



March 2019, Vol 1, Issue 2

Welcome to the National Tribal Water Council Newsletter

Thank you for subscribing to our newsletter. The National Tribal Water Council is a technical and scientific body created to assist the U.S. Environmental Protection Agency, federally recognized Indian Tribes, Alaska Native Tribes, and associated tribal communities and tribal organizations, with research and information exchange regarding water issues and water-related concerns that impact tribal communities.

Here is a snapshot of our current activities:

- The NTWC hosted its first webinar on March 26, 2019, on “Policy Response Kit – Waters of the United States.” The webinar and the policy response kit are available on the NTWC website. We will be hosting additional webinars throughout 2019, and would like to hear your feedback about potential topics that may be of importance to you and your tribe. Feel free to provide input to Elaine Wilson, Project Manager, at elaine.wilson@nau.edu.
- The NTWC has two in-person meetings each year. Our next meeting is scheduled for April 8-9, 2019, in Washington D.C. The Council will discuss various water topics and meet with the U.S. Environmental Protection Agency - Office of Water.

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NEWSLETTER

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<https://nau.edu/ntwc>



NTWC Council Members Spotlight

We are starting our Council Members Spotlight with NTWC Chair Ken Norton and NTWC Vice Chair Michael Bolt. The National Tribal Water Council consists of 15 members from various tribes throughout the United States.



Ken Norton, NTWC Chair

Creator presents us with many pathways; it is up to us to follow through in those pathways in helping others, protecting our lifeways and the environment. My pathway is protecting my tribal land, which I have been doing for 33 years.

Over 33 years ago, I started my career with the Hoopa Valley Tribe (HVT) as a fisheries technician with the goal to protect salmon, as it is our subsistence and of cultural importance. In 1996, I transitioned to the environmental arena under the Tribal Environmental Protection Agency (TEPA) division as a water quality coordinator. In the year spanning from 1996-2002, I assisted in developing the Tribe's Water Quality Standards (WQS) and Clean Water Act (CWA) Section 401 Certification, and assisted in establishing the Tribe's water regulatory capacity.

In 2002, I become the director of TEPA and oversee tribal water programs focusing on protecting water quality and fish species, upholding WQS, restoring watershed and streams, and ensuring that upstream discharges are not impacting tribal waters. Additionally, I oversee tribal environmental programs such as superfund, brownfields, air

quality, pesticides, lead and solid waste. The TEPA has nine (9) staff including myself. I also oversee the Tribe's Realty Division that has three (3) staff.

Our Tribe's greatest challenge is working cooperatively with neighboring governmental entities that do not have trust obligation to Tribes, therefore, they are not required to consult with the Tribe. As a result, we are persistent in working through cooperative negotiations and legal case laws, as appropriate or applicable. So far, the Tribe has been successful in working effectively and cooperatively with neighboring jurisdictions and will continue to do so, for the benefit of all, including the fish, animals, plants, and land that are essential for our survival and existence.

Offices/positions held:

- 2002-2009 National Tribal Caucus (NTC)/National Tribal Operations Committee;
- 2007-2009 NTC Vice Chair;
- 2008-2019/present NTWC Chair

Michael Bolt, NTWC Vice Chair

I am in my twentieth year of working for the Eastern Band of Cherokee Indians. My position title is Water Quality Section Supervisor, located in the Tribal Natural Resources Program. My



main role is to oversee the protection of our mostly pristine headwater streams in the mountains of western North Carolina.

The Tribe has a state certified environmental laboratory that I manage. I have four staff positions that are engaged in water quality activities such as:

- Surface water quality ambient and biological monitoring;
- Point and Non-Point Source pollution permitting, monitoring and reporting;
- Stream Restoration; and
- Wetlands Program development.

Our principal challenge is management of streams to maintain designated uses with limited program resources. The solutions are:

1. Good Science - example: we rely on training our staff in benthos identification and have a microscope camera linked to a big screen monitor to ease taxonomic identification.
2. Appropriate Permitting - example: like most tribes, the Tribe does not write National Pollutant Discharge Elimination System (NPDES) permits, but with Treatment as a State (TAS) for water quality standards, the Tribe has input to Clean Water Act (CWA) Section 404 & 402 permits. This is accomplished through CWA Section 401 Water Quality Certification applications, which the Tribe evaluates thoroughly and may require specific or general water quality conditions to be met.

In the News

NTWC Policy Response Kit: Waters of the U.S.

The public comment period is open for the U.S. Environmental Protection Agency (EPA) proposed *Revised Definition for the Waters of U.S.* until **April 15, 2019**. Tribes are encouraged to submit comments and requests for individual consultation by the deadline. For more information on the proposed rulemaking and how to submit comments, please visit the U.S. EPA's WOTUS webpage at <https://www.epa.gov/wotus-rule/step-two-revise>

NTWC is developing a policy response kit for the proposed revised definition consisting of a fact sheet, NTWC's comment letter, and template comment letter. Tribes can access the documents on the NTWC's website: <http://www7.nau.edu/itep/main/ntwc/PolicyResponseKits/Index>

Tribal Consultation Opportunity: FY 2020-2021 EPA National Program Guidances

EPA has revised the schedule for tribal consultation for the FY 2020-2021 National Program Guidances due to the rescheduled release of the FY 2020 President's Budget.

- Comment period: April 1 to May 3, 2019.
For draft guidances, visit: <https://www.epa.gov/planandbudget/national-program-guidances>
- Two (2) National Teleconferences with Tribes: April 17, 2019 & April 18, 2019 (2-4 PM ET)
Call in #: 202-991-0477; Access Code: 266-3807
Adobe Connect: <https://epawebconferencing.acms.com/rs16jm8qflpx/>

In the News (continued)

Keweenaw Bay Indian Community Celebrates Tribal Water Day

Keweenaw Bay Indian Community of the Lake Superior Band of Chippewa Indians celebrated their Tribal Water Day on March 15, 2019. Tribal Water Day is a special event to educate the community on the projects and activities involving water overseen by the tribe's natural resources department. Project examples include plant restoration, water sampling, water surveys, and wetland protection. Tribal Water Day helps to educate the community on the importance of water and preserving water for the future.

<https://www.uppermichiganssource.com/content/news/Keweenaw-Bay-Indian-Community-celebrates-Tribal-Water-Day-507210381.html>

EPA Water Quality Trading Policy Memorandum

On February 6, 2019, EPA announced a new water quality trading policy memorandum to help tribes, states, and stakeholders use market-, incentive- and community-based programs to reduce excess nutrients and improve water quality. For the full memo, visit:

<https://www.epa.gov/newsreleases/epa-announces-new-water-quality-trading-policy-memorandum>

Funding Opportunities

U.S. EPA - Fiscal Year 2019 Tribal Wetland Program

Development Grant: This grant assists state, tribal, local government agencies and interstate/intertribal entities in developing or refining state/tribal/local programs that protect, manage, and restore wetlands. The primary focus of this grant is to develop and/or refine tribal wetland programs.

Close date: May 3, 2019. For more information, visit:

<https://www.epa.gov/wetlands/tribal-wetland-program-development-grant-request-applications>

Bureau of Reclamation – Technical Assistance to

Tribes for Fiscal Year 2019: This grant is available for federally recognized Indian Tribes and tribal organizations to submit proposals for technical assistance and activities that develop, manage, and protect tribal water and related resources. Examples of eligible projects include water needs assessments, developing water basin plans, and training for tribal staff in water resources development, management, and protection. **Close date: May 14, 2019.**

Visit www.grants.gov for other federal grant opportunities.

Events

Inter Tribal Council of Arizona, Inc. – Tribal Operator Certification Training

This course is for tribal drinking water treatment facility operators. Course topics include, but not limited to, intro to surface water, groundwater and wells, water treatment processes, regulatory compliance, Safe Drinking Water Act, water safety, and math relating to water facility operations. For more information, visit

http://itcaonline.com/?page_id=2987

- **Water Distribution Level 1**
April 8-12, 2019; Reserve, Kansas
- **Water Treatment Level 1**
April 15-18, 2019; Flagstaff, Arizona

ITEP 2019 Tribal Lands & Environment Forum

This year's conference theme is *A National Conversation on Tribal Land and Water Resources*. Tribal water program topics – water quality, drinking water, and habitat restoration (including wetlands, streams and fisheries) will also be included with breakout sessions, trainings and field trips. For registration information, visit

http://www7.nau.edu/itep/main/Conferences/confr_tlef

- August 19-22, 2019; Palm Springs, California



Resources

U.S. EPA Small Systems Monthly Webinar Series

Upcoming webinar topics include:

- April 30, 2019 - Stage 2 Disinfection Byproducts Rule and Simultaneous Compliance
- May 21, 2019 - Harmful Algal Blooms and Algal Toxin Treatment

For more information, visit <https://www.epa.gov/water-research/small-systems-monthly-webinar-series>

USGS Climate Adaptation Science Center Webinar

- April 16, 2019 (3 PM ET) - Understanding Historical and Predicting Future Lake Temperatures

To register: <https://casc.usgs.gov/webinars>

EPA Office of Water Webinar

- May 22, 2019 (11:30 AM - 1:00 PM MST) Part 1: Lead and Copper Rule 101 Training for States, Tribes, and Water Utilities

To register: <https://register.gotowebinar.com/register/9159115874987568653>

Earth Day April 22

For ideas, activities and educational information on water topics for Earth Day, visit:

<https://www.epa.gov/students/lesson-plans-teacher-guides-and-online-environmental-resources-educators>

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

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