

ANCSA PG Public Meeting, March 22, 2023
Community Feedback Exercise Results w/ Responses

1) What worries you the most about the ANCSA conveyed lands?

- a) Contaminated Sites not being cleaned up
 - i. ANTHC is developing a plan to document the site identification, verification, assessment, and cleanup process including identifying roadblocks and other issues to bring to the attention of key agencies for redress.
- b) That people won't have time to identify or find sites
 - i. The potential for capacity problems was identified in multiple facets during this feedback exercise (identifying sites, and applying for funds). ANTHC has included a section in its plan on developing tribal capacity and another section on providing technical assistance including assistance in researching potential sites. ANTHC also invites anyone to provide additional comments or questions so the problem can hopefully be addressed in a way that is satisfactory to the community.
- c) Timeline, Getting resolutions done in my time with my Tribe/Corporation
 - i. ANTHC is offering to provide technical assistance. Part of this could include traveling to communities to provide training and outreach if it is believed it would be helpful. ANTHC also welcomes further comment on any specific issue that they would like help with.
- d) Money to do anything is "always" offered as a Cooperative Agreement (Cag). Tribal capacity to access money is low. (process = time consuming + complex)
 - i. ANTHC would like to offer technical assistance in writing applications or in some cases, may be able to refer applicants to other ANTHC programs that may be able to assist communities in managing other projects so they could possibly take this on. Alaska Native entities are also encouraged to partner with other Alaska Native entities to work collaboratively on sites. The EPA has also stated it wants feedback on the program and what is working and what is not working. ANTHC and EPA welcome further comments on specific issues with the process to see if a solution can be found, or if the process should be reviewed by key agencies.
- e) More deliberation, using funds for 'administrative' purposes and no action
 - i. The frustration with the lack of progress on these sites is understandable. EPA, DEC, and ANTHC acknowledge there is mistrust around these sites and are committed to developing a funding program with meaningful input from Alaska Native entities and peoples. It is believed that the best way to alleviate this concern is to show programmatic success to help develop trust that the program is sustainable and assistive in a meaningful way. ANTHC welcomes further feedback on ways that could help promote trust between state and federal agencies and Alaska Native entities and peoples.
- f) Prioritization of additional ESAs/database building will push actual cleanup actions of identified sites further out.
 - i. The frustration with the lack of progress on these sites is understandable. EPA, ADEC, and ANTHC acknowledge this frustration. EPA anticipates the Common Operating Picture/Site Inventory will be live early this fall. The EPA anticipates funding several site-specific projects (including cleanup

work) this year. Prioritization is an issue that is currently being discussed and ANTHC is requesting feedback on portions of the ANCSA PG Charter that reference prioritization criteria. ADEC, EPA and ANTHC all welcome feedback on what different entities see as their priorities in addressing sites in their communities and region.

- g) We have this great opportunity, but we may miss some sites.
 - i. While we are in the beginning stages of this program, ADEC, EPA and ANTHC are committed to enhancing outreach to ensure others in more remote areas of the state have the opportunity to learn about this program and gain equal access to the funding available. ADEC, EPA and ANTHC welcome any feedback on how to better their outreach efforts.
 - ii. ANTHC is committing itself to providing technical assistance and identifying ways to build tribal capacity and economic opportunities. ANTHC welcomes further comment on specific issues that people believe may hinder addressing these sites.
 - iii. The EPA is also developing an automated tool to easily facilitate the nomination of new sites to be considered for inclusion in the Site Inventory as well as potential future grant-funded projects. We are hoping as the program moves forward and shows programmatic success, more entities will trust that the program is sustainable and volunteer more sites.
- h) Since the responsibility will fall on the tribe, will there be an EPA/TRP/DEC group that will assist in writing grant applications.
 - i. Yes, ANTHC is committing itself to providing technical assistance in writing applications for the ANCSA funding program. ANTHC can also assist with other applications for other types of programs such as Brownfields. The EPA is working with ANTHC to help ensure all eligible and sound projects that are applied for, get funded.
- i) The federal government should clean up their own land.
 - i. ANTHC, DEC and EPA acknowledge this sentiment. This additional funding hopes to supplement the work being conducted by the federal government by providing funding to Alaskan Native entities to prioritize and conduct important assessment and cleanup work more directly. It is important for the EPA to directly hear from Alaska Native entities about their priorities when it comes to addressing contaminated lands.

2) What questions about liability do you have?

- a. ANCSA lands were transferred to Tribal Corporations. Of course the best lands were not. So why are Tribes responsible for getting everything done with they aren't RPs? (Starred)
 - i. ANTHC, DEC and EPA acknowledge this sentiment. The funding for the program that was made available by Congress is meant to supplement funding and work being conducted by other federal agencies through other cleanup programs and allow Alaska Native entities the ability to prioritize and accomplish assessment and cleanup work in their communities. ANTHC has committed itself to assisting the EPA build a sustainable program with Alaska Native feedback with the intent to maximize any potential direct benefits including additional autonomy to direct projects, job creation, and community capacity building.

- b. What qualifies? Can a list be created to prompt people? (Military, mines, armories, etc.)
 - i. It may be difficult to give a single list of sites given the nuances of these types of contaminated sites. However, it can be said that any ANCSA-conveyed land that was contaminated at the time of conveyance could qualify for this new funding program. The EPA is also committed to sharing success stories that may help communities identify their own sites.
 - ii. If it is helpful, Alaska's Brownfield programs have identified sites in Alaska as possibly being: abandoned gas stations, illegal dump sites, abandoned fish processing or mill facilities, hospitals, dry cleaners, Abandoned tank farms, Old schools, Old canneries, Former military sites, Mine sites, and more.
- c. How can DEC/EPA reduce liability fear.
 - i. Some questions related to liability on these sites have been listed in the FAQ section that the EPA has on their [ANCSA Contaminated Lands webpage](#). That being said, liability is complex, and this is an ongoing policy discussion between DEC and EPA. More clarification will be given in the future. ADEC, EPA, and ANTHC welcome feedback on particular examples that could demonstrate issues. NOTE: ANTHC can take this feedback and relay it to agencies without including identifying information if someone is uncomfortable with expressing examples directly.
- d. Who has burden of proof? Feds, Tribes, etc.?
 - i. At this time, we believe it could be considered a shared burden as it may take input from all parties. ANTHC and EPA understand that information about sites may come from a number of different sources and some sites may have very little information available. EPA is working with ADEC to develop a site verification process by which information and environmental data to support grant eligibility determinations will be gathered. This work will be done in conjunction with the landowners and other community members. That said, this is also an ongoing policy discussion between EPA and DEC that could benefit from feedback from Alaska Native entities and peoples.
- e. Easement. What if BLM retained and (*sic*) easement and the easement had debris on it and more was put there over time.
 - i. An easement is a right of entry to a property but doesn't change the underlying ownership. Properties with easements would be considered with the same criteria as other ANCSA-conveyed contaminated lands. Easements and agency authorities can be complex to navigate and additional discussions may be needed. ADEC, EPA, and ANTHC welcome additional feedback regarding this issue to try to identify a satisfactory solution which could include identifying alternative funding sources if the site is determined to not be eligible for funding.
- f. Also, it is super lame that this falls on the people who didn't do the contamination.
 - i. ANTHC and EPA acknowledge this sentiment and the new EPA funding does not relieve any federal agency from addressing contaminated lands through existing programs. This additional funding hopes to supplement the work being conducted by the federal government by providing funding to Alaskan Native entities to prioritize and conduct important assessment and cleanup work more directly. ANTHC has committed itself to assisting the EPA build a sustainable funding program with Alaska Native feedback with

the intent to maximize any potential direct benefits including additional autonomy to direct projects, job creation, and community capacity building.

3) What would you like to learn more about?

- a. Grants, where to start, what is required
 - i. EPA plans to have its [ANCSA Contaminated Lands webpage](#) enhanced with technical guidance and templates in one place as they become available. Additionally, ANTHC is planning to offer technical assistance with support from EPA - provided guidance and interpretations. ANTHC also welcomes additional feedback on how information about these funding resources could be best delivered: in-person training, webinars, factsheets, or others.
- b. How TRP Coordinators can work with Regional Corporations most effectively.
 - i. ANTHC is planning to offer technical assistance and welcomes additional feedback on the issue present to try to develop a process that could be reproduced for other entities in similar situations.
- c. Is there a database or method through which program/project coordinators can see information from the projects around the state that might help inform our actions?
 - i. The Common Operating Picture/Inventory the EPA is developing is an expansion of the 2019 BLM inventory that has previously been discussed in other partnership group meetings. It will include additional information that may assist others in informing their actions. ANTHC and EPA welcome additional feedback on other data that entities would like to see on the Common Operating Procedure.
- d. What happens when release dates can't be verified? How is uncertainty handled?
 - i. The impact of not having verified release dates will have to be addressed on a case-by-case basis through collaborative information sharing. ADEC, ANTHC, and EPA understand that information about sites may come from a number of different sources and some sites may have very little information available. EPA is working with ADEC to develop a site verification process by which information and environmental data to support grant eligibility determinations will be gathered. This work will be done in conjunction with the landowners and other community members. That said, this is also an ongoing policy discussion between EPA and DEC that could benefit from feedback from Alaska Native entities and peoples to help better inform future policy and guidance. ADEC, EPA, and ANTHC also welcome feedback on particular examples that could help demonstrate issues faced. NOTE: ANTHC can take this feedback and relay it to agencies without including identifying information if someone is uncomfortable with expressing examples directly.
- e. How do we add sites that are not identified?
 - i. The EPA Common Operating Picture/Inventory will have a feature for new sites to be submitted for evaluation. Additionally, ANTHC is also looking at ways to provide technical assistance to communities that believe they have potentially qualifying sites but are not comfortable submitting that information to the EPA. ANTHC welcomes feedback on what is needed by communities, what concerns they have, and how they would like to work with ANTHC.
- f. How do we deal with sites added to Noatak but not in our jurisdiction? (DoD site)

- i. The EPA welcomes additional information on these sites to see if a solution could be identified. For example: are these sites already under DoD management and the community is having difficulty working with DoD on the site or does the community desire to take over management of the site from DoD?
- g. Does lack of verified release date prior to conveyance necessarily eliminate a site from the inventory?
 - i. The impact of not having a verified release date will have to be addressed on a site by site basis through collaborative information sharing. That said, sites added to the EPA Common Operating Picture/Inventory will not be removed but information on whether contamination was pre- or post-conveyance (or a combination of both) will be identified and may impact eligibility for EPA grant funding through the new ANCSA contaminated lands program. If a site is not eligible for funding under that program, it may be eligible for other types of funding. ADEC, EPA, and ANTHC welcome feedback on particular examples that could demonstrate issues faced. NOTE: ANTHC can take this feedback and relay it to agencies without including identifying information if someone is uncomfortable with expressing examples directly.

4) What would you like to be kept up to date on?

- a. Grants and various funding opportunities
 - i. ANTHC is committed to providing technical assistance to communities through this process, and welcomes further feedback on whether a webinar or factsheet (or something else as indicated in question 5) would be most helpful.
- b. Progress of the program moving forward in AK.
 - i. ANTHC plans to host quarterly ANCSA PG meetings, further develop its website and send out quarterly newsletters.
 - ii. Additionally, the EPA's Common Operating Picture/Inventory will be accompanied by a story map website that will include progress on site cleanup work and other important information. EPA also has an [ANCSA Contaminated Lands webpage](#) that is regularly updated with important information.
- c. New sites identified for consideration & status of their investigation
 - i. The EPA's new Common Operating Picture/Inventory is being designed to include an easy way to propose new sites for consideration and also provide more detailed information on the status of site cleanups on all contaminated ANCSA lands. EPA welcomes feedback on what elements would be most helpful or if there are potential downsides that people see with providing this information publicly.
- d. Additional focus on clean-up activities: Let's have a live list of active clean-up sites so we can see the work being done that is not just an inventory of the sites
 - i. The EPA's Common Operating Picture/Inventory is being designed to contain the most complete list of sites with clarifying language regarding each site's status, what is going on at each site, and whom to contact for more information. The EPA welcomes continued feedback as the Common

Operating Picture/Inventory is developed and changes over time to meet need.

- e. Inventory and come up with one big inventory vs. BLM, EPA, etc.
 - i. The EPA's Common Operating Picture/Inventory is being designed to fulfill this role. The Common Operating Picture/Inventory will have the most complete information about contaminated ANCSA lands and progress on site assessment and cleanup. BLM will continue their statutory obligations to convey land, but EPA's COP/Inventory will contain updates on sites from BLM, the US Army Corps of Engineers and other federal and state entities conducting assessment and cleanup work on contaminated ANCSA lands.

5) How would you like to be kept up to date?

- a. Emails, e-newsletters, etc.
 - i. ANTHC plans to send regular emails regarding ANCSA PG meeting dates, and developing an e-newsletter.
- b. ^same
 - i. noted
- c. One up to date, well organized, clearly marked, user friendly website that contains notes from previous meetings, current priorities, POCs, & links to appropriate maps/DBs + emails
 - i. The EPA's Common Operating Picture/Inventory will be the central repository for site information.
 - ii. ANTHC is planning to revise its website to provide more of the above information including previous meeting recordings and documents, current priorities, Points of Contact, and links to the EPA Common Operating Picture/Inventory, DEC Contaminated Sites Database, etc.
 - iii. ANTHC welcomes further feedback on what other resources are desired.
- d. Email and eNewsletter would be good (check mark)
 - i. ANTHC plans to send out emails and e-Newsletters. ANTHC also welcomes further feedback on other communication.

6) What information would you like to see on the public side of the EPA database?

- a. Which lands are under which corporation, contamination status, and progress along any kind of funding timeline
 - i. This information will be available on the EPA COP/Inventory. Progress along funding timelines would be communicated through the applicant and EPA.
- b. Would love to see a database on region 10 website that is comparable to DEC contaminated sites database
 - i. The EPA COP/Inventory will be a living and interactive database that will offer similar information offered on DEC's Contaminated Sites database, plus more.
- c. Lat, Long, site ID, site name, known contaminants, federal agency, efforts to date
 - i. This information will be available on the EPA COP/Inventory.
- d. 100% transparency of any data changes. Example: 103 orphan sites → 20, why the change?

- i. The EPA COP/Inventory will contain all sites that have been identified and site-specific information will identify the status of particular sites. The COP/Inventory will also contain a dynamic dashboard feature to better visualize the status of sites across the state. Data in the database will be updated at least quarterly to ensure the information in the COP/Inventory remains current.
 - ii. ANTHC would like to request feedback if a more specific narrative explanation for the changes in site numbers (such as issuing a brief report on site changes) is what is being specified in this question.
- e. Land ownership information
 - i. This information will be available on the COP/Inventory to the extent possible without violating personally identifiable information.
- f. Identify sites, who's ANCSA land
 - i. This information will be available on the COP/Inventory to the extent possible without violating personally identifiable information. Sites on the COP/inventory will be a combination of those already on the 2019 BLM Inventory, sites identified on the DEC Contaminated Sites Database, and new sites added through a feature whereby any interested party may propose new sites for verification and assessment
- g. Were they cleaned up and how?
 - i. This information will be available on the EPA COP/Inventory including who to contact for additional information not hosted on the COP.

7) How do you feel about the EPA appropriation plan?

- a. I am generally skeptical of US Government and Tribal Government relations. I need to learn more about this plan to effectively comment.
 - i. ANTHC believes this sentiment is understandable, and welcomes any more feedback on how federal agencies could more effectively engage on this topic.
- b. About time!
 - i. Noted, and the enthusiasm is appreciated!
- c. Sounds exciting, first time I heard about it.
 - i. Please let ANTHC, DEC or EPA know if you have further questions or comments.
- d. Haven't heard details really..but inventory of sites is great!
 - i. As the program develops we hope to provide more details as they become available, and always welcome feedback.

8) What support do you feel you would need to pursue the EPA funding?

- a. Literally another staff member. Cags are what the EPA always goes with. Their templates can be 30 pages long. Time-consuming, nit-picky, convoluted. (check mark)
 - i. ANTHC would like to provide technical assistance and identify ways to develop further tribal capacity. EPA and ANTHC welcome more feedback on how to shape the program to be the most effective.

- b. Assistance in grant writing. We are completely grant funded and it is next to impossible to keep up with our “base” grants that keep us operating while trying to obtain more \$
 - i. ANTHC is planning to provide technical assistance with grant writing for the ANCSA funding program. Additionally, ANTHC may be able to refer communities to other programs within ANTHC that could assist with managing other grants and projects.
 - c. Dedicated assistance
 - i. ANTHC welcomes further feedback on what dedicated assistance may look like. Such as: assistance in writing grants, assistance identifying sites etc.
- 9) For future partnership group meetings (held at least quarterly), what months are best for you?**
- a. February, April, September, October.
 - i. Please see below
 - b. January, April, July, October (mid-month)
 - i. Please see below
 - c. January, April, July October
 - i. Please see below
 - d. Quarterly sounds good. However, fall time is a busy season – subsistence (August/September)
 - i. Given the above feedback, a quarterly schedule seems the most likely to occur in January, April, July, and October. All meetings will be held in a hybrid format and be recorded for viewing if someone cannot attend.
- 10) What resources do you think you could offer in your community?**
- a. Heavy equipment, 40-Hr-HAZWOPER trained staff
 - i. Please see below
 - b. Some heavy office equipment, office space, in-kind match, but probably no \$
 - i. Please see below
 - c. Networking: liaison to community
 - i. ANTHC has noted these potential resources, challenges with providing financial resources, and welcomes further feedback on what resources communities believe they could offer.
- 11) Do you have programs that you believe could assist in this work?**
- a. Environmental Department & TRP; however resources are stretched to capacity.
 - i. Capacity issues were noted several times in this feedback exercise. ANTHC is committed to working on assisting communities on this issue and welcomes further feedback on the problem.
 - b. We have Environmental Dept., IGAP and TRP
 - i. Please see below
 - c. Environmental Department at Tribe/Corporation Resource Specialist
 - i. Please see below
 - d. TRP, IGAP because we’re connected to Tribes and communities in our region; Kawerak or other regional consortia
 - i. ANTHC has noted potential programs that exist in different areas and is committed to collaborating on potential capacity issues moving forward.

12) Do you have staff that received environmental sampler training, but need three months of experience to meet DEC requirements?

- a. Yes. Even trying to reach out to sampling companies results in no response.
 - i. [Please see below](#)
- b. Yes, but need to meet ADEC regs. need refresher or new sampler training.
 - i. [Please see below](#)
- c. What does this have to do w/ ANCSA
 - i. [Please see below](#)
- d. No, but training should be easy to attain + universal
 - i. [Please see below](#)
- e. Yes, no where (*sic*) or hard to follow up for field experience.
 - i. [Part of ANTHC's ANCSA Appropriation Work Plan is focused on tribal capacity building including potential ways to promote job creation where desired and assist persons with Qualified Sampler training to get the three months of experience needed in order to be considered a Qualified Sampler under DEC regulations.](#)

If you have any further questions, would like to provide feedback, or would like to discuss other issues in more detail, please feel free to reach out to Lisa Griswold at the Alaska Native Tribal Health Consortium at lgriswold@anthc.org or (907) 729-5630.