Message

From: Matsumoto, Kimi [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=38D95BE36605427B8C0CC1A79B24209F-MATSUMO, KIMI]
Sent: 11/18/2019 8:57:30 PM
To: Dean DePountis [ddepountis@standingrock.org]
Subject: RE: Reminder - EPA Region 8/Corps/Tribal Attorneys Meeting on Tuesday, Nov. 19

Thanks very much Dean. All the best to you.
Take care,
Kimi

From: Dean DePountis <ddepountis@standingrock.org>
Sent: Monday, November 18, 2019 1:52 PM
To: Matsumoto, Kimi <Matsumoto.Kimi@epa.gov>
Subject: RE: Reminder - EPA Region 8/Corps/Tribal Attorneys Meeting on Tuesday, Nov. 19

Hi Kim,

As discussed, below you'll find Peter's contact information.

Best,

Dean

Peter Capossela
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From: Matsumoto, Kimi [mailto:Matsumoto.Kimi@epa.gov]
Sent: Thursday, November 14, 2019 12:47 PM
To: sazure@fortpecktribes.net; 'dgray@blackfeetnation.com'; kurt.spilker@crst-nsn.gov; jwhiteing@whiteinglaw.com; kurt.spilker@crst-nsn.gov; leannmontes@hotmail.com; Daniel Belcourt <danbelcourt@aol.com>;

Ex. 6 Personal Privacy (PP)

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Cc: Schefski, Kenneth <Schefski.Kenneth@epa.gov>; Sutin, Elyana <Sutin.Elyana@epa.gov>; Joffe, Brian <Joffe.Brian@epa.gov>; Swanson, Amy <Swanson.Amy@epa.gov>; Volk, Everett <volk.everett@epa.gov>; Perkins, Erin <Perkins.Erin@epa.gov>; Denawa, Mai <Denawa.Mai@epa.gov>; Logan, Paul <Logan.Paul@epa.gov>; Piggott, Amelia <Piggott.Amelia@epa.gov>; Dean, Abigail <Dean.Abigail@epa.gov>; Agee, Erin <Agee.Erin@epa.gov>; Castelli, Matthew <castelli.matthew@epa.gov>; Livingston, Peggy <Livingston.Peggy@epa.gov>; Muller, Sheldon <Muller.Sheldon@epa.gov>; Eads, Andrew <eads.andrew@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; Clay, Lisa H CIV USARMY CESPK (US <Lisa.H.Clay@usace.army.mil>; Kuehl, Kallie D SPA <Kallie.D.Kuehl@usace.army.mil>; Summer, M L (LeeAnn) CIV USARMY CESPA (US <LeeAnn.Summer@usace.army.mil>
Subject: Reminder - EPA Region 8/Corps/Tribal Attorneys Meeting on Tuesday, Nov. 19
Importance: High

Good afternoon,
We are looking forward to talking with you next week!
As you can see below, we have a full agenda for the 90-minute discussion.
I've added an attendees list for the EPA Region 8 and Corps attorneys.

Please RSVP to me so we have a sense of which Tribes will be represented by their attorney(s) for the call.

I'm also attaching a flier for an EPA drinking water utilities webinar that is being offered next week.

Thank you,
Kimi

Kimi Matsumoto
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Legal Counseling & FOIA Branch
U.S. EPA Region 8 Office of Regional Counsel
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EPA Region 8, Army Corps of Engineers and Tribal Attorneys Meeting
November 19, 2019
AGENDA

Logistics
Date: Tuesday, Nov. 19, 2019
Time: 10:00 am – 11:30 am, Mountain Time
Call in number: +1 (202) 991-0477, ID #8821449

Attendees
EPA Region 8 Office of Regional Counsel Attorneys
- KC Schefski, Regional Counsel
- Elyana Sutin, Deputy Regional Counsel
- Brian Joffe, Associate Regional Counsel
- Amy Swanson, Section Chief, Regulatory Enforcement

- Staff Attorneys: Erin Agee, Matt Castelli, Lucita Chin, Abigail Dean, Mai Denawa, Peggy Livingston, Paul Logan, Kimi Matsumoto, Sheldon Muller, Erin Perkins, Amelia Piggott, Everett Volk

Army Corps of Engineer Attorneys
- Kallie Kuehl – Albuquerque District (CO, UT)
- Lisa Clay – Sacramento District (CO, UT, WY)
- TBD – Omaha District (CO, MT, ND, SD, WY)

(Others may join as schedules permit)

Tribal Attorneys

Discussion
- Welcome and Introductions (EPA) - 10 min

- EPA Region 8 ORC Reorganization (EPA) - 10 min

- Legal Matters/Topics of General Interest from Tribal attorneys (Tribal attorneys) – 20 min

- Clean Water Act/Water Resources – Recent Developments (EPA CWA attorneys and Corps attorneys) – 40 min

  - CWA Waters of the United States
    - Link to EPA WOTUS website: https://www.epa.gov/wotus-rule
    - Oct. 22, 2019 Final Rule – Recodification of Pre-Existing Rules (Repeal of 2015 Rule)
    - Link to Repeal of 2015 Rule website: https://www.epa.gov/wotus-rule/step-one-repeal
    - Link to Oct. 22, 2019 Final Rule: https://www.govinfo.gov/content/pkg/FR-2019-10-22/pdf/2019-20550.pdf
    - Feb. 14, 2019 Proposed Rule – Revised Definition of "Waters of the United States"
    - Link to Revised Definition of WOTUS website: https://www.epa.gov/wotus-rule/step-two-revise
    - Link to Feb. 14, 2019 Proposed Rule: https://www.federalregister.gov/documents/2019/02/14/2019-00791/revised-definition-of-waters-of-the-united-states

  - CWA 401 certifications
    - August 22, 2019 Proposed Rule – Updating Regulations on Water Quality Certification: **Comments due Oct. 21, 2019**
    https://www.epa.gov/cwa-401/proposed-rule-updating-regulations-water-quality-certification-0
    - June 7, 2019 CWA Section 401 Guidance for Federal Agencies, States and Authorized Tribes
    https://www.epa.gov/sites/production/files/2019-06/documents/cwa_section_401_guidance.pdf

  - EPA Interpretative Statement on Application of the Clean Water Act National Pollutant Discharge Elimination System Program to Releases of Pollutants From a Point Source to Groundwater, April 23, 2019
    https://www.govinfo.gov/content/pkg/FR-2019-04-23/pdf/2019-08063.pdf

  - CWA TAS – update

  - CWA June 3, 2019 Policy for EPA Review and Action on CWA Program Submittals
    - Link to Policy: https://www.epa.gov/sites/production/files/2019-06/documents/policy_for_the_epas_review_and_action_on_cwa_program_submittals_0.pdf

  - CWA EPA May 2019 Draft Study of Oil and Gas Extraction Wastewater Management Under the Clean Water Act

https://www.epa.gov/sites/production/files/2019-05/documents/oil-and-gas-study_draft_05-2019.pdf

- Water Reuse Action Plan
  - Link to Federal Register Notice - Draft National Water Reuse Action Plan**: Comments due Dec. 16, 2019**
https://www.federalregister.gov/documents/2019/09/16/2019-19984/draft-national-water-reuse-action-plan

- Safe Drinking Water Act (SDWA) Underground Injection Control (UIC) Program – Draft UIC permits for the Dewey Burdock uranium in-situ recovery project: **Comments due Dec. 9. 2019**
https://www.epa.gov/uic/epa-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-permits-2019

- Next EPA/Region 8 Tribal Attorneys In-Person Meeting in Conjunction with Spring RTOC and Tribal Leaders meeting at EPA Region 8 (EPA) – 10 min.

- Interest and potential agenda topics