

**National Tribal Water Council and EPA Monthly Conference Call**  
**Wednesday, March 13, 2024**  
**2:00 – 3:30 P.M. ET**

**SUMMARY NOTES**

**I. Introductions** (Elaine Wilson, ITEP)

**NTWC:** Ken Norton (Chair, R9); Chauncey Means (Vice Chair, R8); Dan Kusnierz (R1); Brian Patterson (R2); Shaun Livermore (R4); Rainee Tetreault (R4); Celeste Hockings (R5); Jaclyn McCasland (R6); Denise Jensen (R7); Yolanda Barney (Navajo Nation, R9); Ann Wyatt (Alaska, R10)

**EPA:** Holly Galavotti; Robyn Delehanty; Samar Khoury; James Ray; Nizanna Bathersfield; Rory Hytrek; David Jones; Sarah Lehmann; Hugh Sullivan; Amy Weber; Dani Anderson; Omari Burrell; Steve Epting; Gabrielle Neusner; Julian Oliver; James Ray; Daniela Rossi; Vanessa Simms; Amy Weber; Rory Hytrek; Jacob Burney; Susan Holdsworth; Aleah Holt; Grace Persico

**ITEP:** Elaine Wilson; Elaina Doral

**II. NTWC Updates** (Ken Norton, NTWC)

Chairman Norton provided a highlight of the topics discussed during the previous NTWC-only call.

- **New NTWC Vice Chair**

NTWC elected a new vice chair, which is Chauncey Means (R8). Chauncey will be joining Chairman Norton for budget discussions with the National Tribal Caucus (NTC) on March 19, 2024.

- **New NTWC Region 4 Representative**

Rainee Tetreault, Eastern Band of Cherokee Indians, was selected as the new Region 4 representative.

- **NTC/NTWC Water Program Budget Discussion**

Sharri Venno, NTC Region 1 Rep (Houlton Band of Maliseet Indians) joined the NTWC-only call to discuss tribal water-related concerns for an upcoming meeting with tribal partnership groups on March 19, 2024. During the call, NTWC discussed looking at trends in funding and allocations to tribal water programs, such as state revolving funds, set-aside funds, and the Bipartisan Infrastructure Law funding.

- **NTWC/EPA Office of Water 2024 Spring In-Person Meeting**

NTWC members reviewed agenda topics and questions regarding the 2024 spring in-person meeting on April 16-17, 2024. NTWC is closely coordinating this meeting with Holly Galavotti.

**III. EJ Grant Concerns** (Jacob Burney, Division Director, and Omari Burrell, EJ Grants, Office of Environmental Justice and External Civil Rights (OEJECR))

Jacob Burney and Omari Burrell provided an overview of EPA's environmental justice (EJ) grant program and addressed concerns from the NTWC. The Environmental and Climate Justice Block Grant Program was created under the Inflation Reduction Act. Under the eligibility requirement, a partnership should be created between an Indian tribe, local government, or state and a community-based nonprofit organization (CBO).

The presentation included a summary of the environmental justice grant programs. There are two new grant programs: Environmental Justice Thriving Communities Grant Making (EJ TCGM) program and Environmental and Climate Justice Community Change Grants program (Community Change Grants). Additionally, Jacob Burney and Omari Burrell went over the environmental justice grants administrative process.

### **Questions/Comments**

Chauncey Means of the Confederated Salish & Kootenai Tribes described a couple of concerns his department has encountered with the EJ grant. First, the community-based nonprofit organization mandate poses a challenge, since some tribes are rural and nonprofits are off the reservation. This also creates a trust and sovereignty issue, especially if tribes are required to share data and information with nonprofits. Second, the Confederated Salish and Kootenai Tribes received the award notification in October 2023 and are currently in workplan negotiations. The program meets with the project officer about every two weeks. The tribes have not received any funds yet, and is using funds from other programs to cover costs associated with the workplan negotiations. Lastly, he noted that there is not much direction on how to complete the CBO agreement and a template would be great. Mr. Means shared there are some communication issues as part of the cross cutter requirements.

Jacob Burney replied that he has heard similar things and EPA is working on different examples. For the cross cutters, the program is developing standard operating procedures (SOPs) to get grantees involved with the cross-cutter process.

Rainee Tetreault agreed with Chauncey's comments about the CBO. The Eastern Band of Cherokee Indians applied for the grant but was not awarded. Her tribe's program did not include a CBO and ran into a similar issue about CBOs. Rainee stated that they did not receive a debriefing and would like to get feedback. A debriefing was scheduled but was canceled, and there has not been any updates.

Jacob Burney replied they will look into scheduling that debriefing. He noted that the FY 2023 [EJG2G RFA](#) included a fourth set aside for tribes in remote areas that were not in proximity to CBOs. However, the community change grant applicants will still need to have a CBO, which is an Inflation Reduction Act (IRA) funding requirement. The program can help tribes get in contact with CBOs.

Gabriella Neusner asked how the [Environmental Justice Thriving Communities Technical Assistance Centers \(TCTACs\)](#) can help tribes access EPA grant funds. Jacob Burney discussed how the TCTACs can assist tribes and provide technical assistance. For the community change grants, he recommended that interested applicants visit the website and request assistance from EnDyna, the company EPA contracted with to provide technical assistance for this grant program. Here is the website: <https://communitychangeta.org/>

Dan Kusnierz shared that he agrees with Chauncey and Rainee regarding the requirement to partner with CBOs rather than working directly within the tribal government that has more knowledge about the tribe's needs and priorities.

## **IV. Upcoming Meetings**

- National Tribal Caucus (NTC) and EPA's Tribal Partnership Groups (TPGs) meeting to discuss and prioritize EPA tribal program budget priorities and policy planning priorities, March 19
- NTWC Spring Meeting in DC, April 16-17, 2024
  - Advance materials
    - ORD's Homeland Security Research Program - Disaster and emergency response tools and research: <https://www.epa.gov/emergency-response-research/water-security>
    - General Assistance Program (GAP) Hub
    - Executive Order 14112 on Reforming Federal Funding and Support for Tribal Nations to Better Embrace Our Trust Responsibilities and Promote the Next Era of Tribal Self-Determination
    - DOI's Interagency Working Group on Mining Reform
      - Recommendations to Improve Mining on Public Lands Report (Sept. 2023)
      - DOI and USDA commit to implementing some of the Tribal Recommendations
- CWA Tribal Forum in DC, May 14-15, 2024 – seeking Tribal speakers (travel is paid for speakers)
- FY 2025-2026 National Program Guidance Informational Teleconference with Tribes
  - National meeting - May 16, 2:00-4:00 P.M.
  - NTWC will be notified of the opportunity for public comment - likely end of April through early June.
  - EPA will join NTWC's May monthly call to flag the opportunity for review.
- EPA National Tribal Caucus' Climate Subcommittee is hosting a Tribal and Indigenous Climate Intensive, June 10-13, 2024
  - Monday - Conducting a Vulnerability Assessment and Writing a Climate Action plan.
  - Tuesday - Overview of how EPA Programs help address Climate Change
  - Wednesday/Thursday - Program Office Partnership Group Sessions
    - National Tribal Water Council – Chairman Norton and Daniel Stone (Upper Snake River Tribes Foundation case study), Thursday, June 13, 12:00-1:20 P.M. ET
  - Friday - Open discussion

## V. Consultation Opportunities

- **Consultation Opportunity: Development of the Sixth Proposed Unregulated Contaminant Monitoring Rule (UCMR 6) for Public Water Systems**
  - Consultation period – March 10 – June 20, 2024
  - Pre-Proposal Public Webinar for UCMR 6.
    - Wednesday, April 17 and Thursday, April 18, 2024, from 11:00 A.M. to 5:00 P.M. ET
    - The EPA will discuss potential approaches for developing UCMR 6, including: the prospective drinking water analytical methods and contaminants; possible sampling design; the anticipated laboratory approval process; and other possible monitoring considerations.
    - Register for April 17th: [April 17th Webinar Registration Link](#)
    - Register for April 18th: [April 18th Webinar Registration Link](#)
    - Indicate if you are interested in speaking using the registration form, or send an email to: [UCMRWebinar@cadmusgroup.com](mailto:UCMRWebinar@cadmusgroup.com), by April 9, 2024

- Informational webinar for Tribal governments on May 20, 2024, from 2:30-4:00 P.M. ET, Teams meeting invite.
- The UCMR6 team will join the NTWC's May monthly meeting.
- **Consultation Opportunity:** EPA's Approach to Improving Performance Reporting in Agency Grant Programs.
  - The Tribal consultation period began March 4, 2024 and ends April 12, 2024.
  - For questions, please contact [snyder.jessica@epa.gov](mailto:snyder.jessica@epa.gov).
- **Consultation Opportunity: Proposed Rulemaking for Incorporating PFAS Reporting Requirements into NPDES Permit Applications**
  - Consultation and coordination: Closes April 1, 2024
  - For more information: <https://tcots.epa.gov/ords/tcotspub/f?p=106:5::1859>
- **Proposed research permit application** pursuant to the Marine Protection, Research and Sanctuaries Act to conduct a scientific research study of a marine carbon dioxide removal technique in ocean waters offshore of Massachusetts and New Hampshire.
  - Consultation and coordination: Feb. 14 for a minimum of 60 days.
  - Notice of a complete permit application - Spring 2024
  - EPA Region 1 Tribal leaders and staff will be notified by email when the webinar and the public comment period are announced.

**VI. Closing** (Ken Norton, NTWC)

Chairman Norton thanked everyone for attending the meeting and listening to today's presentation on environmental justice grants.

**VII. The NTWC's next monthly call is scheduled for April 10, 2024.**