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# U.S. EPA's Proposal to Promulgate Federal Baseline Water Quality Standards for Indian Reservations

Region 9 RTOC  
August 10, 2023

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U.S. Environmental Protection Agency  
Office of Water, Water Quality Standards Program



# Status Update

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- April 27, 2023: EPA Administrator signed the proposed rule to establish federal “baseline” WQS for Indian reservation waters that currently do not have WQS in effect under the Clean Water Act (CWA).
- 90-Day Tribal Consultation with EPA HQ: May 3 – August 1
  - Included two national tribal listening sessions (6/21, 7/6)
- 90-Day Public Comment Period: May 5 – August 3
  - Included two virtual public hearings (6/27, 7/12)
- Administrator Signs Final Rule: ~Spring 2024
- As proposed, tribes can opt out of rule up until 90 days after the rule is finalized (estimated, approximately, a year from now).



# Summary of Public Comment and Consultation Periods

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## Public Comment Period

- Verbal comments
  - None
- Written comments
  - Tribes – 10 comment letters
  - Tribal associations – 3
  - States – 21
  - State associations – 3
  - Industries and industry associations – 8
  - NGOs and academia – 3
  - Individual persons (including mass mail comments) and duplicates – 3,266
  - Total – 3,314 comment letters\*

\*As processing proceeds, it is possible that additional comments will be found, or that some comments may be moved to a different category above.

## Tribal Consultation Period

- Government-to-government consultation meetings
  - Total – 4
- National and regional tribal meetings
  - Total – 7
- Listening sessions
  - Total – 2



# How EPA Will Consider Tribal Input

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- Verbal comments will be summarized, considered, and addressed in the Tribal Consultation Summary accompanying the final rule.
- All written comments, including any written comments provided during consultation, will be posted to the public docket for the rule at [www.regulations.gov/docket/EPA-HQ-OW-2016-0405](http://www.regulations.gov/docket/EPA-HQ-OW-2016-0405)), considered, and addressed in EPA's Response to Comment document accompanying the final rule.
- The Tribal Consultation Summary and the Response to Comment document will be posted in the docket for the final rule.