

## SOC ANCSA Committee Meeting Notes

October 16, 2018

9:00 AM – 12:00 PM

Anchorage Federal Building, 222 W7th Avenue, EPA Anchorage Office, 5<sup>th</sup> floor, Room 537 (for check-in)

EPA Raven Conference Room, Conference Line 866-299-3188, code 907-271-1272

### **Attendees**

Brandon Perkins, EPA

Mary Goolie, EPA

Tara Martich, EPA

Tami Fordham, EPA

Joy Britt, ANTHC

Eric Breitenberger, DEC

John Halverson, DEC

Phil Johnson, DOI

Paul Krabacher, DOI-BLM

Heidi Long, Alaska Army National Guard

Chris Generous, US Navy (via teleconference)

Mark Ridgeway, US Coast Guard (via teleconference)

Robert Johnston, US Army (via teleconference)

### **Update on EPA lead for ANCSA Committee**

Due to staffing changes Mary Goolie will now split her time equally between spill response contingency planning and Brownfields.

Tara Martich will be the new primary representative on this committee. She has been a remedial project manager in the past – helpful background.

Mary Goolie and Brandon Perkins will continue to be participating members of the committee.

Given these changes, DOI will take notes and ADEC will schedule meetings.

## **BUILD Act and CERCLA Liability Protection for Corporations (see handout)**

Mary presented information on the BUILD Act, passed in March 23, 2018.

- Handout has detailed information on key aspects, funding eligibility, funding amounts, etc.
- Should help with capacity building
- In past, no liability protection for Alaska Native Corporations (ANCs) – both village and regional
- Now protection for contaminated lands transferred under ANCSA
- Not limited to involuntary transfers
- Enhanced eligibility for Brownfields petroleum contaminated properties. In past limited to low risk sites
- Expanded eligibility for all Brownfields grants (assessment, cleanup, etc.)
- Multipurpose Assessment and Cleanup (MAC) guidelines to be released soon
- New ranking process. Some factors like energy efficiency weighted more
- Increased funding for cleanup. ANVCA was pushing for this. There is no additional funding for the program, however, so it is likely there will be fewer grants with higher funding amounts
- No increased funding waivers this year
- Alaska competes with all other states. Alaska has not applied for grants in the past, in large part due to concerns about liability protection for Alaska Native Corporations.
- The Natives of Kodiak (NOK) and the City of Kodiak have previously partnered on an assessment grant application
- Multipurpose Brownfields Grants – Again flat-funded and compete nationally
- Request for Proposals is typically announced towards the end of October or early November
  - Small Community Technical Assistance Grants
  - Tribes can apply, but limited to those with Tribal Response Grants. ADEC also receives funding
  - \$200 million nationally
- MAC – Limited to one per EPA region per year
- Targeted Brownfields Assessments (TBA)
  - Big emphasis for Alaska
  - Not a grant – Technical services provided by EPA
  - NOK – Urban tribal corporation. EPA determined they are eligible. One ANC that has received assistance
- Take away is Corporations can now apply for competitive grants to address contaminated lands conveyed under ANCSA.

## **DEC Contaminated Sites Inventory/Database: Status and Updates**

Eric presented information on inventory status.

- DEC provided an update on progress towards updating ANCSA contaminated sites inventory.
- DEC has been able to implement functional changes to DEC database that allows for tracking of ANCSA sites.
- Deep dive on sites, site histories, and QA/QC on individual sites

- DEC has been reviewing, refining and QC'ing current inventory for duplicate entries or sites that need location verification. Any duplicate entries have been sent to oversight agencies for verification on whether or not sites are duplicates. Duplicates will be removed. Goal will be to generate an ANCSA sites map solely from sites in the DEC database.
- Agency reviews
  - 12 US Air Force sites
  - 111 Formerly Used Defense Sites (FUDS)
  - 38 Federal Aviation Administration sites
  - Many of these sites are duplicates when comparing with sites in the ADEC Contaminated Sites Database
  - FUDS has already provided a preliminary response
  - Goal – ADEC is the single source for future data pulls for the inventory
  - Sites will be classified and grouped based on amount of information and where the data are stored:
    - ADEC Contaminated Sites Database – Known contamination
    - ANTHC – Suspected sites, sites needing verification
    - No contamination
  - Verification list will grow as ANCs report more sites (due to BUILD Act and the ANCSA Contaminated Site Partnership Group. Outcomes:
    - If contamination verified – ADEC CSD
    - If no contamination found – Outreach to ANCs needed, explaining findings
- ADEC can also reopen sites, if new information becomes available
- Site locations – Progress made in some cases
  - Still have issues regarding classification systems, i.e., multiple source areas (USAF) vs. one large site with a centroid (FUDS)
- BLM inventory
  - Refreshed recently
  - Approximately 200 site location changes in DEC database identified, these are being reviewed by BLM to see if they are on ANCSA-conveyed land.
  - BLM checking conveyance information

Next steps:

- USAF, FUDS, and FAA to review their respective site lists and coordinate with DEC and BLM to eliminate duplicates, and add sites to DEC database when necessary.
- Once above bullet has been finished, and DEC has assigned site status, then BLM should be able to download the data from the DEC feature service and generate a new map.

Challenges (structural)

- 1) Prioritization of cleanups;
- 2) Stalled sites – how do we get them unstuck?

Challenges (technical)

1) Determining conveyance status depends on accurate site locations and would be simplified if maps of conveyed parcels were readily available for comparison;

2) Defining a “site” can be problematic; often multiple source areas are included in a single site. This further complicates the problem of determining accurate site locations.

DEC will attempt to initialize ANCSA site status in the DEC database by mid-November, and FAA, USAF and FUDS will attempt to review their respective site lists by mid-November. This will allow for BLM to create an updated edition of the ANCSA web map by the end of November.

### **ANCSA Site Classification Scheme (in the DEC database)**

ANCSA categories will be used, but not the subcategories

### **Inventory - Continued**

- Updating site locations incrementally
- Site numbers expected to go down with removal of duplicates
- Transparency is key. Joy will email the group, updating them on progress
- Will post ADEC’s spreadsheet on the ANTHC website
- Eric will also share the SPAR Annual Report with Joy
- Will an updated version of the map be ready by the end of November (ATCEM)?
- FUDS Spreadsheet
  - Columns A-L show on BLM webmap
  - Columns M, N – For ADEC staff only
  - Need to confirm site locations, not just centroid of a large property
  - Containerized wastes (CON-HTRW)
  - Some old repeater sites now AT&T properties
  - Some FUDS are now FAA sites
  - Bethel BIA site discussion and general discussion about BIA staffing challenges
- Will document actions in the ADEC CSD.
  - Use site chronology to document changes in ANCSA inventory (e.g., identify sites that are duplicated in the FUDS database and CSD)?
  - Will include FUDS identifier.
- Public access to data
  - Put link to BLM inventory webmap on the CSD site. Only way for public to know how to track down theses. There is no flag or identifier in the ADEC CSD showing which sites are ANCSA sites. Concern was raised over this. We should be making it easier for the ANCs and the public to find these sites
  - Need training for the Partnership Group on BLM webmap
  - BLM has revised their web pages and that the old URL to the BLM inventory webmap would no longer work. Moving forward we need to be mindful and use the most recent link.
  - Discussion of creating an additional column in the CSD that would identify ANCSA conveyed sites and link to a subset of data
  - ADEC programmers are very understaffed
  - If there is a State programming fix, could qualify for EPA funding

## **ANCSA Contaminated Sites Partnership Group**

ANTHC provided update on ANCSA contaminated lands partnership group and outreach to native corporations

Currently working to get information regarding the ANCSA committee workgroup out to native corporations

Recently took a trip to DC for the purposes of outreach to congressional staff to promote the ANCSA Contaminated Lands Partnership Group.

Two meetings to date, February and April. Trying to avoid subsistence seasons.

Presentations to ANVCA in April, CIRI, and Doyon.

Need to figure out how to get the word out better.

National Brownfield Leadership Summit.

Joy will send out new flyers (example attached).

Alaska senators still very interested and involved.

Agenda topics for next Partnership Group meeting (Meeting 3) on background and tools available.

- Charter – Need to amend to accommodate longer meetings if needed? Upcoming meeting may be three hours
- Discussion of SOC and ANCSA Committee
- Brief Partnership Group history
- Training on BLM webmap (Paul and BLM GIS specialist)
- Presentation on ADEC CSD and spreadsheet(s)
- Verification sites – ANTHC database
- Brownfields inventory tool (BIT) presentation
- Update on Build Act implementation
- TBA sites
- Schedule Meeting 3 before December 14

Agenda topics for Meeting 4 (Prioritization)

- Prioritization process – Work through potential process using one example each (Eyak and Cordova???)
  - Orphan sites
  - Verification sites
- Recommend a regional approach for prioritization, but the Partnership Group will need to make own decisions
- For Brownfields funding – reuse is key
- Use EPA or ADEC schemes for prioritizing (risk-based)?

- For prioritization – need enough information to perform an assessment, otherwise Verification list
- Schedule Meeting 4 around Alaska Forum on the Environment (AFE) in February
- Presentation on Partnership Group at AFE – Joy, ADEC, EPA

### **Preparation for February 2019 Executive Steering Committee Meeting**

Phil will send Tara the 2018 Work Plan and PowerPoint. Tara will update and send out for review.

Next SOC Work Group Meeting is November 13. Additional direction regarding the February 2019 meeting may be forthcoming.

### **Additional items discussed**

BLM offered to assist ANTHC and DEC with questions regarding conveyance history during review and refinement of verification list.

### **Drone Use**

Project specific: Good for some low-level, site specific- work. Not appropriate for large-scale surveys.

EPA said that some grantees could use drones. They pulled back some, requiring proper certifications.

### **Wrap up and Next Steps**

Proposed to have another ANCSA meeting in early March