Message

From: Matsumoto, Kimi [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=38D95BE36605427B8C0CC1A79B24209F-MATSUMO, KIMI]
Sent: 11/18/2019 8:45:12 PM
To: Ex. 6 Personal Privacy (PP)
Subject: EPA and Tribal Attorneys meeting tomorrow

Importance: High

Hi Tracy,
I apologize for the very late notice, but I had a different attorney on my contact list for the Cheyenne River Sioux Tribe. We are having a meeting tomorrow among EPA, Corps of Engineers and Tribal attorneys tomorrow at 10:00 MST to discuss a number of Clean Water Act and Safe Drinking Water Act legal issues.

The Cheyenne River Sioux Tribe has been in communication with EPA Region 8 about the Dewey Burdock project and the Clean Water Act Waters of the U.S. proposed rule, both of which are on the agenda for tomorrow's call, so I'm checking to see if you are able to join us or if not, whether there is another attorney for the Tribe that we should contact.

Thank you, Kimi

Kimi Matsumoto
Senior Assistant Regional Counsel
Legal Counseling & FOIA Branch
U.S. EPA Region 8 Office of Regional Counsel
1595 Wynkoop Street
Denver, CO 80202
303.312.6875

From: Matsumoto, Kimi
Sent: Thursday, November 14, 2019 11:47 AM
To: sazure@fortpecktribes.net; 'dgray@blackfeetnation.com'; kurt.spilker@crst-nsn.gov; jwhiteing@whiteinglaw.com;

Ex. 6 Personal Privacy (PP)

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

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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