

Persistence Prevails Despite Turnover Issues in Tribal Water Programs

Justin Avery, Santee Sioux Nation Water Quality Manager

My name is Justin Avery, and I am the Water Quality Manager for the Santee Sioux Nation of Nebraska. I have been in this position for a little over four years now, and I can say it has been quite an endeavor. I grew up in the rural area in Northeast Nebraska, an avid outdoors enthusiast starting with my childhood of being in the country playing with sticks and building forts. As I got older, I participated in Boy Scouts for many years, obtaining as many skills and merit badges as possible. Today, my family and I spend time camping, hiking, hunting, fishing, kayaking, and everything else. It made sense for me to take on this position, but it was not as simple as I thought. There were times that I was frustrated; however, through the help of multiple people, I have gotten to where I am at today. I look forward to what tomorrow will bring in the water world.

When I took this position, the department suffered from staff turnover, the blight that many tribal programs go through. I was thankful to have another staff member within the water program to show me the ropes. Unfortunately, that was short-lived, and they moved on to greener pastures. At the end of the fiscal year, I was on my own, a couple of months on the job, and reports that I had no history with, in any capacity, were due. What do I do? I was fortunate to have a great project officer within the ranks at EPA, and she helped guide me through all the steps and processes to get everything squared away for the year, then she helped me prepare for the upcoming years. I honestly do not think I would be here without her help. Then the real work started. This program had been around for years, and I was the lead having no experience in this field of work, but there was a level of expectation. I had to hit the ground running to keep up with the demands from EPA.

The most common advice I received was to ask if you had questions, I did not know what questions I needed to ask. Even when you ask questions, though, it only goes so far. If your EPA contact is new or has no answer, they



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have to ask around, and or sometimes the email gets lost. When you reach out to other tribes for help, you discover how completely different tribes operate their programs, from techniques, priorities, testing methods, parameters of interest, policies, and procedures, everything. Later, I discovered that it makes sense; they address their needs. At that time, it was not helpful. Their responses were broad and vague. Everyone had either just started and did not know or had been around so long that their ability to break it down to my level was not there. Here I was reading documents, spinning circles, asking questions, and going nowhere. Soon I started to discover things I was doing wrong or missing, and now I needed to rectify them. Queue my frustration. It is one thing to be new at something, but to be a new program lead and overwhelmed, is the perfect recipe for failure and staff turnover.



Bodies of water in the Santee Sioux Nation

So, I changed my tactics. Instead of looking for that template, I just took it all. I took every document I could from other tribes, EPA, and state agencies and broke them down. Wrote down everything people talked about, made notes to look up later. I looked for similarities, outliers from all the programs and compared them to our tribal needs. Then I started conducting trial and error. I will tell everyone who asks me that it took me three years to figure out my job with great humility to my pride. It took time to have the confidence to operate the program to the level I felt needed. To know how to navigate all of the Clean Water Act Sections 106, 319, wetlands, etc. That is a lot of information to learn, process, and implement into a successful program. So if or when the time comes, and someone asks, be patient, follow up, reach out, do what you can to help those new guys. A program loses so much when there is staff turnover, and in today's constantly changing world, our programs cannot afford lapses.

For more information: <https://www.facebook.com/ssnoep/>

Updates and Announcements

NEW! EPA Office of Water Releases Action Plan to Address Water-related Challenges in Indian Country

On October 14, 2021, the EPA Office of Water released an action plan titled “Strengthening the Nation-to-Nation Relationship with Tribes to Secure a Sustainable Water Future.” The action plan to help address critical challenges and provide vital water protections to support public health, environmental protection, cultural activities, and subsistence practices in Indian country.

To read the action plan, please visit: https://www.epa.gov/system/files/documents/2021-10/2021-ow-tribal-action-plan_508_0.pdf

Updates and Announcements (*continued*)

NEW! EPA Announces Comprehensive National Strategy to Confront PFAS Pollution

On October 18, 2021, EPA Administrator Michael S. Regan announced the EPA's comprehensive strategic roadmap to confront PFAS contamination nationwide. The roadmap is the result of a thorough analysis conducted by the EPA Council on PFAS that Administrator Regan established in April 2021. EPA's roadmap is centered on three guiding strategies: (1) Increase investments in research; (2) Leverage authorities to take action now to restrict PFAS chemicals from being released into the environment; and (3) Accelerate the cleanup of PFAS contamination.

The agency will be hosting two nation webinars to engage with a wide range of stakeholders to continue to identify collaborative solutions to the PFAS challenge.

- Tuesday, October 26, 2021 (2:00 to 3:00 P.M. ET) To register: <https://www.eventbrite.com/e/webinar-pfas-strategic-roadmap-epas-commitments-to-action-2021-2024-registration-192874531917>
- Tuesday, November 2, 2021 (2:00 to 3:00 P.M. ET) To register: <https://www.eventbrite.com/e/webinar-pfas-strategic-roadmap-epas-commitments-to-action-2021-2024-registration-193150888507>

For more information: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>

EPA Hosting Virtual Meetings with Tribes on Waters of the U.S.

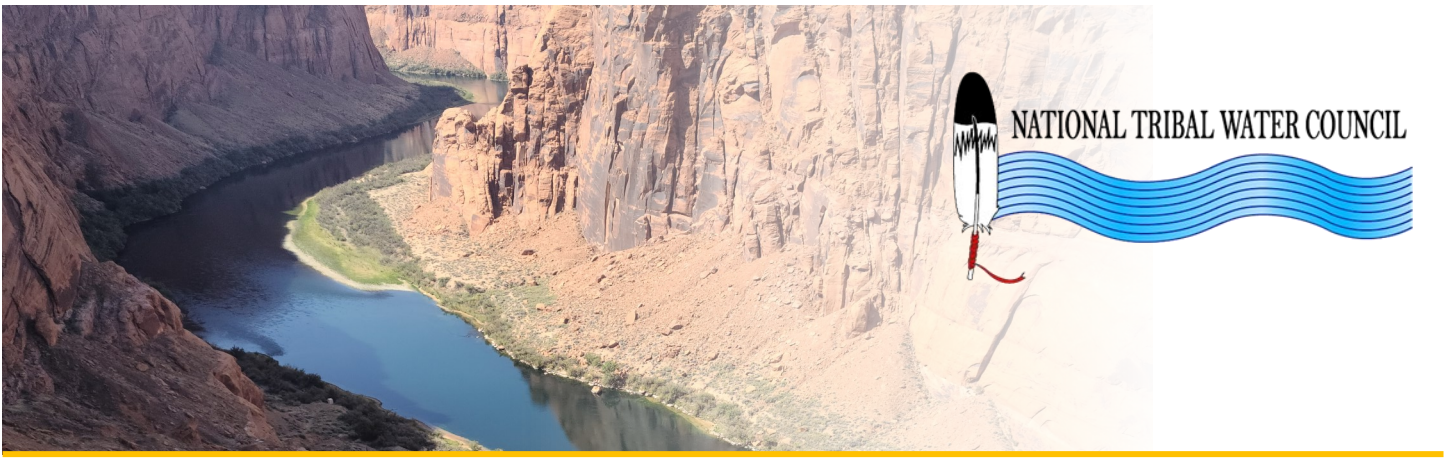
The U.S. EPA and the U.S. Department of the Army are hosting a series of dialogues with tribes regarding the "waters of the U.S." rulemaking. The agencies have completed their review of the rule, as part of Executive Order 13990, and have decided to initiate new rulemakings to revise the definition of "waters of the U.S." First, the agencies intend to propose restoring the foundational regulations that were in place until 2015, updated to be consistent with relevant Supreme Court decisions. Second, the agencies intend to consider whether further revisions to the definition should be made in light of additional stakeholder engagement and implementation considerations, any scientific developments, and environmental justice values.

During these virtual meetings, the agencies will provide an overview of this forthcoming first rulemaking and tribal representatives will have the opportunity to provide feedback about this action, especially relating to tribal experiences of different regulatory regimes. Virtual meetings were held on October 7 and 13 for Tribes in the East Coast and Central area.

- Wed, October 27 (1:00 to 3:00 PM ET): For Tribes in the Arid West. To register: <https://www.zoomgov.com/meeting/register/vJltceivqzwpHcfKdNSoLmqMGNej25rxBWo>
- Thurs, October 28 (3:00 to 5:00 PM ET): For Tribes in the Northwest and Alaska. To register: https://www.zoomgov.com/meeting/register/vJlSd-CspjloH8QBTBqZE8xQCy_jPcwcY14

Please note that these meetings are limited to participants from federally recognized tribal governments and tribal organizations, and staff from EPA and the Army. In order to facilitate dialogue, the first 25 designated tribal representatives to register and indicate interest in speaking will participate in the dialogue; additional registrants, including from tribal organizations, will be able to listen to the discussion. We ask that tribes registering more than one participant nominate an active speaker. If you register, but are not affiliated with a tribe or tribal organization, EPA, or the Army, your registration will be denied.

If you have any questions related to these meetings, please contact EPA at CWAwotus@epa.gov.



Now Accepting Applications for Membership

Application Deadline: December 31, 2021

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 employed by a federally recognized Tribe or tribally-authorized organization to fill the following open membership positions:

Region 2 Representative

Open to tribal water professionals from Region 2, which includes the following states: New Jersey and New York.

Region 6 Representative

Open to tribal water professionals from Region 6, which includes the following states: Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

Region 10 Representative

Open to tribal water professionals from Region 10, which includes the following states: Alaska, Idaho, Oregon, and Washington. *Please note:* the NTWC currently has two representatives from the State of Alaska, thus seeking applicants primarily from Idaho, Oregon, and Washington.

Navajo Nation Representative

Open to tribal water professionals from the Navajo Nation.

Member duties include but are not limited to the following:

- Participating in monthly conference calls and attending bi-annual meetings;
- Contributing to crafting response documents to policy and/or rulemaking actions;
- Reviewing and discussing water-related issues in Indian Country; and
- Assisting the NTWC in informing tribes on a wide variety of water issues.

We are seeking individuals that are passionate and vocal about tribal water issues. Interested applicants must submit an application form, letter of interest and a professional resume. The application deadline is **December 31, 2021**. The application packet is available on the NTWC website: <http://www7.nau.edu/itep/main/ntwc/>.

Tribal Consultation and Public Comment Opportunities

Tribal Consultation Opportunity: Draft FY 2022-2026 EPA Strategic Plan

Ends: November 12, 2021

The EPA initiated consultation and coordination with federally recognized tribes on the draft FY 2022-2026 EPA Strategic Plan. The strategic plan includes EPA's priorities, program planning, budget development and decision-making. The strategic plan covers important areas of interest that impact tribes. The plan may be accessed at: <https://www.epa.gov/planandbudget/strategicplan>

The EPA scheduled a conference call on October 28, 2021 (2:00 to 4:00 P.M. ET) to discuss the plan. To call in, please use (202) 991-0477 and access code 597 128 463#. The consultation ends on **November 12, 2021**. Please visit <https://tcots.epa.gov/> for the consultation materials.

Tribal Consultation Opportunity: EPA/AIEO Tribal Consultation on GAP Funding Allocation

Ends: November 17, 2021

The EPA's American Indian Environmental Office (AIEO) initiated a 120-day tribal consultation with federally recognized tribes to receive input on how to improve the national allocation of the Indian Environmental General Assistance Program (GAP) funds. In the current national allocation methodology, EPA provides \$110,000 per federally recognized tribe. However, a 2008 OIG report included a recommendation that AIEO revise its allocation methodology to take into account tribes' environmental needs and prior progress.

The consultation ends on **November 17, 2021**. Please visit <https://tcots.epa.gov> for more detailed information on the webinars/listening session and consultation materials.

Events and Webinars

EPA Total PFAS Analysis for Public Health Protection: Science, Applications, Benefits, and Challenges

October 27 and 28, 2021 | 12:00 P.M. to 4:00 P.M. EST each day

Non-targeted and other total PFAS analytic methods are being increasingly employed to more thoroughly characterize the total quantity and type of PFAS compounds that may be present in the environment. EPA is hosting this workshop to advance the transfer of state-of-the-art total PFAS methods and to gain a better understanding of state and regional needs regarding total PFAS methods. To register: <https://www.scgcorp.com/PFAS2021/Registration>

EPA National Nonpoint Source Pollution Control Program Learning Module

This training module is designed to provide a high-level overview of the Clean Water Act (CWA) Section 319 Nonpoint Source (NPS) program for State and Territory NPS Programs. The first half of the training provides general information applicable to a wide variety of audiences interested in learning more about the NPS program, while the second half of the module is more specific information that would be beneficial to grantees. The learning module will be updated in the future to include information specific to Tribes.

For more information, please visit: <https://www.epa.gov/watershedacademy/national-nonpoint-source-pollution-control-program-basic-training>

Events and Webinars (*continued*)

Department of Interior Tribal Climate Listening Sessions

The Department of the Interior (DOI) is hosting virtual listening sessions focused on climate change and Tribal Nations. The DOI would like to ensure that the efforts and initiatives it develops to meet these priorities are shaped and designed based on feedback and information from across Indian Country and Alaska Native Villages. The sessions will provide opportunities for sharing and dialogue about these programs and to learn what Tribes see as important opportunities.

- October 28 (12:00 to 2:00 P.M. EDT) Part 1: Adaptation and Mitigation
- October 28 (2:00 to 4:00 P.M. EDT) Part 2: Relocation, Managed Retreat, and Protect-in-Place Issues in the Lower 48
- Week of November 29 (TBD) Relocation, Managed Retreat, and Protect-in-Place in Alaska
- TBD: Tribal Discretionary Grants

For more information and to register: <https://www.bia.gov/guide/tribal-climate-listening-sessions/>

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:

- Wastewater Treatment – Level 1: November 8 to December 15, 2021
- Federal SDWA 101 Regulations for Tribal Water Operators: January 19 to February 2022

For more information, training schedule, and to register, please visit: <https://itcaonline.com/programs/environmental-quality-programs/tws-tmap/tws-training-events/>

EPA Water Research Webinar Series

October 27, 2021: Effects of Total Nitrogen and Total Phosphorous on Chlorophyll- α Concentrations in Flowing Waters

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

U.S. Fish and Wildlife Conservation Office Webinar Series

October 28, 2021: Status, trends, population dynamics of CT River Blueback Herring; and Pre-spawn alewife transplants into CT watersheds.

To register: [Event Information: Conservation of Bull trout in the Yakima Basin \(webex.com\)](#)

EPA WaterSense Webinars

November 2, 2021: Reducing Costs with Quick Water Wins

To register: <https://www.epa.gov/watersense/webinars>

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

November 18, 2021: Troubleshooting Sludge Problems in Wastewater Lagoon Systems

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

EPA CLU-IN Training & Events

December 2, 2021: Strategies for Preventing and Managing Harmful Cyanobacteria Blooms

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

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

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