



EPA Region 10 Tribal Operations Committee (RTOC)
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May 22, 2026

Honorable Lee M. Zeldin, Administrator
Environmental Protection Agency
Mail Code 1101A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

RE: Draft FY27 Evidence Plan (Learning Agenda)

Dear Administrator Zeldin:

This letter is sent on behalf of the Tribal Caucus members of EPA Region 10's Tribal Operations Committee ("RTOC"). This letter is not sent on behalf of EPA Region 10 or any employees of EPA, but solely tribal government representatives of the RTOC. This letter in response to the U.S. Environmental Protection Agency's ("EPA") Draft FY27 Evidence Plan (Learning Agenda) ("Plan").

A clean environment is essential to many Tribes, not just as a source of sustenance, but also for cultural, medicinal, and spiritual reasons. The RTOC strongly believes that EPA must engage in consultation on a government-to-government basis with tribal governments to fully understand the impact of the Plan on treaty rights, tribal communities, and tribal resources.

The RTOC appreciates EPA's continued efforts to strengthen evidence-based policymaking and to improve the effectiveness, efficiency, and transparency of federal programs. However, the Plan does not sufficiently reflect the federal trust responsibility, Tribal sovereignty, or the unique environmental and public health conditions experienced in Tribal communities.

The RTOC has identified the following comments on the Plan:

1. The Evidence Plan does not explicitly recognize Tribal governments as sovereign partners in evidence development. While the Plan references "Objective 3.2 Cooperative Federalism: Work Effectively with State, Tribal, Local, Federal, Congressional, and International Partners," none of the evidence activities describe how Tribal governments will be engaged in the design,

implementation, or interpretation of evidence. EPA should explicitly commit to government-to-government engagement throughout all evidence activities, including:

- Co-development of evaluation frameworks with Tribes.
 - Tribal participation in focus groups, interviews, and steering committee reviews.
 - Recognition of Tribal sovereignty and the federal trust responsibility as foundational evidence considerations.
2. The Plan lacks Tribal-specific metrics for evaluating grant program effectiveness. EPA should develop Tribal-specific evaluation metrics, including:
 - Improvements in Tribal environmental capacity and staffing.
 - Increased Tribal access to monitoring, data, and enforcement tools.
 - Protection of treaty-reserved resources.
 - Tribal-defined indicators of environmental and cultural health.
 - Measures of whether EPA funding reduces reliance on federal enforcement.
 3. The Plan does not address Tribal data gaps or Tribal data sovereignty. EPA should incorporate Tribal data sovereignty principles, including:
 - Tribal control over Tribal environmental data.
 - Requirements for state-administered programs to share relevant data with Tribes.
 - Dedicated funding for Tribal monitoring and data systems.
 - Consultation before using Tribal data in evidence activities.
 4. The Plan does not address how evidence activities will incorporate Tribal consultation or consent. EPA should commit to:
 - Government-to-government consultation before selecting pilot programs.
 - Tribal participation in all qualitative evidence activities.
 - Co-development of evaluation frameworks with Tribes.
 - Ensuring that evidence activities do not inadvertently disadvantage Tribal programs.
 5. Permitting-related evidence activities (Activities D–F) do not address Tribal permitting authority or Tribal impacts. EPA should ensure that permitting evidence activities:
 - Include Tribal permitting programs and Tribal environmental staff.
 - Evaluate impacts on Tribal consultation timelines.
 - Assess risks of streamlining that could weaken Tribal protections.
 6. AI and automation activities (Activities G–H) do not address Tribal access, equity, or risks. EPA should incorporate:
 - Tribal access and capacity considerations in all automation decisions.
 - AI ethics and bias safeguards specific to Tribal communities.

- Requirements that automated systems flag Tribal lands, treaty resources, and trust responsibilities
 - Tribal co-design of AI tools used in permitting.
7. The Plan does not address the unique environmental exposures and health disparities experienced by Tribal communities. EPA should incorporate Tribal-specific exposure pathways and health indicators into all evaluation frameworks.

The RTOC appreciates your consideration of these comments and specifically requests that EPA provide an update on this proposal at one of its meetings.

Sincerely,

Raymond Paddock

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Central Council of the Tlingit and Haida Indian Tribes of Alaska
Region 10 Tribal RTOC Chair