



NORTHERN ARIZONA UNIVERSITY

Institute for Tribal Environmental Professionals

Technical Assistance Program in the VW Settlement Environmental Mitigation Trust Agreement for Indian Tribe Beneficiaries

Report of Activities for January 1 – June 30, 2019

Technical Assistance

Provider Information:

Institute for Tribal Environmental Professionals
Office of Native American Initiatives
Arizona Board of Regents for and on behalf of
Northern Arizona University
Post Office Box 15004
Flagstaff, AZ 86011

As per 2.1.1.5 of the Modified Environmental Mitigation Trust Agreement for Indian Tribe Beneficiaries (the “Indian Tribe Trust Agreement”) filed with the U.S. District Court for the Northern District of California on November 15, 2018 (Case 3:15-md-02672-CRB), Northern Arizona University’s Institute for Tribal Environmental Professionals (ITEP) submits the following semi-annual report. This report provides an overview of the progress of technical assistance activities provided by ITEP for the period of January 1 – June 30, 2019 (the “reporting period”) in support of the Volkswagen Diesel Emissions Environmental Mitigation Trust for Indian Tribe Beneficiaries (the “Indian Tribe Trust”).

Summary

ITEP’s Scope of Work to provide technical assistance to all federally-recognized tribes seeking to access the Indian Tribe Trust began on October 1, 2017.

Specific project tasks for ITEP consist of the following:

1. One-on-One Technical Assistance
2. Web-based Outreach and Education
3. Webinars
4. In-Person Trainings
5. Establishment of Tribal Advisory Council

Task 1: One-on-One Technical Assistance

ITEP staff provided email and phone-based technical assistance to tribes contacting ITEP directly. During the reporting period, ITEP focused its technical assistance efforts primarily into the two following categories: 1) Tribes designated as beneficiaries for the first funding cycle

under the Indian Tribe Trust Agreement (“first funding cycle”); and 2) Tribes interested in becoming beneficiaries for the second and future funding cycles under the Indian Tribe Trust Agreement (“second and future funding cycles”).

Technical assistance for First Funding Cycle: Technical assistance was provided to the 26 previously designated beneficiaries that were able to submit funding requests for the first funding cycle. One Tribe chose to opt out of the first funding cycle, but the other 25 submitted funding requests, and ITEP assisted them through email and phone conversations as needed.

Technical Assistance for Second and Future Funding Cycles: The second funding cycle was announced on January 15th, 2019, and as ITEP began outreach efforts to inform Tribes of the availability of VW Settlement funding, a large number of Tribes contacted ITEP for one-on-one technical assistance. ITEP worked directly with tribal staff holding conference calls, reviewing vehicles and equipment eligibility, and providing instructions on the Beneficiary Incumbency process, to help them prepare for the second funding cycle. In all ITEP worked with 68 Tribes seeking technical assistance. On May 17, 2019, 41 Tribes were designated as new Beneficiaries of the Tribal Trust, and many of the remaining Tribes who worked with ITEP will likely participate in the Trust in future funding cycles. A complete listing of Tribes seeking technical assistance from ITEP is provided in Table 1.0 below.

Table 1.0 Tribes Provided with Technical Assistance

Ak-Chin Indian Community
Alabama-Quassarte Tribal Town
Allakaket Village
Anvik Tribal Council
Asa’carsarmiut Tribe
Bad River Band of Lake Superior Chippewa Tribe
Bear River Band of the Rohnerville Rancheria
Cahto Tribe of the Laytonville Rancheria
Campo Band of Mission Indians
Central Council of the Tlingit & Haida Indian Tribes of Alaska
Chickaloon Native Village
Chinik Eskimo Community (Golovin)
Citizen Potawatomi Nation
Colorado River Indian Tribes
Confederated Tribes of the Colville Reservation
Coushatta Tribe of Louisiana
Elk Valley Rancheria
Forest County Potawatomi Community
Fort McDowell Yavapai Nation
Galena Village (aka Loudon Village)
Gulkana Village Council
Iqurmuit Traditional Council

Table 1.0 Tribes Provided with Technical Assistance (cont.)

Kawerak, Inc. (Tribal consortium)
Kongiganak
Lummi Nation
Manzanita Band of the Kumeyaay Nation
Metlakatla Indian Community
Mississippi Band of Choctaw Indians
Native Village of Barrow
Native Village of Brevig Mission
Native Village of Elim
Native Village of Fort Yukon
Native Village of Kluti-Kaah
Native Village of Koyuk
Native Village of Kwigillingok
Native Village of Kwinhagak
Native Village of Savoonga
Native Village of Tanacross
Native Village of Wainwright
Native Village of White Mountain
Navajo Nation
Nez Perce Tribe
Noorvik Native Community
North Fork Rancheria of Mono Indians
Oneida Nation
Organized Village of Saxman
Paskenta Band of Nomlaki Indians
Passamaquoddy Tribe at Pleasant Point
Prairie Band Potawatomi Nation
Pueblo of Cochiti
Pueblo of Laguna
Pueblo of Zuni
Pyramid Lake Paiute Tribe
Red Cliff Band of Lake Superior Chippewa
Red Lake Band of Chippewa Indians
Saint Regis Mohawk Tribe
Sault Saint Marie Tribe of Chippewa Indians
Stebbins Community Association
Tangirnaq Native Village
The Oneida Nation
Upper Sioux Community
Ute Indian Tribe

Table 1.0 Tribes Provided with Technical Assistance (cont.)

Ute Mountain Ute Tribe
Village of Chefornak
Village of Clarks Point
White Earth Band of Chippewa Indians
Yocha Dehe Wintun Nation
Yurok Tribe

Task 2: Web-based Outreach and Education

ITEP’s VW Settlement Technical Assistance Program website (<https://nau.edu/itep-vw>) was kept updated with new information and resources during the reporting period. During this reporting period ITEP staff made significant changes to the website, adding additional content on the process of becoming a beneficiary and seeking funds from the Tribal Trust, as well as how to participate in the Tribal Advisory Council. Other portions of the site were also revised to provide a more streamlined, user-friendly experience for Tribes seeking information. Training materials such as recorded webinars, videos, and presentations continued to be maintained. The table below provides details of website traffic for the reporting period.

Table 2.0 ITEP Website Traffic

Month and Year	Website Traffic Data
January 2019	Page views: 547 Unique page views: 409
February 2019	Page views: 622 Unique page views: 463
March 2019	Page views: 467 Unique page views: 383
April 2019	Page views: 237 Unique page views: 201
May 2019	Page views: 337 Unique page views: 277
June 2019	Page views: 216 Unique page views: 186

Task 3: Webinars

During this reporting period ITEP conducted outreach and training to Tribes through periodic webinars. Timed to coincide with new developments or deadlines for the first and second funding cycles, ITEP used these webinars to present information on the overall process of becoming a Beneficiary of and seeking funds from the Tribal Trust, instruct Tribes in the requirements of specific forms and attachments to be submitted at various points in the process, and remind Tribes of upcoming deadlines.

ITEP staff also organized several calls for Alaskan Native Tribes and participated in conference calls and webinars of tribal organizations such as the National Tribal Air Association (NTAA) to provide updates related to the Trust Agreement and ITEP’s technical assistance efforts. A summary of the webinars / calls ITEP staff participated in is provided below.

DATE	Webinar / Conference Call	# Attendees
January 3, 2019	NTAA VW Settlement Work Group Conference Call	35
January 9, 2019	ITEP VW Settlement Technical Assistance Program’s Informational Webinar on the VW Settlement for Tribes	32
January 23, 2019	VW Environmental Mitigation Trust Agreement Second Funding Cycle Information Webinar	71
January 30, 2019	VW Environmental Mitigation Trust Agreement Second Funding Cycle Information Webinar (Encore)	22
February 13, 2019	EPA Region 1 Monthly RTOC Conference Call	115
March 7, 2019	NTAA VW Settlement Work Group Conference Call	19
March 7, 2019	ITEP VW Settlement Technical Assistance Webinar for Alaskan Tribes	12
April 11, 2019	NTAA VW Settlement Work Group Conference Call	27
April 25, 2019	NTAA/EPA Air Policy Update Conference Call	64
May 30, 2019	NTAA/EPA Air Policy Update Conference Call	63
June 6, 2019	NTAA Mobile Sources Work Group Conference Call	23
June 12, 2019	ITEP VW Settlement Technical Assistance Program’s Second Funding Cycle Informational Webinar	32
June 27, 2019	NTAA/EPA Air Policy Update Conference Call	66

Task 4: In-Person Trainings & Outreach Events

ITEP staff conducted one in-person training for 14 attendees during the reporting period. This training was held in Flagstaff, Arizona as part of a broader air quality training course. In addition to this training, a presentation was given and an outreach table was set up at a national conference on air quality to provide tribes with information about the VW Settlement and collect contact information to add to ITEP’s growing contact list for outreach purposes. A summary of in-person trainings and outreach events conducted by ITEP project staff is provided below.

Date	Training and Outreach Events	# Attendees
March 14, 2019	ITEP Air Quality Training Course, Flagstaff, AZ	14 in attendance
May 6-9, 2019	National Tribal Forum on Air Quality	230 in attendance

Task 5: Establishment of Tribal Advisory Council

As part of the Modified Trust Agreement, ITEP was tasked with establishing a Tribal Advisory Council (TAC). The purpose of the TAC is to advise the technical assistance provider (ITEP) on its outreach and training efforts to ensure that Indian Tribes are aware of the Indian Tribe Trust, and to provide a forum for Indian Tribes to raise general questions relating to the Indian Tribe Trust Agreement.

In March, 2019, ITEP solicited applications for membership in the TAC, and in April the TAC was formally established with seven members from Tribes across the country, including Alaska. Members of the TAC are listed below.

- Amy Mignella: White Mountain Apache Tribe (Arizona)
- Carter Thomas: Confederated Tribes of Coos, Lower Umpqua, Siuslaw Indians (Oregon)
- Dave Messier: Tanana Chiefs Conference (Alaska)
- David Wagner: Mashantucket Pequot Tribal Nation (Connecticut)
- Joe Cebe: Forest County Potawatomi Tribe (Wisconsin)
- Shain Heiss: contractor to Lower Brule Sioux Tribe (South Dakota)
- Stephen Kullmann: Blue Lake Rancheria (California)

The TAC held its first meeting on May 31st, 2019, and plans to meet monthly for the next six months or so through the second funding cycle, to address questions from Tribes as they come up and provide feedback to ITEP and the Trustee about the process.

ITEP Project Budget

The table below provides a summary of ITEP's project budget and expenditures to date.

Table 3.0 Budget Summary - Transactions from: 10/01/2017 to 06/30/2019

Description	Project Budget	Transactions	Remaining Budget
Salaries & Wages	\$285,715.00	\$176,754.78	\$108,960.22
Fringe Benefits	\$113,622.00	\$64,229.96	\$49,392.04
Supplies & Communications	\$26,247.00	\$20,052.75	\$6,194.25
Professional & Outside Service	\$240,330.00	\$105,395.21	\$134,934.79
Staff Travel	\$36,012.00	\$19,805.64	\$16,206.36
Indirect Cost	\$216,895.00	\$119,347.86	\$97,547.14
Total	\$918,821.00	\$505,586.20	\$413,234.80

ITEP has managed the budget resources of this program prudently since its inception, ensuring that expenditures are aligned with work plan tasks and necessary to serve the technical assistance needs of tribes.

Continuing Work and Future Activities

ITEP will continue to provide outreach, training and technical assistance to tribes interested in becoming beneficiaries of the Volkswagen Environmental Mitigation Trust Agreement for Indian Tribe Beneficiaries. Future activities will include, but not be limited to, the following:

- Development of webinars providing instruction and guidance on the application process
- Outreach at the Tribal Lands and Environment Forum, Palm Springs, CA August 2019
- Outreach at Alaska Tribal Conference on Environmental Management, Anchorage, AK November, 2019
- Work one-on-one with tribal beneficiaries to review and assist with submission of Appendix D-4 forms for the second funding cycle
- Continued support of and work with the Tribal Advisory Council
- Hire additional project staff and contract support as necessary to enhance technical support services

ITEP will also continue to seek feedback and comments from tribes on how to improve its services to better meet the training and technical assistance needs of tribes.

This report is submitted on July 30, 2019 to Wilmington Trust, N.A. as per Section 2.1.1.5 of the Environmental Mitigation Modified Trust Agreement for Indian Tribe Beneficiaries filed with the U.S. District Court for the Northern District of California on November 11, 2018 (Case 3:15-md-02672-CRB). We attest that the information is true and correct and that the submission is made under penalty of perjury.



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END OF REPORT