



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, 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
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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 July 1 – December 31, 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 provided technical assistance efforts to both Tribes designated as beneficiaries for the first and second funding cycles under the Indian Tribe Trust

Agreement, and Tribes interested in becoming beneficiaries for the third and future funding cycles under the Indian Tribe Trust Agreement.

In the second half of 2019 ITEP worked with newly designated Beneficiaries of the Tribal Trust, as well as Beneficiaries from the first funding cycle, to prepare, revise, and submit their funding requests by the August 30th deadline. ITEP also continued to field questions from Tribes who were interested in participating in a later funding cycle, and near the end of the year reached out to Tribes who had just missed the deadline to become Beneficiaries in this funding cycle, to help them meet the deadline for the third funding cycle. In all ITEP worked with 62 Tribes seeking technical assistance. A complete listing of Tribes seeking technical assistance from ITEP is provided in Table 1.0 below.

1.0 Tribes Provided with Technical Assistance

Blue Lake Rancheria
Central Council of the Tlingit & Haida Indian Tribes of Alaska
Cherokee Nation
Cheyenne River Sioux Tribe of the Cheyenne River Reservation
Chickaloon Native Village
Chickasaw Nation
Citizen Potawatomi Nation
Colorado River Indian Tribes
Confederated Tribes and Bands of the Yakama Nation
Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians
Confederated Tribes of the Colville Reservation
Elk Valley Rancheria
Forest County Potawatomi Community
Galena Village (aka Loudon Village)
Gila River Indian Community of the Gila River Indian Reservation, Arizona
Grand Traverse Band of Ottawa & Chippewa Indians
Gulkana Village Council
Hoopla Valley Tribe
Huslia Village
Kawerak, Inc. (Tribal consortium)
Kongiganak
Koyukuk Native Village
Lower Brule Sioux Tribe
Manokotak Village
Mashantucket Pequot Tribal Nation
Minnesota Chippewa Tribe - Fond du Lac Band (of Lake Superior Chippewa)
Mohegan Tribe of Indians of Connecticut
Muscogee (Creek) Nation
Native Village of Brevig Mission
Native Village of Koyuk
Native Village of Port Heiden
Native Village of Savoonga
Native Village of Venetie
Native Village of White Mountain
New Koliganek Village Council
Nez Perce Tribe
Noorvik Native Community
Oglala Sioux Tribe

Organized Village of Saxman
Pueblo of Cochiti
Pueblo of Isleta
Pueblo of Jemez
Pyramid Lake Paiute Tribe
Quapaw Tribe of Indians
Quinault Indian Nation
Red Cliff Band of Lake Superior Chippewa
Red Lake Band of Chippewa Indians
Saint Regis Mohawk Tribe
Salt River Pima-Maricopa Indian Community
Sault Saint Marie Tribe of Chippewa Indians
Shoshone-Bannock Tribes
Swinomish Indian Tribal Community
Three Affiliated Tribes of the Fort Berthold Reservation, ND (MHA)
Tule River Tribe
Upper Sioux Community
Ute Mountain Ute Tribe
Village of Chefornak
White Mountain Apache Tribe
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 changes to the website as needed, keeping training materials such as recorded webinars, videos, and presentations updated and 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
July 2019	Page views: 367 Unique page views: 297
August 2019	Page views: 280 Unique page views: 239
September 2019	Page views: 107 Unique page views: 94
October 2019	Page views: 189 Unique page views: 143
November 2019	Page views: 115 Unique page views: 94
December 2019	Page views: 290 Unique page views: 172

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 second funding cycle, ITEP used these webinars to present information on the specific details of how to prepare the Appendix D-4 package and seek funds from the Tribal Trust.

ITEP staff also 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
July 10, 2019	VW Settlement Second Funding Cycle Webinar: How to Apply for Funding	22
July 11, 2019	NTAA Mobile Sources Work Group Conference Call	15
July 16, 2019	ENCORE - VW Settlement Second Funding Cycle Webinar: How to Apply for Funding	24
July 25, 2019	NTAA/EPA Air Policy Update Conference Call	46
August 1, 2019	NTAA Mobile Sources Work Group Conference Call	13
August 29, 2019	NTAA/EPA Air Policy Update Conference Call	52
September 5, 2019	NTAA Mobile Sources Work Group Conference Call	14
September 19, 2019	NTAA/EPA Air Policy Update Conference Call	37
October 3, 2019	NTAA Mobile Sources Work Group Conference Call	19
October 31, 2019	NTAA/EPA Air Policy Update Conference Call	64
November 7, 2019	NTAA Mobile Sources Work Group Conference Call	19
December 5, 2019	NTAA Mobile Sources Work Group Conference Call	21
December 12, 2019	NTAA/EPA Air Policy Update Conference Call	48

Task 4: In-Person Trainings & Outreach Events

ITEP staff presented and/or set up an outreach table at one regional and two national conferences on environmental management 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 the outreach events conducted by ITEP project staff is provided below.

Date	Training and Outreach Events	# Attendees
August 19-22, 2019	Tribal Lands and Environment Forum	table set up; talked with numerous people

October 21-24, 2019	Tribal/EPA Region 9 Conference	15 in attendance
November 19-21, 2019	Alaska Tribal Conference on Environmental Management	10 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: Lower Brule Sioux Tribe (South Dakota)
- Stephen Kullmann: Blue Lake Rancheria (California)

The TAC has met monthly through the second half of 2019, to address questions from Tribes as they came up and provide feedback to ITEP and the Trustee about the process. Meeting notes were developed by ITEP staff at the conclusion of all monthly meetings and shared with TAC members.

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 12/31/2019

Description	Project Budget	Transactions	Remaining Budget
Salaries & Wages	\$285,715.00	\$251,172.11	\$34,542.89
Fringe Benefits	\$113,622.00	\$92,045.33	\$21,576.67
Supplies & Communications	\$26,247.00	\$26,109.37	\$137.63
Professional & Outside Service	\$240,330.00	\$129,101.67	\$111,228.33
Staff Travel	\$36,012.00	\$22,958.84	\$13,053.16
Indirect Cost	\$216,895.00	\$161,108.92	\$55,786.08
Total	\$918,821.00	\$682,496.24	\$236,324.76

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 process to become a new Beneficiary of the Tribal Trust
- Outreach at the National Tribal Forum on Air Quality in Tulsa, OK May 2020
- Outreach at the Alaska Forum on the Environment in Anchorage, AK February 2020
- Work one-on-one with tribal beneficiaries to review and assist with preparation of Appendix D-3 and Appendix D-4 forms for the third 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.



Mehrdad Khatibi, Director
Institute for Tribal Environmental Professionals



Mark Daniels, Program Coordinator
Institute for Tribal Environmental Professionals

END OF REPORT