

Washington State Department of Health Centennial Accord Plans

November 21, 2002

As mandated in the Centennial Accord, the Department of Health (DOH) is submitting its 2002 Centennial Accord Plan. The Department proposes the following priority areas for tribal consultation and collaboration.

DOH proposes to work with tribal representatives to review and assess the significance of these priorities or identify other areas of mutual concern for the purpose of developing an amenable Centennial Accord Plan. DOH will also engage tribal representatives in reviewing and further developing its existing Centennial Accord process.

1. Programs-Priorities

Efforts to enhance government-to-government relationships:

During the past year, the Department of Health (DOH) has worked to develop the infrastructure systems needed to improve consultation and collaboration between DOH and tribal communities. The following includes a summary of these efforts and plans to continue this effort over the next year.

A tribal liaison was appointed to strengthen relationships between the Department of Health and tribes. Under this leadership and the direction of the Office of the Secretary, the following efforts were undertaken:

Establishment of internal processes that help agency staff identify opportunities for working with tribes. These efforts have resulted in:

- Increased consultation to agency staff to familiarize them with appropriate methods for reaching out to tribal communities.
- Increased effort by agency staff to consult with tribal communities regarding program and process development and decisions.
- Establishment of an internal process to effectively implement the Centennial Accord, Government-to-Government relationship.

Development of an interactive tribal connections web site to improve internal agency communication capacity for working with tribal communities. The site provides:

- A method for sharing internal knowledge and experiences regarding working with tribes;
- Information about the 29 recognized tribes including connections to existing tribal web

- sites; and
- Links to other state and federal tribal information.

The site enhances understanding of tribal communities, facilitates appreciation of tribal sovereignty and understanding of tribal issues. The site also provides an effective vehicle for reaching out to tribal communities to involve them in decisions affecting their communities.

Effective dissemination of tribal training opportunities and emphasis on the importance of attendance at training.

Implementation of Tribal issues forums.

Collaborative Opportunity:

Over the next year, the DOH proposes to work with the American Indian Health Commission, (AIHC) Northwest Portland Area Health Board (NWP AIHB), local public health jurisdictions and other interested parties to review Accord Plan specifications, build on the document and identify other areas of mutual concern for inclusion in future Centennial Accord Plans.

Emergency Preparedness:

To facilitate communication with tribal communities regarding emergency preparedness issues, the DOH has solicited names of tribal Public Health and emergency preparedness and response contacts in tribal communities. These names have been included on the DOH Tribal Connections web site and have been provided to emergency preparedness staff.

Concern continues, however, regarding the tribal community's preparedness and ability to respond to public health emergencies on tribal land.

Collaborative Opportunity:

Because of the importance of tribal involvement in emergency preparedness planning, The DOH proposes to work with tribal representatives to identify an agency tribal emergency preparedness liaison. The person would function as a coordinator between tribal communities and DOH to ensure that:

- Tribes are knowledgeable and involved in regional emergency preparedness planning;
- Tribal needs are identified and understood by local and regional public health representatives; and
- Tribal communities are effectively prepared to respond to public health emergencies.

Health Careers Issues:

An increased focus on encouraging Native American youth into health careers is essential in addressing health disparities among American Indians.

The DOH, Office of Rural and Community Health's, Health Occupations Preparatory Experience (HOPE) project provides an opportunity for high school students from rural and ethnically diverse populations to serve an internship in a health career to become more interested in pursuing a career in that health field. Of the approximately 140 student applications received, roughly 12 were from American Indian students. Increasing the number of American Indian student applicants is important in increasing the number of American Indian students that participate.

Collaborative Opportunity:

Increasing involvement of tribal communities and American Indian students in this program is essential. The DOH proposes to work with interested parties to identify barriers, opportunities and approaches for addressing this issue.

Shellfish user fees-Collaborative Opportunity:

A budget decision made by the 2002 State Legislature affected all shellfish companies, licensed by the DOH Shellfish Program, including tribal. This decision changed the type of funding that covers the cost of paralytic shellfish poison (PSP) testing for commercial samples. The testing had previously been done with state general fund money.

- Effective July 1, 2002, the cost of the testing was covered through fees from commercial shellfish companies.
- Under the 1995 consent decree, tribes do not pay fees for shellfish licenses. Because the PSP testing fees are not considered to be license fees, they are charged to both tribal and non-tribal shellfish companies.
- The new fees have resulted in significant costs to the tribes, especially for geoduck testing. In addition to PSP fees for inter-tidal harvesting that range from \$173 to \$1189 per license, there are additional fees for geoduck harvesting ranging from \$555 - \$11,595 a year.
 - The geoduck fees were calculated using a two-year average of the number of PSP tests that were done for each geoduck harvester (tribes and DNR). The two-year average was used to determine the percentage of the total tests for each harvester.
 - The geoduck harvesters were assessed a fee equal to their percentage of the total cost of providing the service (\$58,000). The fees will be updated annually to reflect the most recent usage data.

Collaborative Opportunity

Tribes have been supportive of the need to contribute to the cost of PSP testing. The DOH anticipates that ongoing discussions with the tribes will be necessary regarding the most equitable way to split the cost of PSP testing for geoducks.

Fish Advisories Issues:

DOH is currently in the process of standardizing the evaluation of fish sampling data into a fish advisory program. Most of the fish advisories released by DOH and local health departments are of significant interest to tribes. More fish sampling is critical for good assessments and updates regarding the health risks associated with environmental contaminants in fish. These risks are primarily attributable to chemicals that are persistent and bio accumulative such as methyl mercury, polychlorinated biphenyls (PCBs) and dioxins.

- Concerns may arise about DOH actions regarding findings of pollutants in Columbia River fish. DOH has existing advisories for mercury in walleye and dioxin in fish that are specific to Lake Roosevelt. These advisories need to be updated but lack the necessary fish sampling data.
 - The upper Columbia River/Lake Roosevelt is currently being investigated as Superfund site by the U.S. Environmental Protection Agency (EPA) because of contamination associated with various mines and smelters located on the river in both the U.S. and Canada. A decision will be made in 2003 as to whether this portion of the river will be listed on EPA's National Priorities List. As the Confederated Tribes of the Colville Reservation own land along this water body, they will be interested in following this issue.
 - The lower Columbia River may also be an area of concern for tribes since EPA recently released a study indicating exposures to contaminants in fish could be of concern for high-end consumers such as tribal members.
 - The Columbia River Intertribal Fish Commission (CRITFC) study conducted in the mid-90's showed that tribal consumption is 6 –11 times higher than the national average. This study continues to form the basis for the increased health concerns associated with exposure of tribal members to contaminants in Columbia River fish.
 - EPA is currently conducting a four-year screening level study targeting 500 lakes nationwide. Year 1 is complete and includes 143 lakes nationwide five of which are located in Washington; Lake Chelan, Okanogan River, French Hills Lake, Walla Walla River. This sampling reveals that DDT is elevated throughout this region.
 - The Suquamish, Duwamish and Muckleshoot Tribes are following the Lower Duwamish Waterway NPL site with interest. While DOH has expressed concern over

the consumption of bottom fish, the Suquamish and Muckleshoot will be acutely aware of any statements made regarding salmon, which are harvested from the Duwamish by both tribes.

Collaborative Opportunity (Underway):

DOH is making an effort to increase collaboration in assessing impacts of environmental contamination on tribal lands. Tribes emphasize that such assessments must consider future “high-exposure” land use that often may require more cleanup than is needed under current exposure conditions. To address this issue, the Department of Health;

- Is conducting an exposure investigation of dioxin in crab and geoduck on tribal fishing grounds with the Lower Elwha Tribe through our cooperative agreement program with the Agency for Toxic Substances and Disease Registry (ATSDR).
- Has met with the Suquamish, Duwamish and Muckleshoot Tribes to ensure that their concerns were considered in the Lower Duwamish Waterway public health assessment.
- Has met with the Yakama Nation to explain the process and findings of a health consultation dealing with wood-treatment contaminants at the Boyville Hop Ranch.

Tobacco Program Collaboration:

The current relationship between Tobacco Prevention and Control (TPC) and the tribes is working well. The quality of tribal work plans is greatly improved. TPC will work with tribal tobacco prevention coordinators, American Indian Health Commission (AIHC), and Northwest Portland Area Indian Health Board (NPAIHB) to make annual work plan documents more culturally appropriate to Native American communities.

- Training was provided to tribes on the CATALYST (Community Action on Tobacco Evaluation System) this fall.
- The first of two annual meetings, specifically for tribal tobacco coordinators, was held on Oct 30, 2002. The all day agenda was jointly designed by DOH and the tribal coordinators
- The TPC program is developing a strategic plan for addressing disparities in Native American and other underserved communities. The Northwest Portland Area Indian Health Board (NPAIHB) has been very helpful in this process.
- TPC may be offering "community capacity building funds" to tribal communities. To date, TPC funding has encouraged tribes to build capacity and conduct community activities in 26 of 29 federally recognized tribes. TPC will recommend that new funds support projects that benefit all tribes (written and audiovisual materials, training, on-site

technical assistance, etc.). In December, TPC staff will meet with NPAIHB's tobacco prevention staff to discuss ways to improve and increase technical assistance available to WA tribes

- Next Spring, TPC will sponsor a 3-5 day tobacco prevention and control "leadership institute" for members of underserved communities. TPC also plans to conduct a statewide conference next state fiscal year to launch its new strategic plan for identifying and addressing tobacco-related disparities. Tribes will be invited to both.

Collaborative Opportunity:

TPC will seek greater input from tribes to ensure TPC expectations and support of tribal programs is realistic and culturally relevant. Together, TPC and NPAIHB will help tribal tobacco prevention programs to become more effective through community assessments and enhanced technical assistance. Continued participation by tribes and urban Indians will guide the implementation of the new TPC strategic plan for identifying and eliminating disparities. Working collaboratively with community-based TPC contractors (local health departments/non-profit organizations and educational service districts/schools) tribes can access additional resources for tribal communities.

2. Funding Distribution-List of funding distribution methods currently available to tribes.

Enhancing Government to Government Relations

No specific set-aside funding is available

Emergency Preparedness

No specific set-aside funding is available.

Health Careers Issues

Project HOPE has funds available for approximately 100 students. There is no American Indian student "set aside" and selection criteria are applied to all students. Of the approximately 140 student applications roughly 12 were from American Indian students.

Shellfish User Fees

The Department funds an individual for the purpose of assisting the tribes in developing expertise in matters of public health and shellfish sanitation.

Fish Advisories Issues

No specific set-aside funding is available.

Tobacco Program Collaboration

Annually, the Department makes funds available to all federally recognized Washington tribes to help establish and support tribal tobacco prevention programs. Currently \$558,000 is available annually to federally recognized tribes, up from \$360,000 in the

first year. Each year, funding “unclaimed” by eligible tribes is distributed to participating tribes that apply or used in other ways to support tribal efforts. This year, tribes were encouraged to access additional resources by partnering with a local, community-based community based TPC contractor. Additional funds may soon be available through TPC efforts to identify and eliminate tobacco-related disparities.

3. Definitions-Detailed definitions of relevant terms as they apply to agencies

Enhancing Government to Government Relations

Centennial Accord Plan – The procedure by which the government-to-government policy is implemented. The document delineates specific mutual state/tribal goals for enhancing and strengthening government-to government relationship and addressing issues affecting tribal communities and Indian people.

Emergency Preparedness

Public Health emergency, preparedness and response – Preparation for and ability to respond to acts of bio-terrorism, other outbreaks of infectious disease, public health threats and emergencies.

Health Careers Issues

Project HOPE - A project that provides an opportunity for high school students from rural and ethnically diverse populations to serve an internship in a health career to become more interested in pursuing a career in that health field.

Shellfish User Fees

None included.

Fish Advisories Issues

- Bio-accumulation – Refers to the process of biological magnification whereby certain substances such as pesticides or heavy metals move up the food chain, work their way into rivers or lakes, and are eaten by aquatic organisms such as fish, which in turn are eaten by large birds, animals or humans. The substances become concentrated in tissues or internal organs as they move up the chain. Examples of chemicals that bio-accumulate in fish are methyl mercury, polychlorinated biphenyls.
- Methyl Mercury, PCBs and dioxin – Methyl mercury, polychlorinated biphenyls (PCBs) and dioxin are three contaminants of concern in fish. These chemicals are persistent in the environment and bio-accumulate up the food chain. Methyl mercury is created through the conversion of elemental mercury in the environment. Dioxins are created through combustion of fossil fuels, bleaching processes used in paper production and other sources. PCBs are no longer produced in the United States.
- Superfund site - A hazardous waste site listed under the federal Superfund law (Comprehensive, Environmental Response, Compensation and Liability Act - CERCLA). Superfund sites undergo an investigative process that determines what actions, if any, are needed to clean up the site and whether the site should be placed

on the National Priorities List.

- U.S. Environmental Protection Agency (EPA) - Established in 1970, EPA is the lead federal agency for enforcing laws that protect the environment. EPA formulates rules and policies to achieve compliance with these laws. It is an executive agency whose administrator is appointed by the President.
- Contaminants - Any physical, chemical, biological, or radiological substance or matter that has an adverse effect on air, water, or soil.
- Columbia River Intertribal Fish Commission (CRITFC) study - – Refers to the study entitled “A Fish Consumption Survey of the Umatilla, Nez Perce, Yakama, and Warm Springs Tribes of the Columbia River Basin” published by the Columbia River Intertribal Fish Commission (CRITFC) in October 1994. This study surveyed fish consumption rates among these Native American tribes living along the Columbia River and has contributed significantly to our understanding of freshwater fish consumption among tribes.
- DDT - Dichlorodiphenyltrichloroethane. The first chlorinated hydrocarbon insecticide. It has a half-life of 15 years and can collect in fatty tissues of certain animals. EPA banned registration and interstate sale of DDT for virtually all but emergency uses in the United States in 1972 because of its persistence in the environment and accumulation in the food chain.
- NPL site - National Priorities List site. These are the most contaminated of the Superfund sites and are the responsibility of the US EPA. There are currently 47 NPL sites in the State of Washington.

Tobacco Program Collaboration -

- Capacity-building - knowledge, skills and data developed through training, technical assistance or community assessments
- Infrastructure - dedicated staff time; community leader/member involvement as advisors, volunteers, advocates; strategic plan and means of evaluating progress
- Technical assistance - one-on-one consultation provided via personal visit, in writing, or by phone.
- Disparities – high rates tobacco use or exposure to second-hand smoke resulting from race/ethnicity, age, gender, disability, sexual orientation, geography, income and education. Populations most effected include those underserved and/or targeted by the tobacco companies.

4. Consultation Process-Procedures (including policy development, program development and implementation of funds distribution).

Enhancing Government to Government Relations

Over the next year, the DOH proposes to work with the American Indian Health Commission, Northwest Portland Area Health Board and other interested parties to review the Accord Plan, build on the document and identify other areas of mutual concern for possible inclusion.

Emergency Preparedness

The DOH proposes to work with American Indian Health Commission, Northwest Portland Area Indian Health Board and other tribal representatives to identify an agency tribal emergency preparedness liaison

Health Careers Issues

The program contact for Project HOPE has principally been the school system and this may not be the most effective way to reach American Indian student.

While Project HOPE has desired to include more American Indian students in this program, few have participated during its first two years of operation.

Opportunities for increasing exposure of this project will be explored with tribes, the American Indian Health Commission and the Northwest Portland Area Indian Health Board. To increase American Indian participation in Project HOPE more direct contact with the tribes and tribal schools or youth programs may be necessary.

Shellfish User Fees

DOH is currently engaged in a consultation process with Tribes licensed to harvest geoducks to develop the most equitable way to split the cost of PSP testing.

Fish Advisories Issues

DOH responds to both tribal and other governmental agency concerns regarding fish issues. The Department collaborates with local health jurisdictions to issue fish advisories. The Department relies on existing risk assessment guidance to evaluate sampling data and provide recommendations regarding fish consumption.

As noted in the “Priority Issues”, DOH is currently collaborating with tribes to:

- conduct exposure investigation of dioxin in crab and geoduck (on fishing grounds),
- ensure tribal concerns are considered in public health assessments and
- explain the process and findings of a health consultation related to wood-treatment contaminants.

DOH also has a cooperative agreement with the Agency for Toxic Substances and Disease Registry (ATSDR) to address exposure to hazardous waste in the environment. ATSDR provides an additional avenue for Washington State tribes to access DOH concerning fish issues. Some of the sites that are involved, through our ATSDR program, include the Spokane River and Rayonier-Port Angeles sites.

DOH will conduct seafood consumption surveys for tribal populations as necessary. The recent consumption survey performed by the Suquamish Tribe was funded by ATSDR through DOH.

Tobacco Program Collaboration

TPC seeks advice from American Indian Health Commission, tribal tobacco prevention

coordinators, and Northwest Portland Area Indian Health Board to ensure proper support is provided and to continually improve its working relationship with federally recognized tribes. Topics may include funding, contract requirements, culturally appropriate prevention and cessation approaches and materials, community assessments, etc.

This fiscal year, for the first time, tribal tobacco coordinators will meet twice to receive training and share ideas, strategies, solutions and materials.

Tribes and urban Indians continue to be included in all strategic discussions related to disparities.

5. Dispute Resolution Process-Describes dispute resolution processes and outlines when particular processes may be used.

Enhancing Government to Government Relations

No dispute resolution process is currently outlined for this issue.

Emergency Preparedness

No dispute resolution process is currently outlined for this issue.

Health Careers Issues

No dispute resolution process is currently outlined for this issue

Shellfish User Fees

No dispute resolution process is currently outlined for this issue.

Fish Advisories Issues

No dispute resolution process is currently outlined for this issue.

Tobacco Program Collaboration

No dispute resolution is currently in place. However, TPC has specified a contract manager to negotiate and administer all tribal tobacco contracts.