



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

October 28, 2022

DEPUTY ADMINISTRATOR

Dear Tribal Leader:

Tribal governments are critical partners in achieving the U.S. Environmental Protection Agency's mission to protect human health and the environment, especially as the climate changes. Consistent with the U.S. Environmental Protection Agency's Policy on Consultation and Coordination with Indian Tribes,¹ the EPA would like to offer your tribe the opportunity to consult on the financial assistance programs identified in the Inflation Reduction Act.

President Joe Biden signed the Inflation Reduction Act into law August 16, 2022, "...to build an economy that works for working families, including communities that have been underinvested and underserved for too long." The Inflation Reduction Act, among other items, seeks to address multiple environmental and public health issues facing Indian tribes, as well as tribal, indigenous and other vulnerable and underserved communities, including climate impacts and issues.

The EPA would like to learn from tribes how the agency can use Inflation Reduction Act funding, based on the eligible activities and entities in the law, and how we can support the efforts of tribal governments and tribal and indigenous communities to advance environmental and public health protection in Indian country and in other areas of interest to tribes and indigenous communities in the U.S., including territories and free-associated states.

The EPA will hold a 60-day tribal consultation period October 28-December 27, 2022, to collect input from tribes, based on the general programs authorized by the Inflation Reduction Act. The EPA will hold an informational webinar November 15, 2022, for tribal governments to learn more about the Inflation Reduction Act. The enclosed document includes the webinar links and questions that tribes may wish to consider for the consultation as well.

If your tribe would like to initiate government-to-government consultation with the EPA, submit comments or ask questions, you are welcome to contact my EPA colleague Pat Childers at (202) 564-1082 or childers.pat@epa.gov by December 20, 2022. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Janet G. McCabe", is written over the typed name.

Janet G. McCabe

cc: Tribal Environmental Director

¹ EPA Policy on Consultation and Coordination with Indian Tribes (May 4, 2011)
<https://www.epa.gov/sites/production/files/2013-08/documents/cons-and-coord-with-indian-tribes-policy.pdf>

ENCLOSURE

Consultation and Coordination Timeline

Tribal governments may submit written comments through December 27, 2022, to provide input on the types of programs EPA should consider developing with IRA funds to advance the protection of the environment and public health for tribal and indigenous communities. To have the greatest influence on EPA's decisions on the new or expanded programs, tribes are encouraged to provide their input as soon as possible. In addition to any other feedback, EPA requests that tribes consider the questions provided below in their responses. Tribes may submit written comments via email directly to childers.pat@epa.gov.

All consultation and coordination information is available on the EPA's tribal portal website:
<https://tcots.epa.gov>.

Webinar Registration: https://usepa.zoomgov.com/webinar/register/WN_rDQao-pRS1CdanIL5xJXyw
Tuesday, November 15, 2022, 2:30-4:00 PM EST

Background:

The EPA is developing the details for new or expanded programs funded by the Inflation Reduction Act to advance environmental and public health protection, particularly in vulnerable and underserved communities. The EPA is offering consultation and coordination with federally recognized tribes on the potential programs, including grant programs, which the Agency will develop for the identified eligible activities and entities noted in the IRA. The EPA received just more than \$41 billion in IRA funds, to support 21 new or existing programs. Examples of some of the programs eligible for funding include:

- \$5 billion for Climate Pollution Reduction Grants at the state, local, and tribal level to develop and implement plans to reduce greenhouse gas emissions
- \$3 billion in Environmental and Climate Justice Block Grants to fund community-based nonprofit organizations, including tribes in partnership with community-based non-profits
- \$3 billion in Grants to Reduce Air Pollution at Ports to purchase and install zero-emission technology and develop climate action plans
- \$1.55 billion for the Methane Emissions Reduction Program to fund grants and technical assistance to accelerate emissions reduction from petroleum and natural gas systems
- \$1 billion for Clean Heavy-Duty Vehicles to provide grants, rebates, and contract support to replace heavy duty vehicles with zero emission alternatives

Questions to Consider:

Through this consultation and coordination process, EPA seeks to better understand tribal priorities with respect to the protection of the environment and public health in tribal communities, including climate change impacts and mitigation and adaptation needs. While EPA welcomes feedback on any of the IRA programs, the Agency especially invites tribes to share their perspectives on the following specific questions:

- Within the tribe and communities that you serve:
- What are the critical environmental and public health and/or climate issues that are the most urgent to address? What types of actions, projects, and programs are needed most to help you address these critical issues? What is the capacity that the tribe has for administering grant programs under the IRA?
- What do you suggest that EPA include in the Request for Applications (RFA) and the criteria to use in selecting which applications to fund? (e.g., urgency of and description of need, thorough description of action(s), ability of proposed action(s) to address the stated need, grantee's capacity for action, ability to meet the self-identified need for partnership, ability to manage the assistance award to include when issuing the grant solicitation, or technical assistance needs?)
- Considering tribal or other indigenous communities with environmental justice concerns, what are the most useful approaches to address environmental and public health concerns?
- Should EPA take any priorities into consideration for selecting and funding grants awarded through the programs developed or funded through the IRA?
- Do you work with any community-based non-profit organizations within your area of jurisdiction (exterior boundaries of the reservation) on addressing environmental or public health issues facing your community(ies)?
- If you do, would you be able to participate in a partnership with them to address the community's(ies') priority environmental and public health concerns?
- If there are no community-based non-profit organizations within your tribal lands, would the tribal government encourage, and support, if possible, community members creating a community-based non-profit to work towards improving the environment and public health on tribal lands?