



A Year End Highlight of 2023 NTWC Activities

It has been another productive year for the National Tribal Water Council. A few accomplishments include writing comment letters, collaborating with other tribal partnership groups, and conducting outreach. Below are highlights of the Council's activities, along with the activities of the Tribal PFAS Working Group this past year.

Outreach and Coordination Efforts

- On January 26, 2023, the NTWC conducted an informational webinar on its [Guidebook for Developing Tribal Water Quality Standards](#). The webinar panelists included Law Professor Jim Grijalva, NTWC Chairman Ken Norton (Hoopa Valley Tribe), Dan Kusnierz (Penobscot Nation), and Yolanda Barney (Navajo Nation). The recorded webinar may be accessed at the following site: <https://mediaspace.nau.edu/channel/National+Tribal+Water+Council/116196612>.
- At the invitation of the Association of Clean Water Administrators to their July 13, 2023 meeting, Chairman Norton and Vice Chairman Michael Bolt (Eastern Band of Cherokee Indians) discussed tribal perspectives on EPA's Proposed Rule to Establish Federal Baseline Water Quality Standards for Indian Reservation Waters.
- Chairman Norton invited by Senator Alex Padilla's (CA) office to provide input on tribal drinking water infrastructure and tribal communities. Chairman Norton provided testimony at the Senate Environment and Public Works, Subcommittee on Fisheries, Water, and Wildlife hearing on September 20, 2023, in Washington, D.C. The recording of the hearing is accessible at <https://www.epw.senate.gov/public/index.cfm/hearings?ID=78D33CE1-8DA5-4D0C-885F-60C563EE95D6>. Shaun Livermore (Poarch Band of Creek Indians) accompanied Chairman Norton to this event. Mr. Livermore serves as a utilities manager with knowledge of drinking water infrastructure and systems.
- The NTWC participated in a breakout session at the Tribal EPA & U.S. EPA Region 9 Annual Conference on October 26, 2023, in Alpine, California. Chairman Norton, Nancy Schuldt (Fond du Lac Band of Lake Superior Chippewa Indians), and Scott Hauser (Upper Snake River Tribes Foundation) discussed the impacts of the U.S. Supreme Court decision in *Sackett v. EPA* regarding the definition of Waters of the United States. Other topics



CONTACT INFO:
Elaine H. Wilson
NTWC Manager
Elaine.Wilson@nau.edu

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2023 NTWC Activities *(continued)*

included an overview of EPA's Proposed Revisions to the Federal Water Quality Standards Regulation to Protect Tribal Reserved Rights, and EPA's Proposed Rule to Establish Federal Baseline Water Quality Standards for Indian Reservation Waters. The recorded presentation may be found at https://youtu.be/V0STdavL9rg?si=T7R1Zn66rUV_3EeC.

Policy Response: Comment Letters on EPA Proposed Rulemaking Actions

- Comment Letter on EPA's Proposed Revisions to the Federal Water Quality Standards Regulation to Protect Tribal Reserved Rights; March 6, 2023
- Comment Letter on EPA's Revised Tribal Consultation Policy and Treaty Rights Guidance; July 21, 2023
- Comment Letter on EPA's Proposed Rule to Establish Federal Baseline Water Quality Standards for Indian Reservation Waters; August 1, 2023
- Comment Letter on EPA's Proposed Rule to Revise CWA Section 404 Tribal and State Program Regulations; October 13, 2023

NTWC/Tribal PFAS Working Group

- Tribal PFAS Working Group's (TPWG) Priorities document that lists five key priorities
- TPWG's comment letter on the EPA's National Enforcement and Compliance Initiatives for FY 2024-2027; submitted on March 13, 2023
- TPWG's comment letter on Significant New Use Rule: PFAS Designated as Inactive on the TSCA Inventory; submitted on March 24, 2023
- TPWG's comment letter on the EPA Proposed National Primary Drinking Water Regulations for PFAS; submitted on May 26, 2023
- TPWG's Listening Session at the ITEP Tribal Lands & Environment Forum on August 11, 2022

Joint Bi-Annual Meetings with the EPA

The NTWC and the EPA Office of Water jointly held their spring bi-annual meeting on May 15-16, 2023, at EPA Headquarters in Washington, D.C. The fall bi-annual meeting was held on October 25-26, 2023, in Alpine, California.

Welcoming New Members in 2023

The Council welcomed new members Mary Verner (Region 10), Snoqualmie Indian Tribe; and Celeste Hockings (At-Large, Region 5), Lac du Flambeau Band of Lake Superior Chippewa Indians.

Recognition of Retired NTWC Member, Vice Chair Michael Bolt

The NTWC recognized Michael Bolt, (Region 4) for his 16 years of service to the Council serving as vice chair. Mr. Bolt represented the Council on various committees and associations. The NTWC wishes him the best during his retirement.



From the National Tribal Water Council

UPDATES & ANNOUNCEMENTS

U.S. EPA Finalized Reporting and Recordkeeping Requirements for PFAS under the Toxic Substances Control Act

EPA has finalized the reporting and recordkeeping requirements for Per- and Polyfluoroalkyl Substances (PFAS) under the Toxic Substances Control Act (TSCA). In accordance with obligations under TSCA, EPA is requiring any person that manufactures (including import) or has manufactured (including imported) PFAS or PFAS-containing articles in any year since January 1, 2011, to electronically report information regarding PFAS uses, production volumes, disposal, exposures, and hazards.

The finalized rule will assist EPA to understand who is using PFAS, how they are being used, and in what quantities. This rule will produce actionable data that can be used by EPA, as well as state, local, and Tribal governments to craft policies and laws that protect people from dangerous “forever chemicals.”

For more information, please visit: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-section-8a7-reporting-and-recordkeeping>

CWA Section 401 Water Quality Certification Improvement Rule

On September 14, 2023, the U.S. Environmental Protection Agency (EPA or the Agency) announced the final 2023 Clean Water Act Section 401 Water Quality Certification Improvement Rule (2023 Rule). The final rule is grounded in the fundamental authority granted by Congress to states, territories, and Tribes to protect water resources that are essential to healthy people and thriving communities over the past 50 years. The final rule will take effect on November 27, 2023.

Additional information on the final 2023 Rule may be found at: <https://www.epa.gov/cwa-401/final-2023-cwa-section-401-water-quality-certification-improvement-rule>

EPA's National Rivers and Streams Assessment

On December 19, 2023, the EPA released the National Rivers and Streams Assessment (NRSA) that presents the results of the 2018-2019 survey of perennial rivers and streams in the United States. This third collaborative survey examines the health of rivers and streams on a national scale and is designed to provide statistically valid results on the condition of broad regions and other subpopulations. For more information on the survey and to access the results, please visit: <https://riverstreamassessment.epa.gov/webreport/>

Virtual Harmful Algal Bloom Symposium - January 4, 2024

The Northwest Central Region Water Network is hosting the Harmful Algal Bloom Research Symposium on January 4, 2024. The symposium will feature sessions on harmful algal bloom prediction, monitoring, treatment, outreach and communication. This is a one-day free virtual symposium. To register, please visit: https://uwmadison.zoom.us/webinar/register/WN_Sq5jZM5ESZGVck8La9Rdlg#/registration



Have a story, idea or update to share?

Email us at elaina.doral@nau.edu.





Membership Recruitment for Region 4 Representative

Applications Accepted until **December 31, 2023**

The National Tribal Water Council is a technical and scientific body established to advocate for the best interests of federally-recognized Indian and Alaska Native Tribes in matters pertaining to water. The Council is currently accepting applications from tribal water professionals for one (1) open position.

Region 4 Representative

This position is open to tribal water professionals employed by a federally recognized Tribe or tribally authorized organization from Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee).

Member duties include, but not limited, to:

- Participating in monthly conference calls;
- Attending bi-annual meetings; and
- Creating and participating in crafting response documents to policy and/or rulemaking actions.

We are seeking individuals that are passionate and vocal about tribal water issues. Interested candidates must submit the following: application form, letter of interest, and professional resumé. Please refer to the Council’s membership application information packet for additional details.

To express your interest or obtain more information, please contact Elaine Wilson at elaine.wilson@nau.edu or (480) 452-6774.



TRIBAL CONSULTATION OPPORTUNITIES

EPA's Proposed Issuance of the National Pollutant Discharge Elimination System (NPDES) Wildfire General Permit under the Clean Water Act

Deadline: January 28, 2024

EPA has initiated consultation and coordination with federally recognized Indian Tribes on the proposed issuance of the National Pollutant Discharge Elimination System (NPDES) Wildfire General Permit (WGP) under the Clean Water Act (CWA). EPA's WGP is a new NPDES general permit that will propose to cover discharges from certain Federal operators to waters of the U.S. from the aerial application of two categories of wildland fire chemicals, long-term fire retardants and water enhancers. The draft WGP will be proposed to have a five-year permit term and cover all areas where EPA is the NPDES permitting authority.

EPA held two identical informational webinars and listening sessions for tribal officials on November 15 and December 5, 2023. The deadline to request one-on-one consultation meetings with the EPA is January 15, 2024.

The deadline to submit a comment is January 28, 2024. Consultation materials are available on EPA's Tribal Consultation Opportunities Tracking System (TCOTS) website located at: <https://tcots.epa.gov>.

EPA's Lead and Copper Rule Improvements

Deadline: February 5, 2024

On November 30, 2023, the U.S. Environmental Protection Agency (EPA) announced the proposed Lead and Copper Rule Improvements (LCRI). EPA invites the public to review the proposed LCRI and supporting information and once published in the *Federal Register*, provide written comments in the public docket associated with this rulemaking at www.regulations.gov, Docket ID Number: [EPA-HQ-OW-2022-0801](https://www.regulations.gov/docket/EPA-HQ-OW-2022-0801).

EPA held an informational webinar on December 6, 2023. A virtual public hearing is scheduled for **January 16, 2024**, at which the public will be invited to provide EPA with verbal comments. To register: <https://www.eventbrite.com/e/epas-proposed-lcri-public-hearing-tickets-767835214797?aff=erelpanelorg>

The deadline to submit a comment is February 5, 2024. Information on the rule summary, fact sheet, and supporting materials may be found at <https://www.epa.gov/ground-water-and-drinking-water/proposed-lead-and-copper-rule-improvements>.

EVENTS & WEBINARS

Inter Tribal Council of Arizona, Inc. – National Tribal Water & Wastewater Operator Training & Certification Program

The Inter Tribal Council of Arizona, Inc. National Tribal Water and Wastewater Operator Training and Certification Program is providing online, in-person, and blended training.

Upcoming courses include, but are not limited to, the following:

- SDWA Federal Regulations: January 15-26, 2024 (Blended)
- Tribal Utility Management: January 31-February 16, 2024 (Blended)

To register or to view the 2023 training schedule, please visit: <https://itcaonline.com/programs/environmental-quality-programs/tws-tmap/tws-training-events/>

Events & Webinars *(continued)*

Native American Fish & Wildlife Society Funding Opportunity Webinar Series

To register: <https://www.nafws.org/events-training/>

- January 10, 2024: Final Questions & Answers

Contaminated Site Clean-Up Information (CLU-IN) Training

To register, please visit: <https://clu-in.org/training/>

- January 25, 2024: ITRC Contaminants of Emerging Concern Identification Framework
- February 27, 2024: Microplastics

National Association of Wetland Managers' Tribal Wetland Program Webinars

- March 4-7, 2024: Southwest Tribal Clean Water Act Training (In-person; Albuquerque, NM)

To register, please visit: <https://www.nawm.org/wetland-programs/tribal-wetland-programs/calendar-of-tribal-wetland-and-water-resource-training-events>

NTWC MEMBERS

For more information on our members, visit [Meet the Council](#).

Ken Norton

*Hoopa Valley Tribe
Region 9 (NTWC Chair)*
kennorton@gmail.com

Daniel Kusnierz

*Penobscot Indian Nation
Region 1*
dan.kusnierz@penobscotnation.org

Brian Patterson

*Oneida Nation
Region 2*
bpatterson@oneida-nation.org

Shaun Livermore

*Poarch Band of Creek Indians
Region 4 - At-Large*
slivermore@pci-nsn.gov

Nancy Schuldt

*Fond du Lac Band of Lake Superior
Chippewa, Region 5*
nancyschuldt@fdlrez.com

Celeste Hockings

*Lac du Flambeau Band of Lake Superior
Chippewa Indians, Region 5 - At-Large*
chockings@ldftribe.com

Jaclyn McCasland

*Delaware Nation
Region 6*
jmccasland@delawarenation-nsn.gov

Denise Jensen

*Winnebago Tribe of Nebraska
Region 7*
denise.jensen@winnebagotribe.com

Chauncey Means

*Confederated Salish and Kootenai Tribes
Region 8*
chauncey.means@cskt.org

Eric Morrison

*Salamatof Tribe
Region 10 - Alaska*
emorrison@salamatoftribe.org

Ann Wyatt

*Klawock Cooperative Association/Tribe
Region 10 – Alaska*
annwyatt@klawocktribe.org

Scott Hauser

*Upper Snake River Tribes Foundation
Region 10 - At-Large*
scott.hauser@usrf.org

Mary Verner

*Snoqualmie Tribe
Region 10*
mary.verner@snoqualmietribe.us

Yolanda Barney

*Navajo Nation
Region 9*
ybarney@navajo-nsn.gov

Region 4

Vacant

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email: itep@nau.edu