work with a state they do not have to - under the state portion of the funds they don't have to match for re-powers or replacement.

But in each state and DC received \$1.73 million, so I just wanted to highlight that as a possible opportunity for tribes to see if they can work with the state to obtain part of these grants.

That's a little more expedited. We already put out the notice of intent. Like I said, all 51 eligible entities applied. And we should be able to give them the awards as early as April.

And the - probably the best Web page to find all this information and find where you can see the RFAs is the recover.gov and also the EPA Clean Diesel Web page.

And that pretty much highlights our program with the stimulus funding.  
Should I take questions now or...

Woman: Yes, I know that you have to leave, so let's take - if we can hold - I mean, if we can not take too long on questions, because we have so many other people presenting also, but if you're willing (Risolva) that would be great. And that was...

(Risolva Tapia): Sure.

Woman: ...that's incredible information. Thank you very much.

(Risolva Tapia): You're welcome. Any questions?

(Dana Surf): Yeah, this is (Dana Surf), I'm with (Macaw) Tribe. We've got our Sustainable Resources Team here. I was wondering does this funding under (ARAA), does this cover indirect costs? And if so what's the limit?

And another question is, will this cover the cost of project managing such a replicate? We've got a tribal (unintelligible) here and we're looking at maybe doing some work with the fishing fleet on retrofitting engines or doing re-powers or replacements.

So I'm just wondering if this would cover indirect funding and also project management costs for someone taking over the project and seeing it through.

(Risolve Tapia): If you have the certification of, you know, your indirect funding certification that you do through the Department of Labor then, yes, that would just be part of your grant application.

Beyond that, under the National Assistance, I believe there's a 5% or 15% cap for administrative costs. Under the state one it's a 15% cap that the states, you know, can either keep or if they sub grant it they can work that into there, so yes.

Any other questions?

Man: Yes, I have one question. This is (Unintelligible) I was Region 1.

Man: (Unintelligible).

Man: Can you hear me?

(Risolva Tapia): No, no I'm sorry. I didn't catch that.

Man: Yeah, this (Unintelligible) in Region 1. I work with (George Franz) here. You gave us a good breakdown of the - there was like a (unintelligible) that money was going to go into. But I missed all of them.

My other question was the criteria for breaking down the amount of money that would be distributed for the different programs. How did you guys come up with that? Was that within the stimulus package language or it was adopted from like programs that you're familiar with?

(Risolva Tapia): No. That actually is under the statute for DERA. And it basically says that we have to divide the money 70%/30% and a grant of the ET no less than 10%. So that is basically the same lines that we went through last year. That's under the DERA statutes. So we can't change that.

And what the stimulus package or the recover act said is that basically just divide the money as you did under the DERA package. So it gave us the authority - or it told us to do it in accordance to how DERA had - the DERA statute had mandated we do it last year.

Any other questions?

(Dana Surf): Yeah, this is (Dana Surf) with the (Mackaw) Tribe again. I had asked you a question in reference to this funding. On project management can we use this funding to get a project manager in here to assist us in implementing this tribal fishing fleet retrofit?

(Risolva Tapia): That would go under the administrative costs. And that's what I was referring to that if you have your certification, your indirect cost certification, we actually work with the Department of Labor to have that done.

(Dana Surf): Okay.

(Risolva Tapia): If you have that then it will cover your indirect costs. In addition to that, I believe - I work mostly with the state programs, so I'm not sure if they changed it to 5 to 15% of the grant can be used for administrative costs.

So if the 5 to 15% of the grant covers your - an entire position then, yes. So it would depend on the amount of the grant that you receive.

The other thing I want to point out is because this funding - we were instructed to put this funding out as soon as possible since it's to stimulate the current economy some of the collaboratives are going to have a limit - minimum limits up to the grant size. So that's another thing you want to take a look. And that will be specified when the RFA comes out.

Any other questions?

(Dana Surf): Thank you.

(Risolva Tapia): Sure. You're welcome.

(Dana Surf): Do we have a range for the grants on here or do we know...

(Risolva Tapia): That's still being drafted. It should be out soon. But that'll be on the RFA. It would list all the collaboratives, which is basically the ten regions, but a few

of them collaborate together, so there's seven collaboratives. And that'll list their priorities, and it also lists if they have any range limits.

(Dana Surf): Thank you.

(Risolva Tapia): You're welcome.

(Brian Crowsley): One more quick question. This is (Brian Crowsley), (Spokane) Tribe.

(Risolva Tapia): Sure.

(Brian Crowsley): From the RFAs coming out is there a contact person that we can - from EPA that will be on there that we can be able to talk to about proposals and suggestions or things of that nature?

(Risolva Tapia): Once the RFAs - they're - actually if you go on the Clean Diesel Web page some of the regions are already starting to have question and answer sessions. But once the RFAs come out, by the law, what we answer to one possible applicant we must answer to everyone.

So what we're doing is once the RFAs come out if you're on the list serve then you will receive a notice. If not I recommend everyone to go on the Clean Diesel Web site and sign up for the list serve.

But there will also be an area where you can submit your questions. And we will publish those questions as they come in on the Web site. So everything that you ask, once the RFAs come in, will have to be in writing so that it can be available to everybody. Because we can't give information to one person without giving information to all possible grantees.

(Carol): (Risolva), this is (Carol). And I want to thank you very much. I know there might be more questions, who can we contact after the call of tomorrow or whenever for questions?

I know that we've got other people to speak, and they have to leave by 3 o'clock, so I don't want to shortcut anybody.

(Risolva Tapia): Sure. I can take the questions. And then once the RFAs come out then that's when we'll publish the question and answer sites.

(Carol): Okay. And Darrell Harmon is here also, our Indian Program Manager for the Office of Air and Radiation. So he will be able to take questions also.

I just want to really thank you for that good explanation. It's a lot of information and very good information. So that was pretty exciting to hear.

Moving on on the agenda now, I think we have Ron Bergman, Chief Protection Branch Office of Water. And I'll turn it over to Ron.

Ron Bergman: Thanks. I'll talk a little bit about the stimulus funding under the revolving loans funds. As you're probably aware there's \$90 million in the tribal set aside portion of the - in the stimulus bill where that 30 million in drinking water and 60 million in clean water.

We have - if you've heard from us at all before you've probably heard that we've pushed and sort of the need for speed on this. The act says that the funding needs to be put in place, projects need to be started (unintelligible) from the ground, whatever exactly that means, within a year, by February 17, 2010, which was when the bill - a year after the bill is signed.

Money that had not been in projects that were either under construction or in a contract for construction would be reallocated. So we've been working closely with our regional offices who hopefully have been coordinating with their tribes to identify projects to fund under the set aside.

And actually the projects are due to us today. So they are coming in. The approach that we're taking is for - because over 80% of the projects has historically been funded through IHS and our programs.

We are putting the bulk of the funds in an IA - to IHS. And I think Armina is going to talk about that probably right after I'm done.

And we hope to have that (unintelligible) signed and out the door by the end of this month or as close to it as possible.

And again just to reiterate Congress's interest in speed for this, I understand now a separate allocation code for this money, so that it will be tracked very closely in that way.

The other thing that maybe new since the last time we talked, there is a provision in the act that 20% of the funds have to be used for green infrastructures - for green projects. And that's - I think there was some question early on whether that applied to the tribal set aside portion, and it does.

So as we are looking through the projects - across the range of projects nationally we're looking to see whether those projects are green.

The Administrator met with our senior officials on the Recovery Act and this portion, and she reiterated that the - or she stressed that the green

infrastructure portion of this was very important to her. So she will be tracking this as well.

(Unintelligible) (Lisa) anything else we should add in that?

Roy Simon: Hi. Roy Simon, the Office of Waste Water Management, the Clean Water State revolving fund. Just to say we've been working very closely between the clean water and the drinking water state revolving funds with the IHS and with the EPA region, and the EPA regions have been working very closely with the area offices of IHS.

So we've been trying to coordinate all the way around in EPA and with IHS they'll be two different inner agency agreements, one for clean water and one for drinking water. And we're moving with (Duhace) to try and put those together with IHS.

And so we look forward to seeing the projects that are coming in this week. And then we're going to move forward as quick as we can with those projects and the green projects that have been identified and get all of this information out to all of you.

(Carol): I think we do have some time for questions. And so I'll open it up to questions before we go onto to our next speaker.

Man: (Unintelligible) Region 10 Travel Coordinator. And I am just wanting to find out about in the revolving funds the clean water - there's the drinking water and then there's - you say clean water. Is that just for like sewage treatment facilities or is it at least with the states and the state revolving funds?

They can use that for like the other clean water act like 319 type work, implementations, stream restoration, that kind of work, watershed work? Is that true with the tribal portion?

(Elysia Mars): No. This is (Elysia Mars). I'm with the Clean Water Indian Set Aside Program. And we are 1.5% satisfied of that total SRF. And we have - we fall under some different requirements - statutory requirements.

So we're mirrored after the old (212) Construction Grants Program. So we are restricted to construction of treatment facilities and some...

Man: Okay.

(Elysia Mars): (Unintelligible) and designed. But, yeah, when we go through, especially if you're looking at the green project guidance that's been issued by the SRF we only - for the most - we don't have final (unintelligible) opinion this, but we should get within the next half hour we hope, that we only qualified for the (212) (unintelligible).

Man: Am I correct though that the state though has the flexibility of being able to use for like - like more like 319 stream restoration, clean water work also?

(Elysia Mars): Yes, I believe so. Yes.

Man: Okay, thanks.

(Rick Culden): Hi. This is (Rick Culden) with the (Unintelligible) Tribe in Oregon. And is there anything like sufficiency language in regards to NEPA in the recovery act?

(Elysia Mars): NEPA - the way that we're looking for these programs -- and I can't speak specifically for the act - or the overall act -- but we are treating NEPA the same way we have traditionally.

Because about 90%, at least for the clean water projects, have done coordination with the Indian Health Service and the tribes. The Indian Health Service does take NEPA into account.

(Don Aragon): This is (Don Aragon) from our (Wind River) - I mean, Region 8. And do I understand that there's - you said there was 90 million put into the revolving fund?

Man: Ninety million is 1.5% of the two 6 billion that was put in to their revolving loan fund.

(Elysia Mars): So there's 4 billion for the clean water SRS, so 1.5% of that, so there's 60 million for the Clean Water Indian Set Aside Program and 30 million for the Drinking Water Tribal Set Aside.

(Don Aragon): Now you said that this was in the revolving loan account. Does that mean if you pursue the funds you're going to get a loan and have to pay it back?

Man: No.

(Elysia Mars): No.

Man: No. The set aside, the Tribal Set Aside is a grant program.

(Elysia Mars): It's separate - we just get a - it's just that our mechanism for funding so we just get a 1.5% set aside of that. So we don't - we follow some of their stipulations, but not all of them.

And if you want more information on our regular program requirements I recommend that you go to our Web site. And I'm not going to read off the url, but if you go to the EPA's Web site and type, at least for the Clean Water site, dwisa, that's our acronym, into the search engine it'll pop up.

And there is a lot of good information on that site. It would also lead you to our regional contacts as well.

(Don Aragon): Now for a project to be eligible for these funds I know that originally it came out as being shovel ready.

Do they have to be on the Indian Health Services SDS list?

(Elysia Mars): Yes. For the clean water sites for waste water and I think drinking water is a little bit more lenient, but that's our original guidance. So we're sticking with that for the stimulus as well.

(Don Aragon): You know, I don't really support the thought of having to deal with the IHS SDS listing because of the fact that they have been extremely restrictive of putting projects on there.

You know, in my experience and my opinion here in Wyoming is that, you know, we only get one project to put on an SDS list and usually if it's not a very high priority for IHS it's not going to happen, because they spread the money throughout the whole regions.

And, you know, tribes here have been very concerned about how Indian Health Services has managed these water projects and stuff like that. It's just something that I don't think is in the best interest of the tribes.

(Elysia Mars): We appreciate your concern. We just don't have (unintelligible) to that right now with the stimulus fund so.

Woman: Yes, IHS is a little bit more project (unintelligible).

(Elysia Mars): They did. And we opened it up - we asked IHS to open it up for reevaluation for the stimulus fund. And in coordination with the regions and the tribes they did add projects and they gave additional points to shovel ready projects to help move them up the list.

And we have given our regions flexibility to pick projects that weren't necessarily high priority based on rankings, but would've been good for the stimulus funding.

And we are receiving our regular appropriations, which will be about \$10 million for the clean water side. I don't know what you guys are receiving.

Man: 12.3 on the drinking water side.

(Elysia Mars): So that will be our next step, but we're focusing primarily on stimulus projects right now. And then we will reevaluate for the regular appropriations.

(Elly): Hi. This is (Elly) from Region 1. I'm just wondering, can we mix drinking water with waste water money?

(Elysia Mars): I think that does happen on occasion via IHS, because there are large projects that maybe serving sanitation and drinking water services for whatever project it happens to be. But I don't think that's restricted.

(Elly): Thank you.

Woman: (Unintelligible) with (Unintelligible) Tribe in Region 10. And I'm wondering if you could give maybe one or two examples of what it reads for structure projects (that would involve) funds.

(Elysia Mars): The best examples for the waste water, clean water side is decentralized projects will count as a green project. Which is a lot of what the projects really end up funding.

I can go through and kind of...

Man: And on the drinking water side, it could be water meters. It could be fixing real serious leaks.

Woman: Great, thank you.

(Gwen Carter): This is (Gwen Carter) with (unintelligible). And I was curious, how do you find out if you are on this list?

(Elysia Mars): Are you in contact with your Regional coordinators and (unintelligible) office?

(Gwen Carter): Yeah. Well we are in Region 10, but I've had a couple of people call - but I never did know whether or not we were on the list or is it information gathering, I thought and I didn't realize the list was supposed to be in today.

(Elysia Mars): I can't speak for those Regional coordinators, because we haven't seen Region 10's list.

(Gwen Carter): Okay, all right.

Man: The is (Unintelligible) (Palmer) Region 9. Can you hear me?

Woman: Yes.

(Palmer): I've been in contact with IHS and EPA and they both told me that there are no funds - the deadline passed a couple of weeks ago. So I have shovel ready projects and I have kind of proposed put together - who do I submit those to get a new deadline?

Man: I guess your Regional coordinator. As (Lisa) said there is the regular appropriation fund. I think our '09 are supposed to be signed today. The President has put forward his budget proposal which would essentially increase both drinking water and clean water (SRS).

So the 2010 budget wasn't acted as is, then there would be a significant increase in that as well, so. Work with your Regional...

(Palmer): I'm I too late to turn it in, because Region 9 told me two weeks ago that the deadline was over and that they weren't even close to funding 5% of all the proposals that were put in. And IHS told me more or less told me the same thing too and (BIA).

(Elysia Mars): The deadline shouldn't be closed for regular preparations, but it may have closed for stimulus related projects. But that doesn't mean that there will still

be money coming from those programs as we move forward. So I would get back in contact with your regional office. I don't want to speak for them because I don't know what their deadlines were.

(Palmer): The project real quick, the project that I'm thinking of - I have all the drinking water, were already drilled with Tribal funds and I have the eight lots and people are ready to move in, but they need water. I need a distribution system, I need it engineered and a distribution system put in.

Do you know where that might fit in?

(Kristen Gelatt): Hi. This is (Kristen Gelatt) from Region 9 and I work in the water division. And if you can call me directly we can talk about your project.

(Palmer): Okay.

(Kristen Gelatt): If you can call me directly, off line and we can talk about your project in detail.

(Palmer): Right on, thank you.

(Dennis Wagoner): This is (Dennis Wagoner) from Region 10. (Nes Pierce) is on the list that I don't know if they are on the funding range or not, but there needs (unintelligible).

Woman: Thank you.

Woman: Well, we can move forward. I want to thank you very much for your presentation and again remember - I know there is a lot of information here and a lot of people may be waiting to ask questions that haven't.

Again, we're having a CD available and you can call into our number 202-564-0303 give your name and number and we can re-play the information and get you a CD. So...

Woman: What was that number again?

Woman: 202-564-0303. And just give your name and your number and we'll get back with you on that. Our next speaker is (Armina Nolan) from the Grants Management Office in Region 10. (Armina) are you on the line?

(Armina Nolan): Yes, I'm on the line, thank you.

Woman: Oh, great. Thank you.

(Armina Nolan): First, I want to just explain why would Seattle be doing all the interagency agreements for the nation with Indian Health Service. And we actually are part of a consolidation where we have attempted to make the EPA more efficient.

And many of the Tribes have experienced consolidation of the finance where payment for consolidated to Las Vegas. And for the most part we've had pretty good positive feedback about that consolidation.

So Seattle Region 10 is considered the Interagency Agreement Center West. And we will be responsible for all the interagency agreements with Indian Health Service.

And while each region is following their own policy of selecting - if they will do a grant or do an interagency agreement. I think as Region 9 just mentioned

- talk to the person that you normally speak with and they'll discuss with you whether or not a grant is appropriate which would go through your regional grant office, or if the Indian Health Service IA is the appropriate vehicle.

So I think it was mentioned again, that there will be two - one for clean water and one drinking water. For us the big issue of implementing the recovery act is jobs. It's really fundamentally about jobs, first and foremost, jobs that we create and jobs that we are basically able to retain.

And the next part of this act is accountability. And so those are the things that we're very concerned about as we implement the interagency agreement.

So we have requirements for increase reporting. At some point the Indian Health Service would have to report to us possibility weekly so that we can make sure that we're on track with those you know, shovel ready projects.

Really looking at the dream projects and making sure that those things are nearly complete. The goal is to have them complete by September 2010. So each point that's going to be a real priority for us with working with Indian Health Service and making sure that at the end of it, the inspector general for EPA.

I know some of you've had experiences with our inspector general. They have already sent us notice that they will in fact be looking at our Interagency agreement with Indian Health Service to make sure that we met the criteria.

So basically that's all I wanted to tell you is that (unintelligible) have decided already how they are going to divide it up and we're really actually kind of excited to be a part of something that is bigger than what we are used to dealing with. This recovery act I think is very exciting.

So for the future we will be working with Indian Health Service and that is our new mandate. Thanks.

Janice Dipietro: Are there questions for (Armina)?

Man: Yeah. If I want to continue to just pay some additional taxes so they can increase the stimulus, where do I send that?

Woman: I have a question. How will the notification process be done through your office in terms of any reports or anything else that is going to be required?

(Armina Nolan): On the reporting for Indian Health Service, they have a system that currently been improved. Because of feedback from the Inspector General among others, that will -- they will be feeding basically continuously. And it will include the jobs and the accountability.

The EPA program leads that are in every region will have access to that data. The data at some point will get uploaded into the recovery.gov system. And this is how we anticipate that those reports will come. Does that answer your question?

Woman: Yes. And then I have a second question. Is the money that coming down, will the money actually come through regions like for example, each of the Regions and report back to you - will it come in a full amount or do you -- I'm sorry I was not on the earlier part of the conversation, so I wasn't sure how that was going to come through?

(Armina Nolan): Yeah. I'm anticipating to streamline the process that the money will come from headquarters. And so that it won't have to go through each individual

budget office. And that's again, that will save us a week or so to get projects on the ground and things happening in Tribal Reservation.

So I'm anticipating that it would not be distributed region wide, to each region.

Woman: Each region, and then - but the money would be coming up in full but not -- we would not have to go in and make request like every so several months?

(Armina Nolan): My understanding again, we want to get the money out the door as quickly as possible.

Woman: Okay.

Woman: (Armina), I have a question here from Region 10 and that is - what if the tribe would prefer to go with a grant for some of his money? How would that work?

(Armina Nolan): The question is the difference between going through Indian Health Service and a Grant. And again, each region has a unique policy that they decide the appropriate vehicle working with the tribe. So if they are funding for grants if the tribes want to go that route.

Woman: Yeah.

(Armina Nolan): The way that the Indian type programs traditional work is that the tribe has the choice to either inter into interagency agreement with IHS or receive a direct grant. We are strongly recommending that tribes go through IHS at least for the stimulus funding to expedite the process and make sure that their funds are utilized within the deadlines.

Because there is such emphasis on getting construction moving very quickly. We don't want added scrutiny. But it is a possible (unintelligible) mechanism.

(Dennis Wagoner): This is (Dennis Wagoner) with Region 10. I'm the Regional Coordinator for the two sets of sites programs. We are definitely encouraging the region 10 tribes to use the IA, because of the reporting requirements.

So that is your normal all allocation which the funds will be available shortly if a tribe wants to do a direct grant that's a consultation we do with the tribe to determine if they score high and they are selected that they want to use IA or a grant - for these stimulus funds because of the reporting criteria highly encouraged to use the IA.

(Curtis Francisco): This is (Curtis Francisco) from the Pueblo Laguna. I have a question on the funding mechanisms for all assists. I'm wondering if this stimulus money being that you are going to fund this through Indian Health Service or if you go directly.

Is the EPA open to the possibility of using the 6-38 process since tribes are very familiar with that?

(Armina Nolan): Again, that is very unique to a smaller amount of money. We are talking about a substantially more amount of money. So 6-38 isn't really going to help us get the kind of construction worked on that we need. I'm I like the 6-38 projects - the funding for a lot of reasons.

But I don't think EPA really has allowed looking at that. And that is something we can talk about at another time. If you wanted to call me that would great, I would love to discuss that with you.

Curtis Francisco: Actually, (Armina) we don't have the authority to do 6-38 (unintelligible) programs.

(Armina Nolan): Yeah. This is something that we've explored before but with the amount of money it's not going to work at all.

(Dana Scarf): Yeah. This is (Dana Scarf) with (unintelligible) tribe. Just a quick question, here under the (ARRA) what we've been talking about after the DERA - is there a name for the program with the clean water? Is there a specifically name for the program under the (ARRA)?

(Armina Nolan): No. These are all - all of the programs that your hearing discussed today are already existing programs. We are going to use the same catalog of federal domestic assistance, they are all in there.

(Dana Scarf): Thank you.

(Ed Larson): (Ed Larson) a pursue community locator within Minnesota here, Region 5 EPA. I had a question about our water and Hampton project. (Earl) or (Jeff)?

Man: Yeah. We're here.

(Ed Larson): We didn't rank high enough on the engine health service (SDS) list to get any funding for the city, but if it is ranked number one our opposite community list.

Is there any other avenue to get funding like through the regular appropriation money through EPA clean water act?

(Jeff): Well for the stimulus funding, I think it was mentioned earlier IHS opened up the (SDS) and there was kind of a bonus points you can get for being ready. It is our hope that that stimulus money and the projects within will then use that money and funded into the stimulus funding and freeze up some of the regular allocation money so that folks who otherwise might have been down on the list under the regular way of doing business over the years are now suddenly take a fairly substantial leap up on the list because a lot of the projects above them are being funded under the stimulus package.

I think that's why the folks here from the water offices have been emphasizing, and you've heard me probably on the calls emphasizing that regular funding from Congress are annual funding every year. I think this year its \$12 million and \$10 million is still available. And we are hoping to catch some of the projects like yourself and (unintelligible) project which as you mentioned as your number one ranking.

And although, we are not talking about it here on the call because we are talking about EPA programs. IHS also has stimulus funding, I think in the neighborhood of \$70 million which is also going to go towards all the projects we are talking about today in water context.

And there is also HUD block grant money that can be used for infrastructure that's available. And for tribes that are in your position that maybe a little bit on the edge or on the bubble of some of these other lists to look into that avenue. I know from personal experience - I know that (Hubbersue) has used that money in the past to fund your water system.

And finally, USDA has a significant amount of money in some cases that money has a strings attached that normally make it more attractive to EPA, IHA or HUD money. But with a situation with a tribe is able to use that

money and the circumstances work for them - there are significant funds available from USDA.

We don't know exactly how old these different funding versus are going to play. But we think that many of the projects that we are looking like they were going to fall below the funding line under normal circumstances in the past couple of years will not suddenly be moved up.

And we're actually just as concerned that folks on the tribal level and the tribal leaders know that you might quickly get moved up and suddenly have find you know, whatever funding you were volunteering to participate with as much as worrying about worthy projects not having funding.

So I know that is kind of a long answer. But it is just to try and indicate that there is a lot of things in flux and we're urging everyone to explore all these possibilities at this time to try and put together a package that can help you out.

(Dallas Ross): (Jeff)?

(Jeff): Yes.

(Dallas Ross): This is (Dallas Ross). I just wanted to give you a heads up - you were speaking to complement for the (unintelligible). I'm a little disappointed because up this project is shovel ready and I'm not sure how IHS has ranked the projects they were going (to give) through the stimulus money.

And I'm not sure that tribes had any input on how there project was going to be ranked under the stimulus. Having said all that, it is a shovel ready project

and do you have any advice on how it could be slid in under the stimulus money?

(Jeff): Yes. I think what we'd like to do is - I know we've talked before. Let's talk either right after this call or tomorrow, (Dallas) and make sure that we're in sync with the Region 5 process.

Because I'm not sure exactly what time table -- I mean I know the general time they are using, I'm not sure exactly in what step they are at the moment and I want to make sure that your project then hasn't somehow fallen under the cracks.

(Dallas Ross): That sounds like a plan (Jeff). You may - it will probably be tomorrow some time. But it may be the complement and other staff I may have to be at another meeting.

(Jeff): Okay. Well I'll give you a call and you know we will find out a time to hook up because I want to make sure that this hasn't fallen accidentally through the cracks.

(Dallas Ross): Okay, thank you, (Jeff).

Woman: Excuse me, do you have list of project that are online in terms of what projects that has been sent to you?

Woman: No. Because we're literally receiving them probably right now and in the next couple of days. So we are going to have to do some internal review and um...but if you have questions about a specific project I recommend you contact your regional coordinators. And if you need that information that is on our Web site, you can find their phone numbers.

Woman: Okay. I want to thank (Roy) and (Ron) and (Elisa) and (Armina). I know that our water people have to leave right now and join another call on the same thing with the regions.

So we'll move on with the agenda and our next speaker is (William Linish).

(William Linish): Hi. This is (Bill Linish), I am with the underground storage tank program. And we received \$200 million of leaking underground storage tank funds to be used basically primarily for shovel ready sites that were what we call LUST eligible.

And by that I mean, there are criteria in the law where we can use LUST funds and that's where the responsible party which we call the owner or operator, is unknown, unwilling or financial unable. And if they are unwilling we have consider perusing cost recovery.

Of the releases nationwide, or any statistic you look at -- the tanks nationwide there are about less than half of 1% in Indian country. Typically and I think it's probably going to be true with the stimulus money we're going to set aside 3% for working Indian country.

And so that is roughly a factor of 10 higher. And we have three contracts, two with Remediation firms, and two in Region 8 and one nationally. And we will be putting the funding from stimulus into those contracts so that it can be spent very quickly.

We've got a number of eligible sites that are shovel ready and we haven't gotten approval from our allocation yet. But that is our plan at this point. In addition, the appropriations bill for the rest of '09, I believe was signed earlier

today. And we will be receiving money there and some of that money will be granted to tribes who have lost eligible sites and have personnel who have been trained to run clean ups with contractors of their choice.

And let me close by saying, even we're using a federal contractor and these firms have a fair amount of experience. They often hire local area subcontractors, so there are job implications positive job implications for those site that are lost eligible doing work in Indian country. That's pretty much it, I'd be happy to answer any questions.

Woman: Do we have questions for (William)?

(Gwen Carter): This is (Gwen Carter) in (Nesper) Tribe in Region 10. (Bill) do you have a list of sites that you are thinking about doing in Indian country or how are those things floating to the top, those sites?

(William Linish): We have a tentative list and as you know (Gwen) we get each year we go through a planning process with the regions to select sites. And the regions talk to the tribes in their regions and identify potential sites which then of course have to be found to be less eligible.

So we went to the regions to determine what sites they had ready to go that were basically already found or could be found less eligible in a matter of weeks.

In your case, as you may recall you (unintelligible) were the few tribes that received funding directly last year to run some clean ups. And we would anticipate you didn't get everything that you wanted last year, maybe you would get at least the remainder this year, out of the regular appropriations.

(Gwen Carter): All right. Thank you.

(William Linish): Any other questions?

Woman: (Unintelligible).

Woman: It sounds like someone is trying to ask a question, but we can't hear them.

(William Linish): Yeah. I'm not sure if that is the line bleeding over or somebody from this call.

Man: If I can just ask a question again. If the monies are going to be funneled through the EPA do we have to adhere to Bacon Davis Provision wage?

Man: Tribes are exempt form the Bacon Davis Provision in the law.

(William Linish): If they are using an EPA contractor we've been trying to get the answer to that question for a couple of weeks. I don't know that we've gotten it yet. But for work done in the Indian country by one of our contractors, I think that is still an unanswered question.

Man: If we put a tribal match in that it actually gives us more points, correct?

(William Linish): No. There is no match required. And this isn't where we add up points. It's a major issue is it is sometimes difficult to find LUST eligible site, i.e., the operators unwilling, unable or unknown.

So most fitting through that and finding that criteria and getting the legal analysis to get the go ahead tends to be a factor that's slows down sites. So we don't rank sites like some other programs. Nationally, so of the regions rank

those within the region, but some much about the site in our case aren't found out until you do the site assessment.

And so, it is possible that a lot of the work is the site assessments. So the point system really you'd be ranking things - like the ground water, wouldn't necessarily know that or, ground water flow at the site and so on and so forth.

When we find through a site assessment or a really difficult (unintelligible) site, we don't have points that move it up, but by the nature difficulty of the site and the potential risk it moves towards the top and we always take care of those as best we can.

Any other questions?

(Unintelligible)

Man: You mentioned the under ground storage tank for clean up activity or repair or (unintelligible) are those up to above ground storage tank facilities?

(William Linish): No. I'm sorry, we are legally prohibited from working on above ground storage tanks or having any of the money spent working on above ground storage tanks.

The money we have through the stimulus is really for site assessments and actual remediation for the most part. LUST eligible sites.

(Don Aragon): Yeah. This is (Don Aragon) on (Windor Garden) Region 8. If you've already done a site through your Brownfield program and you know you have your assessment one, and your assessment two and so forth and you are ready to go

are these project eligible or there going to be some kind of stimulus funds in Brownfield?

(William Linish): There are stimulus funds in Brownfield. Generally there is an exception to this rule. But generally if you've spent Brownfield money on a site we can not legally, for the most part, deal with the remediation for example, with LUST trust funds.

You have to stick with Brownfield.

And the logic behind that is Brownfields are low priority site where you need work done on (unintelligible) contamination LUST sites are high priority. And so, while there is one way to slip from Brownfields to LUST generally speaking once you are a Brownfields site you stay a Brownfields site and you need to get Brownfields money.

But specifics situations can change that and we'd be happy to talk to you or (Janice Pierson) in Region 8 would be happy to talk to you, along with Brownfields people.

(Unintelligible).

(Victoria Flowers): Hi. I have a question. For high priority petroleum sites that are eligible to be address under Brownfield, so they were previously address under a state program using state LUST trust funds and the use has changed for that property.

Can those federal LUST trust funds particularly those from the stimulus, be used to address the remaining contamination that might be at a site that was adequate for a gas station, but not for a daycare?

(William Linish): Gee, I guess I would suggest you call me. You through enough factors in there that I need to think about it and talk to you about and perhaps get some more information. I think it's possible, but the details my effect that of course.

(Victoria Flowers): I guess the big question is can federal LUST funds be used on a site where state LUST funds have been used in the...

(William Linish): The answer is yes.

(Victoria Flowers): Thanks.

(Edward): This is (Edward) (Unintelligible) from Alaska. A couple of minutes ago you mentioned (unintelligible) do we need to have a reservation to apply for these grants...

(William Linish): It is my understanding that the answer is yes.

(Edward): And (unintelligible).

(William Linish): I'm sorry.

(Edward): The rest of the types of federal recognized type that can't - and can we apply to these grants?

(William Linish): I'm not totally sure - the only place to my knowledge we've ever done work in Alaska is the (Metalcta). I believe is a reservation and not related (unintelligible)...

(Rose): This is (Rose) I'm calling from Alaska as well, last week an (NCAI) I thought they were going to work on seeing if the funding could go directly to the tribe and it is kind of a unique situation up here because we have only one reservation like you mentioned and it's not fair that we are being set aside once again with money.

(William Linish): Well, I'm hesitating because I don't know legally what the answer is. It is not a policy call on our part.

(Felicia Write): This is (Felicia Write) and I've join call from (Unintelligible).

And I think a lot of the money that we are receiving -- it's using existing authorities so there is not a change in our ability in terms of the grants and all of that. We are using the same process to distribute this money for us.

(Rose): So does that mean that the tribes up in Alaska are not eligible period?

(Felicia Write): Is there any language in there that indicates Alaska native villages? (Unintelligible).

(William Linish): There is no mention in our section of the bill, but of course we are a few pages of a massive piece of legislation that might have something about Alaska native villages.

Woman: I don't know who can answer that, maybe (Carol).

(William Linish): I think that maybe nobody knows the answer to the question definitively. But again, it is not policy we are making, it's what is whatever the legality of it is based on the law.

(Carol): Yeah. (Rose), (Anksir) has really again, it looms on us because of the law. I mean I know that these programs if they could, they would. And the law has prohibited with (Anksir) that opportunity.

And so until something changes in that in or the law changes that's what mandated. So it is real frustrating it's, very frustrating.

(Rose): If we are not eligible for the stimulus, can we work with the village corporation and have them apply on behalf of the tribe? Is that possible?

Because I really hate to see Alaska tribes being left along again and I thought that this big part of money would open the doors for us - the tribes up here.

Woman: In the Alaska native villages...oh, sorry.

((Crosstalk))

(Carol): There is a lot of conversation going on. We are unaware of the Alaskan native corporations being funded. They are not -- you know, (Dennis) are you still on? I guess he left our call.

Woman: (Carol)?

(Carol): The corporations have not been entities that have been funding in the past. Now that is something we need to look at.

And again, it goes back to the (Anksir) and I think (Dennis) is working through the IHS and the state on the stimulus.

And that's - so there's going to be stimulus dollars going to villages. But as far as like LUST and all of them, they're under the requirements of not recognizing other than Metlakatla, the tribes in that sense.

(Jean Gamache): (Carol)?

(Carol): Yes.

(Jean Gamache): Hi, this is (Jean Gamache). I'm wondering whether additional information might be available and if there's only 3% of the \$200 million that'd actually going toward tribal efforts on LUST.

So I'm wondering if additional information might be made available on where the remainder of that funding is going and if it's going to the States then how States are going to planning to distribute that funding because that might be another mechanism.

And I know it's not - you know, the desired outcome, but if the LUST sites are actually going to be addressed in rural communities then it's another avenue to try to achieve the same outcome.

(Carol): Yes, that's a good point (Jean), and I think that's something that -- go ahead (Jeff).

(Jeff): If I could just mention one or two things. As I indicated in my opening kind of background, less than a half a percent of the tanks are in Indian country. We're spending a factor of 10 higher than that with 3%.

And states can spend less money in Indian country though they tend not to because we -- EPA -- is the implementing agency. But states I know have spent less money in the past in Indian country.

(Jean Gamache): And getting to the question -- this is (Jean Gamache) again -- and getting to the question I think that several tribal representatives have raised is that tribes in Alaska may not be eligible to receive this funding.

And so if there's another avenue that where the same outcome could be achieved; where the state actually receives the funding and they work towards addressing those LUST sites located in rural communities.

(Jeff): Yeah, sure. I don't know what Alaska has done in the past or what they're planning to do with this money, but I know South Dakota has used less money in rural areas on sites in Indian country.

(Carol): Yeah I think that we - because Alaska doesn't have - the tribes don't have the jurisdiction over a lot of the land and in some of the largest (unintelligible) the Alaskan native villages, can Alaska tribes get higher points or can Alaska the State get higher points for taking the funding through the villages for the native villages to be (unintelligible)?

(Bill): We...

Woman: That's another issue here too because the State of Alaska does not recognize the tribe (unintelligible) here.

(Bill): If they - one thing I'm curious about, what are the underground storage tanks holding specifically? Is it gasoline like a retail facility or...

Katherine Brown: (Bill) this is Katherine Brown out in Region 10...

(Bill): Hi Katherine.

Katherine Brown: Hi. Most of the facilities would be holding diesel or heating oil.

(Bill): For what?

Katherine Brown: And EPA Region 10 does not do direct implementation in Alaska for underground storage tanks.

(Bill): To the extent it's home heating oil...

((Crosstalk))

Woman: Again I'm sorry, but don't we also qualify for above ground storage tanks?

(Bill): There is no funding - we cannot legally touch an above ground storage tank problem. And to my knowledge there's no money for above ground storage tanks in the Stimulus Bill.

Woman: Is this funding for LUST sites in Indian country is that coming to the regions or is that coming directly through Headquarters?

(Bill): It's coming from Headquarters into our contract and from Headquarters to Region 8 into their contracts for the...

Woman: So everything running through Region 8 -- I'm in Region 5. So if I have a high priority site that I need to have evaluated and have some work done at, who do I contact?

(Jeff): Cindy Dabner, Laura Lidisio in Region 5, and you can copy me.

Woman: Okay, and then it goes through the bigger program.

(Jeff): Yeah we would - yes, in a word. But just, one thing I want to mention, in case it's an issue in Alaska, we do not have jurisdiction over home heating oil. So tanks that have leaked with home heating oil, we are precluded by law from dealing with those.

That would be true everywhere, but it's my understanding that some of the - perhaps a higher percentage of the tanks in Alaska may be home heating oil tanks.

(Carol): If there's no more questions for (William); Felicia thank you for being on and we'll move on to Superfund and Brownfields with Felicia Wright who's the National Program Coordinator for the Office of Solid Waste Emergency Response.

And thank you (William); thank you very much for your time and presentation.

(Bill): Sure, and I'll stay around in case somebody else thinks of a question they want to ask.

(Carol): Great, thank you. Felicia?

Felicia Wright: Thanks (Carol). Well I wanted to give you some information on the stimulus package funding that we received and our two other programs that are in OSWER.

Our Brownfields Program is receiving \$100 million and that funding is going to go specifically to two different actions.

One is - but first, where most of the funding is going is in to an existing competitive grant where we are with the existing competitive grants, for the 104(k) part of the Brownfields Program.

So this is the competitive grant program for cleanup assessment and revolving (unintelligible) for Brownfield sites. And it's gone into the existing competition that just closed in February and so only those people who put in proposals for this program are eligible.

And what it is doing is increasing the pot of that money so that...

(Carol): Could I ask people to put their phones on mute. There's a lot of background - it's hard to hear Felicia. Thank you.

Felicia Wright: So what is happening is this funding is increasing the amount available for that competitive grant program. And the information that I have is as of the competition closing that eight tribes have submitted ten proposals in that particular competition.

And we are now in the process of beginning to review and select among those grants to see who will be getting the award and the funding. And that will be going on for at least the next month so that hopefully by April we will be able to announce the award amounts and the award recipients for the Brownfields.

The second piece that will be receiving additional funding from the stimulus package in Brownfield is additional funding for the regions to conduct TBAs

which are direct technical assistance to assessments -- Brownfield assessments.

And tribes can work with the regions if they want some direct assistance to do Brownfields assessments, there's additional money there. So that covers the Brownfields Program.

I'm going to hop into Superfund and then take questions. So our Superfund Program; we're getting \$600 million and that is to be focused on remediation activities for national priority list sites.

So those are those sites that are the highest priority that have gone through and have been listed by regulation by EPA. And right now our staff are looking across the NPL site that fits certain criteria in terms of using this money as quickly as possible to - that are shovel-ready projects looking at being able to reduce risks, complete a clean-up.

In some cases there may be new work started at a site that -- where it hasn't started yet -- as long as the site meets the criteria that work can be done or started immediately.

So we haven't made a final selection of the sites that will be receiving additional - this additional funding to help complete and move forward the clean-up. But we anticipate having those sites selected, and again in April we will be making public where the money is going to these NPL sites.

And I don't have any information on any particular sites that would be near tribal lands that may be receiving this funding, but we will be sharing that information once we know.

So that's what I have for the other two programs, and I'm here to answer any questions I can.

(Rick Calden): This is (Rick Calden) with the Siletz Tribe in Oregon. On the Brownfields' money - the second part that's going to the regions; how much is being allocated to the regions and how do we get in on that? And does the project have to be on reservation or trust land?

Felicia Wright: Well I don't know the exact split up of the money between the grants and the targeted Brownfields' assessments. But my guess is it's going to be about 80/20 and so - but that's just a guess. I can try to find that out.

I think they wanted to look at the full competition before they made a final decision, and I can get back to you on, you know, an exact amount.

And the best way to get in out the TBAs is to work directly with your region. And I think in Region 10, Susan Morales would be a contact for you, and you can put in a request.

(Victoria Flowers): Felicia, this is (Victoria Flowers) calling.

Felicia Wright: Yes.

(Victoria Flowers): I have a question regarding the TBAs. So for the TBAs the tribe can own the property, is that correct?

Felicia Wright: That is something - yes, the tribe can own the property. And then if it's not owned by the tribe we would - that is something that you would have to work out with the region where you have an interest. And I know that in some cases we've, you know, brought people together on that.

(Victoria Flowers): The other question I have is can targeted Brownfields assessments be done groups or conglomerations of properties that are immediately adjacent to one another that might share a common contamination issue?

Felicia Wright: Well I guess it would be - it would depend on the ownership of those properties and who's involved. So I don't have a direct answer for you, but that again, with some more information we may be able to see if we could make that work.

((Crosstalk))

I know that there has been some work looking at that issue in the past, I think in your region.

(Victoria Flowers): Right. And I was just going to say that's through the regional office, correct?

Felicia Wright: Yes.

(Victoria Flowers): Thank you.

Felicia Wright: So that's (unintelligible) as you know.

(Victoria Flowers): Yep.

(Randy): Felicia this is (Randy) at Region 6. Is there going to be a new job training Brownfields grant competition?

Felicia Wright: Well the current one closed as you know and they have - they've just announced the recipients for that. And so I don't think the stimulus funding is

going into that job training; there may be some benefit there. But as far as I know there's no money going directly into those grants.

But yes, there will be another round of those coming up. Usually it closes in November.

Katherine Brown: This is Katherine from Region 10; I just have a quick clarification question on that. On the recovery.gov Web site it does say that a new request for applications for job training grants is expected in mid-March. Is that not correct?

Felicia Wright: You know what, it probably could be. I don't have an update on that, but if that's true then yes - then they're looking for additional - they may be putting it out earlier this year.

(Carol): Do we have any more questions for Felicia?

(Gwen Carter): Felicia, hi this is (Gwen Carter) with the Nez Perce tribe. I was wondering - I know that the previous speakers have talked about reporting requirements. Is there a plan to put these on the Web site or whatever for EPA?

Felicia Wright: In terms of where the stimulus funding is going and the sites, and the grants impacted?

(Gwen Carter): Right.

Felicia Wright: Yes, yes - there's actually - EPA has started a whole - there's a committee with many sub-committees that are looking at all of these different components of the oversight and the accountability that we've got to have for

the stimulus money for EPA, and so as part of that it will be a very transparent process.

There are people looking at how this information is going to be displayed; what kinds of tracking and measures we will be using to show the benefits that are coming from this money.

And so I don't have the exact details of how that's all going to be worked out, but that is actively being addressed at this point. And I do know that for our programs (unintelligible) a list of sites that are coming - that will be receiving funding or the activities that are impacting the site, we will be listing those and providing that publicly.

(Gwen Carter): Okay, thank you.

Felicia Wright: Mm-hm.

(Eric): Hello Felicia, this is (Eric) from the (unintelligible) native community, (unintelligible).

Felicia Wright: Hello?

(Eric): Yeah hi. I have a question here for the Brownfields' (unintelligible), I mean our (unintelligible) here in Alaska in Region 10.

Felicia Wright: Okay.

(Eric): And we have surface (unintelligible) field tanks that are contaminated and we already have a Memorandum of Agreement with the corporation denouncing the (unintelligible) with Brownfields. And we're also working with the State

Brownfields' coordinator and how can we get funding to demolish these (unintelligible) through Brownfields?

Felicia Wright: Well this is a trickier question because with the stimulus money, the money is not going into the 128 Program which is the Tribal Response Program for which Alaska tribes are eligible, but it is available through the 104(k).

However, it was put into the competition that just recently closed, so it is too late for the stimulus money to use that for projects that weren't already put into the queue in this last round. The funding is only going in to that closed competition.

As far as if you're looking beyond that for just the regular Brownfields funding, that's something to discuss with your region. It sounds like you have a lot of work already moving forward on that, and so there is funding working through the eligible entities like the corporation to put into future competitions for doing cleanup.

(Carol): Are there any other questions for Felicia? Then I would ask if there's any other questions overall? Now a lot of our presenters have had to leave, but certainly there's - we entertain questions.

Carole Klopatek: When will we find out for sure whether our project is going to get funded or not?

(Bill): Under which program would that be?

Carole Klopatek: We had a sewer line that we were trying to go ahead and get in.

(Bill): What nation tribe is it?

Carole Klopatek: For Fort McDowell Yavapai nation.

(Jeff): At the end of the month the agreement between EPA and IHS is supposed to be either finalized or very nearly finalized. And to a large extent the stimulus funded projects would be on that agreement.

As mentioned earlier, there's other avenues of funding that EPA and other agencies have. So at that point in time your region should be able to give you some indication of where you are.

Carole Klopatek: Well, because our project is (unintelligible) other callers have said is that IHS is ranking it very low because it's very costly per home. But yet all of our homes that are sitting there, our leach fields are right next to the Verde River and, you know, we're looking at a potentially large - you know, polluting the Verde River.

And want to be able to go ahead and get these infrastructure projects which are shovel-ready - we have everything ready to go, but IHS is ranking it low even though it's a shovel-ready project because it costs so much per home.

(Jeff): I think the IHS, you know, bonus points for the stimulus funding I was told it was 30 points, which was a significant bump up for shovel-ready projects. (Unintelligible) assist in this type of project.

But you're correct that they use that as a criteria in the normal SDS listing and that hasn't changed because of the stimulus funding. All that we were able to work with them and have changed was an additional number of the points because they were shovel-ready.

(Carol): That was the updating of the SDS then?

(Jeff): Right.

(Carol): And I don't know that that priority list has been completely finished.

(Jeff): Correct.

(Carol): And so you may find that you've really moved up unless you have something - some information just, you know, within the last...

Carole Klopatek: I just called up while I was on the phone - well I was on the and I called on another line and they said that that 30 points is not really - that they're not really following that.

And so therefore a project that's ranking really, really low for the sheer fact - I mean it only got 34 points. So, you know, that means 30 of it was from, you know, stimulus and it only ranked four, which would be impossible.

(Jeff): So that's Region 10 water projects - safe drinking water project?

Carole Klopatek: This was - it's in Region 9 - this is Region 9; I'm in Arizona.

(Jeff): Oh, okay.

(Carol): And that's something - and we need to converse with probably (Jeff) to see what's going on.

((Crosstalk))

Woman: (Carol) does the national...

((Crosstalk))

Don Aragon: Say (Jeff)...

((Crosstalk))

Don Aragon: This is Don Aragon. We were never notified by IHS that we had to put our project on SDS list and, you know, we did put together some shovel-ready projects.

Now, you know, if we're not communicating with IHS or they're not communicating with us, how in the heck do we get involved in this game?

(Jeff): Don I'll answer that in a second. I didn't want to lose the line there with the woman - I didn't catch the name or tribe.

Carole Klopatek: For Fort McDowell Yavapai Nation.

(Jeff): Okay.

Carole Klopatek: And my name is Carole Klopatek.

(Jeff): Okay. Can - would you mind -- I know it's an open line -- but if you give me your number I'll give you a call either later today or tomorrow.

Carole Klopatek: 4-8-0...

(Jeff): 4-8-0...

Carole Klopatek: 7-8-9...

(Jeff): 7-8-9...

Carole Klopatek: 7-1-6-1. And what is your number?

(Jeff): 202-564-0303.

Carole Klopatek: Okay.

(Jeff): And Don, we worked with the EPA - I mean with the IHS headquarters, you know, here in D.C. and had conference calls where every IHS area office was on the call and every EPA region was on the call.

And they all indicated to us that they worked with the tribes in their region so I'm very concerned if you guys didn't hear anything.

Don Aragon: Well we're the only Indian reservation in the State of Wyoming so how in the heck did they miss us?

Carole Klopatek: Well we actually had to call EPA - I mean call IHS. They didn't contact us either.

Man: Yeah right. See (Jeff) they're not calling people.

Woman: Yeah.

Man: They're just as incompetent as usual.

Woman: Yeah.

(Jeff): Okay, I'll chase down these two - Don I know how to get a hold of you and I'll chase down - at least this is two examples at least and there was an example earlier on the call of a Region 9 situation and a Region 5 situation.

So, you know, unfortunately in this circumstance, everything has happened so quickly I can't guarantee anything other than I may report that things were screwed up. But we will try to figure out what did or didn't happen.

(Carol): And look at those screw ups and see what we can possibly do about them.

(Jeff): Right.

(Armina): And (Carol) this is (Armina). I think it's possible that I could add value to improving our relationship with Indian Health Service, so I would like to be a part of those conversations too.

(Carol): Great (Armina); we welcome that.

((Crosstalk))

(Kathy): Hi this is (Kathy); I have a question and I'm not sure if I'm on here, but this is (Kathy) in Anchorage and I'm calling about - or I'm asking - my question is as a national program, did the Indian General Assistance Program get any stimulus package funding, especially for tribes that are ineligible as a reservation, including California and the Oklahoma tribes?

(Carol): No we did not.

(Kathy): Is there - did I - that's really hard to imagine. I'm sorry that we were bypassed in that case. In there anything we could do about that or - I don't know.

I'm a tribal member too; I'm not just speaking as an EPA employee. I'm a tribal member also and I think all the tribes will be asking us this question.

And I think that we can work through the states and maybe find some creative ways to help our villages get water and sewer and with (Dennis)' help and the IHS and things like that, but I feel like we're sort of left out again and I'm not feeling good about that.

(Bill): Well the stimulus funding priorities were set by the administration, not the EPA administration by the President. And, you know, I think we had presentations by six programs who are happy to have received a tremendous amount of money and that (unintelligible) quite a few programs (unintelligible) EPA including the GAP - General Assistance Program who did not receive any funding.

We weren't privy to why those decisions were made in that manner other than the goal was to get money that would actually put people in new jobs as quickly as possible and create kind of these others jobs.

Because these folks would be consuming products such as steel, you know, and other related construction types of things. That's just their general state of intent.

And programs such as GAP and a lot of the other programs that are big tribal programs here at EPA did not receive any official funding.

(Carol): I can share (Kathy) that in the 2010, we have what has been shared out there is that EPA will be receiving \$10 billion versus the \$8 billion, and we in the GAP Program are going to really push -- I was going to say lobby -- but we are going to really push to get GAP funding increased through that avenue.

Through the other avenue we did not have any opportunities because it was beyond our - you know, it moved so fast and it just wasn't in the General Assistance Program.

(Kathy): Okay. So the administration selected which EPA programs would get the funding? It wasn't just an overall...

(Carol): That's correct.

(Kathy): That's what I'm hearing.

(Carol): That's correct; yeah.

(Bill): With the Congress...

((Crosstalk))

(Kathy): Yeah, and I appreciate that. I wasn't trying to say that that wasn't appreciated as part of that package, I just - I'm just disappointed in our program.

(Bill): Yeah, that's understandable.

(Kathy): Thank you.

Carole Klopatek: This is Carole Klopatek again and the gentleman who I was speaking to who I gave my number to, I didn't get his name.

(Jeff) Yeah, (Jeff Vasuval).

Carole Klopatek: Thank you.

(Jeff): Thanks.

(Carol): Do we have other questions? Its nine minutes to four, and this was - I think was our real - maybe our first time -- it's not happened since I've been here - but our first time that we've tried to have a nationwide tribal call.

And it seems to have worked very well even though I know that there were probably some people who couldn't get on. And we hope that the next time we're able to do this we can have - we can be guaranteed lines that will allow everybody to be able to be on.

I thank you all for...

Man: Actually can I - I'd just like to ask one last quick question related to that.

(Carol): Oh sure.

Man: When I -- I got in late and I was having some difficulty -- but is there any chance -- and maybe you mentioned this already -- that this is going to - did you say that this is being taped?

Is this going to be - any chance that this could be Webcasted on EPA's Web site for those of us who didn't - that weren't able to hear the whole thing?

(Carol): We're not able to Webcast it unfortunately and I'm really sorry. But I don't know if did hear that if you call 202-564-0303 and leave your name and number, we will get a CD out to you on this conversation.

Man: What's that number again -- I'm sorry.

(Carol): It's 202-564-0303.

Man: Thanks.

(Carol): And I apologize if, you know, people didn't - weren't able to get on and had - maybe that came in late or something. But since this is our first opportunity and time to do this, we really kind of like this process for sharing across the nation, information.

And one of the things I'd like to share, and I realize unfortunately a lot of people have left, is something that isn't about the stimulus, but I do want to get the word out.

We're going to be holding a Tribal Leaders Summit in September and we haven't actually - we haven't pinned the complete date down yet, but I do want everybody to know that it will be held with our administrator and her staff.

She announced it at the National Congress of American Indians and we've already been working on it. But this is an opportunity; it will be held out here in Washington, D.C. so that we can leverage our agency resources across agency maybe and also our administrator and staff.

And it is a first of our kind. It's the 25th anniversary of the Indian Policy. And so we want to do a celebration and but also we wanted to take this opportunity to take EPA into the next dimension.

We want it to be a very positive meeting and things like we're going to be talking about climate change, and implementation of programs and kind of where we're all at right now and where we need to go.

And so it's a real opportunity for our tribal people to have a voice -- a very strong voice -- in how this program will move forward. So I did want to share that and we're all going to be working very hard on that.

So with that, if there's no more questions we will close. I don't know if -- can anyone hear me yet?

Man: Yes.

Woman: I can hear you.

((Crosstalk))

(Carol): But I do want to say thank you to everybody and this is a good way to do information, so in the future we will probably be doing some of this. If you find it useful, your feedback will be very helpful to us so feel free to connect, and you can let Janice Dipietro know and her number is 202-564-7616

And we would be very, very interested to hear if you felt that this was a good mechanism to get information out. I do realize it was a lot of information and you're probably going to be wanting to call these people specifically for, you know, for - if you have more questions.

And I do realize that it's hard sometimes interaction, but I think it's pretty good. So let us know and thank you for your time.

END