



**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, 2023***

**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 October 23, 2023 (Case 3:16-cv-00295-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, 2023 (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.

Upon being notified of the filing of the Modified Trust Agreement on October 23, 2023, ITEP began reaching out to all 119 Beneficiaries of the Indian Tribe Trust to inform them of the final distribution of funds and how they could participate if they wished to do so. Technical assistance from then until the funds were disbursed near the end of December primarily involved answering questions about the program, assisting Beneficiaries who wanted to participate with the preparation of the required forms for the final distribution, and uploading completed forms to Intralinks if needed. Throughout the reporting period ITEP also provided occasional help with reviewing semi-annual reports at Beneficiaries' request before they submitted them to the Trustee.

While ITEP made every effort to reach all 119 Beneficiaries to inform them of the final distribution, in all ITEP ended up working with 112 Tribes seeking technical assistance during the reporting period. A complete listing of Tribes provided technical assistance by ITEP is provided in Table 1.0 below.

### **1.0 Tribes Provided with Technical Assistance**

Akiachak Native Community
Aleut Community of St. Paul Island
Anvik Tribal Council
Arctic Village
Asa'carsarmiut Tribe
Beaver Village
Blue Lake Rancheria
Bois Forte Band of Chippewa
Campo Band of Mission Indians
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
Chinik Eskimo Community (Golovin)
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
Coquille Indian Tribe
Craig Tribal Association
Elk Valley Rancheria
Fallon Paiute-Shoshone Tribe
Forest County Potawatomi Community

Fort McDowell Yavapai Nation
Galena Village (aka Loudon Village)
Gila River Indian Community of the Gila River Indian Reservation, Arizona
Gulkana Village Council
Holy Cross Tribe
Hopi Tribe
Huslia Village
Hydaburg Cooperative Association
Igiugig Village Council
Iqurmit Traditional Council
Kobuk Traditional Council
Kongiganak
Koyukuk Native Village
La Jolla Band of Luiseno Indians
Lower Brule Sioux Tribe
Manley Hot Springs Village
Mashantucket Pequot Tribal Nation
Metlakatla Indian Community
Mille Lacs Band of Ojibwe
Minnesota Chippewa Tribe - Fond du Lac Band
Mohegan Tribe of Indians of Connecticut
Muscogee (Creek) Nation
Native Village of Barrow
Native Village of Brevig Mission
Native Village of Buckland
Native Village of Chitina
Native Village of Deering
Native Village of Diomede
Native Village of Elim
Native Village of Gambell
Native Village of Iliamna
Native Village of Koyuk
Native Village of Kwigillingok
Native Village of Mary's Igloo
Native Village of Minto
Native Village of Napaimute
Native Village of Port Heiden
Native Village of Savoonga
Native Village of Shaktoolik
Native Village of Shishmaref
Native Village of St. Michael

Native Village of Stebbins
Native Village of Stevens
Native Village of Teller
Native Village of Unalakleet
Native Village of Venetie
Native Village of Wainwright
Native Village of Wales
Native Village of White Mountain
Nez Perce Tribe
Noorvik Native Community
Nulato Village
Oglala Sioux Tribe
Oneida Nation
Organized Village of Grayling
Organized Village of Kwethluk
Organized Village of Saxman
Pala Band of Mission Indians
Prairie Band Potawatomi Nation
Pueblo of Cochiti
Pueblo of Isleta
Pueblo of Laguna
Pueblo of Sandia
Pyramid Lake Paiute Tribe
Quapaw Tribe of Indians
Quinault Indian Nation
Red Cliff Band of Lake Superior Chippewa
Red Lake Band of Chippewa Indians
Rincon Band of Luiseño Indians
Saint Regis Mohawk Tribe
Salt River Pima-Maricopa Indian Community
San Pasqual Band of Mission Indians
Shageluk Native Village
Shoshone-Bannock Tribes
Sisseton-Wahpeton Oyate of the Lake Traverse Reservation
Southern Ute Indian Tribe
St. George Traditional Council
Swinomish Indian Tribal Community
The Confederated Tribes of Warm Springs
Three Affiliated Tribes of the Fort Berthold Reservation, ND
Tuolumne Band of Me-Wuk Indians
Upper Sioux Community

Ute Mountain Ute Tribe
Village of Chefornak
White Mountain Apache Tribe
Yocha Dehe Wintun Nation

## Task 2: Web-based Outreach and Education

ITEP's VW Settlement Technical Assistance Program webpage (<https://nau.edu/itep-vw>) was maintained during the reporting period, and an update was provided once the Modified Trust Agreement was filed to announce the final distribution of funds. 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 2023	Page views: 13 Unique page views: 18
August 2023	Page views: 37 Unique page views: 28
September 2023	Page views: 17 Unique page views: 22
October 2023	Page views: 29 Unique page views: 24
November 2023	Page views: 47 Unique page views: 30
December 2023	Page views: 60 Unique page views: 36

## Task 3: Webinars

During this reporting period ITEP conducted outreach and training to Tribes through a webinar offered on November 14<sup>th</sup> to present information about the final distribution of funds and how to complete the forms necessary to participate. The webinar was advertised to all 119 Beneficiaries, and 22 Beneficiaries attended it live. The webinar was also recorded, and afterward a link to the recording was distributed to all Beneficiaries so people who missed it or wanted to review what they'd heard could view the recording.

## Task 4: In-Person Trainings & Outreach Events

Since new beneficiaries are no longer being accepted and the final distribution of funds played out rapidly over a brief period of time, 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.

\* 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 12/31/2023**

Description	Project Budget	Transactions	Remaining Budget
Salaries & Wages	\$555,117.00	\$604,856.08	(\$49,739.08)
Fringe Benefits	\$198,004.00	\$219,964.11	(\$21,960.11)
Supplies & Communications	\$46,176.00	\$31,372.64	\$14,803.36
Professional & Outside Service	\$328,652.00	\$242,734.05	\$85,917.95
TAC Member Travel	\$11,312.00	\$0.00	\$11,312.00
Staff Travel	\$39,145.00	\$24,420.97	\$14,724.03
Indirect Cost	\$359,872.00	\$347,114.83	\$12,757.17
<b>Total</b>	<b>\$1,538,278.00</b>	<b>\$1,470,462.68</b>	<b>\$67,815.32</b>

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 as needed, reviewing reports to the Trustee (if requested by the Beneficiaries) through the termination of the program in June 2025.

This report is submitted on January 29<sup>th</sup>, 2024 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 October 23, 2023 (Case 3:16-cv-00295-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