

**National Tribal Water Council and EPA Monthly Conference Call**  
**Wednesday, June 11, 2025**  
**2:30 – 3:30 P.M. ET**

**SUMMARY NOTES**

**I. Introductions** (Elaine Wilson, ITEP)

**NTWC:** Ken Norton (R9, Chair); Chauncey Means (R8, Vice Chair); Brian Patterson (R2); Andria Greene (R3); Rainee Tetreault (R4); Shaun Livermore (R4, At-Large); Debbie Dotson (R6); Kayla Vondracek (R7); Yolanda Barney (R9, Navajo Nation); Scott Hauser (R10, At-Large); Eric Morrison (R10); Mary Verner (R10)

**EPA:** Holly Galavotti, Jacob Adler; Danielle Anderson; Margot Buckelew, Daniel Consigli, Melissa Dreyfus, Steve Epting, Susan Holdsworth, Kaycie Lanpher, Sena McCrory, Kate Meyers, Gabriella Neusner, Julian Oliver, James Ray, Teagan Rostock, Amy Weber, Nizanna Bathersfield

**ITEP:** Elaine Wilson; Elaina Doral

**II. NTWC Updates** (Ken Norton, NTWC)

Chair Ken Norton provided an overview of the topics discussed during the previous NTWC-only call.

- CWA Section 401 Memo**

NTWC discussed the EPA's memo on the CWA Section 401 Certification and the forthcoming guidance and rulemaking. NTWC is preparing for the forthcoming consultation and invited Rick Eichstaedt, Policy Advisor to R10 RTOC, and Daniel Cordalis, Native American Rights Fund, for discussion.

- FY2026 EPA Budget**

NTWC discussed the proposed FY26 EPA budget and are concerned about essential core funding for tribal water programs.

- Spring Meeting Action Items**

NTWC members were provided with the action items list from the spring meeting.

- Fall Meeting**

NTWC is considering location options for the fall meeting.

**III. EPA Office of Water**

- CWA 303(d) and 319 Protection Learning Exchange** (Steve Epting and Margot Buckelew, Office of Wetlands, Oceans, and Watersheds)

EPA is hosting a CWA 303(d) and 319 Protection Learning Exchange on September 30-October 2, 2025, at the National Conservation Training Center in Shepherdstown, West Virginia. The training will include the EPA, states/territories, and tribal programs. There is an opening for five spots for tribal program staff. Topics include setting goals, data, outreach, and others.

Steve Epting requested assistance in identifying possible tribal program staff to attend the training. For more information, please contact Steve at [epting.steve@epa.gov](mailto:epting.steve@epa.gov).

**Questions/Comments**

Chair Ken Norton noted the increase in development of tribal programs over the past 25 years, which occurred through coordination efforts with the states and federal agencies. The proposed FY26 budget has put a dark cloud on these cooperative actions with the possibility of funding elimination. Tribes depend upon federal awards to protect water quality. If the funding goes away, the programs go away as well. Clean water is an economic driver.

Steve Epting noted that there is an opportunity during this training to bring in other stakeholders, such as the Environmental Law Institute. Please inform Steve if you have any ideas about other stakeholders.

Eric Morrison suggested looking at areas that may not protect resources and create tools for remediation or mitigation. Furthermore, the success and results of partnerships should be included.

Kayla Vondracek asked if the training includes the topic of tribal 319 development for those that are not there yet but would like to develop their own programs.

- **Overview of Marine Protection, Research and Sanctuaries Act (MPRSA) research permits and regional Tribal consultations** (Sena McCrory and Kaycie Lanpher, Office of Wetlands, Oceans, and Watersheds)

Kaycie Lanpher provided an overview of the tribal consultation opportunities for the Marine Protection, Research and Sanctuaries Act research permit applications.

The MPRSA prohibits or restricts disposition activities that adversely affect human health, welfare, amenities, the marine environment, ecological systems, or economic potentialities. The EPA may issue MPRSA permits for the transportation and disposition of material into ocean waters unless specifically excluded or exempt. There are multiple types of permits that the EPA issues under the MPRSA, including research permits. The EPA may issue an MPRSA research permit for the disposition of materials into the ocean as part of a research project when it is determined that the scientific merit of the activities outweigh the potential adverse environmental or other impacts that may result from the activities.

As part of the research permit application, a tribal consultation period is conducted after the EPA receives a complete permit application. Examples of tribal consultation were provided, such as the Woods Hole Oceanographic Institution's LOC-NESS Project located in EPA Region 1. There is a current opportunity for public comment for the [Carboniferous, Inc. Research Project](#) (Proposed Permit No. EPA-HQ-MPRSA-2025-001). The deadline to submit a comment is July 14, 2025.

For more information about MPRSA, please visit: [www.epa.gov/marine-protection-permitting](http://www.epa.gov/marine-protection-permitting).

#### **Questions/Comments**

Chair Ken Norton asked if an application is amended based on recommendations from other consultation partners, such as NOAA Fisheries. Kaycie Lanpher stated that applications may be adjusted or the permit conditions modified based on recommendations during the consultation process.

Chair Ken Norton inquired about the permit application if funding is reduced/eliminated. Is there administrative guidance if this happens? Kaycie Lanpher replied that this does not affect the permitting process.

**IV. Workgroup updates (if any)**

- **Hypoxia Task Force** – A new representative is needed.
- **National Water Quality Monitoring Council** (Nancy Schult, R5; and Rainee Tetreault, R4)
- **Water Quality Standards Management Association** (Yolanda Barney, R9 Navajo Nation)
- **Tribal PFAS Working Group** (Elaine Wilson, ITEP; Shaun Livermore, R5 At-Large; and Dan Kusnierz, R1)

**V. Consultation Opportunities/Announcements**

**VI. Closing** (Ken Norton, Chauncey Means, NTWC)

**VII. The NTWC's next monthly call is scheduled for July 9, 2025**

---

**Announcements:**

**CWA 401 Memo**

EPA issued a memorandum clarifying the specific and limited role that states and tribes play in the federal licensing and permitting processes under Clean Water Act (CWA) section 401. Through the memorandum, the agency is reiterating its longstanding position that states and Tribes must utilize section 401 only for its statutory purpose – to protect water quality. The memorandum clarifies that a state's or Tribe's evaluation is limited to considering negative impacts to water quality, and only such impacts that prevent compliance with applicable water quality requirements. This direction is consistent with all prior regulations and guidance documents for section 401 certification.

The memorandum also announces EPA's intent to issue a forthcoming Federal Register notice and docket to obtain public input on implementation challenges and regulatory uncertainty related to the 2023 rule's scope of certification. The agency will address such challenges and uncertainty through additional future guidance or rulemaking. **Link to the memo:** [https://www.epa.gov/system/files/documents/2025-05/clarification-re-application-of-cwa-401-certification\\_may-2025.pdf](https://www.epa.gov/system/files/documents/2025-05/clarification-re-application-of-cwa-401-certification_may-2025.pdf)

**EPA's Draft Biosolids Risk Assessment for PFOA & PFOS**

**Comments due August 14, 2025**

EPA extended the public comment period for the [Draft Sewage Sludge Risk Assessment for Perfluorooctanoic Acid \(PFOA\) and Perfluorooctane Sulfonic Acid \(PFOS\)](https://www.epa.gov/system/files/documents/2025-05/clarification-re-application-of-cwa-401-certification_may-2025.pdf) through April 16, 2025.

On January 14, 2025, the EPA [released a draft risk assessment](https://www.epa.gov/system/files/documents/2025-05/clarification-re-application-of-cwa-401-certification_may-2025.pdf), or scientific evaluation, of the potential human health risks associated with the presence of toxic PFAS in biosolids, also known as sewage sludge. The findings of the draft risk assessment show that there may be human health risks associated with exposure to the “forever chemicals” PFOA or PFOS with all three methods of using or disposing of sewage sludge – land application of biosolids, surface disposal in landfills, or incineration. Once finalized, the assessment will help the EPA and its partners understand the public health impact of forever chemicals in biosolids and inform any potential future actions to help reduce the risk of exposure. Learn more about the EPA's [Draft Sewage Sludge Risk Assessment for PFOA and PFOS](https://www.epa.gov/system/files/documents/2025-05/clarification-re-application-of-cwa-401-certification_may-2025.pdf) and other recent actions to address

PFAS in Biosolids.

**National NPS Training Workshop** will be held October 27 – 29, 2025 in Baton Rouge, LA. We are planning for robust Tribal sessions, workshops, and networking opportunities. Outreach for Tribal speakers and session participants over the summer.

**EPA – Pacific Northwest Tribal Clean Water Act Training**

**Who:** Tribal water quality and water resources staff

**When:** November 17-20, 2025

**Where:** Tulalip Resort Casino, 10200 Quil Ceda Blvd., Tulalip, WA 98271

The training will address Clean Water Act (CWA) programs including Section 106, Section 319, Section 303(d), water quality standards, and wetlands and will be useful to Tribes who work on these programs or are interested in pursuing Treatment in a similar manner as a State (TAS) status for one or more programs. The training workshop will be targeted to Tribes who conduct water quality monitoring, issue water quality certifications, and address water quality issues, nonpoint source pollution, and impaired waters/TMDLs. Tribal staff from across the country are invited, although there will be a focus on examples and applications for Tribes in the Pacific Northwest.

The training workshop is free to attend and registration is open!

<https://nawm.org/trainings/pacific-northwest-tribal-clean-water-act-training>