

National Tribal Water Council's 2023-2024 Priorities

The National Tribal Water Council recently completed its <u>2023-2024 Priorities</u> document. The ten (10) priorities focus on advocating for protection of tribal waters and water-related resources, plus developing comment letters in response to proposed federal initiatives and rulemaking actions.

The 10 priorities are as follows:

- 1. Support EPA in strengthening tribal government-to-government consultations.
- 2. Advocate and advance tribal environmental self-determination and sovereignty.
- 3. Enhance outreach and coordination efforts with tribal nations, Alaska Native Villages and tribal organizations.
- 4. Support and advance Alaska Native water protection and subsistence rights.
- 5. Support tribal positions with regard to mining operations.
- 6. Enhance technical support of tribal water quality reporting and tools.
- 7. Support equitable implementation and distribution of tribal Clean Water Act (CWA) program funds.
- 8. Address emerging and existing water contaminants and seek solutions.
- 9. Identify and recommend specific tribal water training and certification needs.
- 10. Recognize climate change impacts and support resiliency using Indigenous Traditional Ecological Knowledges.

The Council continues to focus on collaborating with appropriate federal agencies and strengthening federal programs, such as Clean Water Act Section 401 certification, to protect tribal waters and tribal water-related resources.

The complete document is available on the NTWC's website at www7.nau.edu/itep/main/ntwc.





CONTACT INFO: Elaine H. Wilson NTWC Manager (480) 452-6774 Elaine.Wilson@nau.edu

NEWSLETTER

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NTWC May 2023



The National Tribal Water Council created a video that highlights the work and mission of the Council. The video features interviews with NTWC Members: Chairman Ken Norton, Shaun Livermore, Nancy Schuldt, and Eric Morrison. The video may be accessed at the NTWC's MediaSpace page at Protecting Our Sacred Waters: An Introduction to the National Tribal Water Council.

Videographers Amanda Kapp and Shawn Hongeva developed the video.

UPDATES & ANNOUNCEMENTS

Affiliated Tribes of Northwest Indians Tribal Water Summit on June 26-30, 2023

The Affiliated Tribes of Northwest Indians are hosting a Tribal Water Summit on June 26-30, 2023, in North Bend, Oregon. Tribes and Native communities are uniquely positioned to advance their sovereign, legal, cultural, and basic human right to clean water. Changing Currents Water summits are inter-tribal convenings designed to bring together staff and leadership from Northwest Tribes and Native communities to foster dialogue and collaboration around common water interests and work toward a shared agenda. The registration fee is \$175 and \$225 after June 1, 2023. To register, please visit: http://events.r20.constantcontact.com/register/event? oeidk=a07ejpd1vj993bf3b49&llr=vlmoveeab

GRANT OPPORTUNITIES

EPA's Climate Pollution Reduction Grants

Deadline: June 15, 2023

EPA's Climate Pollution Reduction Grants program will provide noncompetitive planning grant opportunities for federally recognized Tribes, tribal consortia, and U.S. Territories interested in participating in the Climate Pollution Reduction Grants program. The Climate Pollution Reduction Grants (CPRG) program will provide grants to states, territories, tribes, air pollution control agencies, and local governments to develop and implement plans for reducing greenhouse gas emissions and other harmful air pollution. Section 60114 of the Inflation Reduction Act provides an investment of \$5 billion to support these efforts to develop and implement strong, local greenhouse gas reduction strategies. This two-staged grant program provides funding of \$250 million for noncompetitive planning grants, and \$4.6 billion for competitive implementation grants.

The CPRG program will provide significant resources to state, territory, local, and tribal governments to develop ambitious climate action and air pollution reduction plans and to implement measures from those plans.

For more information including grant guidance and information on how to apply, please visit: https://www.epa.gov/inflation-reduction-act/climate-pollution-reduction-grants.

EPA's Request for Applications to Support the National Tribal Water Council

Deadline: July 31, 2023

EPA's Office of Water is now accepting applications for a multi-year cooperative agreement to support the efforts of the National Tribal Water Council (NTWC), composed of tribal governmental representatives. The NTWC works to provide a unique platform to facilitate and enhance tribal participation, input, training, and information exchange among tribes; promote sharing of technical information and best management practices to improve and preserve water quality and provide adequate sanitation and safe drinking water in tribal communities; identify and analyze high-priority, water-related issues and actions from tribal perspectives; encourage the development and enhancement of tribal water resource protection programs; and raise tribal water program issues to EPA and offer input on national water policy initiatives affecting tribes.

Eligible applicants include states, local governments, federally recognized Indian tribes, intertribal consortia, territories, possessions of the United States (including the District of Columbia), public and private universities and colleges, hospitals, laboratories, and public or private nonprofit institutions. The total amount of expected funding available under this announcement is approximately \$1,610,500. EPA anticipates that one award will be made under this announcement, with an anticipated project period of five years.

Additional information is available on www.grants.gov under Funding Opportunity Announcement EPA-OW-IO-23-01. Applications must be submitted electronically to EPA via www.grants.gov on or before 11:59 pm Eastern Time on July 31, 2023 to be considered for funding.

Please submit written questions on or before 11:59 pm Eastern Time on July 17, 2023, via email with EPA-OW-IO-23 -01 in the subject line to tribalwater@epa.gov. For more information, please visit: https://www.epa.gov/tribalwater/request-applications-support-national-tribal-water-council.

TRIBAL CONSULTATION OPPORTUNITIES

EPA's Proposed PFAS National Primary Drinking Water Regulation

Deadline: May 30, 2023

On March 14, 2023, EPA announced the proposed National Primary Drinking Water Regulation (NPDWR) for six PFAS including perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), perfluorononanoic acid (PFNA), hexafluoropropylene oxide dimer acid (HFPO-DA, commonly known as GenX Chemicals), perfluorohexane sulfonic acid (PFHxS), and perfluorobutane sulfonic acid (PFBS). The proposed PFAS NPDWR does not require any actions until it is finalized. EPA anticipates finalizing the regulation by the end of 2023. EPA expects that if fully implemented, the rule will prevent thousands of deaths and reduce tens of thousands of serious PFAS-attributable illnesses.

EPA held an informational general overview webinar of the proposed PFAS NPDWR on March 16, and another informational webinar about the proposed PFAS NPDWR specifically for water utilities and the drinking water professional community on March 29. EPA also held a public hearing on May 4. Webinar recordings and copies of the presentation materials are available here: https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas.

The proposed rule published in the Federal Register on March 29. The deadline to submit comments is May 30, 2023. Public comments can be provided at www.regulations.gov under Docket ID: EPA-HQ-OW-2022-0114. For more information, please visit: https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas

Tribal Consultation & Public Comment Opportunities (continued)

EPA's Steam Electric Power Generating Effluent 2023 Proposed Rule

Deadline: May 30, 2023

EPA is proposing to strengthen the wastewater discharge standards that apply to coal-fired power plants. The agency's proposal follows the latest science and applies EPA's authority under the Clean Water Act to reduce discharges of toxic metals and other pollutants from these power plants into waterbodies. The proposed rule would help protect our nation's vital water resources that support safe drinking water, agriculture, industry, recreation activities, and thriving communities.

The proposed rule would establish more stringent discharge standards for three wastewaters generated at coal fired power plants: flue gas desulfurization wastewater, bottom ash transport water, and combustion residual leachate. The proposal would also establish a new set of definitions for various legacy wastewaters, which may be present in surface impoundments prior to more stringent limitations in a discharge permit going into effect.

EPA held two public hearings on the proposed rule on April 20 and 25. A copy of the presentation materials may be found on the EPA website.

The deadline to submit comments is May 30, 2023. You may submit comments online at <u>regulations.gov</u>. The Docket Number is EPA-HQ-OW-2009-0819. For more information, please visit: https://www.epa.gov/eg/steam-electric-power-generating-effluent-guidelines-2023-proposed-rule.

Proposed Revisions to EPA's Consultation Policy and Treaty Rights Guidance Deadline: July 21, 2023

EPA's Office of International and Tribal Affairs has initiated tribal consultation and coordination with tribes on proposed revisions to EPA's tribal consultation policy and guidance for discussing tribal treaty rights when consulting with tribes. The consultation and coordination period is scheduled from March 1, 2023 – May 19, 2023. Additional information is available in the consultation notice and plan, and via TCOTS here: https://tcots.epa.gov/ords/tcotspub/f?p=106:5::1644::::

EPA's Proposed Rule to Establish Federal Baseline Water Quality Standards for Indian Reservation Waters

Deadline: August 1, 2023

EPA is continuing consultation and coordination with federally recognized Indian tribes on a proposed rulemaking that would establish federal baseline water quality standards (WQS) under the Clean Water Act (CWA) for waters on Indian reservations that currently do not have CWA WQS in place.

EPA conducted tribal engagement and consultation on the concepts reflected in this proposed rule on two separate occasions – the first in 2016 to inform the Agency's 2016 Advance Notice of Proposed Rulemaking (ANPRM) for Federal Baseline Water Quality Standards for Indian Reservations and the second between June and September 2021, prior to drafting the proposed rule. EPA has resumed consultation and coordination after signing the proposed rule and initiated a 90-day public comment.

The consultation provides an opportunity for tribes whose waters may be covered by the baseline WQS to engage in dialogue with EPA in circumstances where the tribe seeks to be excluded from coverage by the baseline WQS rule. The timeframe for a tribe seeking to be excluded from the rule to communicate to EPA began on May 5, 2023 (the date of publication of this proposed rule in the *Federal Register*) and ends 90 days after the final rule is published in the *Federal Register*.

Tribal Consultation & Public Comment Opportunities (continued)

EPA will hold identical listening sessions via webinar for tribal leaders and staff on June 21, from 1:00 – 3:00 pm (ET) and July 6, from 2:00 – 4:00 pm (ET). To register, please visit EPA's website at https://www.epa.gov/wqs-tech/tribal -consultation-and-coordination-epas-proposed-federal-baseline-water-quality..

Additionally, EPA is holding two public hearings on June 27 from 2:00 – 4:00 PM (ET) and July 12 from 2:00 – 4:00 PM (ET) so that interested parties may provide oral comments on EPA's proposed rule. To register for the public hearings, please visit EPA's website at https://www.epa.gov/wqs-tech/promulgation-tribal-baseline-water-quality-standards-under-clean-water-act.

The deadline to submit comments is August 1, 2023. Consultation materials are available on EPA's Tribal Consultation Opportunities Tracking System (TCOTS) website located at: https://tcots.epa.gov.

EVENTS & WEBINARS

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

The Inter Tribal Council of Arizona, Inc. National Tribal Water and Wastewater Operator Training and Certification Program is providing live online training. Each course consists of sequential lessons that are provided in a series of live online classes that are 3-hours in length.

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

- Wastewater Math: June 13 to July 11, 2023 (Online)
- Wastewater Lagoons Operations & Maintenance: July 24-31, 2023 (Online)

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

EPA Watershed Academy's Hazard Mitigation Planning and Water Resource Management Module

This module is intended for water quality and hazard mitigation professionals that are interested in integrating water quality issues and/or nature-based solutions into state or local Hazard Mitigation Plans (HMPs), and highlights the benefits of working across water quality and hazard mitigation programs. Modules in this series can be used as training tools to help planners from both worlds explore activities of mutual interest and benefit.

Case studies and examples are provided to assist hazard mitigation planners with integrating water resource programs into HMPs and help watershed planners understand the synergies between water resource plans and HMPs. To begin the course, please visit: https://www.epa.gov/watershedacademy/hazard-mitigation-module

Tribal Climate Health Project's Tribal Health and Adaptation Peer-Learning Roundtable Webinars

The Tribal Climate Health Project has developed training to assist Tribes to begin to prepare, cope, build resilience to, and recover from the health and other impacts of climate change. This advanced training from the Tribal Climate Health Project is for Tribal-serving practitioners, including environmental and health professionals, who have gained some level of transferable, real-world climate and health knowledge and experience through their work with Tribes. This training is open to Tribes and Tribal-serving professionals throughout the United States who work within the intersections of climate change, health, and community well-being.

Below is the upcoming schedule:

- June 15, 2023: Policy, Planning, and Land Use & Community Engagement Education and Notification
- July 20, 2023: Infrastructure Improvements & Information Technology

For the complete schedule and more information about the webinars, please visit: http://ped.palatribe.com/tcha-webinar-vi/

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

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

• June 13, 2023: Microplastics

National Association of Wetland Managers Tribal Wetland Programs Webinars

To register, please visit: https://www.nawm.org/nawm/nawm.org/nawm/nawm-webinars

- June 15, 2023: Geospatial Mapping Tools and Techniques for Tribal Wetland Programs
- September 21, 2023: Education and Outreach Efforts to Support Tribal Wetland Programs

EPA Small Drinking Water Systems Webinar Series

To register, please visit: https://www.epa.gov/water-research/small-drinking-water-systems-webinar-series

- May 30, 2023: Harmful Algal Blooms and Algal Toxins
- June 27, 2023: Bipartisan Infrastructure Law (BIL)
- July 25, 2023: Fifth Unregulated Contaminant Monitoring Rule (UCMR 5)

EPA Tools and Resources Webinar Series

To register, please visit: https://www.epa.gov/research-states/epa-tools-and-resources-webinar-series

- June 21, 2023: Chemical Risk Assessment for PFAS in Biosolids
- July 19, 2023: Forecasting HABs

NTWC MEMBERS

For more information on our members, visit Meet the Council.

Ken Norton

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

Brian Patterson

Oneida Nation Region 2

bpatterson@oneida-nation.org

Jaclyn McCasland

Delaware Nation Region 6

imccasland@delawarenation-nsn.gov

Eric Morrison

Salamatof Tribe Region 10 - Alaska

emorrison@salamatoftribe.org

Yolanda Barney

Navajo Nation Region 9

ybarney@navajo-nsn.gov

Michael Bolt

Eastern Band of Cherokee Indians Region 4 (NTWC Vice Chair) michbolt@ebci-nsn.gov

Shaun Livermore

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

Denise Jensen

Winnebago Tribe of Nebraska

Region 7

denise.jensen@winnebagotribe.com

Ann Wyatt

Klawock Cooperative Association/Tribe Region 10 – Alaska

annwyatt@klawocktribe.org

Region 10 Representative

Vacant

Daniel Kusnierz

Penobscot Indian Nation Region 1

dan.kusnierz@penobscotnation.org

Nancy Schuldt

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

Chauncey Means

Confederated Salish and Kootenai Tribes Region 8

chauncey.means@cskt.org

Scott Hauser

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

At-Large Representative

Vacant

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email: itep@nau.edu