

Journal #4362 from sdc 2.27.19

Oppose the NV Legislative Water Grab!

#Don'tBombtheBighorn Update

Environmental/Water Shorts

Our Ancestors' Walk of Sorrow Convening UNR Campus. March 1-2

Upcoming Dinner Hosting Opportunities

EPA Updates

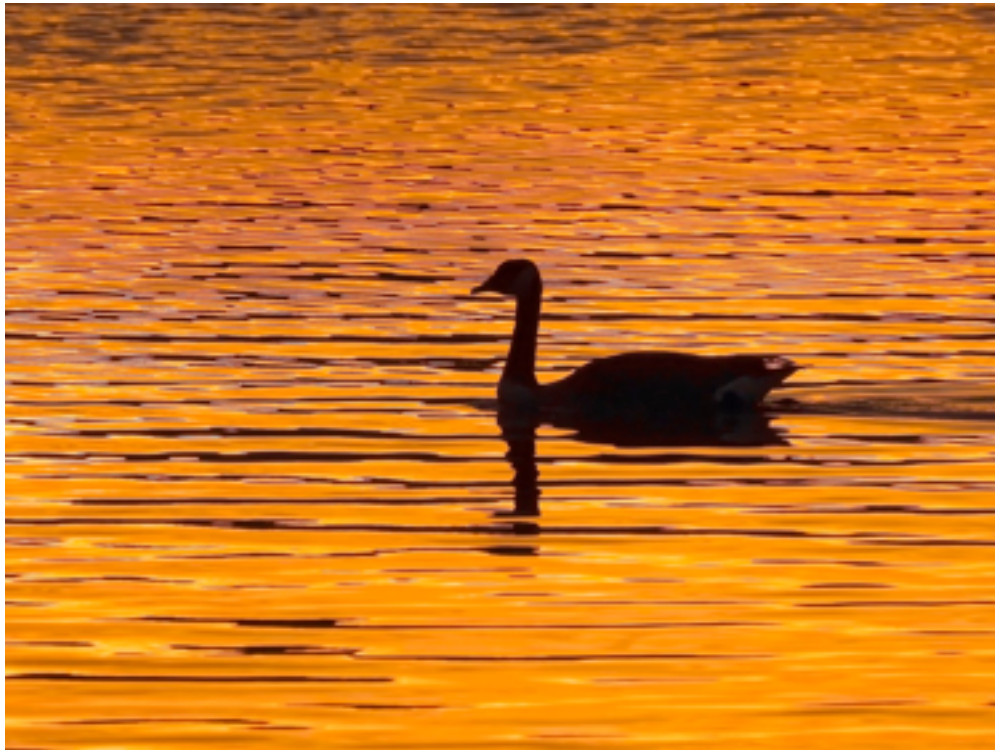
The Government's Trillion-Dollar Student Loan Office Is a Train Wreck

Plastics: The New Coal in Appalachia?

Sisolak skips White House briefing to protest plutonium shipment

Ruby Mountains Update

HUD Funding Updates



At 46 letters, Massachusetts's Lake Chargoggagoggmanchauggagoggcha ubunagungamaugg has the longest place name in the U.S. (even though it's based on a joke).

Here we go again!

**Oppose the
NV
Legislative
Water Grab!**

Springs, streams and creeks like these could become fewer and farther-in-between if



AB30 and AB51 pass. Credit: Brian Beffort

YOU CAN HELP stop State lawmakers from enabling the largest transfer of groundwater in Nevada history. On Wednesday February 27, at 4 PM, the Assembly's Natural Resource Committee will hold a hearing on two dangerous bills, AB30 and AB51, which will facilitate the Las Vegas Pipeline and Water Grab.

The bills will undermine Nevada water law and aid the Southern Nevada Water Authority in its effort to pump 58 billion gallons of water annually from Eastern Nevada and send it to Las Vegas via a 300-mile, \$15.5 billion pipeline. The bills will threaten Nevadan's due-process rights and their rights under the Constitution's Takings Clause. The bills will empower deep-pocketed interests, and endanger our scarce water resources, wildlife and wild places.

Four ways you can oppose these dangerous proposals:

1. **Click here** to contact members of the Assembly Natural Resources Committee before the hearing Wednesday;
2. **Attend the Assembly Natural Resource Committee hearing in person.** Wednesday, February 27, 4pm, in Nevada Legislature Room 3138 (a live-stream is also available from the Grant Sawyer Building in Las Vegas). You don't need to speak; just signing in as "opposed" sends a powerful statement. We'll be there with you!
3. **Click to submit your opposition to the bills on the Legislature's website.** Feel free to use the talking points on this page;
4. **Contact the Assembly Committee members directly** with your opposition and concerns:

Assemblywoman Swank (chair): (775) 684-8595, Heidi.Swank@asm.state.nv.us

Assemblywoman Cohen: (775) 684-8855, Lesley.Cohen@asm.state.nv.us

Assemblywoman Carlton: (775) 684-8597, Maggie.Carlton@asm.state.nv.us

Assemblyman Assefa: (775) 684-8803, Alex.Assefa@asm.state.nv.us

Assemblyman Fumo: (775) 684-8839, Ozzie.Fumo@asm.state.nv.us

Assemblywoman Bilbray-Axelrod: (775) 684-8847, Shannon.BilbrayAxelRod@asm.state.nv.us

Assemblywoman Peters: (775) 684-8559, Sarah.Peters@asm.state.nv.us

Assemblyman Watts: (775) 684-8835, Howard.Watts@asm.state.nv.us

Assemblywoman Titus: (775) 684-8507, Robin.Titus@asm.state.nv.us

Assemblyman Wheeler: (775) 684-8843, Jim.Wheeler@asm.state.nv.us

Assemblyman Ellison: (775) 684-8831, John.Ellison@asm.state.nv.us

Assemblywoman Hansen: (775) 684-8851, Alexis.Hansen@asm.state.nv.us

Tell them to stop the pipeline! According to the BLM, SNWA's plan will destroy 305 springs, 112 miles of streams, 8,000 acres of wetlands, and 191,000 acres of shrubland habitat in the heart of the Great Basin.

AB30: It gives the Nevada State Engineer unfettered discretion to approve Monitoring, Management, and Mitigation plans (3M) that will all but guarantee the continued over-appropriation of our limited groundwater resources. The bill does not offer long-term due process rights*(see how below) for water users and environmental advocates, ignores climate change, and pushes unsound and scientifically dangerous water permitting schemes that favor deep-pocketed interests over conservation.

AB51: The bill upends the tenets of Western water law by undermining the Prior Appropriations doctrine and violating the U.S. Constitution's Taking's Clause*(see below). The bill will attack Nevadans' property rights (water rights are property rights), incentivize monetary payoffs to approve water permits, and validate unsound mitigation schemes in order to compensate those whose property is being taken — all of which threaten the public interest, the rule of law, and our environment.

Thank you for taking action! Our property rights, our due process rights, and our environment's rights are all at risk.

***Due Process impacts.** Right now, you have 30 days to appeal a decision in Nevada District Court on a permit granted by the state engineer. What happens if on day 31 a problem arises, or in year 6 of a 3M plan? There is nothing spelled out in statute that provides a recourse to someone experiencing harm.

***Takings occur** when a government regulation or action limits the uses of private property to such a degree that the regulation effectively deprives the property owners of economically reasonable use or value of their property to such an extent that it deprives them of utility or value of that property, even though the regulation does not formally divest them of title to it. *(Ed note: sorry for late notice; rc'd 2.26 @11:30)*

#Don'tBombtheBighorn Update

The Department of Defense has proposed to expand their military activities over the Desert National Wildlife Refuge and over wildlands outside of Fallon. The proposal is now in the hands of Congress.

Chapter activists reviewed and commented on the draft Environmental Impact on the Fallon Range Test Complex Modernization proposed by the US Navy.

This proposal has drawn attention from numerous groups and individuals because it threatens to lock up for bombing training roughly 600,000 acres of public land in central Nevada. Added to the proposal to increase the acreage of the Desert Test and Training Range in southern Nevada, the military would greatly expand their footprint in Nevada—totalling nearly 2 million acres. [More information available here.](#)

This issue is going to heat up in the coming weeks and months. YOUR voice is needed to protect these public lands, your access to them, and the wildlife who live there.

[Sign up today to receive updates](#)

Environmental/Water Shorts

This is not the time to continue to make plans for discussion about how to protect our constituents from these harmful chemicals, this is the time for regulatory action. As such, prior to his confirmation as Administrator of the EPA, we are respectfully requesting that you ensure Mr. Wheeler's firm commitment to quickly and aggressively regulating these chemicals with a timeline where Congress can hold the EPA accountable.” — Rep. Brian Fitzpatrick (R-PA) and Rep. Dan Kildee (D-MI) in [a letter to Senate leadership](#) that asks for more details about the EPA's PFAS plan before the Senate confirms Andrew Wheeler to lead the agency.

In context: [EPA Says It Will Regulate Two PFAS Chemicals In Drinking Water](#)

35 percent: Initial Central Valley Project water supply allocation for agriculture south of the Sacramento-San Joaquin delta. Ag users north of the delta are pegged at 70 percent of their contracted supply. The initial allocations are a starting point and won't be finalized until the end of winter. Because this has been a wet year so far, expect those allocations to rise. ([Bureau of Reclamation](#))

PFAS Exposure Study

The Centers for Disease Control and Prevention selected eight communities for [a study of PFAS exposure from military bases](#).

The goal of the assessment is “to provide information to communities about levels of PFAS in their bodies,” according to the CDC. It is not a health study.

The communities and the associated military bases are:

- Berkeley County, West Virginia (Shepherd Field Air National Guard Base)
- El Paso County, Colorado (Peterson Air Force Base)
- Fairbanks North Star Borough, Alaska (Eielson Air Force Base)
- Hampden County, Massachusetts (Barnes Air National Guard Base)
- Lubbock County, Texas (Reese Technology Center)
- Orange County, New York (Stewart Air National Guard Base)
- New Castle County, Delaware (New Castle Air National Guard Base)
- Spokane County, Washington (Fairchild Air Force Base)

Funding for the \$10 million study came from a Defense Department spending bill last year.

The exposure assessments, which will begin this year and continue through 2020, are the first step in a two-part evaluation. The next phase will look for connections between exposure to PFAS and health problems.

In context: [Perfluorinated Chemicals Health Study Included In Congress Budget Deal](#)

Groundwater in the Supreme Court

The nation's high court decided to take up a case that involves the scope of the Clean Water Act.

The question at hand: does the discharge of pollution to groundwater that eventually flows into rivers, lakes, or oceans require a Clean Water Act permit? Lower courts have issued contradictory rulings, usually in cases involving pits that hold coal waste.

Regulation of Pharmaceutical Waste

The EPA [finalized a rule](#) that prohibits healthcare facilities and retailers from disposing of hazardous waste pharmaceuticals by flushing them down the drain.

In addition to providing greater clarity for hospitals, nursing facilities, and retail pharmacies, the EPA argues that the new rule will prevent contamination of waterways with pharmaceutical waste.

Stormwater Regulation

The EPA should update its permitting program for industrial stormwater discharge to incorporate the latest science on water quality and chemical assessment, concludes a [report](#) from the National Academies of Science, Engineering, and Medicine.

The industrial permit applies to scrap metal recyclers, paper manufacturers, loggers, oil and gas, coal mines, asphalt manufacturers, and many more.

The report makes a number of recommendations, including that industries monitor a suite of basic water quality indicators and that the EPA institute a tiered permit system that reflects the risks from varied pollution discharges that are covered under the industrial category.

The National Academies will hold a [webinar](#) on February 27 to discuss the report's findings.

Shellfish Permitting

The U.S. Army Corps of Engineers rejected less than 1 percent of applications to commercially grow oysters, mussels, clams, and other shellfish in the five years to 2017, according to a [Government Accountability Office review](#).

Nearly half of the 2,631 unique project applications were filed in the Seattle district, which covers Washington state.

Besides compiling permit data, the GAO interviewed 15 randomly selected applicants to gauge their experience with the permitting process.

Shellfish production is a \$340 million industry in the United States, and states are pushing to expand commercial production.

Superfund and Indian Tribes

The EPA should improve its systems for identifying Superfund sites that are on tribal lands and for tracking consultations with tribes on cleanups, the [GAO reports](#).

The GAO found 88 Superfund sites — out of 1,785 nationally — where a tribe has a stake in the cleanup.

WOTUS Meeting

The EPA and the Army Corps will [hold a public meeting](#) in Kansas City, Kansas on February 27

and 28. It is the only public meeting to discuss proposed changes to the Clean Water Act that would reduce the number of waterways under federal oversight.

House Committees In a Hearing Frenzy

So much action in the House this week, on climate change, water resources, EPA enforcement, and infrastructure. There are a half dozen such hearings on February 26 alone:

- The Natural Resources Committee discusses [water supply reliability in the 21st century](#). The committee also holds a hearing on [climate denial and misinformation from industries](#).
- The Appropriations Committee holds a [hearing on climate science](#). The director of NASA's Earth science division will testify.
- The Transportation Committee looks at how [federal infrastructure policy](#) can be leveraged to respond to climate change.
- The Foreign Affairs Committee considers the global crisis of [asylum seekers, migrants, and refugees](#).
- The Energy and Commerce Committee looks at the [decline in EPA enforcement actions](#). Susan Bodine, the head of the agency's Office of Enforcement and Compliance Assurance will testify on one panel. On the other, a number of watchdogs, academics, and former government officials.

Then on February 28, the Energy and Commerce Committee returns with a [hearing on the Paris climate agreement](#).



Florida Plumber Finds Clog ~

Our Ancestors' Walk of Sorrow Convening
University of Nevada, Reno,
Campus. March 1-2, 2019,
Reno, Nevada

Meeting Location: University of Nevada Reno Campus, Joe Crowley Student Union, Joe Crowley Student Union, 1664 N Virginia St, Reno, NV 89503. Room 403: The Great Room

Location and Building Access Note:

There is a passenger drop off location located in front of the Joe Crowley Student Union building (Convening Location)

Elevator Access from main floor is available; restrooms are located near the meeting room.

Parking Notes:

Friday is Permit Parking Required. When entering the garage, please enter the code #1904011 into the key pad. A permit will print for you to put on your dash.

Handicap Parking: Even if you have a handicap permit, a school permit must be obtained. Parking will be either in the West Stadium Garage (There is a hill between this garage and the convening location) or the Whalen Garage (no hill).

Non-Handicap parking: Is available on the top to levels of the West Stadium Garage (Indicated on the map),

Saturday and Sunday: No permit required, Whalen Parking Garage and West Stadium Garage are recommended Locations

TENTATIVE AGENDA

FRIDAY March 1, 2019 (1100am–500pm):

- Morning: Welcome
 - Invocation
 - Introductions
 - Overview of Meeting Logistics
 - Presentation and Discussion: Project Origins (Diane L. Teeman)
 - Lunch
- Afternoon: Panel Discussion: Opportunities at University of Nevada Reno Sarah Cowie – Moderator (Debra Harry, Saundra Mitrovich, Melanie Duckworth)
 - Presentation and Discussion: UNR Museum (Carolyn White)
 - Break
 - Presentation and Discussion: 2017–2018 Archival Research (Diane)

Evening: Supper at Reno–Sparks Indian Colony

SATURDAY MARCH 2, 2019, (900am–400pm):

- Morning: Welcome
 - Invocation
 - Introduction Updates
 - Presentation and Discussion: 2019 Archival Research (Diane)
 - Presentation and Discussion: Presentation and Discussion: Proposed Trail Fieldwork 2019 (Diane)
 - Break
 - Presentation and Discussion: Geophysical Survey Summary (Christina McSherry)
 - Lunch
- Afternoon: Presentation and Discussion Proposed Field School

2019 (Diane)

- Presentation and Discussion: UNR Special Collections (Jeremy Floyd)
- Break
- Roundtable Discussion and Closing Comments
- Field trip to the Museum (optional)

Evening: Supper at Reno–Sparks Indian Colony

THANK YOU FOR COMING AND TRAVEL SAFELY HOME!

Upcoming Dinner Hosting Opportunities

The following delegations are traveling to Reno under the auspices of the International Visitor Leadership Program. They would like to be hosted for dinner in your home:

Four Malaysian Judges

A delegation of four Malaysian judges (plus their interpreter) are looking for a home hospitality dinner on March 14, 15, 16, 17 or 18.

Disaster Management Officials from 10 Countries

A delegation of ten disaster management officials from Bolivia, Brazil, Chile, Ecuador, El Salvador, Nicaragua, Peru, Uruguay, and Venezuela are looking for a home hospitality dinner on March 29, 30 or 31.

African Entrepreneurs

A delegation of eight African entrepreneurs from Burundi, Kenya, Nigeria, South Africa, United Republic of Tanzania, Togo, and Zimbabwe are looking for a home hospitality dinner on March 29, 30, or 31.

Lawyers and Judges from 12 Countries

A delegation of twelve lawyers, judges, investigators and human rights experts from Argentina, Bolivia, Chile, Dominican Republic, El Salvador, Guatemala, Honduras, Paraguay, and Venezuela are looking for a home hospitality dinner on April 4 or 5.

International Peace and Security Officials from 10 Countries

A delegation of 10 international peace and security officials from El Salvador, Malaysia, Mongolia, Rwanda, and Saudi Arabia are looking for a home hospitality dinner on April 21 or 22.

European Energy Policy Officials

A delegation of thirteen energy policy officials from the EU are looking for a home hospitality dinner on April 22, or 23.

STEM Teachers from Kazakhstan

A delegation of five STEM teachers from Kazakhstan are looking for a home hospitality dinner on April 26, 27, or 28.

Contact Carina Black at cblack@unr.edu if you are interested in hosting!

EPA Environmental Justice Small Grants Deadline Extended to March 8th

New Deadline - The new closing date for the 2019 Environmental Justice Small Grants is March 8, 2019. The modified Request for Proposals (RFP) with the new date has been posted to the [EPA Environmental Justice website](#) and to www.Grants.gov. A Spanish Translation of the RFP is now available on the website too.

Nomination window for the 2019 Clean Air Act Advisory Committee is now open!

EPA is currently soliciting nominations for the Clean Air Act Advisory Committee (CAAAC). All the information, including the nomination form, the list of required supporting information, the deadline, and where to send applications are on the CAAAC website at <https://www.epa.gov/caaac/caaac-membership-information>.

EPA looks for CAAAC members that represent business and industry; academic institutions; State/local/Tribal governments; unions; public interest groups; environmental organizations; and service groups. Members of traditionally under-represented groups are particularly encouraged to apply. **Nominations are due by March 15th.**

CAAAC provides advice, information and recommendations on policy and technical issues associated with implementation of the Clean Air Act (CAA), as requested by EPA. These issues include the development, implementation, and enforcement of programs required by the Act. The CAAAC will provide advice and recommendations on:

- approaches for new and expanded programs including those using innovative technologies and policy mechanisms to achieve environmental improvements;
- the potential health, environmental and economic effects of CAA programs on the public, the regulated community, State and local governments, and other Federal agencies;
- the policy and technical contents of proposed major EPA rulemaking and guidance required by the Act in order to help effectively incorporate appropriate outside advice and information; and
- the integration of existing policies, regulations, standards, guidelines, and procedures into programs for implementing requirements of the Act.

For more information on CAAAC, including information about recent meetings and reports, please visit the website at www.epa.gov/caaac. You may also contact Larry Weinstock, the CAAAC Designated Federal Officer, at caaac@epa.gov or call 202-564-9226.

The Government's Trillion-Dollar Student Loan Office Is a Train Wreck

Andy Kroll, Rolling Stone

Excerpt: "A 'damning' inspector general report reveals shady tactics on the business side of the American education system." [READ MORE](#)

Plastics: The New Coal in Appalachia?

James Bruggers, InsideClimate News

Bruggers writes: "With little notice nationally, a new petrochemical and plastics manufacturing hub may be taking shape along 300 miles of the upper reaches of the Ohio River, from outside Pittsburgh southwest to Ohio, West Virginia and Kentucky." [READ MORE](#)

Sisolak skips White House briefing to protest plutonium shipment

WASHINGTON -- Gov. Steve Sisolak continued to boycott National Governors Association functions at the White House on Monday, the final day of the group's winter meeting in Washington.

Ruby Mountains Update

In January, hundreds of dedicated activists like you attended public meetings to oppose proposed oil & gas leasing.

<https://www.cortezmasto.senate.gov/news/press-releases/cortez-masto-introduces-ruby-mountains-protection-act>

Two weeks later, Senator Catherine Cortez Masto introduced legislation to permanently protect the Rubies from oil and gas leasing. Thank you everyone for speaking out! You made a difference

Want to do more?

Call Senator Cortez Masto. Thank her for her leadership to protect Nevada's beautiful wild heritage.

- (702) 388-5020 - Las Vegas
- (775) 686-5750 - Reno
- (202) 224-3542 - Washington DC

Call Congressman Mark Amodei. Encourage him to introduce companion legislation in the House

- (775) 686-5760 - Reno
- (202) 225-6155 - Washington DC

**UPDATE: SECOND OPPORTUNITY TO SUBMIT APPLICATIONS FOR FY2018
ICDBG NOFA February 19, 2019**

HUD is reissuing the NOFA for the Indian Community Development Block Grant program (FR-6200-N-23) to receive additional applications for approximately 30 calendar days. Eligible applicants that did not submit an application under the original announcement that closed on January 7, 2019 will have the opportunity to submit applications during this time. Applicants that did submit an application under the original announcement may submit another application, though resubmission is not required. HUD will only evaluate the last submission received by Grants.gov, regardless of whether the application was submitted is under the original announcement or this reissued NOFA. The language and requirements remain the same as the original announcement with the exception of project start and end dates (see Section II.D of this NOFA). **Deadline to apply is March 20, 2019.**

To view this opportunity package: [https://www.grants.gov/view-opportunity.html?
dpp=1&oppPkgId=248503](https://www.grants.gov/view-opportunity.html?dpp=1&oppPkgId=248503)

- [Dear Tribal Leader Letter \(2/25/2019\)](#)
- [Notice of Funding Availability \(NOFA\)](#)
- [2018-05 ONAP Program Guidance](#)
- [National Webcast \(Recorded\)](#)

Dear Tribal Leader letter announces FY2019 Funding Amounts

Today (2.15) the President signed the FY2019 funding bill that funds ONAP through September 30, 2019. Highlights from the funding bill are as follows. For complete comparison of FY2018 and FY2019 enacted amount [Click Here](#) to read the full Dear Tribal Leaders letter.

Tribal HUD-VASH	\$4,000,000
Indian Housing Block Grant	\$755,000,000
Indian Housing Loan Guarantee (Section 184)	\$1,440,000
Native Hawaiian Housing Block Grant	\$2,000,000
Indian Community Development Block Grant	\$65,000,000
TOTAL: Office of Native American Programs	\$827,440,000