



NTWC 2022 Fall In-Person Meeting - Flagstaff, Arizona



Front row (L to R): Nancy Schuldt, Eric Morrison, and Jaclyn McCasland; Back Row (L to R): Brian Patterson, Kathleen Brosemer, Karen Gude, Shaun Livermore, Elaine Wilson, and Ann Wyatt

The National Tribal Water Council (NTWC) conducted its 2022 fall meeting on October 11-12, 2022, in Flagstaff, Arizona. This was the first in-person meeting of the NTWC since November 2019. Though the meeting was in-person, three members of the NTWC participated via Zoom. Each year the NTWC and EPA Office of Water meet bi-annually to discuss important issues related to water.

The meeting started with opening remarks from Ken Norton, NTWC Chairman; Ann Marie Chischilly, Vice President of Northern Arizona University's Office of Native American Initiatives; and Mehrdad Khatibi, Interim Institute for Tribal Environmental Professionals (ITEP) Director. The first day included presentations on climate change impacts, the revised Clean Water Act 404(c) proposed determination for Pebble Mine, and uranium clean-up projects on the Navajo Nation. NTWC members also discussed their current priorities in alignment with

the US EPA's Office of Water, collaborations with other tribal organizations/partnership groups, and forthcoming EPA rulemaking efforts.

The second day started with an overview and discussion of the NTWC's Tribal Water Quality Standards Guidebook, which will be available to tribes this fall. The EPA Office of Water provided regulatory updates on the forthcoming Federal Baseline Water Quality Standards and Tribal Reserved Rights rules and the CWA 401 Water Quality Certification Improvement Rule. Additionally, the Inter-Tribal Council of Arizona, Inc. (ITCA) provided a presentation on its new project to test for lead in drinking water in tribal schools, specifically in the states of Arizona, California, Nevada, and New Mexico. For additional information, you may visit ITCA's website at <http://www.itcaonline.com>.

NTWC also discussed updating its priorities for the next fiscal year, which included advocating for increased funding for tribes to access clean drinking water and basic sanitation, particularly for tribes in Alaska and Alaska Native Villages.

Overall, the meeting was very productive and three newer NTWC members who have joined the NTWC since January 2022 attended. At the end of the meeting, an action items list was generated to address various concerns, issues or tasks important to NTWC. The NTWC is planning to hold its next bi-annual meeting next spring in April or May 2023.



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NEWSLETTER

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Updates & Announcements

Mentorship-Assisted Resource & Support Hub

The National Association of Wetlands Managers (NAWM), the Society of Wetland Scientists (SWS), and the SWS Professional Certification Program (SWSPCP) have teamed up together to develop a new pilot mentorship program called the Mentorship Assisted Resource & Support Hub (MARSH).

MARSH is a new, one-year mentoring program for students, early career professionals, and people transitioning between careers to network, gain experience, and receive one-on-one coaching to support their growth as wetland professionals. The first mentorship cycle is expected to begin in January 2023.

The deadline to submit an application is November 10, 2022. For more information, please visit: <https://nawm.org/marsh-mentee>.

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:

- November 17, 2022: Training & trainee introductions
- December 15, 2022: Approaches to scoping climate/health adaptation based on Tribe's unique needs
- January 19, 2023: Lessons on conducting tribal vulnerability assessments that incorporate TEK, community input, and Western and Indigenous science

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

Grant/Cooperative Agreement Opportunities

EPA's Proposed Rulemaking to Designate PFOA and PFOS as Hazardous Substances under CERCLA **Deadline: November 7, 2022**

U.S. EPA Office of Superfund Remediation and Technology Innovation in the Office of Land and Emergency Management initiated consultation and coordination with federally recognized Indian tribes on the Notice of Proposed Rulemaking to Designate Perfluorooctanoic acid (PFOA) and Perfluorooctanesulfonic acid (PFOS) as Hazardous Substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The prepublication version of the notice is now available on EPA's website at: <https://www.epa.gov/superfund/proposed-designation-perfluorooctanoic-acid-pfoa-and-perfluorooctanesulfonic-acid-pfos>.

These designations would require facilities across the country to report on PFOA and PFOS releases that meet or exceed the reportable quantity assigned to these substances. The hazardous substance designations would also enhance the ability of federal, tribal, state, and local authorities to obtain information regarding the location and

Grant/Cooperative Agreement Opportunities

extent of releases. EPA or other agencies could also seek cost recovery or contributions for costs incurred for the cleanup.

If you believe your tribe could be affected by this proposed action, EPA invites you to consult with EPA during this consultation period. To initiate government-to-government consultation with EPA, please contact Amanda Van Epps by phone at (202)-566-0995 or email at vanepps.amanda@epa.gov to request consultation.

The comment period ends on November 7, 2022. EPA will accept public comment on the Notice of Proposed Rulemaking for 60 days after it is published in the Federal Register at <https://www.regulations.gov>, Docket # EPA-HQOLEM-2019-0341. For more information about the proposed rule, please visit: <https://www.epa.gov/superfund/proposed-designation-perfluorooctanoic-acid-pfoa-and-perfluorooctanesulfonic-acid-pfos>

EPA's Notification of Consultation and Coordination on the Establishment of the IIJA, Section 40306 Underground Injection Control (UIC) Class VI Grant Program

Deadline: November 24, 2022

EPA is initiating consultation and coordination with federally recognized tribes to obtain input on the establishment of a new Underground Injection Control (UIC) Class VI grant program for states, territories, and tribes, as authorized by Section 40306(c) of the Infrastructure Investment and Jobs Act (IIJA) of 2021, also known as the Bipartisan Infrastructure Law (BIL). Specifically, the EPA is seeking your input on the attached questions listed in the consultation and coordination plan to help guide the implementation of the grant program.

Section 40306(c) of the IIJA authorizes \$50 million to be appropriated to EPA to award grants to states and tribes to defray expenses related to the establishment and operation of a Class VI UIC primary enforcement authority (primacy) program. Class VI UIC wells are used for geologic sequestration of Carbon Dioxide (CO₂), where CO₂ is injected into deep rock formations for long term storage. Pursuant to section 1422 of the Safe Drinking Water Act (SDWA), if a state, territory, or tribe meets the requirements, including the promulgation of regulations that meet the federal requirements, the state, territory, or tribe may be approved for UIC primacy.

The consultation and coordination period ends on November 24, 2022. At any point in the tribal consultation process, tribes may submit written comments via email to Dyroff.Colin@epa.gov, or via U.S. Mail to: U.S. Environmental Protection Agency, Office of Water, Office of Ground Water and Drinking Water, Mail Code: 4606M, 1200 Pennsylvania Ave. NW, Washington, DC 20460, Attention: EPA UIC Class VI Grant Program Tribal Consultation.

For more information: <https://tcots.epa.gov/ords/tcotspub/f?p=106:5::1571::::>

EPA's Proposed National Primary Drinking Water Regulation for Lead and Copper Rule Improvements

Deadline: December 9, 2022

EPA is initiating consultation and coordination with federally recognized Indian tribes to obtain feedback on the agency's forthcoming proposed rulemaking for the Lead and Copper Rule Improvements (LCRI). EPA is evaluating further revisions to the Lead and Copper Rule Revisions (LCRR), issued in January 2021, to improve the regulatory framework. The LCRI would impact owners and operators of public water systems (PWS) that must comply with the rule and government agencies that have primacy to enforce drinking water regulations in their jurisdiction.

The consultation and coordination period ends on December 9, 2022. EPA will be hosting an informational webinar for tribes on November 9, 2022 (2:00-4:00 PM ET). To register: <https://www.eventbrite.com/e/tribal-consultation-webinar-on-development-of-the-proposed-lcri-tickets-429948305957>

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EPA is also accepting written public comments submitted to LCRI@epa.gov or the public docket through December 9th. For docket submission, you can submit your comments, identified by Docket ID No. EPA-HQ-OW-2022-0801 at <https://www.regulations.gov>. For more information about the proposed rule, please visit: <https://www.epa.gov/ground-water-and-drinking-water/lead-and-copper-rule-improvements>

For more information: <https://tcots.epa.gov/ords/tcotspub/f?p=106:5::1577:::>

EPA's Notification of Continued Consultation and Coordination on Potential EPA Actions to Increase Tribal Capacity to Maintain and Expand Nonpoint Source Management Programs

Deadline: December 23, 2022

EPA is continuing consultation and coordination with federally recognized Indian Tribes to inform potential EPA actions the Clean Water Act (CWA) (§) 319 national Nonpoint Source (NPS) program could take to better support CWA §319-eligible Tribes in their efforts to manage NPS pollution.

As outlined in EPA's September 27, 2021, national policy memorandum, [*Near-term Actions to Support Environmental Justice in the Nonpoint Source Program*](#), in fiscal year (FY) 2022, EPA committed to engaging the national NPS community, including Tribal, state, and territorial CWA §319 grantees, in a dialogue on advancing equity and environmental justice in the national NPS program. Over the past year, EPA hosted a series of Tribal CWA §319 grantee equity listening sessions, then convened workgroups, which included EPA staff and Tribal volunteers, to develop suggestions for potential EPA CWA §319 program actions to help achieve equity goals. As part of this engagement effort, on March 29, 2022, EPA initiated consultation and coordination with Tribes to help identify potential CWA §319 program actions to address challenges facing Tribal NPS programs.

Based on input received over the last year, EPA released a second national policy memorandum on September 30, 2022, entitled [*Continued Actions in FY23 to Increase Equity and Environmental Justice in the Nonpoint Source Program*](#). This memo outlines a set of new actions in support of national NPS program equity goals, including EPA's intention to implement the FY23 President's Budget proposal to commit an additional \$7 million to the Tribal CWA §319 set-aside, contingent on a final appropriation from Congress.

As part of this continuing consultation and coordination process, EPA is now soliciting Tribal input on potential changes to the CWA §319 Tribal grant allocation formula. Specifically, EPA invites Tribal input on proposed alternative approaches in how the NPS program awards CWA §319 base grants to eligible Tribes.

The consultation and coordination period ends on December 23, 2022. EPA will hold two identical tribal informational webinar and listening sessions:

- November 1, 2022 (2:00-3:30 PM ET). To register: https://usepa.zoomgov.com/meeting/register/vJltde2sqD4uG_BUySsQa0rnnoXoBHM8Uk
- November 10, 2022 (3:00-4:30 PM ET). To register: <https://usepa.zoomgov.com/meeting/register/vJlsdeitrT4uHM3Hwlxvhfen6YqlqxykPIM>

At any point in the tribal consultation and coordination process, tribes may submit written comments by emailing comments to Steve Epting at tribal319grants@epa.gov, or submitting comments through an [electronic form](#).

Additionally, Tribal governments may request one-on-one consultation meetings with EPA. If you are interested in requesting consultation with EPA during the consultation and coordination period, please contact Steve Epting at tribal319grants@epa.gov.

For more information: <https://tcots.epa.gov/ords/tcotspub/f?p=106:5::1457:::>

Events and Webinars

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:

- Wastewater Collection Level 1: November 7-December 7, 2022
- Finance, Asset Management, & Water Loss: December 12-15, 2022

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

Grassland 2.0 Fall 2022 Digital Dialogue: Gathering Stories – Protecting Manoomin and Food Sovereignty Through Cultural Exchange

This session will discuss a unique research collaborative comprised of tribes, inter-tribal organizations, non-profit environmental organizations and the University of Minnesota who have come together to address tribal needs and sustain wild rice ecosystems.

- November 1, 2022 (12:00 PM CT) - To register: https://uwmadison.zoom.us/meeting/register/tJAoc-mrqj0iGdX4HrFM4UZ8a70uQ_nB0xnT

Clean-Up Information Training & Events

- November 4, 2022: Climate Change & Health – Untangling Complex Exposures and Health Effects
- November 8, 2022: Strategies for Preventing and Managing Harmful Cyanobacteria Blooms
- November 18, 2022: Climate Change & Health – Documenting Exposures and Promoting Health

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

National Association of Wetlands Managers Tribal Wetland Programs Webinars

- November 17, 2022: Protecting Waters and Wetlands in Indian Country – An Overview and Case Studies from EPA's New Tribal Wetland Program Guide
- December 8, 2022: A Path to Successful EPA Grant Applications for Your Tribal Wetland Program

To register: <https://www.nawm.org/nawm/nawm-webinarscalls/4840-epa-region-10-tribal-wetland-training-webinars>

EPA Water Research Webinar Series

- November 16, 2022: Real-time Risk Characterization Tool for Harmful Algal Bloom

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

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

- November 17, 2022: Collection and Lift Station Maintenance – Reducing the Risk for Sanitary Sewer Overflows

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



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

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