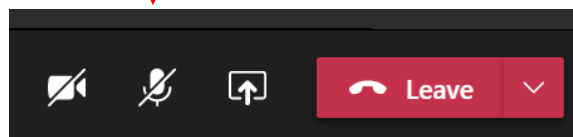




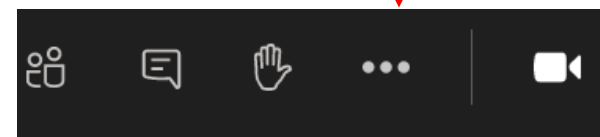
Welcome to the EPA Webinar

(Part of the Environmental Justice Webinar Series for Tribes and Indigenous Peoples)

Please mute yourself



Closed captioning available here



*** Please note – this webinar is being recorded.**



EPA Webinar for Tribes and Indigenous Peoples

EPA Tribal Partnership Groups,

Highlighting the National Tribal Air

Association

&

Environmental Justice

March 11, 2021



Speakers/Presenters

- Welcome & Introductions
 - **Danny Gogal**, Tribal and Indigenous Peoples Program Manager, Office of Environmental Justice, U.S. EPA
- EPA Tribal Partnership Groups – Overview
 - **Andy Byrne**, Senior Advisor, Policy & Partnerships Team, American Indian Environmental Office, U.S. EPA
- National Tribal Air Association – Origin and Operation & Interest in Environmental Justice
 - **Carol A. Kriebs**, NTAA Chairperson, Environmental Director for the Kootenai Tribe of Idaho
 - **Brandy Toft**, NTAA Vice Chair, Environmental Deputy Director, Leech Lake Band of Ojibwe
- Updates on EPA's Environmental Justice Program
 - **Danny Gogal**



EPA's Environmental Justice (EJ) Work with Federally Recognized Tribes and Indigenous Peoples

- Based on the [EPA Policy on Environmental Justice for Working with Federally Recognized Tribes and Indigenous Peoples](#) (issued in 2014)
- Work with federally recognized tribal governments on a **government-to-government basis**, as tribes pursue self-determination, and in fulfillment of federal trust responsibility.
- Work with all other indigenous peoples (state recognized tribes, non-recognized, tribal members, indigenous organizations, Native Hawaiians, Pacific Islanders, etc.) **as communities, organizations and individuals.**

A large, faint watermark of the EPA logo is centered in the background. It features a stylized flower with three leaves and a circular top, surrounded by the text "UNITED STATES ENVIRONMENTAL PROTECTION AGENCY" in a circular arrangement.

EPA Tribal Partnership Groups

Andy Byrne

EPA American Indian Environmental Office (AIEO)



An Abbreviated History of EPA's Tribal Program

- Awareness about protection of the environment increased dramatically in the 1960s
- This led to the establishment of the EPA in 1970 and major federal environmental legislation was created or updated
 - Clean Air Act (CAA)
 - Safe Drinking Water Act (SDWA)
 - Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
 - Federal Insecticide, Fungicide, and Rodenticide Act
 - Resource Conservation and Recovery Act (RCRA)
 - Clean Water Act (CWA)
 - Toxic Substances Control Act (TSCA)



An Abbreviated History - Continued

- In its formative years, EPA recognized two important principles that continue today:
 - State environmental programs generally do not extend into Indian country
 - EPA retains federal program responsibilities for Indian country
- EPA and Congress encouraged increased tribal governmental participation in federal environmental programs
- EPA's 1984 Indian Policy
 - Gov't to Gov't Relationship
 - Encourage and assist tribes in assuming regulatory program responsibilities
 - Basis for EPA's 2011 Consultation Policy
- Congressional amendments to major environmental statutes (CWA, CAA, SDWA) authorized EPA to treat tribes "as states" (TAS)



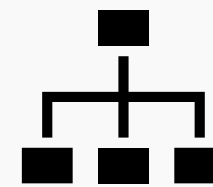
Formation of EPA's Modern Day Tribal Program

1994 – Administrator Carol Browner issued the 'Action Memorandum'

- Established the initial infrastructure for EPA's Tribal Program and EPA's engagement with Tribal Partnership Groups (TPGs)
 - Acknowledged the recent creation of the American Indian Environmental Office (AIEO) and the National Tribal Caucus (NTC)
 - Reorganized EPA's Program and Regional Offices – supported each office having their own Indian Coordinator within their office
- Emphasized continuing priorities:
 - Direct Implementation
 - Consultation



EPA Regions



Regional Tribal Operations Committee (RTOC)

EPA Tribal Partnership Groups



National Tribal Caucus

- First convened in 1994 – consists of 20 primary members selected among EPA's 10 regional offices
- National body of high-level tribal advisors focused on identifying and addressing tribal environmental issues of national scope, cross-agency, or cross-media
- Works with other EPA Tribal Partnership Groups to facilitate national discussions on tribal environmental priorities.
- Together with EPA Senior Leadership, forms the National Tribal Operations Committee (NTOC)
 - Joint EPA-Tribal group to discuss policy and resource matters related to tribal capacity building, environmental program development, and program implementation in Indian country



National Tribal Operations Committee





EPA Tribal Partnership Groups

- Apart from the NTC, most of EPA's program offices work with specialized Tribal Partnership Groups to advance programmatic policies for Indian country
- These groups were created after the NTC and have a unique mission, structure, and manner of interaction with EPA
- The groups share a desire to work cooperatively with EPA to improve environmental protection
 - One timely example is that the majority of tribal partnership groups have recently shared a priorities document with EPA that coincides with the new Administration coming into office
- Each EPA Regional office also works with a corresponding regional partnership group to better address region-specific environmental issues (Regional Tribal Operations Committees)



Tribal Partnership Groups

<https://www.epa.gov/tribal/tribal-partnership-groups>

- National Tribal Caucus
- National Tribal Water Council
- Tribal Waste and Response Steering Committee
- Tribal Science Council
- Tribal Exchange Network Group
- Tribal Pesticide Program Council
- National Tribal Toxics Council
- National Tribal Air Association



National Tribal Water Council

<http://www7.nau.edu/itep/main/ntwc/>

- Formed in 2006 to facilitate information sharing among EPA, tribes, and associated tribal communities and organizations on priority water issues.
- Increase communication and raise awareness for tribes to have greater input on actions to protect water quality and improve drinking water in tribal communities.
- To address PFAS, several members of the NTWC participate in an inter-partnership working group dedicated to PFAS.
- Provide comments on the development of EPA policy and programs (e.g. preparing comments on OLEM's interim PFAS disposal guidance).



Tribal Waste and Response Steering Committee

<http://www7.nau.edu/itep/main/Waste/>

- Formed in 2009 to maintain a cooperative exchange of information between American Indian Tribes and Alaska Native Villages, EPA, and other federal partners and organizations.
- Working to assess, understand, prevent, or mitigate environmental impacts that adversely affect health, culture, and natural resources.
- Cooperate with, and, where appropriate, coordinates with, other EPA Tribal Partnership Groups.
- Focus on developing and annual Priorities Document so tribal concerns and suggestions related to clean up, prevention and response programs are considered by OLEM staff.



Tribal Science Council

<https://www.epa.gov/healthresearch/tribal-science-council>

- Established 2001 to provide scientific support in Indian country.
- Tribal and Agency forum to collaborate on environmental science issues of mutual benefit
- Committed to developing sound scientific and cultural approaches to meet the needs of tribes.
- Working to develop science. in support of tribal sovereignty, to address climate change and incorporate local/traditional/indigenous knowledge into environmental and public health protection;
- Help gather and address key science needs in Indian Country; and facilitate information sharing on science issues and solutions.



Tribal Exchange Network Group

<http://www.tribalexchangenetwork.org/>

- Tribal Exchange Network Group (TXG) supports tribes' management, analysis, and sharing of environmental data, to use data to advocate for and preserve tribal lifeways, maintain cultural integrity, and enhance tribal members' sense of place.
 - Empower tribes to make informed environmental decisions;
 - Facilitate access to resources and tools for improving data management and exchange solutions; and
 - Communicate and collaborate with US EPA, EN, and EE partners to increase understanding unique tribal cultural values and environmental concerns.



Tribal Pesticide Program Council

<https://tppcwebsite.org/>

- The TPPC is a tribal technical resource and program and policy development dialogue group, focused on pesticides issues and concerns. The TPPC assists tribes in building tribal pesticide programs, providing pesticide education and training, and researching, developing and presenting a broad range of tribal pesticide-related issues and concerns.
- TPPC priorities include: Direct implementation; Risk assessment; Funding; Education and training; and Enforcement and compliance
- Examples of TPPC Documents: *Status of Pesticides in Indian Country Report*, Bed Bug Packet, Issue Papers



National Tribal Toxics Council

<https://tribaltoxics.org>

- The NTTC focuses on providing tribes with an opportunity for greater input on issues related to toxic chemicals and pollution prevention and gives tribes a forum for providing advice on the development of EPA's chemical management and pollution prevention programs that affect tribes. NTTC priorities include:
 - TSCA risk evaluations and management actions
 - Tribes as a potentially exposed or susceptible subpopulation
 - Inclusion of tribal lifeways
 - Working conceptual model of tribal exposures
 - Subsistence Aquatic Biota (Seafood) Consumption Literature Review
 - EPA's PFAS Action Plan
 - Tribal Lead Curriculum



NATIONAL TRIBAL AIR ASSOCIATION

Origin, Operation & Environmental Justice

March 11, 2021



NTAA Chairwoman
Carol Kriebs

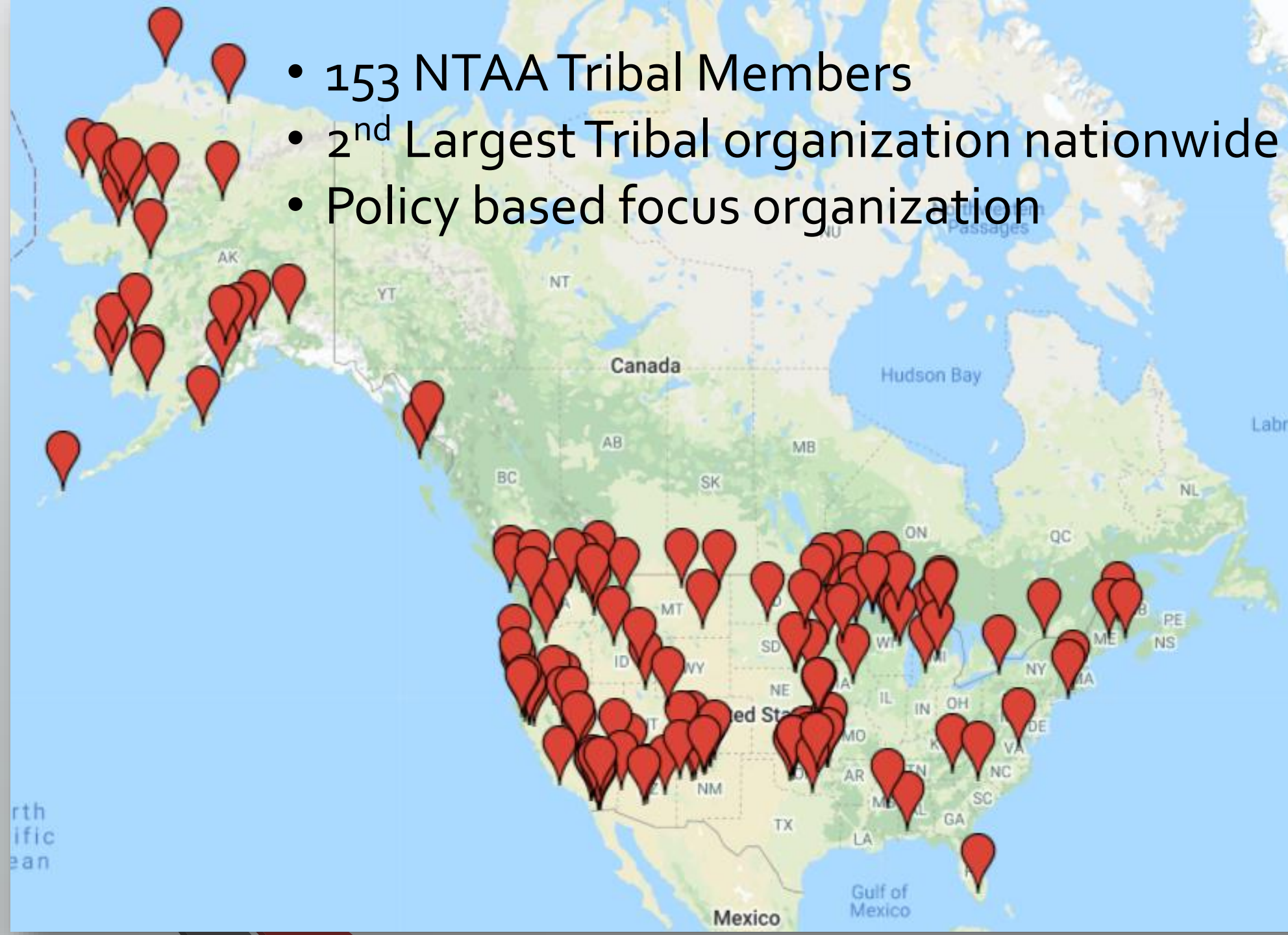


NTAA Vice-Chair
Brandy Toft

- 153 NTAA Tribal Members
- 2nd Largest Tribal organization nationwide
- Policy based focus organization



NTAA Chairwoman
Carol Kriebs



NTAA Governance and Administration



NTAA Chairwoman
Carol Kriebs



NTAA Executive Committee

NTAA Staff



Clean Air Excellence Award

The U.S. Environmental Protection Agency recognizes

National Tribal Air Association (NTAA)

and the NTAA Executive Committee, NTAA Policy Advisory Committee and Northern Arizona University's Institute for Tribal Environmental Professionals for outstanding, innovative efforts in improving air quality through state/tribal/local air quality policy innovations. This exceptional achievement demonstrates a true commitment to obtaining cleaner air and protecting the environment.

We wish you continued success in achieving environmental excellence.



*Andrew R. Wheeler
Administrator*



January 12, 2021

Date



NTAA Chairwoman
Carol Kriebs



Forming the Base



NTAA Vice-Chair Brandy Toft

- EPA's 1984 Indian Policy

<https://www.epa.gov/tribal/epa-policy-administration-environmental-programs-indian-reservations-1984-indian-policy>

- CAA 1990 Amendments

<https://www.epa.gov/clean-air-act-overview/clean-air-act-highlights-1990-amendments#:~:text=Specifically%20the%20amendments%20were%20designed,emissions%2C%20and%20stratospheric%20ozone%20depletion>

- Tribal Authority Rule

<https://www.epa.gov/tribal-air/tribal-authority-rule-tar-under-clean-air-act>

- 2011 Consultation policy

<https://www.epa.gov/tribal/forms/consultation-and-coordination-tribes>

- Tribes are Sovereigns



➡➡➡ Policy Resource Kits



NTAA Policy Resource Kits

The Policy Resource Kits (PRKs) linked below were crafted to alert NTAA Member Tribes and other Tribal Air Offices about important U.S. EPA & Federal Agencies' proposed rules, and provide tools for Tribes to use in submitting informed comments on U.S. EPA actions. PRKs include fact sheets, official NTAA comments, a Tribal template letter and other resources for Tribes to use in submitting their own comments.



NTAA Vice-Chair Brandy Toft

35 PRKs 2016-2020

- Greenhouse gases
 - Criteria pollutants
 - Toxics
 - Air quality permitting
 - Others
- Not all with EPA*

<https://www.ntaatribalair.org/policy-resource-kits/>

NTAA Recommendations for the Biden Administration



NTAA Chairwoman
Carol A. Kriebs

Recommendations from the 2020 STAR

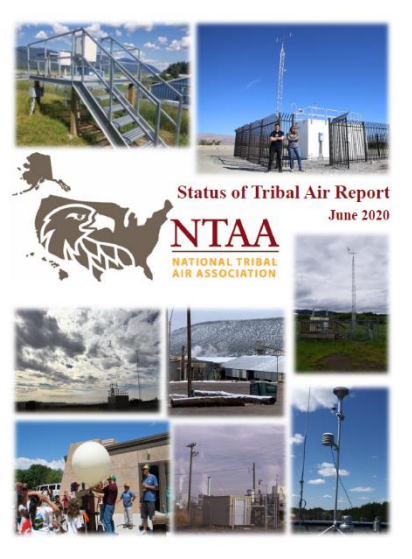
Recommendations to “RE”

Rescind Rules

Renew Funding

Reevaluate and re-define Air Quality Standards

Restore EPA’s voluntary Programs like IAQ and radon



NTAA's work on EJ



NTAA Vice-Chair Brandy
Toft

- Monthly calls open to all Tribes
- Membership open to all Tribes
- Established boiler plate language on EJ for NTAA use
- PRK on EPA's Draft EJ Strategic Plan FY 2018-2020
- PRK on HUD Draft EJ Strategy in 2018

NTAA's work on EJ



NTAA Vice-Chair Brandy
Toft

- EJ Screen
 - Engaged in development and relevance
- Ensure equitable funding access for Tribes
 - Diesel Emission Reduction Act (DERA)
 - Set aside and lower base
 - VW Settlement – Tribal set-aside
 - Successful! Replicate with other settlements

Everyday we work on EJ



The 2021 National Tribal Forum on Air Quality

**You are
invited!**

**VIRTUAL 2021 NATIONAL
TRIBAL FORUM ON AIR QUALITY**

MAY

17 - 21

**REGISTRATION LINKS
COMING SOON!**

**SAVE
THE
DATE**

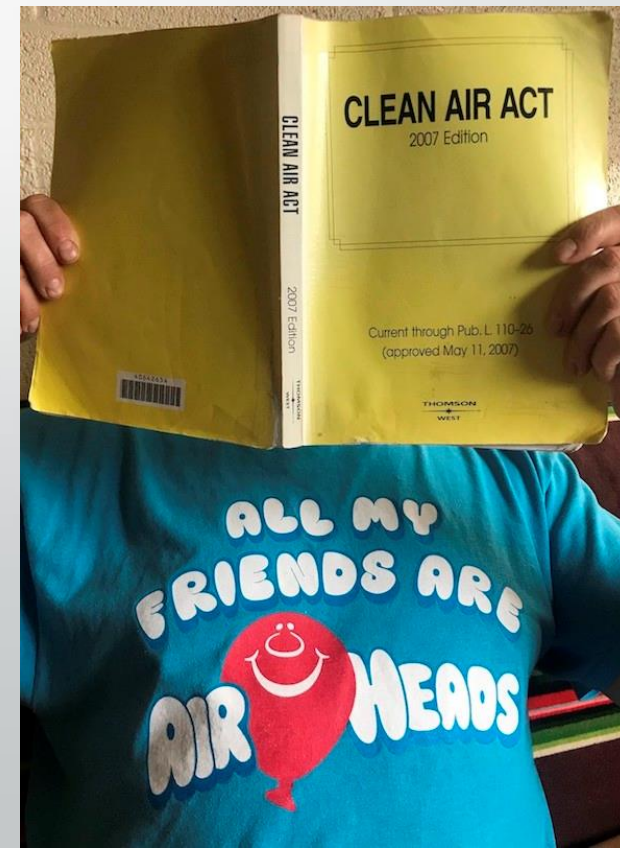
HOSTED BY NTA, TAMS, ITEP, AND THE MUSCOGEE CREEK NATION



To learn more about NTAA, visit

www.ntaatribalair.org

- **Keep track of NTAA's latest PRK and Weekly Updates**
- **Register for NTFAQ**
- **Download NTAA's mobile app**
- **Join NTAA's Work Group**
- **Become an Airhead!**





working for
environmental
justice

Environmental Justice at EPA

Working with Federally
Recognized Tribes and
Indigenous Peoples



EPA Definition for Environmental Justice

- Environmental justice is the **fair treatment** and **meaningful involvement** of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. This goal will be achieved when everyone enjoys:
 - The same degree of protection from environmental and health hazards, and
 - Equal access to the decision-making processes to have a healthy environment in which to live, learn, work, play and pray.

EPA Policy on Environmental Justice for
Working with Federally Recognized Tribes
and Indigenous Peoples



Tribal And Indigenous Peoples EJ Policy

- Provides consistency and clarity in EPA's work with Federally Recognized Tribes and all other Indigenous Peoples (issued in 2014)
- Four Focus Areas for EJ Integration
 - EPA's Direct Implementation of Programs, Policies and Activities
 - Technical Assistance on for Tribal Environmental Protection Programs
 - EPA's Engagement with Indigenous Peoples
 - Intergovernmental Coordination and Collaboration
- OEJ leads implementation, with program and regional staff leads – EJ Tribal and Indigenous Peoples Advisors (EJ TIPAs)
- Coordinating an EJ Webinar Series for Tribes and Indigenous Peoples



Key Principles in EPA Policy on Environmental Justice for Working with Federally Recognized Tribes and Indigenous Peoples

- Consult with federally recognized tribes and provide meaningful involvement opportunities for indigenous peoples, considering impacts of Agency actions (1)
- Respond to the EJ concerns of federally recognized tribes, indigenous peoples throughout the United States, and others living in Indian country (2)
- Recognize the right of the tribal governments to self-determination and acknowledges the federal government's trust responsibility to federally recognized tribes (8)



Key Principles in EPA Policy - Continued

- Provide advice and recommendations to federally recognized tribes, supporting integration of EJ principles (9)
- Assist tribes in building capacity to establish public participation, community involvement, education, and communication systems to engage public and conduct their own environmental justice analysis (10)
- The EPA seeks to maintain relationships with indigenous peoples and communities, and facilitate meaningful involvement and fair treatment on environmental justice issues (11 – 12)

National Environmental Justice Advisory Council (NEJAC)

Established 1993 - independent advice and recommendations to the EPA

Consists of 30 members, across the country representing various stakeholders.

Seeking nominations to fill seven (7) new vacancies:

- Academia (1 vacancy)
- Business and Industry (0 vacancy)
- Community-Based Organizations (2 vacancies)
- Non-Governmental Organizations (1 vacancy)
- **Tribal Governments and Indigenous Organizations (1 vacancy)**
- State and Local Government (2 vacancies)

The **deadline** to submit nominations is **March 24, 2021**.

<https://www.epa.gov/environmentaljustice/national-environmental-justice-advisory-council>

PROPOSED ADVICE AND RECOMMENDATIONS ON
IMPLEMENTATION OF THE EPA POLICY ON
ENVIRONMENTAL JUSTICE FOR
TRIBES AND INDIGENOUS PEOPLES



SEPTEMBER 2014

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL
A Federal Advisory Committee to the U.S. Environmental Protection Agency

EPA EJ Grants and Cooperative Agreements

Two Environmental Justice Funding Opportunities

- ❑ EJ Small Grants and EJ Collaborative Problem-Solving Cooperative Agreements

- ❑ Funding per project (Applications due by May 7, 2021):
 - \$50,000 per EJ Small Grant
 - \$150,000 per EJ Collaborative Problem-Solving CA

- ❑ Who's eligible:
 - Non-profits
 - US Territories
 - **Tribal Governments**
 - **Native American organizations**

- **Focus issues:** COVID-19 impacts, Climate/Disaster Resiliency, Ports Initiative projects, Non-profit applicants of 10 or fewer employees, New applicants and grantees

Presidential Executive Order 14008 - Tackling the Climate Crisis at Home and Abroad (2021)

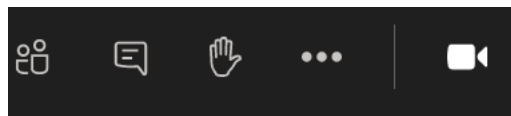
EO 14008, under Section 219, among other things, calls for agencies to:

- Make achieving EJ part of missions
 - develop programs, policies, and activities to address the disproportionately high and adverse human health, environmental, climate-related and other cumulative impacts on vulnerable and underserved communities, and accompanying economic challenges;
- Secure EJ and spur economic opportunity
 - Vulnerable communities have been historically marginalized and overburdened by pollution and underinvestment in housing, transportation, water and wastewater infrastructure, and health care;
- Consult with members of communities
 - historically underrepresented in the Federal Government and underserved by, or subject to discrimination in, Federal policies and programs.
- Increase coordination, communication, and engagement
 - partner with community-based organizations and civil rights organizations to advance EJ.



Questions and Answers

Please click on the “chat” box icon and type in your question(s).



We will also be taking questions from participants over the phone, as well as verbal questions from those on the webinar. Please raise your hand if you'd like to ask a questions.



Evaluation

- We welcome your input on this webinar.
- We will be sending you a few evaluation questions to help us identify ways to improve our webinars.
- Please respond to these questions by tomorrow.

Thank you

Contact Information - Presenters

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**Danny Gogal, Tribal and Indigenous
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