August 2022

News and Announcements

Biden-Harris Administration Launches EPA-USDA Partnership to Provide Wastewater Sanitation to Underserved Rural Communities

On August 2, 2022, EPA and U.S. Department of Agriculture (USDA) announced the Closing America’s Wastewater Access Gap Community Initiative. The new initiative will be piloted in 11 communities across the country where residents lack basic wastewater management that is essential to protecting their health and the environment. EPA, USDA, the states of Alabama, Kentucky, Mississippi, New Mexico, North Carolina, and West Virginia, and Tribes will jointly leverage technical assistance resources to help historically underserved communities identify and pursue federal funding opportunities – including from President Biden’s Bipartisan Infrastructure Law - to address their wastewater needs and eliminate harmful exposure to backyard sewage.

- Press Release

The Closing America’s Wastewater Access Gap Community Initiative will allow EPA and USDA—in close collaboration with these communities, our state and Tribal partners, and on-the-ground technical assistance providers—to leverage technical and financial expertise to make progress on addressing the wastewater infrastructure needs of some of America’s most underserved communities. Each community or Tribe will receive direct support to develop wastewater assessments with technical engineering support, design wastewater community solution plans, identify and pursue funding opportunities, and build long term capacity. States, Tribes, and water agencies have committed to working with the EPA and USDA to support these communities.

Click here for more information.

EPA Issues Guidance to Help Communities Locate Lead Pipes that Can Contaminate Drinking Water

On August 4, 2022, EPA released guidance for communities and water utilities to help identify lead pipes that connect drinking water service to homes and other buildings and to develop and maintain inventories of these service lines. This action marks a key milestone in implementing the Lead Pipe and Paint Action Plan and it will help water systems comply with the requirements of the Lead and Copper Rule Revisions (LCRR) that went into effect in December 2021. EPA is harmonizing regulatory requirements with unprecedented funding through the Bipartisan Infrastructure Law to make rapid progress on removing harmful lead from America’s drinking water. The LCRR requires water systems to prepare and maintain an inventory of service line materials by October 16, 2024. This new Guidance will assist water systems in developing and maintaining service line inventories and will provide states and tribes with needed information for oversight and reporting to EPA.

- Press Release

Specifically, EPA Lead Service Line Inventory guidance:

- Provides best practices for inventory development and communicating information to the public.
- Includes a template for water systems, states, and Tribes to use or adapt to create their own inventory.
- Contains case studies on developing, reviewing, and communicating about inventories.
- Highlights the importance of prioritizing inventory development in disadvantaged communities and where children live and play.
This Guidance will also provide water utilities with information to develop lead pipe replacement projects. The Bipartisan Infrastructure Law (BIL) provides $15 billion for lead service line replacement through the Drinking Water State Revolving Funds (DWSRF). BIL funding can be used for lead service line replacement projects and associated activities directly connected to the identification, planning, design, and replacement of lead service lines, including development of service line inventories themselves.

Click here for more information.

National Tribal Water Council Seeking Membership Application

The National Tribal Water Council (NTWC) is now accepting applications from tribal water professionals to fill an open membership position for an EPA Region 8 representative. The NTWC 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.

Member duties include but are not limited to:

- Participate in monthly conference calls
- Attend bi-annual meetings
- Participate in crafting response documents to policy and/or rule making actions

The Council is seeking individuals that are passionate and vocal about tribal water issues. Interested individuals must submit an application form, letter of interest, and professional résumé.

- Membership application and information packet

Region 8 Representative

This position is open to tribal water professionals employed by a federally recognized Tribe or tribally authorized organization from Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming).

- Application Deadline: August 31, 2022

For more information, please contact Elaine Wilson, Project Manager for the National Tribal Water Council, Institute for Tribal Environmental Professionals, Northern Arizona University, at elaine.wilson@nau.edu or (480) 452-6774.

Click here for more information.

Free Climate Change Risk Assessment Technical Assistance from EPA’s Creating Resilient Water Utilities Initiative

EPA’s Creating Resilient Water Utilities (CRWU) initiative provides water sector (drinking water, wastewater, and storm water) utilities and stakeholders with practical tools, training, and technical assistance needed to increase their resilience to climate change. CRWU assists by promoting a clear understanding of climate change and helps to identify potential long-term adaptation options for decision-making related to implementation and infrastructure financing.

Climate change poses significant challenges to water sector utilities in fulfilling their public and environmental health missions. Using their Resilient Strategies Guide (RSG) and Climate Resilience Evaluation and Awareness Tool (CREAT), water sector utility owners and operators can begin the process of assessing risk from these events. The CRWU team has provided climate change risk assessment technical assistance to 25 water sector utilities in Fiscal Year (FY) 22 and starting in October of 2022, plans to double those technical assistance efforts in FY 23. To see what other utilities have already done related to climate change risk assessment with CRWU visit the Case Studies Map.

Recognizing partner utilities’ significant time constraints, EPA provides a targeted and efficient technical assistance process with substantial facilitation support throughout. Utilities are typically asked to designate a lead staff member that spends around 35 to 40 hours to
serve as a point-of-contact, participate in webinars and host an in-person site visit. Other staff and experts (such as hydrology modelers, engineers, and treatment plant managers) may spend 5 to 15 hours collecting data and providing feedback on meeting notes and the final report. The total process takes 2 to 4 months, depending on the tools used (RSG or CREAT), frequency of meetings and availability of utility staff and local partners. To see what CRWU has done with other water sector utilities across the Nation visit CRWU’s Case Studies Map.

For questions or to identify a water sector utility interested in participating in this process, please contact Curt Baranowski (baranowski.curt@epa.gov) by Friday, September 9, 2022.

Click here for more information.

Tribal Source Water Protection Projects Webpage Launched

In an effort to increase tribal participation and resources to the EPA website, the Source Water Protection (SWP) program added a Tribal Source Water Protection Projects webpage to EPA’s Source Water Protection website. While the current EPA SWP website currently has tribal documents and resources, case examples have been added to the website of ways tribes have creatively completed projects with source water protection components to those projects. The Tribal examples discuss the leveraging of the Tribal 106 Grant Program and Tribal 319 Grant program, and State programs for SWP. Future additional stories may showcase other funding programs at EPA from other regions as well.

Click here for more information.

Public Engagement Opportunities

Notice of Availability: Draft “Guidance for Vessel Sewage No-Discharge Zone Applications (Clean Water Act Section 312(f))"

On June 27, 2022, EPA published a Notice of Availability in the Federal Register for the draft “Guidance for Vessel Sewage No-Discharge Zone Applications (Clean Water Act Section 312(f))” and opened a 60-day public comment period. Under CWA section 312(f), only states are authorized to apply for vessel sewage no-discharge zones for some or all of a state’s waters. However, EPA is notifying tribes of this public comment period since states may apply for no-discharge zones in waters that may affect tribal vessel operations and activities.

- Notice of Availability and comment submission details

This draft guidance updates existing program guidance from 1994 (“Protecting Coastal Waters from Vessel and Marina Discharges: A Guide for State and Local Officials, Volume 1. Establishing No-Discharge Areas under § 312 of the Clean Water Act” (EPA 842-B-94-004, August 1994)) and will supersede the 1994 guidance once finalized. Through these updates, EPA seeks to improve the application process for states by reducing the length of the guidance, improving the clarity of the application information requirements, and providing greater transparency to states on EPA’s process for evaluating state applications. EPA has also developed a proposed methodology for considering cost during EPA’s application review and seeks to obtain public input on the approach. The updates also address critical information gaps and shortcomings identified since the 1994 guidance was issued. These updates are intended to help make the vessel sewage no-discharge zone application process easier for states that are interested in protecting waterbodies from the harmful impacts of vessel sewage discharges.

This draft guidance document does not address no-discharge zone programs under CWA section 312(n) (the Uniform National Discharge Standards) or CWA section 312(p) (the Vessel Incidental Discharge Act). These two programs address non-sewage discharges incidental to the normal operation of vessels of the Armed Forces and commercial vessels, respectively.

Comment Deadline: August 26, 2022

For any questions, please contact Kelsey Watts-FitzGerald at (202) 566-0232 or watts-fitgerald.kelsey@epa.gov.

Click here for more information.

Funding Opportunities
Tribal Wetland Program Development Grant Request for Applications

EPA is soliciting applications from eligible applicants to develop or refine tribal wetland programs as described in Section I, Funding Opportunity Description. These tribal Wetland Program Development Grants (WPDGs) assist tribal government agencies and intertribal entities in developing or refining tribal programs which protect, manage, and restore wetlands. The primary focus of these grants is to develop/refine tribal wetland programs.

- Fiscal Year 2022 Tribal Wetland Program Development Grants Request for Applications (RFA) on Grants.gov

Tribes and intertribal consortia are eligible to apply under this announcement. Non-profit organizations, states, and interstate organizations are not eligible to compete under this RFA.

Under this announcement, as is more fully explained in Section I, there will be two separate applicant tracks for eligible applicants. Eligible tribes can submit proposals under either Track One or Track Two, while eligible intertribal consortia can only submit proposals under Track Two. Applicants under each track will only compete for awards against other applicants in their track. See Section V of the announcement for further information. EPA has discretion to contact the applicant if necessary to discuss the most appropriate track for their proposal.

This RFA, following EPA policy, is soliciting applications and not proposals. Please check Section IV of the announcement for all forms that will now be required at time of application submission before RFA closing date.

The total amount of federal funding available under this announcement is for approximately $3,600,000 expected depending on Agency funding levels, which may vary from year to year, and other applicable considerations. The EPA anticipates awarding approximately $2,600,000 in federal funds under Track One and approximately $1,000,000 in federal funds under Track Two. Awards will likely range from $25,000 to $250,000 in federal funds. All applicants must describe in their proposal how they will contribute the required minimum cost share/matching funds (see Section III.B of the announcement for information on the non-federal cost share/match requirement).

It is anticipated that the assistance agreements awarded under this announcement will have one to four year project periods generally starting after January 2023. The project period for assistance agreements under this announcement may be no more than four years.

Application Deadline: October 7, 2022

For questions, please contact Myra Price at price.myra@epa.gov or WPDG-RFA@epa.gov.

Click here for more information.

EPA Announces Initial Availability of $11 Million for Technical Assistance Centers to Support Underserved Communities

On August 5, 2022, EPA announced the availability of $11 million in initial grant funding to establish Environmental Justice (EJ) Thriving Community Technical Assistance Centers across the nation. The EPA funding is available under the first year of a partnership with the Department of Energy, with future phases of up to 10 multi-year awards for a maximum potential program value of $50 million.

- 2022 EJ Thriving Communities Technical Assistance Centers RFA on Grants.gov
- Press Release

The Environmental Justice Thriving Communities Technical Assistance Centers (EJ TCTAC) Program provides grant funding to eligible applicants to establish technical assistance centers across the nation providing technical assistance, training, and related support to communities with environmental justice concerns and their partners. The new technical assistance centers will provide training, assistance, and capacity building on writing grant proposals, navigating federal systems such as Grants.gov and SAM.gov, and effectively managing grant funding. These centers will also provide guidance on community engagement, meeting facilitation, and translation and interpretation services for limited English-speaking participants.

The EJ TCTAC program will coordinate with and complement the Department of Transportation’s Thriving Communities Initiative that is providing technical assistance and capacity building resources to improve and foster thriving communities through transportation improvements. EPA and the Department of Energy (DOE) are partnering on this initial rollout of the program.

If your organization is NOT eligible to apply directly to be a Thriving Communities technical assistance center, we encourage partnering with an eligible entity. See the RFA for more information. Eligible
Minority Universities Native (HSIs), WIFIA entities include:

- Public and private universities and colleges
- Public and private nonprofit institutions/organizations (includes institutions of higher education such as community colleges, and philanthropic organizations),
- Intertribal Consortia - a coalition between two or more Indian tribal governments authorized by the governing bodies of those tribes to apply for and receive assistance and participate in self-governance

EPA strongly encourages all eligible applicants listed above to apply under this opportunity, including Minority Serving Institutions (MSIs), such as Tribal Colleges and Universities (TCUs), Asian American and Native American Pacific Islander-Serving Institutions (AANAPISIs), Historically Black Colleges and Universities (HBCUs), Predominately Black Institutions (PBIs), and Hispanic-Serving Institutions (HSIs), as well as university business schools and business programs.

Application Deadline: October 4, 2022

Click here for more information.

EPA Announces Notice of Funding Opportunity Released for WIFIA and SWIFIA

On June 13, EPA announced the 2022 notices of funding availability for the agency's Water Infrastructure Finance and Innovation (WIFIA) program and the State infrastructure financing authority (SWIFIA) program. This year’s funding will provide up to $6.5 billion in total funding to support $13 billion in water infrastructure.

- FY 2022 Notice of Funding Availability
- Press release

To make WIFIA funding more adaptive to ongoing community needs, EPA is changing the way it accepts letters of interest from prospective borrowers. Prospective borrowers seeking WIFIA and SWIFIA credit assistance may submit letters of interest on a rolling basis starting September 6, 2022 until all funds are expended.

The WIFIA program has updated materials available including:

- 2022 WIFIA letter of interest form, letter of interest checklist, sample letter of interest, and sample financial pro forma
- 2022 SWIFIA application materials
- WIFIA program handbook

Letters of Interest Submission Start Date: September 6, 2022

Click here for more information.

Training, Tools, Workshops, and Webinars

19th Annual EPA Drinking Water Workshop: Small System Challenges and Solutions

EPA’s free annual drinking water workshop, held in partnership with ASDWA, will take place in person on August 29 - September 1, 2022 and will provide in depth information and training on solutions and strategies for handling small drinking water system challenges. The workshop will begin on Monday evening with networking opportunities and will end on Thursday afternoon with in depth training sessions. Several of the sessions will be offered via live broadcast webinar for those unable to attend in person.

- Workshop Agenda

Primarily designed for tribal, state, and territory personnel responsible for drinking water...
The workshop will provide current information, resources, and training needed to help in building systems capacity and sustainability and with providing equitable access to drinking water. System owners and operators, local and government personnel, academics, design engineers, technical assistance providers, and consultants may also benefit from attending workshop sessions.

- **In-Person Registration**
- **Virtual Registration**
- **When:** August 29, 2022  September 1, 2022
  - August 29, 5:00 pm EDT
  - August 30, 8:30 am  5:00 pm EDT
  - August 31, 8:30 am  5:30 pm EDT
  - September 1, 8:00 am  12:00 pm EDT

[Click here for more information.](#)

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**Creating the Water Workforce of the Future: Webinar Series**

This webinar is part of an ongoing webinar series, [Water Sector Workforce Webinars](#), hosted by EPA, in partnership with leading water sector organizations around the country.

**The Role of Academic Institutions**

Building a “pipeline” of people that are eager to join the water workforce is a critically important goal for creating the water workforce of the future. Academic institutions are key partners in achieving this goal.

Please join this webinar to hear from two institutions that are playing an important role. East Central University will discuss a new K-12 STEM-based program called Educational Program on Awareness, Sustainability, and Service for Water/Wastewater (EdPASS H2O) to educate and prepare students for apprenticeships and jobs in utilities. Grand Rapids Community College will describe a community-based program to educate and prepare students from disadvantaged communities for utility jobs in western Michigan.

**When:** Aug 24, 2022; 1:00-2:30 PM ET

[Click to Register.](#)

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**Integrated Approaches in Community Nonpoint Source Nutrient Management**

EPA's Office of Research and Development hosts its [Water Research Webinar Series](#) to share current research activities and results. Through innovative science and engineering, EPA's researchers are developing cost-effective, sustainable solutions to 21st century complex water issues. The scientific results and innovative technologies developed support EPA’s mandate to protect the chemical, physical, and biological integrity of our Nation’s water resources, and to ensure safe drinking water and water systems.

**When:** Aug 24, 2022; 2:00 PM ET

[Click to Register.](#)

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**Save the Date: 2022 Tribal Exchange Network Conference**

The [2022 Tribal Exchange Network Conference](#) aims to expand tribal capacity for environmental data sharing, management, and analysis through informational, interactive sessions that offer:
Tribal Consultation Opportunities

Infrastructure Investment and Jobs Act -- Gulf Hypoxia Program Guidance for Tribal Cooperative Agreements

EPA has initiated consultation and coordination with federally recognized Indian Tribes that have Indian country lands located in the Mississippi and Atchafalaya River Basin (MARB) portions of the 12 Mississippi River/Gulf of Mexico Watershed Nutrient Task Force (Hypoxia Task Force or HTF) states, and that currently receive funding from EPA. This consultation will inform EPA’s development of grant guidance for the newly funded Gulf Hypoxia Program (GHP).

- Infrastructure Investment & Jobs Act Gulf Hypoxia Program Guidance for Tribal Cooperative Agreements (TCOTS)

On November 15, 2021, President Biden signed the Infrastructure Investment and Jobs Act of 2021 (IIJA, P.L. 117-58), also known as the Bipartisan Infrastructure Law (BIL). The BIL’s investment in clean water is nothing short of transformational. It includes approximately $50 billion to EPA, the single largest investment in clean water that the federal government has ever made. Through the BIL, EPA is for the first time able to invest significant resources through the new GHP to implement critically needed strategies to improve water quality in the MARB and reduce the low oxygen (hypoxic), or “dead,” zone in the northern Gulf. As part of the GHP, EPA intends to provide $6 million to eligible Tribes to help them build capacity for and demonstrate nutrient reduction actions that support the HTF’s Gulf Hypoxia Action Plan.

Tribal webinar opportunities
EPA held an Informational Webinar and Listening Sessions for Tribal Officials on August 16, 2022 and will host an identical session:
- August 30, 2022; 2:00 PM ET - Register

Consultation Deadline: September 15, 2022

For any questions, please contact Catherine Brady (Office of Wetlands, Oceans, and Watersheds), by email at brady.catherine@epa.gov or phone at (202) 566-2424.

Notification of Continued Consultation and Coordination on the Draft Clean Water Act Section 106 Tribal Grant Guidance (EXTENDED)

EPA is continuing consultation and coordination with federally recognized Indian Tribes on revisions to the Clean Water Act Section 106 Tribal Grants Guidance (Section 106 Tribal Guidance), formerly the Final Guidance on Awards of Grants to Indian Tribes under Section 106 of the Clean Water Act - 2007 and Beyond.

On January 13, 2021, EPA initiated consultation and coordination with Tribes to seek input on recommended changes to the 2007 Section 106 Tribal Guidance. EPA then established a Section 106 Tribal Guidance Revision workgroup, made up of EPA staff and 24 tribal volunteers, to assist in the revisions to the 2007 Guidance. The Section 106 Tribal Guidance Revision workgroup developed draft text based on the initial EPA recommendations and tribal feedback provided through the consultation
EPA is pleased to present for review and comment the draft revised Section 106 Tribal Guidance. The guidance, once finalized, will replace the 2007 Guidance.

- **Recommendations for Revising the Final Guidance Grant Awards to Tribes under CWA Section 106 (TCOTS)**

The comment period for the draft guidance has been extended an additional 60-days to ensure that our tribal partners have the opportunity to provide substantial and meaningful input on the revised guidance. Tribes have three options for submitting written comments on the draft guidance by the deadline:

- Provide comments using [Electronic Response Form](mailto:Draft_Section_106_Tribal_Guidance@epa.gov)
- Email comments to: Draft_Section_106_Tribal_Guidance@epa.gov
- Send comments by mail to the following address:
  - CWA Section 106 Tribal Program
  - U.S. EPA
  - 1200 Pennsylvania Ave, NW (MC 4201M)
  - Washington, DC 20460

For any questions, please contact our official EPA representative for this consultation and coordination process, Robyn Delehanty, via email at delehanty.robyn@epa.gov or by phone at (202) 564-3880.

**Consultation Deadline (EXTENDED): October 14, 2022**

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**All EPA tribal consultation materials including letters and consultation plans are available on EPA’s Tribal Consultation Opportunities Tracking System (TCOTS). To search information on an action click here.**

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**ABOUT**

The National Tribal Water Program Updates is a monthly e-newsletter created to provide time-sensitive information and important engagement opportunities and activities of interest for tribes related to the Safe Drinking Water Act and Clean Water Act. Included information may pertain to: tribal consultations, funding announcements, training opportunities, future meetings and conferences, and recent news and announcements from the Agency.

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