



Highlights of the 2022 National Tribal Water Council and U.S. Environmental Protection Agency - Office of Water Spring Virtual Meeting

The National Tribal Water Council (NTWC) held its spring virtual meeting with the U.S. Environmental Protection Agency Office of Water on June 7-8, 2022. The NTWC and EPA meet biannually to discuss important current water topics on proposed regulations, water initiatives, tribal consultation and funding opportunities.

Ms. Radhika Fox, EPA Assistant Administrator for Office of Water, provided opening remarks highlighting the current activities and accomplishments of the Office of Water, including the current status of the [Tribal Water Action Plan](#). The water action plan outlines four priorities of importance to the EPA Office of Water. The four priorities are as follows:

- Promoting robust coordination and meaningful consultation with tribes;
- Strengthening and expanding water governance in Indian Country;
- Increasing infrastructure funding and capacity development for tribal water programs; and
- Honoring federal trust responsibilities and protecting tribal reserved rights related to water resources.

The EPA Office of Water program staff also provided updates on key proposed actions and regulations, such as the draft National Program Guidance, draft GAP Guidance, and Tribal Clean Water Act Section 106 Grant Guidance revisions. A key topic of discussion was the proposed Clean Water Act Section 401 Water Quality

Certification Improvement Rule that includes provisions for tribes to obtain treatment-as-a-state (TAS) status for the section 401 certification program or to act as a neighboring jurisdiction under section 401(a)(2). This is the first time tribes will have this option without first obtaining TAS for water quality standards. Additionally, the EPA Office of Water informed the NTWC about program funding for water and wastewater infrastructure activities funded through the Bipartisan Infrastructure Law.

The NTWC Chairman Norton provided an update on the development of the NTWC's Tribal Water Quality Standards Guidebook. The NTWC is working to finalize the guidebook in October 2022. In addition, Nancy Schultdt, NTWC Region 5 representative, presented on the Fond du Lac Band's 401(a)(2) public hearing. She shared her tribe's experience with requesting a hearing and the process of opposing the Section 404 permit for the PolyMet mining project.

The biannual meetings offer opportunities for great dialogue between the NTWC and EPA Office of Water. These biannual meeting originally were held in-person, however, since 2020, due to the coronavirus pandemic, the biannual meetings have been held virtually. The NTWC appreciates the EPA Office of Water staff for engaging in meaningful dialogue and support of tribal water programs.



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NEWSLETTER

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► Updates & Announcements

EPA Announces New Drinking Water Health Advisories for PFAS

On June 15, 2022, EPA issued the final health advisories (HAs) for two per- and polyfluoroalkyl substances (PFAS): 1) hexafluoropropylene oxide (HFPO) dimer acid and its ammonium salt (referred to as “**GenX chemicals**”); and 2) perfluorobutane sulfonic acid and its potassium salt (**PFBS**).

EPA also issued interim updated drinking water health advisories for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS) that replace the advisories issued in 2016. These updated health advisory levels, which are based on new science, will remain in place until EPA establishes a National Primary Drinking Water Regulation.

Final health advisories:
GenX: 10 parts per trillion (ppt) PFBS: 2,000 ppt
Interim health advisories:
PFOA: 0.004 ppt PFOS: 0.02 ppt

For more information, please visit: <https://www.epa.gov/sdwa/drinking-water-health-advisories-has?fbclid=IwAR1F-T9mSVUBTzKwstWJ3lIV9y6f2lhiGLRyYNhlukhgNaePI20xGgUMokY>

► Grant Opportunities

EPA Announces Notice of Funding Opportunity Released for Technical Assistance for Treatment Works

Deadline: August 22, 2022

EPA is soliciting applications to provide training and technical assistance to rural, small, and tribal municipalities, publicly owned wastewater treatment works, and decentralized wastewater treatment systems for the prevention, reduction, and elimination of pollution. Eligible activities include training and technical assistance only. Infrastructure construction projects such as repairing water or sewer lines, adding new equipment, or upgrading, retrofitting, or rehabilitating existing equipment are not eligible for funding under this announcement.

EPA is hosting an informational webinar on Wednesday July 27, 2022 at 3:00 PM (EDT). To register: https://www.zoomgov.com/webinar/register/WN_zXTaCCJ2R7-7GRpSr959iA.

If you have any questions, please email to treatmentworksRFA@epa.gov by August 1, 2022. The deadline to submit an application is August 22, 2022. Additional information, such as a FAQs, may be found at: <https://www.epa.gov/small-and-rural-wastewater-systems/technical-assistance-treatment-works>.

NOAA Restoring Tribal Priority Fish Passage Through Barrier Removal Grants

Deadline: August 29, 2022

Up to \$12 million in funding is available under the Bipartisan Infrastructure Law to implement fish passage work and build tribal organizational capacity. This funding will support Indian tribes, tribal commissions, and tribal consortia in implementing tribal priority fish passage projects, including organizational capacity building that benefit migratory fish in coastal ecosystems, including the Great Lakes.

In collaboration with NOAA, selected Indian tribes and tribal commission or consortia partners will use these funds to implement barrier removal efforts that benefit tribally-important migratory fish, and to build tribal organizational capacity to participate in developing current and future fish passage projects. Funding will support fisheries and protected resources, while also enhancing community resilience to climate hazards by removing or improving aging infrastructure.

The deadline to submit an application is August 29, 2022. To learn more about the grant, please visit: <https://www.fisheries.noaa.gov/grant/restoring-tribal-priority-fish-passage-through-barrier-removal-grants>



Tribal Consultation and Public Comment Opportunities

All consultation materials may be found at: <https://tcots.epa.gov>

Proposed Changes to the National Allocation of GAP

Deadline: August 2, 2022

EPA initiated consultation and coordination with federally recognized Tribes to receive input on proposed changes to the national allocation of Indian Environmental General Assistance Program (GAP) funds to tribal and intertribal consortia recipients. The proposed changes to the funding allocation formula, if adopted, will take effect for all GAP awards made with FY 2023 funds.

The deadline to submit comments is August 2, 2022. For more information, please visit: <https://www.epa.gov/tribal/indian-environmental-general-assistance-program-gap#consultation-gap-guidance>

Draft 2022 GAP Guidance

Deadline: August 2, 2022

EPA is initiating consultation and coordination with federally recognized tribes to receive input on the draft 2022 Guidance on the Award and Management of Indian Environmental General Assistance Program Assistance Agreements for Tribes and Intertribal Consortia (2022 GAP Guidance). When final, the 2022 GAP Guidance will replace the 2013 Guidance and will be effective for negotiating and awarding GAP financial assistance agreements.

The deadline to submit comments is August 2, 2022. For more information: <https://www.epa.gov/tribal/indian-environmental-general-assistance-program-gap#consultation-gap-guidance>

EPA Proposed Clean Water Act Section 401 Water Quality Certification Improvement Rule

Deadline: August 8, 2022

On June 2, 2022, EPA announced the proposed Clean Water Act Section 401 Water Quality Certification Improvement Rule. The proposal would strengthen the authority of tribes, states, and territories to protect their vital water resources while supporting an efficient, predictable, and workable certification process. EPA held a pre-proposal tribal consultation and coordination period from June 7, 2021 to September 7, 2021. A copy of the pre-proposal tribal consultation summary is included in the proposed rule docket.

The deadline to submit comments on the rule proposal is August 8, 2022. Please submit comments through Docket ID No. EPA-HQ-OW-2022-0128 or use <https://www.regulations.gov>. If you are interested in requesting consultation with the Agency on the proposed rule, please contact Emma Maschal at cwa401@epa.gov to make consultation arrangements before the end of the 60-day public comment period. For more information, please visit: [Proposed Clean Water Act Section 401 Water Quality Certification Improvement Rule | US EPA](#)

National Tribal Water Council is accepting applications for Region 8 Representative

Deadline: August 31, 2022

The National Tribal Water Council is accepting applications to fill an open membership position, which is open to tribal water professionals employed by a federally recognized Tribe or tribally authorized organization from Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming).

Below is a sample list of member duties, and it is not limited to the following:

- Participate in monthly conference calls;
- Attend biannual meetings; and
- Participate in crafting documents in response to policy and/or rule making federal actions.

We are seeking individuals that are passionate and vocal about tribal water issues. Interested individuals must submit the following documents: application form, letter of interest, and professional résumé. Please refer to the Council's membership application information packet for additional details. A copy of the recruitment packet is available on the NTWC website at <https://www.nau.edu/ntwc>.

To express your interest or obtain additional information, please contact Elaine Wilson at elaine.wilson@nau.edu.



Events and Webinars

Tribal Lands and Environment Forum August 8-11, 2022

Registration is now open for the upcoming Tribal Lands and Environment Forum. For those wanting to attend in-person, registration fee is \$125. For those preferring to attend virtually the cost is \$25. You can also apply for a scholarship if you are attending in-person, to help cover some of your travel costs, if necessary. All the details are on the following website: <http://www.nau.edu/tlef2022>

Clu-In Webinar: Federal Facilities Online Academy – Groundwater Policy Overview August 10, 2022 (1:00 PM – 3:00 PM EDT)

Groundwater Policy and Federal Facilities Overview is a two-hour webinar course that provides an overview of U.S Environmental Protection Agency (EPA) groundwater policies and guidance with emphasis on cleanups at federal facilities. The target audience for this course is federal, state, and tribal representatives who work on Federal Facility cleanups. To register: <https://clu-in.org/conf/tio/FFAcademy7/>

National Association of Wetland Managers: Annual State/Tribal/Federal Coordination Meeting August 15-19, 2022

The National Association of Wetland Managers' (formerly ASWM) Annual State/Tribal/Federal Coordination Meeting will be held at the National Conservation Training Center (Shepherdstown, WV) from August 15-19, 2022. The purpose of this annual meeting is to support state and tribal wetland program managers, and other wetland professionals as they respond to challenges in the coming year. If circumstances require it, the meeting may be changed to a fully virtual format.

The registration fee is \$396 (for members and early rate) and the deadline to register is August 5, 2022. For information on travel scholarships and registration, please visit: <https://www.aswm.org/2022-annual-state-tribal-federal-coordination-meeting>

19th Annual EPA Drinking Water Workshop: Small System Challenges and Solutions August 29-September 1, 2022

EPA's free annual drinking water workshop, held in partnership with ASDWA, will be held on August 29 - September 1, 2022, and will provide in-depth information and training on solutions and strategies for handling small drinking water system challenges. Attendees have the option to attend in-person or attend five select selections that will be live streamed.

The workshop will provide current information, resources, and training needed to help in building systems capacity and sustainably and with providing equitable access to drinking water. To register, please visit: <https://www.epa.gov/water-research/19th-annual-epa-drinking-water-workshop-small-system-challenges-and-solutions>

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 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:

- Federal SDWA 101 Regulations for Tribal Water Operators: August 1-29
- Wastewater Collection – Level 2: August 10 - September 19

To register, or to view the 2022 training schedule, please visit: <https://itcaonline.com/programs/environmental-quality-programs/tws-tmap/tws-training-events/>

EPA Tools and Resources Webinar Series

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

- August 17, 2022: EPA PFAS Strategic Roadmap – Research Tools and Resources



Events and Webinars (*continued*)

Native American Water Association

The Native American Water Association is a national non-profit, 501(c)6 organization founded to provide tribal water and wastewater operators, managers, utility commissions and tribal leadership with continued training and technical assistance in their goals to strengthen tribal sovereignty and self-determination, and protect health and environment in Indian Country.

Upcoming events include:

- Small Water System Math: August 16 (10:00 AM MST)
- Practice Water Distribution Certification Exam: August 31 (9:00 AM MST)

To register: https://www.eventbrite.com/o/native-american-water-association-22061331832#live_events

EPA Technical Assistance Webinar Series: Improving CWA-NPDES Permit Compliance

To register, please visit: <https://www.epa.gov/compliance/technical-assistance-webinar-series-improving-cwa-npdes-permit-compliance>

- August 31, 2022: Water System Partnerships – Regionalization Solutions for Drinking Water and Wastewater

EPA Water Research Webinar Series

To register, please visit: <https://www.epa.gov/water-research/water-research-webinar-series>

- August 31, 2022: Integrated Approaches in Community Nonpoint Source Nutrient Management
- November 16, 2022: Real-time Risk Characterization Tool for Harmful Algal Bloom



NTWC Members: For more information, visit [Meet the Council](#)

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