



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

JAN 08 2013

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

Re: Notification of Indigenous Stakeholder Outreach and Public Comment Period on  
EPA's Draft Policy on Environmental Justice for Tribes and Indigenous Peoples

The U.S. Environmental Protection Agency (EPA) is conducting outreach to state-recognized tribes, indigenous community-based grassroots organizations, tribal colleges, tribal members, Native Hawaiians, other interested indigenous stakeholders, and the public to obtain input on how EPA can best address the unique challenges to implementing the Agency's environmental justice (EJ) priorities in Indian country, Alaska, Hawaii, and in other areas of interest to indigenous peoples. The Agency is also conducting, through a separate process, tribal consultation with federally-recognized tribes in accordance with its *Policy on Consultation and Coordination with Indian Tribes*.


This notice provides background information on the Working Draft of the EPA Policy on Environmental Justice for Tribes and Indigenous Peoples (Working Draft), and presents the schedule for conducting public outreach and obtaining input on the Agency's Working Draft. EPA invites you and your associates to participate in this public comment period. EPA's anticipated timeline for conducting the outreach and obtaining input is from January 8, 2013 through February 15, 2013. EPA takes seriously its commitment to provide meaningful public involvement in its decision-making processes.

Enclosed is a copy of the Working Draft of the Policy and an outreach plan for this action that includes a description of the Agency's Working Draft, background information, and the process EPA intends to follow, including a timeline for the outreach and public comment period, and information on how you can provide input on this action. This information is also available on EPA's EJ website: <http://www.epa.gov/environmentaljustice>.

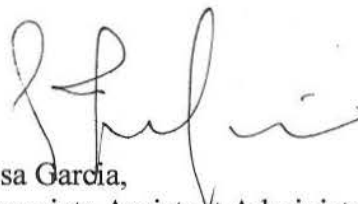
The EPA's official contacts for this outreach process are Danny Gogal, Office of Environmental Justice, [Gogal.Danny@epa.gov](mailto:Gogal.Danny@epa.gov), 202-564-2576, and Dona Harris, American Indian Environmental Office, [Harris.Dona@epa.gov](mailto:Harris.Dona@epa.gov), 202-564-6633. Please do not hesitate to contact them should you have any questions about this action.

EPA looks forward to hearing from you on this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle DePass".

Michelle DePass,  
Assistant Administrator for  
International and Tribal Affairs

A handwritten signature in black ink, appearing to read "Lisa Garcia".

Lisa Garcia,  
Associate Assistant Administrator for  
Environmental Justice

Enclosures

## Background Information

EPA's objectives for developing a Policy on Environmental Justice for Tribes and Indigenous Peoples are to:

- ▶ Address questions regarding how EPA does, 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, <http://www.epa.gov/environmentaljustice/plan-ej/index.html>, 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 policy, EPA formed two work groups:

- 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 National Environmental Justice Advisory Council (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.

## Content of Policy

EPA is seeking to address four focus areas in the policy:

- 1) How EPA is to incorporate environmental justice into its environmental capacity building and implementation policies and programs for federally-recognized tribes;
- 2) How EPA is to incorporate environmental justice into its direct implementation of federal environmental programs in Indian country, on tribal lands, and in indigenous usual and accustomed areas;
- 3) How EPA is to effectively work with tribal community-based organizations, state-recognized tribes, tribal members, and other indigenous stakeholders to address their environmental justice concerns, within or outside Indian country; and
- 4) How EPA is to work with other federal agencies to address federally-recognized tribes, state-recognized tribes, tribal community-based organizations, tribal members, or non-members on reservations environmental justice issues.

## Input EPA is Seeking

As the Agency continues to develop its Policy on Environmental Justice for Tribes and



Indigenous Peoples, the EPA would appreciate input from the public on the following questions:

- Do the introduction and background sections clearly explain the rationale for creating a Policy on Environmental Justice for Tribes and Indigenous Peoples?
- Are the draft principles and sub-principles the appropriate approach for organizing and guiding interactions among EPA, tribes and indigenous stakeholders on EJ issues?
- What, if any, changes to the proposed principles and sub-principles should be considered?
- What recommendations do you have on how to best implement these principles and sub-principles?
- How should progress and success be measured under this policy?

#### Indigenous Environmental Justice Stakeholders Outreach Process & Timeline

##### **Indigenous Stakeholders Outreach Timeline**

Date	Event	Time/Contact Information
January 8, 2013	Public comment period begins	To view a copy of the Working Draft of the Policy: <a href="http://www.epa.gov/environmentaljustice/">http://www.epa.gov/environmentaljustice/</a>
January 22, 2013	Webinar outreach	<b>Registration:</b> <a href="https://epa.connectsolutions.com/t-i-ej-policy-public/">https://epa.connectsolutions.com/t-i-ej-policy-public/</a> <b>Conference Number:</b> 1-866-299-3188 Access code: 2025642576 <b>Meeting Time:</b> 1:30 PM - 3:00 PM EST EPA Contact: Danny Gogal, 202-564-2576
January 24, 2013	Webinar outreach	<b>Registration:</b> <a href="https://epa.connectsolutions.com/t-i-ej-policy-public-2/">https://epa.connectsolutions.com/t-i-ej-policy-public-2/</a> <b>Conference Number:</b> 1-866-299-3188 Access code: 2025642576 <b>Meeting Time:</b> 1:30 PM - 3:00 PM EST EPA Contact: Danny Gogal, 202-564-2576
January 31, 2013	Webinar outreach	<b>Registration:</b> <a href="https://epa.connectsolutions.com/t-i-ej-policy-public-3/">https://epa.connectsolutions.com/t-i-ej-policy-public-3/</a> <b>Conference Number:</b> 1-866-299-3188 Access code: 2025642576 <b>Meeting Time:</b> 1:30 PM - 3:00 PM EST EPA Contact: Danny Gogal, 202-564-2576
February 15, 2013	Public comment period ends	Submit written comments to: <a href="mailto:indigenous-ej-policy@epa.gov">indigenous-ej-policy@epa.gov</a> or hard copy to USEPA, OEJ, MC- 2201-A, 1200 Pennsylvania Avenue, NW, Washington, DC 20460
February 2013	EPA completes Policy	

The Working Draft of the Policy, the outreach efforts, including this outreach plan will be available on EPA's environmental justice website:

<http://www.epa.gov/environmentaljustice/>.