

Developing

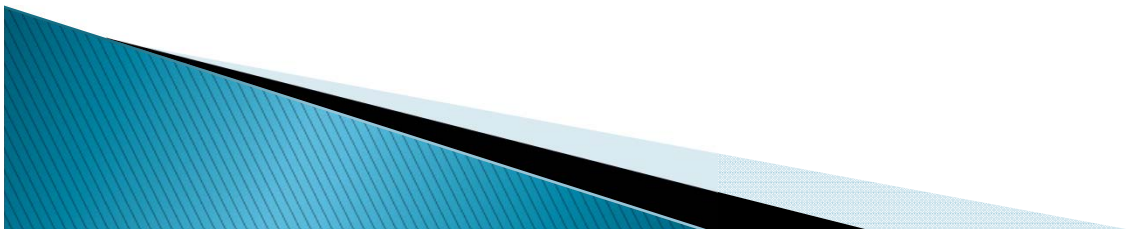
**EPA's Tribal and Indigenous  
Peoples Environmental Justice  
Guiding Principles/Policy**

June 2012



# Need for the Guiding Principles/ Policy

- ▶ Questions regarding how EPA is, or should, address tribal and indigenous peoples EJ concerns have persisted for many years.
- ▶ EPA's program and regional offices handle tribal and indigenous peoples EJ issues differently and inconsistently due to a lack of clear understanding and guidance.
- ▶ Uncertainty over how EPA's Plan EJ 2014 and Administrator Jackson's priorities for EJ (i.e. support for community-based action programs, fostering of Administration-wide action on EJ, build strong state and tribal partnerships, etc.) are to be implemented in Indian country and for indigenous peoples.



# Purpose of Guiding Principles and Policy

Clarify how EPA intends to work with

- federally-recognized tribal governments,
- state-recognized tribes,
- tribal and other indigenous organizations

to address their environmental justice concerns

- on or off Indian reservations,
- in Alaska and Hawaii,
- in treaty rights areas, and
- tribal usual and accustomed areas throughout the United States



# Approach to Developing the Guiding Principles/Policy

EPA formed two work groups: one to advise EPA and the other to develop the guiding principles/policy

- NEJAC/Indigenous People Work Group – (external/non-EPA) tribal and indigenous EJ stakeholder representatives tasked with providing advice and recommendations to EPA on addressing tribal and indigenous EJ issues
- EPA Tribal and Indigenous Peoples Environmental Justice Work Group – (internal/EPA staff only) EPA staff tasked with developing the guiding principles/policy

# What is the NEJAC?

- ▶ National Environmental Justice Advisory Council (NEJAC) is a Federal Advisory Committee to EPA, first chartered on September 30, 1993.
- ▶ NEJAC provides the Administrator with advice and recommendations with respect to integrating environmental justice considerations into EPA's programs, policies, and day-to-day activities.
- ▶ NEJAC consists of (26) members from community-based groups; business and industry; academic and educational institutions; state and local governments; tribal governments and indigenous organizations; and non-governmental and environmental groups.
- ▶ Tribal and indigenous peoples interests are represented by at least three individuals on the NEJAC (one tribal government, one indigenous community-based/grassroots representative & one Alaska Native representative).

# NEJAC Indigenous Peoples Work Group (IPWG)

- The NEJAC has been asked to provide advice and recommendations to EPA on a set of (5) questions regarding how the Agency should address tribal and indigenous peoples' environmental justice issues and concerns.
- The questions pertain to EPA's collaboration with tribes, indigenous organizations and other federal agencies to address tribal/indigenous EJ issues.



# EPA Tribal and Indigenous Peoples EJ Work Group (TIP)

- ▶ Tasked with identifying how the Agency can best address the unique challenges to implementing the Agency's EJ priorities in Indian country, Alaska, Hawaii, and in other areas of interest to tribes and indigenous peoples.
- ▶ Comprised of representatives from EPA's tribal and environmental justice programs, both headquarters and regional staff.
- ▶ Co-chaired by EPA's American Indian Environmental Office and EPA's Office of Environmental Justice.



# Guiding Principles / Policy – (5)

## Focus Areas

- 1) How EPA should incorporate EJ into its federally-recognized tribal environmental capacity building and implementation policies and programs;
- 2) How EPA should incorporate EJ into its direct implementation of federal environmental programs on Indian reservations;
- 3) How EPA should effectively work with tribal community-based organizations, state-recognized tribes, tribal members, and other indigenous peoples to address their EJ concerns, on or off reservations;





# Guiding Principles / Policy – (5) Focus Areas – Continued

4) How EPA should work with other federal agencies to address federally-recognized tribes, state-recognized tribes, tribal community-based organizations, tribal members, or non-members on reservations environmental justice issues.

\*\*\*5) How EPA should work collaboratively with tribes and states on issues of environmental justice, on or off reservations.

\*\*\* This is a suggested “new” focus area which still needs management approval before it can be included in the TIP work.

# Schedule

- ▶ January – March (Conceptual Design) – Tribal Consultation and Indigenous Stakeholder Outreach
- ▶ April – July (Development of Working Draft)
- ▶ July – September (Redrafting Working Draft) – Tribal Consultation and Indigenous Stakeholder Outreach
- ▶ December – Agency Guiding Principles/Policy Completed



# Questions for Tribes and Other Indigenous Stakeholders

1. Are there other “focus areas” EPA should consider including in the guiding principles/policy?
2. What other issues should EPA be sure to address in its guiding principles/policy?
3. If applicable, what processes does your tribe or organization use to effectively address EJ issues?
4. Would you like to receive E-mail updates/be informed of the opportunity to comment on the EPA work group’s draft document(s)?

# EPA Contacts

- ▶ Dona Harris, EPA,  
American Indian  
Environmental Office,  
202-564-6633  
Harris.Dona@epa.gov

- ▶ Danny Gogal, EPA,  
Office of Environmental  
Justice,  
202-564-2576  
Gogal.Danny@epa.gov