**NTAA Template Letter for Tribes on the U. S. EPA’s on** [***Interim Framework for Advancing Consideration of Cumulative Impacts***](https://www.epa.gov/cumulative-impacts/interim-framework-advancing-consideration-cumulative-impacts) **Docket ID No. EPA-HQ-OLEM-2024-0360**

**NOTE:** *The**NTAA recommends that you begin your Tribe’s comment letter with introductory remarks regarding the signatory’s position with the Tribe. The more individualized the letter, the greater its potential impact. Feel free to add your own arguments or specific stories that will make this educational for the EPA. Be sure to replace all the highlighted text.*

*The comment deadline is* ***February 19, 2025.***  *Your comment letter can be submitted electronically to the Federal Rulemaking Portal.* <https://www.regulations.gov/> OR email to [a-r-Docket@epa.gov](mailto:a-r-Docket@epa.gov), Docket No. ID **EPA-HQ-OLEM-2024-0360**

**Date**

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Honorable Administrator

Michael S. Regan [Replace name if after January 20, 2025]

U. S. Environmental Protection Agency

Docket Center, OAR

Mail Code 28221T

1200 Pennsylvania Avenue NW

Washington, DC 20460

Submitted via email to [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov)

Re: **[INSERT TRIBE’S NAME HERE]** comments on[***Interim Framework for Advancing Consideration of Cumulative Impacts***](https://www.epa.gov/cumulative-impacts/interim-framework-advancing-consideration-cumulative-impacts) Docket ID **EPA-HQ-OLEM-2024-0360**.

Dear Honorable Administrator Regan,

The **[INSERT TRIBE’S NAME HERE]** is pleased to submit this letter to provide comments on the U.S. Environmental Protection Agency’s (EPA) proposed guidance on [***Interim Framework for Advancing Consideration of Cumulative Impacts***](https://www.epa.gov/cumulative-impacts/interim-framework-advancing-consideration-cumulative-impacts) (Framework).

The **[INSERT TRIBE’S NAME HERE]** is supportive of the EPA’s efforts to incorporate cumulative impact assessment throughout its decision-making processes. As indicated in the proposed Framework,

Environmental public health research has shown that the cumulative impacts of longstanding place-based inequalities in exposures to environmental hazards are significant, with health disparities linked to these inequalities (e.g., Banzhaf et al., 2019; EPA 2021b; Juarez et al., 2014; Lee, 2021; Mohai et al., 2009; Morello-Frosch et al., 2011; Solomon et al., 2016).

This is particularly important to Tribes that have been historically discriminated against through decisions, actions and implementation of decisions made by the Federal Government and other institutions. As a result, Tribes have less ability to leave areas where their communities have been placed or restricted and have less ability to respond to environmental and other stressors. American Indians have a history of health inequity, according to the United States Census Bureau (2015) with 28.3% of American Indians living in poverty, this is the highest rate among all races. In addition to having the highest rate of poverty “American Indians and Alaska Natives born today have a life expectancy that is 4.4 years less than the U.S. general population, 73.7 years to 78.1 years, respectively”. (IHS, 2016) There may be a link between poverty and the reduced life expectancy that American Indians face. Furthermore, in a study by the Indian Health Service in 2016 it was found that American Indians have higher rates of avoidable diseases such as diabetes, liver disease and more. Additional, cultural and traditional practices may provide different or increased exposure pathways that are not present in the general population. For example, subsistence life ways such as fishing, hunting and gathering of plants for medicine are commonplace. [add specific examples or concerns appropriate for your Tribe]

The **[INSERT TRIBE’S NAME HERE]** supports the progression of this Framework in incorporating local community and Tribal input in the decisions that impact them. In the guidance, EPA outlines how it might tailor the consideration of cumulative impacts to match the needs of a range of specific decisions from place-based to national scope. These decisions may relate to standard setting, permitting, rulemaking, cleanup, funding, state program oversight, and initiation of administrative or judicial actions.

The Framework does not address, however, when it is relevant or consistent with law to use a cumulative impacts approach. These policy decisions remain the responsibility of EPA’s programs. Nor does the Framework provide detailed instructions on how to consider cumulative impacts in specific contexts. This can give the decision maker flexibility to not conduct cumulative impact assessments and Tribal engagement in the decision-making process. The **[INSERT TRIBE’S NAME HERE]** encourages EPA to continue to provide more direction on how these decisions are consistent with statutory requirements and relevant Executive Orders, and where they should be applied.

Finally, the Framework recognizes that approaches for applying cumulative impacts analysis are often developed at a local, rather than at a national, level. As a result, “EPA anticipates that ongoing efforts to address cumulative impacts will be focused on the local scale with the goal of further development to the national scale over time”. The **[INSERT TRIBE’S NAME HERE]** encourages EPA to consider cumulative impacts and impacts on treaty rights in National rulemaking as well.

In conclusion, **[INSERT TRIBE’S NAME HERE]** appreciates the opportunity to submit this comment and looks forward to further work with EPA on this important issue. [Tribe may want to ask for consultation on the framework if appropriate] If you have any questions or require clarification, please do not hesitate to contact **[Contact Name]** at **[Email]**.

**[INSERT NAME AND SIGNATURE OF TRIBAL LEADERSHIP HERE]**