



## National Tribal Water Council & EPA Office of Water



## 2023 Fall In-Person Meeting

The National Tribal Water Council (NTWC) and EPA Office of Water conducted its 2023 fall in-person meeting on October 25-26, 2023. The two-day meeting was held in conjunction with the Tribal EPA & U.S. EPA Region 9 Annual Conference in Alpine, California. The NTWC meets in person biannually to discuss water issues important to tribes.

The first day of the meeting started with opening remarks from Ken Norton, NTWC Chair and Nikki Cooley, Co-Director of the Institute for Tribal Environmental Professionals. Thereafter, the meeting included a talking circle where NTWC members provided updates on their programs, tribal concerns within their region, and a discussion on amending the current NTWC bylaws. The NTWC welcomed new NTWC member Mary Verner, Snoqualmie Indian Tribe (Region 10), who attended virtually. The day also included presentations from the U.S. EPA on the Gulf Hypoxia Task Force and from the Viejas Band of Kumeyaay Indians on its water program projects and activities.

The second day started with NTWC members conducting a breakout session at the Region 9 conference. Ken Norton, NTWC Chair, Hoopa Valley Tribe; Nancy Schuldt, Fond du Lac Band of Lake Superior Chippewa (Region 5); and Scott Hauser, Upper Snake River Tribes Foundation (At-Large, Region 10) highlighted the impacts of current EPA rulemaking actions. Several proposed actions that were covered included the final rule to amend the 2023 revised definition of Waters of the United States, proposed tribal baseline water quality standards for Indian reservation waters, and proposed revisions to the federal water quality standards regulations to protect tribal reserved rights.

The second day continued with a discussion on water issues faced by Alaska Native Tribes. The U.S. EPA Office of Water discussed the recently finalized CWA Section 401 Water Quality Certification Improvement Rule. The day ended with an update from Shaun Livermore, Poarch Band of Creek Indians (At-Large, Region 4), on the Tribal PFAS Working Group. The



### CONTACT INFO:

Elaine H. Wilson  
NTWC Manager  
(480) 452-6774  
[Elaine.Wilson@nau.edu](mailto:Elaine.Wilson@nau.edu)

### NEWSLETTER

To subscribe or unsubscribe to this newsletter, please click [here](#) where you can manage your NTWC Listserv and other ITEP Listserv subscriptions.



### VISIT US AT:

<https://nau.edu/ntwc>

## NTWC & EPA: 2023 Fall In-Person Meeting *(continued)*

NTWC serves as a lead for this working group in collaboration with four other tribal partnership groups. To learn more about the Tribal PFAS Working Group, you may visit NTWC's website at <https://nau.edu/ntwc>.

The NTWC plans to hold its next in-person meeting in spring 2024 in Washington, D.C.

*Cover Photo (L to R): (Front) Eric Morrison, Elaine Wilson, Ken Norton, Shaun Livermore; (Back) Jaclyn McCasland, Chauncey Means, Ann Wyatt, Nancy Schuldt, Elaina Doral, Scott Hauser, Yolanda Barney*

## UPDATES & ANNOUNCEMENTS

### U.S. EPA Finalized Reporting and Recordkeeping Requirements for PFAS under the Toxic Substances Control Act

EPA has finalized the reporting and recordkeeping requirements for Per- and Polyfluoroalkyl Substances (PFAS) under the Toxic Substances Control Act (TSCA). In accordance with obligations under TSCA, EPA is requiring any person that manufactures (including import) or has manufactured (including imported) PFAS or PFAS-containing articles in any year since January 1, 2011, to electronically report information regarding PFAS uses, production volumes, disposal, exposures, and hazards.

The finalized rule will assist EPA to understand who is using PFAS, how they are being used, and in what quantities. This rule will produce actionable data that can be used by EPA, as well as state, local, and Tribal governments to craft policies and laws that protect people from dangerous “forever chemicals.”

For more information, please visit: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-section-8a7-reporting-and-recordkeeping>

### CWA Section 401 Water Quality Certification Improvement Rule

On September 14, 2023, the U.S. Environmental Protection Agency (EPA or the Agency) announced the final 2023 Clean Water Act Section 401 Water Quality Certification Improvement Rule (2023 Rule). The final rule is grounded in the fundamental authority granted by Congress to states, territories, and Tribes to protect water resources that are essential to healthy people and thriving communities over the past 50 years. The final rule will take effect on November 27, 2023.

Additional information on the final 2023 Rule may be found at: <https://www.epa.gov/cwa-401/final-2023-cwa-section-401-water-quality-certification-improvement-rule>

### ITEP Tribes and Climate Change Program is seeking Host Sites for the Summer 2024 Indigenous Climate Change Internship

**Deadline: December 1, 2023**

The Tribes and Climate Change program is recruiting for Summer 2024 Indigenous Climate Change Internship Host Sites. The program is looking to place at least eight (8) interns at host sites working on projects supporting climate change capacity and resilience.

Applications are due December 1, 2023. More information about host site requirements may be found at: <https://www7.nau.edu/itep/main/internships/>



## Membership Recruitment for Region 4 Representative

Applications Accepted until **December 31, 2023**

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 for one (1) open position.

### Region 4 Representative

This position is open to tribal water professionals employed by a federally recognized Tribe or tribally authorized organization from Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee).

### Member duties include, but not limited, to:

- Participating in monthly conference calls;
- Attending bi-annual meetings; and
- Creating and participating in crafting response documents to policy and/or rulemaking actions.

We are seeking individuals that are passionate and vocal about tribal water issues. Interested candidates must submit the following: application form, letter of interest, and professional resumé. Please refer to the Council's membership application information packet for additional details.

To express your interest or obtain more information, please contact Elaine Wilson at [elaine.wilson@nau.edu](mailto:elaine.wilson@nau.edu) or (480) 452-6774.



# Open House Webinar



**December 14th**

**1:00-3:00 PM (CT)**

Join us during this webinar to learn more about the Tribal PFAS Working Group and hear a presentation on *PFAS on Tribal Lands* by Dr. Kimberly Garrett.

The webinar will include a Q&A session.



**Featured Speaker**

Dr. Kimberly Garrett

PFAS Project Lab

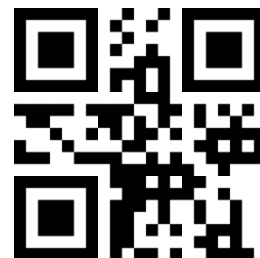
Northeastern University

**Click Here to Join:**

[https://nau.zoom.us/j/85349980391?  
pwd=RytoME1FNVEzTE84NVdCLzFHOEtWUT09](https://nau.zoom.us/j/85349980391?pwd=RytoME1FNVEzTE84NVdCLzFHOEtWUT09)

Zoom Meeting ID: 853 4998 0391

Password: TPWG2023



To learn more about the Tribal PFAS Working Group, please visit: <http://www7.nau.edu/itep/main/ntwc/Issues/PFAS>



## GRANT OPPORTUNITIES

### EPA's Funding Opportunity to Research for Understanding PFAS Uptake and Bioaccumulation in Plant and Animals in Agricultural, Rural, and Tribal Communities

**Deadline: December 6, 2023**

EPA, as part of its Science to Achieve Results (STAR) program, is seeking applicants for research to better understand per- and polyfluoroalkyl substances (PFAS) uptake in agricultural plants and animals and to help agricultural, rural, and Tribal communities mitigate and manage the impacts of PFAS exposure.

Due to their widespread use, most people in the United States have been exposed to some level of PFAS. Exposure to certain PFAS may lead to detrimental health impacts including reproductive effects, developmental effects, increased risks of cancers, weakening of the immune system, and endocrine system disruption. Agriculture and PFAS chemicals can intersect through soil, air, and water. Identifying, characterizing, and understanding PFAS uptake within agricultural environments will provide vital information related to exposure pathways and will help inform the development of scalable solutions. Research is essential to increase knowledge related to biological uptake in agricultural and rural settings, improve farm viability, and to explore approaches to understand PFAS accumulation in plants and animals.

The deadline to submit an application is December 6, 2023. For more information, please visit: <https://www.epa.gov/research-grants/research-understanding-pfas-uptake-and-bioaccumulation-plant-and-animals>

## TRIBAL CONSULTATION OPPORTUNITIES

### EPA's Supplemental Notice of Proposed Rulemaking to the Vessel Incident Discharge National Standards of Performance

**Deadline: December 18, 2023**

On October 18, 2023, the EPA published in the *Federal Register* a Supplemental Notice to EPA's 2020 Vessel Incidental Discharge National Standards of Performance proposed rule. The Supplemental Notice shares new ballast water information that EPA received from the U.S Coast Guard and discusses additional regulatory options for ballast tanks, hulls and associated niche areas, and graywater systems that EPA is considering for the final rule.

The deadline to submit comments is December 18, 2023. EPA is soliciting comments solely on the information presented in the Supplemental Notice. For more information and to view a copy of the proposed rule, please visit: <https://www.epa.gov/vessels-marinas-and-ports/commercial-vessel-discharge-standards>

### EPA's Proposed Issuance of the National Pollutant Discharge Elimination System (NPDES) Wildfire General Permit under the Clean Water Act

**Deadline: January 28, 2024**

EPA has initiated consultation and coordination with federally recognized Indian Tribes on the proposed issuance of the National Pollutant Discharge Elimination System (NPDES) Wildfire General Permit (WGP) under the Clean Water Act (CWA). EPA's WGP is a new NPDES general permit that will propose to cover discharges from certain Federal operators to waters of the U.S. from the aerial application of two categories of wildland fire chemicals, long-term fire retardants and water enhancers. The draft WGP will be proposed to have a five-year permit term and cover all areas where EPA is the NPDES permitting authority.

## Tribal Consultation Opportunities *(continued)*

EPA will be holding two identical informational webinars and listening sessions for tribal officials to have an opportunity to learn more about the draft WGP and EPA's plan for proposal and issuance of the permit, ask questions, and provide input.

- **Session #1:** November 15, 2023
- **Session #2:** December 5, 2023 (3:00 – 4:00 PM EST)
  - Microsoft Teams Webinar Link: [Click here to join the meeting](#)  
Meeting ID: 281 684 432 67; Passcode: rdAA86
  - Teleconference Number: 206-800-4483; Teleconference ID: 996 350 265#

The deadline to submit a comment is January 28, 2024. Consultation materials are available on EPA's Tribal Consultation Opportunities Tracking System (TCOTS) website located at: <https://tcots.epa.gov>.

## EVENTS & WEBINARS

### Inter Tribal Council of Arizona, Inc. – National Tribal Water & Wastewater Operator Training & Certification Program Certification Program

The Inter Tribal Council of Arizona, Inc. National Tribal Water and Wastewater Operator Training and Certification Program is providing online, in-person, and blended training.

Upcoming courses include, but are not limited to, the following:

- SDWA Federal Regulations: January 15-26, 2024 (Blended)
- Tribal Utility Management: January 31-February 16, 2024 (Blended)

To register or to view the 2023 training schedule, please visit: <https://itcaonline.com/programs/environmental-quality-programs/tws-tmap/tws-training-events/>

### Native American Fish & Wildlife Society Funding Opportunity Webinar Series

- November 21, 2023: Invasive Species Program
- December 6, 2023: Tribal Youth Initiative Program
- December 13, 2023: Fish Hatchery Maintenance and Conservation Law Enforcement Office Program
- December 18, 2023: Endangered Species Act Program
- January 10, 2024: Final Questions & Answers

To register: <https://www.nafws.org/events-training/>

### EPA Small Drinking Water Systems Webinar Series

- November 28, 2023: Risk, Crisis, and General Communication

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

### EPA Water Research Webinar Series

- November 29, 2023: An Introduction to EPA Enhanced Aquifer Recharge Research

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

## Events & Webinars *(continued)*

### EPA Water Utility Resilience Workshops and Webinars

- December 12, 2023: How to Prepare Your Utility for Disasters: A webinar for very small drinking water systems that serve under 3,301 people (Focus on fire and cybersecurity scenarios)

To register, please visit: <https://www.epa.gov/waterresiliencetraining/register-water-utility-resilience-workshops-and-webinars-now>

### National Association of Wetland Managers' Tribal Wetland Program Webinars

- March 4-7, 2024: Southwest Tribal Clean Water Act Training (In-person; Albuquerque, NM)

To register, please visit: <https://www.nawm.org/wetland-programs/tribal-wetland-programs/calendar-of-tribal-wetland-and-water-resource-training-events>

## NTWC MEMBERS

For more information on our members, visit [Meet the Council](#).

**Ken Norton**

*Hoopa Valley Tribe  
Region 9 (NTWC Chair)*  
[kenpnorton@gmail.com](mailto:kenpnorton@gmail.com)

**Daniel Kusnierz**

*Penobscot Indian Nation  
Region 1*  
[dan.kusnierz@penobscotnation.org](mailto:dan.kusnierz@penobscotnation.org)

**Brian Patterson**

*Oneida Nation  
Region 2*  
[bpatterson@oneida-nation.org](mailto:bpatterson@oneida-nation.org)

**Shaun Livermore**

*Poarch Band of Creek Indians  
Region 4 - At-Large*  
[slivermore@pci-nsn.gov](mailto:slivermore@pci-nsn.gov)

**Nancy Schuldt**

*Fond du Lac Band of Lake Superior  
Chippewa, Region 5*  
[nancyschuldt@fdlrez.com](mailto:nancyschuldt@fdlrez.com)

**Celeste Hockings**

*Lac du Flambeau Band of Lake Superior  
Chippewa Indians, Region 5 - At-Large*  
[chockings@ldftribe.com](mailto:chockings@ldftribe.com)

**Jaclyn McCasland**

*Delaware Nation  
Region 6*  
[jmccasland@delawarenation-nsn.gov](mailto:jmccasland@delawarenation-nsn.gov)

**Denise Jensen**

*Winnebago Tribe of Nebraska  
Region 7*  
[denise.jensen@winnebagotribe.com](mailto:denise.jensen@winnebagotribe.com)

**Chauncey Means**

*Confederated Salish and Kootenai Tribes  
Region 8*  
[chauncey.means@cskt.org](mailto:chauncey.means@cskt.org)

**Eric Morrison**

*Salamatof Tribe  
Region 10 - Alaska*  
[emorrison@salamatoftribe.org](mailto:emorrison@salamatoftribe.org)

**Ann Wyatt**

*Klawock Cooperative Association/Tribe  
Region 10 – Alaska*  
[annwyatt@klawocktribe.org](mailto:annwyatt@klawocktribe.org)

**Scott Hauser**

*Upper Snake River Tribes Foundation  
Region 10 - At-Large*  
[scott.hauser@usrf.org](mailto:scott.hauser@usrf.org)

**Mary Verner**

*Snoqualmie Tribe  
Region 10*  
[mary.verner@snoqualmietribe.us](mailto:mary.verner@snoqualmietribe.us)

**Yolanda Barney**

*Navajo Nation  
Region 9*  
[ybarney@navajo-nsn.gov](mailto:ybarney@navajo-nsn.gov)

**Region 4**

*Vacant*

To manage your ITEP/NTWC listserv subscriptions, go to [http://www7.nau.edu/itep/main/About/itep\\_Newsletters#ntwc](http://www7.nau.edu/itep/main/About/itep_Newsletters#ntwc)

©2023 Institute for Tribal Environmental Professionals at Northern Arizona University

email: [itep@nau.edu](mailto:itep@nau.edu)