



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 05 2012

Office of
International and
Tribal Affairs

Re: Notification of Consultation and Coordination on Developing EPA's Tribal and Indigenous Peoples EJ Guiding Principles/Policy

Dear Honorable Leader,

The U.S. Environmental Protection Agency (EPA) is initiating consultation and coordination with federally-recognized Indian Tribes on how EPA can best address the unique challenges to implementing the Agency's EJ priorities in Indian country, Alaska, Hawaii, and in other areas of interest to indigenous peoples.

This consultation and coordination process will be conducted in accordance with the *EPA Policy on Consultation and Coordination with Indian Tribes* (www.epa.gov/tribal/consultation/consult-policy.htm). EPA invites you and your designated consultation representative(s) to participate in this process. EPA's anticipated timeline for the consultation and coordination period is expected to extend from March 6, 2012 through September 15, 2012.

EPA takes our responsibility to meaningfully consult with tribes very seriously. As a process, consultation includes several methods of interaction that may occur at different levels. We appreciate that it is the preference of many tribal leaders to have face-to-face meetings with the Agency's most senior levels to adequately engage with the Agency in a consultation. EPA looks forward to working with tribal governments to find alternative options for engagement where in-person dialogues are simply not possible.

Enclosed is a consultation and coordination plan for this action that includes a description of the action under consultation and the process EPA intends to follow, including a timeline for the consultation and coordination period and information on how you can provide input on this action. *This information is also available on EPA's Tribal Portal* <http://www.epa.gov/tribal/consultation>

While I serve as the official EPA contact person for this consultation and coordination process, please do not hesitate to contact Dona M. Harris, harris.dona@epa.gov, 202/564-6633, should you have any questions about this action.

I look forward to hearing from you on this important matter.

Sincerely,


JoAnn Chase

Director, American Indian Environmental Office

Enclosure

Consultation Plan

Background Information

EPA's objectives for developing a tribal and indigenous peoples environmental justice (EJ) set of guiding principles and/or policy are to:

- ▶ Address questions regarding how EPA is, or should, respond to tribal governments' and indigenous peoples' EJ concerns;
- ▶ Provide greater consistency in how EPA's program and regional offices respond to and address tribal and indigenous peoples EJ issues; and
- ▶ Assist EPA's program and regional offices to better understand how EPA's Plan EJ 2014 and Administrator Jackson's priorities for EJ (e.g. support for community-based action programs, fostering of Administration-wide action on EJ, build strong state and tribal partnerships, etc.) can be more effectively implemented in Indian country and for indigenous peoples.

To develop the guiding principles/policy, EPA has formed two work groups:

- National Environmental Justice Advisory Council (NEJAC)/Indigenous People Work Group (external/non-EPA)-comprised of tribal and indigenous EJ stakeholder representatives tasked with providing advice and recommendations to EPA on addressing tribal and indigenous EJ issues. The NEJAC is a federal advisory committee to the EPA.
- EPA Tribal and Indigenous Peoples Environmental Justice Work Group (internal/EPA staff only) - comprised of EPA staff tasked with developing the guiding principles/policy.

Opportunity for Tribes to participate

The table below summarizes out the process and timeline for government-to-government consultation and coordination throughout the consultation process from the date of this letter to September 15, 2012. Following consultation, EPA will work to finalize these principles and or policy.

EPA will post information for tribes on the Tribal Portal consultation opportunities page <http://yosemite.epa.gov/oita/TConsultation.nsf/TC?OpenView> regarding this effort, including specific consultation and coordination opportunities, background information, document drafts, and how to submit comments.

Tribal Consultation and Coordination Process and Timeline

Date	Event	Contact Information
March 20, 2012	Webinar outreach	<p>Registration: https://epa.connectsolutions.com/e4rx2fklr19/event/</p> <p>Conference number 1-866-299-3188 Access Code 2025646633# Meeting Time: 1:00 pm est – 2:30 pm est EPA Contact Dona Harris 202/564-6633</p>
April 3, 2012	National Conference call with tribal leaders	<p>Registration: https://epa.connectsolutions.com/e1m4t2hmwea/event/</p> <p>Conference number 1-866-299-3188 Access Code 2025646633# Meeting Time: 1:00 pm est – 2:30 pm est EPA Contact Dona Harris 202/564-6633</p>
April 4, 2012	National Conference call with tribal leaders	<p>Registration: https://epa.connectsolutions.com/e5rd5srqvcz/event/</p> <p>Conference number 1-866-299-3188 Access Code 2025646633# Meeting Time: 1:00 pm est – 2:30 pm est EPA Contact Dona Harris 202/564-6633</p>
April 27, 2012	Interim Tribal comment period ends	<p>Submit written comments to http://www.epa.gov/tribal/consultation/comments-dgpe.htm</p>
July 2012	EPA releases Draft Guiding Principles and/or Policy for Tribal consultation	<p>To view copy of the Draft Guiding Principles and/or Policy: http://www.epa.gov/indian/</p>
August 9, 2012	National Conference call with Tribal leaders	<p>Registration: https://epa.connectsolutions.com/e4cociarv11/event/</p> <p>Conference number 1-866-299-3188 Access Code 2025646633# Meeting Time: 1:00 pm est – 2:30 pm est</p> <p>EPA Contact Dona Harris 202/564-6633</p>
September 15, 2012	End of Tribal Comment Period	<p>Submit written comments to: http://www.epa.gov/tribal/consultation/comments-dgpe.htm</p>