



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, 2020

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
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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 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, 2020 (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 (online this year due to the pandemic)
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, second, and third funding cycles under the Indian Tribe Trust Agreement.

In the second half of 2020 ITEP worked with newly designated Beneficiaries of the Tribal Trust, as well as Beneficiaries from the first and second funding cycles, to prepare, revise, and submit their funding requests by the August 28th deadline. ITEP also continued to field questions from Tribes who were interested in participating in the fourth funding cycle. In all ITEP worked with 69 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

Aleut Community of St. Paul Island
Blue Lake Rancheria
Bois Forte Band of Chippewa
Campo Band of Mission Indians
Cherokee Nation
Cheyenne River Sioux Tribe of the Cheyenne River Reservation
Chickaloon Native Village
Citizen Potawatomi Nation
Colorado River Indian Tribes
Confederated Salish & Kootenai Tribes
Confederated Tribes and Bands of the Yakama Nation
Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians
Confederated Tribes of the Colville Reservation
Confederated Tribes of the Umatilla Indian Reservation
Craig Tribal Association
Fallon Paiute-Shoshone Tribe
Forest County Potawatomi Community
Galena Village (aka Loudon Village)
Gila River Indian Community of the Gila River Indian Reservation, Arizona
Gulkana Village Council
Hoopa Valley Tribe
Huslia Village
Hydaburg Cooperative Association
Klawock Cooperative Association
Kobuk Traditional Council
Kongiganak
Lower Brule Sioux Tribe
Manley Hot Springs Village
Mashantucket Pequot Tribal Nation
Meskwaki Nation
Mille Lacs Band of Ojibwe
Minnesota Chippewa Tribe - Fond du Lac Band
Mohegan Tribe of Indians of Connecticut
Muscogee (Creek) Nation
Native Village of Brevig Mission
Native Village of Diomede

Native Village of Elim
Native Village of Iliamna
Native Village of Port Heiden
Native Village of Savoonga
Native Village of Wainwright
Native Village of White Mountain
Nez Perce Tribe
Oglala Sioux Tribe
Organized Village of Kwethluk
Pala Band of Mission Indians
Pechanga Band of Luiseno Indians
Pueblo of Cochiti
Pueblo of Isleta
Pueblo of Laguna
Pyramid Lake Paiute Tribe
Quapaw Tribe of Indians
Quinault Indian Nation
Red Cliff Band of Lake Superior Chippewa
Red Lake Band of Chippewa Indians
Redwood Valley Little River Band Of Pomo Indians
Rincon Band of Luiseño 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
Confederated Tribes of the Warm Spring Reservation
Three Affiliated Tribes of the Fort Berthold Reservation, ND
Upper Sioux Community
Ute Mountain Ute Tribe
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. 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
July 2020	Page views: 174 Unique page views: 153
August 2020	Page views: 365 Unique page views: 289
September 2020	Page views: 148 Unique page views: 130
October 2020	Page views: 177 Unique page views: 144
November 2020	Page views: 186 Unique page views: 142
December 2020	Page views: 89 Unique page views: 79

During the reporting period ITEP also utilized the help of a part-time Research Assistant, Wilda Anagal, to provide support for the Technical Assistance Program. Ms. Anagal worked on a variety of tasks such as summarizing all of the projects funded to date by the VW Trust, developing expertise in the EPA’s Diesel Emissions Reduction Act (DERA) program, and researching the technical, regulatory, and economic issues around installing electric vehicle charging stations. The results of these tasks may be added to ITEP’s VW Settlement Technical Assistance Program website to assist Tribes in determining the types of projects they would like to pursue with their allocations, and to understand the technical details of the various options and funding mechanisms available to them.

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 third 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 1, 2020	VW Settlement Third Funding Cycle Webinar: How to Apply for Funding	24
July 2, 2020	NTAA Mobile Sources Work Group Conference Call	22

July 30, 2020	NTAA/EPA Air Policy Update Conference Call	49
August 6, 2020	NTAA Mobile Sources Work Group Conference Call	20
August 10, 2020	NTAA Executive Committee Monthly Call	25
August 27, 2020	NTAA/EPA Air Policy Update Conference Call	69
September 3, 2020	NTAA Mobile Sources Work Group Conference Call	24
September 14, 2020	NTAA Executive Committee Monthly Call	27
October 8, 2020	NTAA Mobile Sources Work Group Conference Call	33
October 12, 2020	NTAA Executive Committee Monthly Call	20
October 29, 2020	NTAA/EPA Air Policy Update Conference Call	79
November 5, 2020	NTAA Mobile Sources Work Group Conference Call	24
November 9, 2020	NTAA Executive Committee Monthly Call	20
December 3, 2020	NTAA Mobile Sources Work Group Conference Call	27
December 3, 2020	NTAA/EPA Air Policy Update Conference Call	72

Task 4: In-Person Trainings & Outreach Events

Due to the widespread cancellation of conferences and other in-person events caused by the Covid-19 pandemic, ITEP staff was not able to conduct any in-person trainings or outreach events during the reporting period. However, a number of conferences were switched to a virtual format, and ITEP staff gave presentations on the VW Settlement and how to participate. A summary of ITEP project staff participation in outreach events is provided below.

Date	Outreach Events	# Attendees
August 17-20, 2020	Tribal Lands and Environment Forum	talked with eight people at our virtual booth
September 24, 2020	Green Transportation Summit & Expo: Mindful Mobility Talks	85
September 23-25, 2020	EPA Region 10 Tribal Environmental Leader's Summit	unknown
October 6-21, 2020	Tribal/EPA Region 9 Conference	~10
December 14-18, 2020	Alaksa Tribal Conference on Environmental Management	~25

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)
- 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)

The TAC has met monthly since May 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.

* One original member, Stephen Kullmann of Blue Lake Rancheria, left the Tribe’s employment at the end of May, 2020, and is 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 12/31/2020

Description	Project Budget	Transactions	Remaining Budget
Salaries & Wages	\$421,346.00	\$403,398.35	\$17,947.65
Fringe Benefits	\$152,849.00	\$148,917.04	\$3,931.96
Supplies & Communications	\$36,109.00	\$31,176.17	\$4,932.83
Professional & Outside Service	\$243,512.00	\$181,242.06	\$62,269.94
TAC Member Travel	\$11,312.00	\$0.00	\$11,312.00
Staff Travel	\$37,683.00	\$24,420.97	\$13,262.03
Indirect Cost	\$275,473.00	\$243,849.07	\$31,623.93
Total	\$1,178,284.00	\$1,033,003.66	\$145,280.34

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 EPA Region 9 RTOC Meeting, February 2020
- Work one-on-one with tribal beneficiaries to review and assist with preparation of Appendix D-4 forms for the fourth funding cycle
- Continued support of and work with the Tribal Advisory Council

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 February 5, 2021 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