



Institute for Tribal Environmental Professionals

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

Report of Activities for July 1 – December 31, 2022

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 May 19, 2020 (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 July 1 – December 31, 2022 (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 Training & Outreach Events
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 provided technical assistance efforts to Tribes designated as beneficiaries for the first through fourth funding cycles under the Indian Tribe Trust Agreement.

Since there was no funding cycle in 2022, technical assistance provided in the second half of 2022 primarily consisted of reviewing semi-annual reports at Beneficiaries’ request before they submitted them to the Trustee, and fielding occasional calls and emails from Beneficiaries with questions about what will happen with the remaining funds in the Trust. In all ITEP worked with 17 Tribes seeking technical assistance. A complete listing of Tribes provided technical assistance by ITEP is provided in Table 1.0 below.

1.0 Tribes Provided with Technical Assistance

Campo Band of Mission Indians
Chickaloon Native Village
Chickasaw Nation
Colorado River Indian Tribes
Confederated Tribes of the Colville Reservation
Fallon Paiute-Shoshone Tribe
Fort McDowell Yavapai Nation
Mashantucket Pequot Tribal Nation
Minnesota Chippewa Tribe - Fond du Lac Band (of Lake Superior Chippewa)
Nez Perce Tribe
Pueblo of Laguna
Pueblo of Sandia
Red Lake Band of Chippewa Indians
Saint Regis Mohawk Tribe
Three Affiliated Tribes of the Fort Berthold Reservation, ND (MHA)
White Mountain Apache Tribe
Yurok Tribe

Task 2: Web-based Outreach and Education

ITEP’s VW Settlement Technical Assistance Program website (<https://nau.edu/itep-vw>) was maintained during the reporting period, though no new material was added due to the lack of Trust activity. The table below provides details of website traffic for the reporting period.

Table 2.0 ITEP Website Traffic

Month and Year	Website Traffic Data
July 2022	Page views: 61 Unique page views: 55
August 2022	Page views: 79 Unique page views: 62
September 2022	Page views: 53 Unique page views: 50
October 2022	Page views: 53 Unique page views: 47

November 2022	Page views: 44 Unique page views: 41
December 2022	Page views: 46 Unique page views: 45

Task 3: Webinars

Since there was no funding cycle in 2022, ITEP did not conduct any outreach or training webinars during this reporting period.

Task 4: In-Person Trainings & Outreach Events

Since there was no funding cycle in 2022, ITEP did not conduct any in-person training or outreach activities during this reporting period.

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. Current members* of the TAC are listed below.

- Amy Mignella: Hopi Tribe (Arizona)
- 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)

The TAC met monthly from May, 2019, through March, 2022, to address questions from Tribes as they came up and provide feedback to ITEP and the Trustee about the process. The TAC did not meet during the reporting period due to the lack of Trust activity during that time.

* Two original members, Stephen Kullmann of Blue Lake Rancheria and Carter Thomas of Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, left their Tribes' employment in 2020 and 2021, respectively, and are no longer serving on the TAC.

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 12/31/2022

Description	Project Budget	Transactions	Remaining Budget
Salaries & Wages	\$537,497.00	\$585,166.52	\$(47,669.52)
Fringe Benefits	\$198,004.00	\$213,644.54	\$(15,640.54)
Supplies & Communications	\$46,176.00	\$31,372.64	\$14,803.36
Professional & Outside Service	\$295,652.00	\$241,634.05	\$54,017.95
TAC Member Travel	\$11,312.00	\$0.00	\$11,312.00
Staff Travel	\$39,145.00	\$24,420.97	\$14,724.03
Indirect Cost	\$344,990.00	\$338,738.06	\$6,251.94
Total	\$1,472,776.00	\$1,434,976.78	\$37,799.22

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 technical assistance to beneficiaries of the Volkswagen Environmental Mitigation Trust Agreement for Indian Tribe Beneficiaries so long as the program continues, contingent upon funding.

This report is submitted on January 27th, 2023 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 May 19, 2020 (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