

AIEO Newsletter

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EPA's American Indian Environmental Office Newsletter



From left to right: EPA Administrator Michael Regan, Deputy Administrator Janet McCabe, NTC Vice Chair Scott Clow, AIEO Director Kenneth Martin, NTC Region 3 Representative Jessica Phillips, Region 1 Regional Administrator David Cash, EPA Senior Advisor Zealan Hoover



INTERVIEW WITH AIEO DIRECTOR, KENNETH MARTIN

1. Tell us a little about your background

I am an enrolled member of the Bad River Band of Lake Superior Chippewa Indians which is located in what is now present-day Wisconsin, but, I grew up on the Menominee reservation where my mother was enrolled and I am a descendant. I am also a descendant of the Oneida Nation of Wisconsin.

I have spent more than eighteen years working in the United States Senate for four different Senators and two Senate Committees. I have also previously served as first ever Deputy Assistant Secretary for Tribal Government Affairs at the U.S. Department of Transportation under the Obama Administration.

2. What brought you to EPA?

As you can see from my work background, I have spent my entire career in public service. Joining the Biden-Harris Administration here at EPA is the best way that I can continue to work on behalf of Indian Country.

3. Describe the type of work you do in EPA's American Indian Environmental Office?

The work varies from day to day but my main goal is to ensure that we are working to uphold the mission of EPA to protect human health and the environment in Indian Country and uphold our treaty and trust responsibility.

4. What message would you like to send other American Indians/Alaska Natives who are interested in a career at EPA?

I am so honored to work alongside the AI/AN staff here at EPA. The breadth and depth of their expertise is vital to carrying out the mission of the EPA. The Indigenous perspective is critical to everything that we do at the EPA and I am so proud to see the work that they are doing.

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Russell Hepfer fishing on the Elwha River

TRIBAL PARTNER SPOTLIGHT

INTERVIEW WITH RUSSELL HEPFER

1. *Tell us a little about your background.*

I am the Vice Chairman for the Lower Elwha Tribal Community

2. *Describe the type of work you do in your office?*

This year marks the start of my 9th 3-year term on our Tribal Council. Most of my council duties are in natural resources. I have worked for over 25 years on environmental policy for my tribe.

3. *Describe a work accomplishment that you are particularly proud of and explain how it strengthened human health and/or environmental protection in Indian country.*

The proudest accomplishment is the successful effort to remove two dams on the Elwha River. This took the work of previous council members and elders, most of which are now passed on. The easier part was getting an Act of Congress for the Elwha Act. The hard part was that the Act itself was unfunded. We had to find the money to deconstruct the dams. The National Park Service figured it out in the end. Now we have opened up 70 miles of pristine habitat above the former dam sites within the Olympic National Park boundaries. The water is also clean and the fish are coming back. In October of this year our tribe had its first C&S Fishery in over 11 years. Our scientists figured out that we could catch up to 400 Coho salmon. Each one was to be sampled and the data hopefully will allow a more robust fishery in the near future. We ended up harvesting a total of 205 fish. All the work was so rewarding.

4. *What message would you like to send other American Indians/Alaska Natives who are considering a career in the environmental field?*

I would encourage any Indigenous People that are interested in a career in the environmental field to get involved with their tribes natural resources department. I started out employed as a Water Quality Technician. Everything fell into place from there. My mentor, Billy Frank Jr always told us to "Stay the Course!" That would be my advice.

TRIBAL ENVIRONMENTAL PROJECT HIGHLIGHTS



The view from the top of a chat pile at Tar Creek

Celebrating Ten Years of Cleanup at Tar Creek with the Quapaw Nation in Oklahoma

In the spring of this year, a delegation from the Quapaw Nation, a Tribe in the far northeastern corner of Oklahoma, invited EPA's Office of Land and Emergency Management (OLEM) to attend a special event on their reservation to celebrate 10 years of a unique Tribal, federal, and State partnership to clean up the Tar Creek Superfund site. At one point, Tar Creek, a former lead and zinc mine, produced half of the lead and zinc used in bullets and bombshells in WW2 and was critical to the U.S. war effort. Unfortunately, mining at the site left a terrible legacy on the land. Huge piles of mine tailings called chat, up to 200 feet tall and visible from space, still dot the landscape today. Kids once climbed and played on these piles, and chat was used extensively throughout the local communities as gravel and fill in roads and sandboxes and under houses, playgrounds, and sports fields. And it is loaded with heavy metals, including lead, zinc, and cadmium. Huge underground caverns, another legacy of the mine, filled with water after the mines closed. When that water eventually came to the surface, it contaminated local creeks and damaged aquatic life. In 1994, 35 percent of children tested by the Indian Health Service had elevated blood lead levels. As a result, the EPA and the State of Oklahoma conducted early response and remediation work at the Tar Creek site. Structures in four towns were purchased or demolished, and residents of those towns were relocated.

Then in 2013, Quapaw Nation was awarded a cooperative agreement to remediate an area called the Catholic 40. Quapaw Nation owns this 40-acre tract of land, which holds cultural and historical significance. This marked the first time a Tribe in the United States conducted cleanup activities at a Superfund site on Tribal land. At the Catholic 40 site, the Tribe excavated, hauled and disposed of 107,000 tons of chat. What used to be a wasteland with piles of chat 200 feet high is now a flourishing meadow of native grasses and plants. Since that first remediation effort, Quapaw Nation has taken on progressively larger portions of the cleanup work and has made impressive progress in the Tar Creek complex.

Climate Corner: EPA's Work to Empower Tribal Communities to Tackle the Climate Crisis

Supporting climate adaptation in Tribal communities is a priority for EPA. For the first time, EPA's [Strategic Plan](#) includes "Tackling the Climate Crisis" as a distinct, measured agency-wide goal. EPA has set an ambitious target to assist at least **400 federally recognized Tribes** to take action related to climate change impacts by 2026. To date, over 275 Tribal governments have utilized EPA resources, through training, funding, or technical assistance, to anticipate, prepare for, adapt to, or recover from the impacts of climate change.

The AIEO and EPA's Climate Adaptation Program coordinate closely to ensure the implementation of this goal includes the priorities of Tribal governments through several internal and external efforts. For example, many Tribes are utilizing General Assistant Program (GAP) funds to develop their own climate adaptation plans.

Another significant part of supporting Tribal climate adaptation priorities is continuing the dialogue with Tribes to better understand the challenges and needs so that we can work in partnership to address them. To this end, the Climate Adaptation Office has initiated a subgroup of the EPA National Tribal Caucus and EPA staff to regularly discuss and act on joint climate priorities. The subgroup led a town hall on September 7th, 2023 to hear more from Tribes about climate needs, and is planning our second town hall in December. More information will be coming soon.

Finally, on November 9th, the White House announced the [Fifth National Climate Assessment \(NCA5\)](#), which highlights the ways in which all regions in the United States are currently experiencing harmful impacts of climate change. NCA5 has an updated chapter on [Tribes and Indigenous Peoples \(globalchange.gov\)](#) in addition to chapters on climate mitigation, climate adaptation, critical climate threats, and the impacts of climate change on every region of the country.



A word cloud representing the most common Tribal climate activities supported by GAP

ACTIVE TRIBAL CONSULTATIONS

The U.S. Environmental Protection Agency (EPA) is initiating 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 United States 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.

EPA's consultation and coordination period is open now through January 28, 2024. Contact Kenda Conley with the Office of Wastewater Management by email at conley.kenda@epa.gov or by phone at 202-564-0306 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>

The U.S. Environmental Protection Agency (EPA) Office of Environmental Justice and External Civil Rights (OEJECR) will propose an updated *policy on public participation - Achieving Health and Environmental Protection Through EPA's Meaningful Involvement Policy (MIP)*. The MIP updates the EPA's 1981 Public Participation Policy by strengthening EPA's commitment to public participation. The MIP is being developed to establish an EPA-wide approach to meaningful involvement and provides consistency for public involvement in EPA's decision-making processes. The term "public" is used in the broadest sense, meaning the general population of the United States including federally recognized Tribes, Tribal Communities, and Indigenous Peoples. The Agency is offering consultation with federally recognized Tribes on this proposed policy.

If you are interested in requesting consultation with EPA, please contact OEJECR to schedule a consultation. EPA's consultation and coordination period is open now through January 5, 2024. Andy Bessler is OEJECR's Tribal Consultation Advisor, and his email address is bessler.andrew@epa.gov.

Learn more about this consultation and other active tribal consultations at

<https://tcots.epa.gov/ords/tcotspub/f?p=106:1>

Funding Opportunities

EPA's new [Environmental and Climate Justice](#) Community Change Grants program (Community Change Grants) has announced a Notice of Funding Opportunity (NOFO) for approximately \$2 billion dollars in [Inflation Reduction Act](#) funds in environmental and climate justice activities to benefit disadvantaged communities through projects that reduce pollution, increase community climate resilience, and build community capacity to address environmental and climate justice challenges. The NOFO will be open for a year, closing on November 21, 2024, and EPA will review applications on a rolling basis. This allows applicants to utilize technical assistance and possibly resubmit a new application if not initially selected. EPA encourages applicants to apply as early as possible.

Learn more at: [Inflation Reduction Act Community Change Grants Program | US EPA](#)

AMERICAN INDIAN ENVIRONMENTAL OFFICE PROGRAM UPDATES

NEW AIEO STAFF

Denmi C. Whiteman

AIEO is excited to welcome Denmi C. Whiteman, a member of the Oglala Lakota and Southern Cheyenne Tribe, as a valuable addition to the Tribal Capacity Development team!

She graduated from Haskell Indian Nations University in 2023 with a Bachelor's degree in Indigenous American Indian Studies, where she showcased her expertise through various accomplishments. Denmi presented a capstone project on tribal rights and responsibilities of Native Americans, effectively communicating complex technical findings to non-experts. Additionally, she demonstrated excellent project management skills by successfully leading research projects, setting priorities, coordinating teams, and evaluating outcomes.

Please join AIEO in welcoming Denmi; you can reach her at whiteman.denmi@epa.gov.



AIEO LAUNCHING NEW GAP MICROSITE

The AIEO is pleased to announce the launch of a newly redesigned GAP microsite. The microsite is designed to be user-friendly and easily navigable. It is organized into three priority topics: background documents, performance management, and training and resources.

As AIEO develops new materials, such as GAP Academy trainings and intertribal consortia resources, they will be more easily located by the public. We hope that you will find the new microsite to be a valuable resource for information about the GAP Grant Program. Check out the new microsite at <https://www.epa.gov/>

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