

EPA's American Indian Environmental Office

EPA AIEO's Releases Revised Guidance

Last month AIEO released revised guidance: [EPA Policy on Consultation with Indian Tribes](#) and the companion [Guidance for Discussing Tribal Treaty or Similar Rights](#). EPA has long been at the forefront of developing policy that ensures consideration of Tribal interests in making agency policy and managing environmental programs affecting Indian country. In 2011, EPA was among the first federal agencies to issue a Tribal consultation policy and has since conducted more than 900 Tribal consultations. In 2016, EPA developed the *Guidance for Discussing Tribal Treaty Rights*, the first of its kind for any federal agency. Successful implementation of EPA's Consultation Policy is a top priority for the Agency.

The finalized policy and guidance reflect valuable input from Tribal officials and Tribal partnership groups. EPA's revisions also include standards developed by the White House and interagency workgroups to promote uniformity in the way the federal government conducts consultation with federally recognized Tribal governments. Key revisions include:

- ⇒ Guiding principles addressing the consideration of Indigenous Knowledge and information regarding sacred sites;
- ⇒ Additional specificity on consultation timing, notification, coordination, participants, and follow-up;
- ⇒ A section titled "Consultation Process Review" providing a means to resolve Tribal concerns of the sufficiency, timing, and agency compliance with consultation policy requirements; and
- ⇒ Expanded scope of the *Guidance for Discussing Tribal Treaty Rights* to include additional instruments of federal law and to apply to national EPA actions.

On Monday, January 29 at 2pm ET, EPA will hold a webinar for Tribes providing an overview of the newly revised guidances. Register for the webinar at: <https://events.gcc.teams.microsoft.com/event/817bc9b9-b5dd-4e1f-ac4a-0b4e71e504fd@88b378b3-6748-4867-acf9-76aacbeca6a7>



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2023 White House Tribal Nations Summit

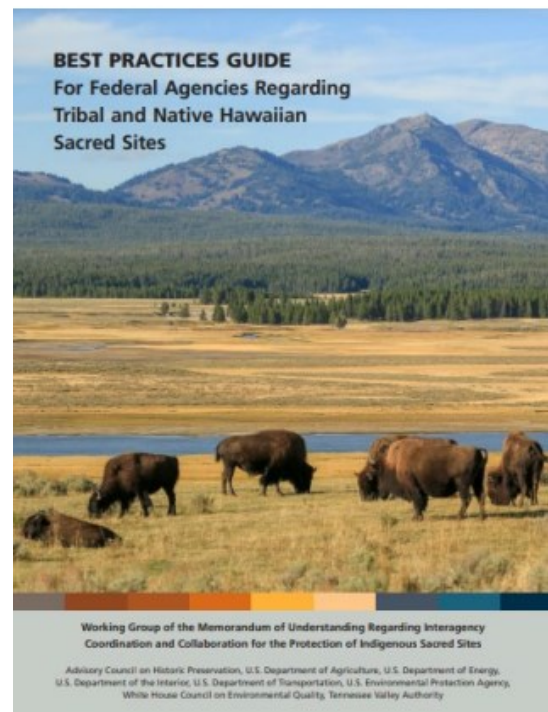
The White House Tribal Nations Summit (Summit) took place at the U.S. Department of Interior in Washington, DC on Wednesday, December 6 and Thursday, December 7, 2023. Each federally recognized Tribe was invited to send one representative to the Summit, and hundreds of organization partners, Native youth, and Tribal leaders attended.

This year's Summit brought Tribal leaders and top Administration officials together to discuss some of the important issues facing Tribal communities, which included protecting Tribal homelands in an era of climate change, and Indigenous foods. EPA Deputy Administrator Janet McCabe participated in a panel titled "Federal Processes for Conservation and Habitat Protection" with White House Senior Advisor John Podesta, other agency officials, and a Tribal Chairman. Deputy Administrator McCabe spoke about a variety of issues, including the Alaska Native Claims Settlement Act Contaminated Lands Initiative, as well as a mobile app pilot program in Navajo Nation to address contaminated disposal issues.

At the Summit, President Biden focused on several topics, including: an online "[Access to Capital Clearing-house](#)" that will serve as a searchable repository for an up-to-date list of all federal funding opportunities available to Tribal Nations and Native businesses; the release of the Sacred Sites "[Best Practices Guide for Federal Agencies Regarding Tribal and Native Hawaiian Sacred Sites](#)," which provides best practices, procedures and guidance for the management, treatment and protection of sacred sites; and a new [Executive Order](#) to reform the federal funding system for Tribes, entitled Reforming Federal Funding and Support for Tribal Nations to Better Embrace Our Trust Responsibilities and Promote the Next Era of Tribal Self-Determination (fact sheet [here](#)).



Six people across a stage at the White House Tribal Nations Summit in Tribal ceremonial dress.



The cover of the Sacred Sites Best Practices Guide with buffalo grazing on grass in plains setting.

CLIMATE CORNER: AIEO WORKING WITH THE ENVIRONMENTAL PROTECTION NETWORK

About a year ago, the [Environmental Protection Network](#) (EPN) and the American Indian Environmental Office (AIEO) signed an Memorandum of Understanding and began working closely together to deliver free technical assistance to Tribes based on Tribally identified climate related needs. EPN is an organization with a network of over 600 former EPA employees who volunteer their time to provide technical assistance to communities disproportionately impacted by environmental and health issues. The partnership has been very successful because AIEO hears directly from Tribes about capacity assistance needs related to climate change and EPN has a wealth of knowledge, connections, and expertise to address those needs. EPN also have a robust pro bono [Capacity-Building Technical Assistance Program](#), which any Tribe can utilize at any time.

Throughout the partnership, AIEO & EPN have collaborated on webinars, EPN has attended many Tribal conferences and RTOCs to speak directly to Tribes and build relationships, and now we're focused on interactive workshops. Our last workshop in December focused on [Climate Pollution Reduction Grants assistance](#) and was attended by over 30 Tribes. We will be hosting another workshop later in the winter on a climate related topic.

Through our joint efforts, EPN is now working directly with over 20 Tribes on their unique climate and environmental needs. The bulk of this assistance is currently focused on grants, from application reviews to implementation assistance. In addition to working with AIEO, EPN will be involved with the [Environmental Justice Thriving Communities Technical Assistance Centers](#) (EJ TCTACs) recently selected by EPA and the Department of Energy . This will be an excellent opportunity to apply the experience they've gained from working with AIEO to a broader audience with the EJ TCTACs.



Salmon in a backcountry stream, Katmai Preserve by National Park Service employee Russ Taylor

ACTIVE TRIBAL CONSULTATIONS

EPA is initiating consultation and coordination with federally recognized Indian Tribes on the proposal to amend the *Standards of Performance for New Stationary Sources and Emission Guidelines (EG) for Large Municipal Waste Combustors (LMWCs)*, pursuant to *Clean Air Act (CAA) section 129*. The EPA is proposing amendments that would apply to units that have the capacity to combust greater than 250 tons per day of municipal solid waste.

The EPA re-evaluated emission standards that apply to LMWCs for all nine pollutants regulated under CAA section 129. In this action, the EPA is proposing revisions to all emission limits for new sources and to almost all emission limits for existing sources. The EPA is also proposing to (1) remove exemptions and exclusions for startup, shutdown, and malfunctions, (2) add provisions for electronic reporting of certain notifications and reports, (3) revise recordkeeping requirements, (4) clarify title V permitting requirements for certain air curtain incinerators, (5) close a 2007 reconsideration action, and (6) provide other technical edits, clarifications, and revisions intended to improve the understanding of the rule and improve consistency with other incineration rules. For more information about this proposed action, please see the EPA rulemaking website: <https://www.epa.gov/stationarysources-air-pollution/large-municipal-waste-combustors-lmwc-new-source-performance>.

EPA's consultation and coordination period is open now through February 26, 2024. Contact [Amanda Kaufman](mailto:kaufman.amanda@epa.gov) at 919-541-2388 or email at kaufman.amanda@epa.gov if you have any questions about this action.

Learn more about this consultation and other active tribal consultations at <https://tcots.epa.gov/ords/tcotspub/f?p=106:1>



Funding Opportunities

Brownfields Solicitation for FY 2024 Technical Assistance to Existing and Potential Brownfields RLF Grant Recipients (EPA-I-OLEM-OBLR-24-01)

The purpose of this funding opportunity is to provide EPA Brownfield Revolving Loan Fund-specific technical assistance that focuses on the unique complexities of EPA Brownfield Revolving Loan Fund Grants with the goal of increasing the capacity of EPA-funded Brownfield Revolving Loan Fund Programs nationwide. This funding opportunity is intended to 1) help communities that have not previously engaged in brownfields projects to gain an understanding of requirements for managing a successful EPA Brownfield Revolving Loan Fund Program, and 2) build capacity for existing EPA Brownfield Revolving Loan Fund grant recipients, so that they can better manage their Revolving Loan Fund programs.

For this solicitation, EPA anticipates awarding a single cooperative agreement for up to \$3,000,000 with a five-year period of performance. The application deadline is March 1, 2024 at 11:59 PM ET. Learn more at: <https://www.epa.gov/brownfields/solicitation-fy-2024-technical-assistance-existing-and-potential-brownfields-rlf-grant>

Grant Funding to Address Indoor Air Pollution at Schools

Eligible applicants may submit only one grant application to fund activities in **two or more** of the four project areas listed below:

1. **IAQ and Greenhouse Gas (GHG) Reduction Capacity Building**
2. **Tribal IAQ and GHG Reduction Capacity Building**
3. **IAQ and GHG Reduction Training and Education Campaign**
4. **IAQ and GHG Reduction Research and Demonstration Projects** in K-12 schools located in low-income, disadvantaged, and/or Tribal communities.

The total estimated funding for this competitive opportunity is **\$32,000,000**. EPA anticipates awarding **four to six grants** of **\$5,000,000 to \$8,000,000** to support **five years** of Indoor Air Quality activities. The application deadline is March 19, 2024 at 11:59 PM ET. The Funding Opportunity Number is EPA-R-OAR-APS-24-02. Learn more at: <https://www.epa.gov/iaq-schools/grant-funding-address-indoor-air-pollution-schools>

Climate Pollution Reduction Grants Program: Implementation Grants Competition for Tribes and Territories

The Climate Pollution Reduction Grants (CPRG) program funding to develop and implement ambitious plans for reducing greenhouse gas emissions and other harmful air pollution. The application deadline is May 1, 2024. The Funding Opportunity Number is [EPA-R-OAR-CPRGT-23-09](https://www.epa.gov/iaq-schools/grant-funding-address-indoor-air-pollution-schools).

Eligible Entities: In general, entities eligible to apply for an implementation grant under this announcement are federally recognized tribes, tribal consortia, and territories. Learn more at: <https://www.epa.gov/inflation-reduction-act/climate-pollution-reduction-grants>

Please visit <https://www.epa.gov/grants> for more information on applying for EPA grants as well as other current opportunities at EPA.

AMERICAN INDIAN ENVIRONMENTAL OFFICE PROGRAM UPDATES

NEW AIEO STAFF

Susan Shobeiri

AIEO is excited to welcome Susan Shobeiri, an intern assisting the Tribal Capacity Development team with their Climate Adaptation work.

Susan is a second-year undergraduate student at Boston University, pursuing dual degrees in Environmental Analysis + Policy and Economics. Her interests lie at the intersection of science, justice, public policy, and environmental law, with a particular focus on the differences in infrastructure and preparedness across urban, suburban, and rural environments. Originally from Oklahoma, Susan now resides in Northern Virginia and Boston. Outside of her studies, she is a goalkeeper on BU's varsity women's soccer team and loves to read and bake. Please join AIEO in welcoming Susan.



Susan Shobeiri

AIEO PARTNERSHIPS



ABOUT AIEO

AIEO leads EPA's efforts to protect human health and the environment in Indian country by supporting implementation of federal environmental law consistent with the federal trust responsibility and the government-to-government relationship, as found in the *EPA Policy for the Administration of Environmental Programs on Indian Reservations (1984)*.

Questions for AIEO?
Here's our Email:
Oita.Contactus@epa.gov