



National Tribal
AIR ASSOCIATION

NTAA MONTHLY UPDATE OCTOBER 2026

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EC Spotlight

Meet Marvin Cling, Sr.

Hello! My name is Marvin Cling, Sr., and I am the Environmental Director for the Sipayik Environmental Department. I have worked as a Tribal environmental professional since May 2001 for the Passamaquoddy Tribe at Sipayik. Ecosystem restoration and protection of the Tribe's ancestral lands and waters is what drives me and staff to embark on this journey.

I started as a Toxic Substances Control Act (TSCA) Grant Manager, fulfilling the outputs for the asbestos and lead-based paint programs while launching Sipayik's air program. As the program developed, I became increasingly involved in ambient air monitoring and eventually assumed responsibility for managing and operating the monitoring network. In 2011, I was honored to be selected as the Environmental Director, a role in which I continue to guide the planning, management, and growth of the Sipayik Environmental Department.

Working with air monitoring equipment sparked an interest in information technology and data management. Learning how to operate, maintain, and communicate with monitoring instruments inspired me to pursue higher education, leading to both a Bachelor of Science degree and a Master of Science in Management (MSM) with a focus on Information Technology. I later had the opportunity to give back by serving as a Tribal instructor for the Institute for Tribal Environmental Professionals (ITEP) Air Computations Course for 13 years, sharing technical knowledge and helping build air program capacity across Tribal communities.



Contact:

Marty Johnson
Program Coordinator
Marty.Johnson@nau.edu

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Find us at: www.ntaatribalair.org

Newsletter:

The NTAA Monthly Update is an e-newsletter providing updates and resources to Tribes regarding air policy, grants, and resources. To advertise an announcement, please email Marty.Johnson@nau.edu. To subscribe or unsubscribe from our newsletter, click [here](#).



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As Director, I oversee a wide range of environmental monitoring and ecosystem restoration activities. Our department's work includes Brownfields assessment and redevelopment, water quality monitoring, PFAS and eDNA sampling, resource management initiatives, species monitoring, fish tissue sampling, and numerous collaborative projects that support the mission of the Sipayik Environmental Department: to protect, preserve, restore, and enhance the health of our lands, waters, air, and community.

Building the Sipayik Air Program

The Sipayik Tribal Air Program has been serving the community since 2000. During its early years, the program focused heavily on assessments and training. While continuing my work with TSCA grants, I dedicated time to learning air monitoring techniques and technologies. Through partnerships with the Maine Department of Environmental Protection Bureau of Air Quality (MEDEPBAQ) and the U.S. Environmental Protection Agency Region 1 (EPA New England), we obtained surplus monitoring equipment and a monitoring shelter that helped launch our ozone and PM2.5 monitoring efforts.

One achievement I am especially proud of is that Sipayik became the first air program in Maine to implement web-based telemetry polling for air monitoring equipment. Our use of web-based polling attracted attention from MEDEPBAQ, which consulted with us on understanding and using IP-based communications for remote monitoring. As technology evolved, so did the challenges. Learning new quality assurance and quality control procedures, maintaining aging instrumentation, and keeping pace with technological advancements required ongoing dedication and training.

Like many Tribal programs, funding remains a challenge. Historically, most of our support came through Clean Air Act Section 103 (CAA 103) funding, which limited our ability to purchase and maintain the latest equipment. More recently, however, we successfully secured Clean Air Act Section 105 (CAA 105) funding, which has been incorporated into our Performance Partnership Grant (PPG) and provides a stronger foundation for future program growth.

Air Quality Challenges Facing Sipayik

The Passamaquoddy Pleasant Point Reservation (Sipayik) is located on the coast of eastern Maine and is increasingly affected by smoke transported from large wildfires in Canada and elsewhere. Because the reservation is situated on a low-lying peninsula surrounded by water, climate change is affecting sea-level rise, ecosystem changes, and flooding risks, which can increase mold growth and worsen indoor air quality. Although Passamaquoddy is remote, the area is also impacted by regional ozone, which can be transported long distances from urban and industrial areas.

Through continued monitoring, partnerships, and community engagement, the Sipayik Environmental Department remains committed to understanding these challenges and protecting the health of current and future generations.

Feature Article

The Congressional Review Act's Impact on Environmental Regulations and Air Quality

By NTAA Staff

The Congressional Review Act (CRA) was enacted in 1996 as part of the Small Business Regulatory Enforcement Fairness Act (SBREFA), which President Bill Clinton signed into law.¹ It was included in the broader “Contract with America Advancement Act,” and was created to give Congress more oversight of regulations issued by federal agencies.¹ However, the law has become a much stronger deregulatory tool than many of its original supporters envisioned.¹ The CRA gives Congress a special “fast track” process to overturn certain federal agency regulatory rules through a joint resolution of disapproval.² In the Senate, a qualifying joint resolution (meaning it must pass both chambers of Congress) cannot be filibustered because Senate joint resolutions are subject to a fixed 10-hour debate limit.³ When that time is reached, the measure can be put to a vote without further debate.³ Once a rule is repealed, the CRA prohibits the reissuing of the rule in “substantially the same form” or the issuing of a new rule that is “substantially the same.”⁴

The CRA was first invoked in 2001 and was not used again until 2017; although Congress passed five resolutions of disapproval during the presidency of Barack Obama, he vetoed all of them.⁵ The CRA requires a federal agency to provide Congress with a printed copy of a published regulatory rule for review.³ Whereas before the CRA was enacted, agencies just had to follow the Administrative Procedure Act (APA), requiring an agency to publish the proposed rule in the Federal Register, take public comments, and publish the final rule.²

When Congress receives a copy of the published rule, they have a 60-day review period (60 legislative days in the House and 60 session days in the Senate), which can actually stretch over many months.² For major rules, there is also a 60-day delay before the rule takes effect.² Congress can disapprove of the rule within those 60 days.² In a nutshell, the CRA gave Congress a mechanism of oversight that makes it easier to repeal an agency rule. Before the CRA, Congress could still overturn a rule it was just via a much slower legislative process.¹

Another caveat to the CRA is the 6-month “look back” period, which means that Congress cannot invoke the CRA for a ruling that was finalized more than 6 months ago.¹ However, like the 60-day review period mentioned for the review window, “6 months” is not actually 6 months, meaning it always goes back further than 6 months.³ Because administrations often differ sharply in their policy priorities, values, and regulatory philosophies, the CRA can become particularly consequential during transitions of power, when a new administration and Congress may use it to overturn numerous rules adopted by their predecessors.³

Critics of the CRA argue that it second-guesses agency experts in their decision-making.⁴ Proponents of the CRA argue that it functions as a constitutional check on agency rulemaking.¹

Most concerning is that the CRA was originally meant as oversight for federal agency rulemaking, but in the case of the Boundary Waters, it was applied to a public land order, which had never been done before in the past.⁴

1 https://en.wikipedia.org/wiki/Congressional_Review_Act

2 <https://www.gao.gov/legal/congressional-review-act/faqs-on-the-congressional-review-act>

3 <https://www.law.cornell.edu/uscode/text/5/801>

4 <https://westernpriorities.org/2026/01/cra-review-of-boundary-waters-would-set-dangerous-precedent-for-public-lands/>

5 <https://environblog.jenner.com/2025/06/17/california-vehicle-waiver-congressional-review-act-showdown/>

Public land withdrawals such as Biden’s withdrawal of the Boundary Waters for mining are governed by different statutes than federal agency rules.⁴ In other words, the Boundary Waters public land order was an executive branch decision, not an agency rule, and therefore, an overreach of the CRA.⁶ In terms of air quality, fewer regulations on mining can have indirect impacts on air quality. For example, in 2017, the CRA nullified the Stream Protection Rule requiring mining operations to better protect streams.⁷ This could result in more coal extraction and combustion, increasing emissions of sulfur dioxide (SO₂), nitrogen oxides (NO_x), particulate matter, and carbon dioxide (CO₂).⁸

Other instances in which the CRA nullified air quality regulations include the California Omnibus NO_x Rule Waiver requiring stricter NO_x standards for heavy-duty engines; the California Advanced Clean Truck Waiver, allowing California and adopting states to require increasing sales of zero-emission medium- and heavy-duty trucks; the California Advanced Clean Cars II Waiver, which supported California’s transition toward zero-emission passenger vehicles.⁵ These actions directly affect NO_x, ozone formation, diesel emissions, and the pace of vehicle electrification across California and states that historically adopted California standards.⁹

Ultimately, the CRA’s greatest power lies not in repealing regulations, but in preventing their return. By generally barring agencies from issuing substantially similar rules, the Act can transform a single vote of disapproval into a lasting policy change. As courts weigh challenges to several unprecedented uses of the CRA, understanding this powerful and potentially permanent deregulatory mechanism has never been more important.



6 <https://www.wilderness.org/articles/press-release/boundary-waters-mining-threat-re-surfaces-unprecedented-cra-attack>

7 <https://www.federalregister.gov/documents/2017/11/17/2017-24307/congressional-nullification-of-the-stream-protection-rule-under-the-congressional-review-act>

8 <https://www.federalregister.gov/documents/2016/12/20/2016-29958/stream-protection-rule>

9 <https://www.hklaw.com/en/insights/publications/2026/06/epa-sends-4-more-california-vehicle-emission-waivers-to-congress>

NTAA ANNOUNCEMENTS

Understanding Data Centers: Policy Considerations and Resources for Tribal Communities

Learn about emerging federal and state policy trends and potential impacts on Tribal communities. Be informed about governance resources to support decision-making. Understand more about how Tribal nations are navigating new considerations related to energy, water, land use, economic development, and sovereignty. Know where to find legal resources and understand tactics available to Tribes. Know how to comment on and evaluate permits and air quality impacts.

Wednesday, October 14, 2026

1:00 p.m. to 2:30 p.m. PST (12:00 p.m. to 1:30 p.m. Alaska, 2:00 p.m. to 3:30 p.m. MST, 3:00 to 4:30 p.m. CST, 4:00 to 5:30 p.m. EST)

Click [here](#) to register.

NTAA Workgroups

Office Hours with the PAC

Wednesday, October 15, 2026

12:00 p.m. to 1:00 p.m. PDT

Teams [Link](#)

Wildfire Smoke Workgroup

Thursday, October 15, 2026

1:00 p.m. to 2:00 p.m. PDT

Teams [Link](#)

EPA Air Policy Call

Thursday, October 22, 2026

11:00 a.m. to 12:30 p.m. PDT

Teams [Link](#)

AIEO Tribal Partnership Review Comment Letter

NTAA developed a comment letter on the American Indian Environmental Office's review of the Tribal Partnership Network. The comment letter can be found on our website [here](#).



UNDERSTANDING DATA CENTERS: POLICY CONSIDERATIONS AND RESOURCES FOR TRIBAL COMMUNITIES

Speakers

Tana Fitzpatrick - Associate Vice President, Tribal Relations at the University of OK

Stefanie Tsosie - Staff Attorney Earthjustice

La Shell Thomas - Air Quality Specialist, Peoria Tribe of Indians of Oklahoma

Presentation overview

- Emerging federal and state policy trends and potential impacts on Tribal communities.
- Governance resources to support informed decision-making.
- How Tribal nations are navigating new considerations related to energy, water, land use, economic development, and sovereignty.
- Legal resources and tactics available to Tribes.
- How to comment on and evaluate permits and air quality impacts.

 **1:00 - 2:30 PM PST**

12:00-1:30PM ALASKA, 1:00-2:30 MST
2:00-3:30PM MDT, 3:00-4:30PM CST,
4:00-5:30PM EST

 **OCT 14, 2026**

[Please register here.](#)




ITEP/TAMS UPDATES

AIAQTP & TAMS Office Hours:

Each month ITEP, EPA, and Tribes will host a rotating schedule of office hours. Please join a lively discussion and ask questions about Grants, Indoor Air Quality, and the TAMS Center.

Grants Office Hours

First Wednesday of every other month, October 7, 2026 at 10:00 a.m. Pacific (9 AK/11 MTN/12 Central/1 EST)

Teams [Link](#)

TAMS Center Office Hours

Second Tuesday of every other month, November, 10, 2026 at 11:00 a.m. Pacific (10 AK/12 MTN/1 Central/2 EST)

Teams [Link](#)

Indoor Air Quality and Outreach & Education Office Hours

Third Thursday of every other month, November, 19, 2026 at 11:00 a.m. Pacific (10 AK/12 MTN/ 1 Central/ 2 EST)

Teams [Link](#)

National Tribal Infrastructure Coordination Conference

October 5-8, 2026

Reno, Nevada

Click [here](#) for virtual registration for the plenary sessions.

AIAQTP In Person Course Schedule

Click [here](#) for more information and to register.

Introduction to Air Quality in Tribal Communities

December 15-17

TAMS Center, Las Vegas, NV

Registration open soon



2026 ITEP OFFICE HOURS

TAMS Center Office Hour Second Tuesday of Every Month	TAMS Steering Committee Air Monitoring Work Group Second Tuesday of Every Month
11:00am Pacific July 14th September 8th November 10th https://bit.ly/TAMS_OH	August 11th October 13th December 8th https://bit.ly/TAMS_SC_OH
Meeting ID: 264 344 606 440 300 Passcode: v6dD7Np	Meeting ID: 273 031 156 075 815 Passcode: 9Z3yn6Z

Grants Office Hour First Wednesday of Every Month

10AM Pacific
July 1st, August 5th, September 2nd,
October 7th, November 4th, December 9th
https://bit.ly/Grants_OH

Meeting ID: 291 133 087 797 294
Passcode: a6Qv6pJ3

Indoor Air Quality Office Hours Third Thursday of Every Month	Outreach & Education Office Hours Third Thursday of Every Month
July 16th, August 20th September 14th October 16th November 19th December 17th https://bit.ly/IAQ_OH	July 16th, August 20th September 14th October 16th November 19th December 17th https://bit.ly/Outreach_OH
Meeting ID: 228 241 135 890 40 Passcode: dt22Ku7v	Meeting ID: 292 128 082 093 608 Passcode: Wq6cH6uY



NTICC 2026
National Tribal Infrastructure Coordination Conference
Oct 5-8, 2026 - Reno, NV

The NTICC 2026 **detailed agenda** is now available!

Learn more about our work groups, trainings, presentations, and field trips!

See the full agenda here:
bit.ly/NTICC-agenda



AIAQTP IN PERSON COURSE SCHEDULE

NOVEMBER 2026- SEPTEMBER 2027

- AIR QUALITY IN ALASKA NATIVE COMMUNITIES**
NOVEMBER 3-5, 2026, KODIAK, AK
- INTRODUCTION TO AIR QUALITY IN TRIBAL COMMUNITIES**
DECEMBER 15-17, 2026, TAMS CENTER, LAS VEGAS, NV
- PM 2.5 AIR MONITORING**
JANUARY 12-14, 2027, TAMS CENTER, LAS VEGAS, NV
- TRIBAL AIR GRANTS & PROGRAM MANAGEMENT**
FEBRUARY 9-11, 2027, TAMS CENTER, LAS VEGAS, NV
- FUNDAMENTALS OF AIR MONITORING**
MARCH 23-25, 2027, TAMS CENTER, LAS VEGAS, NV
- INDOOR AIR QUALITY IN TRIBAL COMMUNITIES**
MAY 18-20, 2027, OKLAHOMA
- AIR QUALITY & ECOSYSTEMS**
JUNE 22-24, 2027, TAMS CENTER, LAS VEGAS, NV
- AIR QUALITY OUTREACH & EDUCATION IN TRIBAL COMMUNITIES**
JULY 20-22, 2027, TAMS CENTER, LAS VEGAS, NV
- AIR MONITORING PROJECT PLANNING & DEVELOPMENT**
AUGUST 17-19, 2027, TAMS CENTER, LAS VEGAS, NV
- TRIBAL PARTICIPATION IN THE STATE IMPLEMENTATION PLAN (SIP) PROCESS**
SEPTEMBER 14-16, 2027, TAMS CENTER, LAS VEGAS, NV

AIAQTP OFFICE HOURS TOPICS
GRANTS,
TAMS-AIR MONITORING,
OUTREACH & EDUCATION,
INDOOR AIR QUALITY

EPA ANNOUNCEMENTS

EPA AirHub

EPA AirHub, formerly referred to as the “Unified Platform Project,” is a multi-year effort to modernize how clean air data are collected, managed, and shared across EPA and state, local, and Tribal partners. EPA AirHub will bring together capabilities currently supported by several existing clean air data systems into a more integrated and efficient system designed to improve usability, reduce duplication, strengthen data sharing, and support Clean Air Act implementation. [Learn More](#).

Greenhouse Gas Standards and Guidelines for Fossil Fuel-Fired Power Plants

On September 14, 2026, EPA Administrator Lee Zeldin signed the final Partial Repeal of the Carbon Pollution Standards for Fossil Fuel-Fired Electric Generating Units. EPA supplemented this action with the proposed Rescission of the Greenhouse Gas (GHG) Findings for Fossil Fuel-Fired Power Plants and Repeal of Regulations for Power Plant Greenhouse Gas Emissions Under Clean Air Act Section 111. The supplemental proposal rescinds EPA’s underlying GHG regulatory authority for fossil fuel fired power plants and repeals the remaining Clean Air Act (CAA) section 111 power plant GHG regulations. Click [here](#) for more information. Deadline to request government to government consultation is **October 19, 2026**, please contact John Kennedy, Tribal Consultation Advisor, at Kennedy.John@epa.gov or (919) 541-1548. Deadline for comments is **Monday, November 2, 2026 at 11:59 PM EST**.

[EPA Tools and Resources Webinar Series](#)

Partnering to Address Lead (Pb)

October 21, 2026

Free webinars are typically held the third Wednesday of every other month from 3:00 - 4:00 PM (ET)

Click [here](#) for more information

[2026 Diesel Emissions Reduction Act \(DERA\) National Notice of Funding Opportunity Open](#)

The U.S. Environmental Protection Agency is authorized under the Diesel Emissions Reduction Act to offer funding assistance to accelerate the upgrade, retrofit, and turnover of the legacy diesel fleet. The EPA expects to award approximately \$180 million under this Notice of Funding Opportunity. Final funding amounts and awards are subject to the availability of funds, the quality of applications, agency priorities, and other applicable considerations. All application packages must be submitted electronically to EPA through Grants.gov no later than **Friday, January 22, 2027, at 11:59 p.m. (ET) to be considered**.

EPA Proposes Reconsideration of 2024 Gasoline Distribution Facilities NSPS and NESHAP Rule

In response to three petitions for reconsideration from industry trade associations, EPA published in the Federal Register (91 Fed. Reg. 61,175) a proposed rule that would amend the May 2024 final rule, “New Source Performance Standards (NSPS) Review of Bulk Gasoline Terminals and National Emission Standards for Hazardous Air Pollutants (NESHAP): Gasoline Distribution Technology Reviews.” The proposed changes include amendments to: 1) the modification trigger for the equipment leaks monitoring program in the NSPS, 2) operating limits and continuous compliance provisions for control devices used for gasoline loading operations in the NSPS and NESHAP, and 3) vapor tightness requirements for gasoline cargo tanks in the NSPS and NESHAP. Click [here](#) for more information. [Comments](#) on the proposal are due by November 12, 2026.

OTHER ANNOUNCEMENTS

[Tribal Data Center Resources: Harnessing Data Centers for Tribal Economic Development](#)

The Office of Indian Energy works with Tribal leaders and staff on the topic of data center development and partnerships. While data centers have been around for a long time, larger data centers continue to be built to support growth in the use of artificial intelligence (AI) and manufacturing. Data centers vary greatly in size, use case, and how much energy they use. Some are small units, requiring less than a megawatt (MW) of power, whereas others are very large and require gigawatts of power—such as those used for massive-scale operations and high efficiency, like AI data centers. Click [here](#) for the Department of Energy's Data Center Resource Hub.

October is National Indoor Air Quality Awareness Month

National Indoor Air Quality Awareness Month is observed every October to draw attention to the impact of indoor air quality on health, especially since Americans spend about 90% of their time indoors. The month features educational campaign, resources, and initiatives aimed at improving air quality in homes, schools, and workplaces. [The Asthma and Allergy Foundation of America \(AAFA\)](#) hosts campaigns with science-backed tips, certified product spotlights, and weekly educational articles. [The American Lung Association](#) promotes tools for healthcare professionals to identify and address indoor air pollution risks.

National Congress of American Indians 83rd Annual Convention and Marketplace

Join the National Congress of American Indians (NCAI) in Palm Springs, California, for the 83rd Annual Convention & Marketplace.

October 18 -October 22, 2026. Click [here](#) for more information and to register.

Click [here](#) for NCAI's Event Page

Intermountain West Ozone Exchange

The North Front Range Metropolitan Planning Organization and Pikes Peak Area Council of Governments are jointly hosting a three-day conference on ozone science and attainment challenges specific to the Intermountain West states.

October 26-28, 2026

Loveland, CO

Click [here](#) for more information and to register.



Tribal Exchange Network Group (TXG)

Tribal Exchange Network Group (TXG)

Monthly Tribal Data Drop-In Session

Thursday, November, 19 2026 from 10:00 a.m. - 11:30 p.m. Pacific

Click [here](#) to register



National Association of Clean Air Agencies (NACAA)

[Washington Update](#)



Environmental Law Institute

Click [here](#) to view ELI's Calendar of seminars, courses & special events.



OTHER ANNOUNCEMENTS CONT.

Wildfire Emissions Prevention Act (WEPA) Bill Passes Unanimously in Senate EPW Committee on September 16, 2026

A bill titled Wildfire Emissions Prevention Act of 2026 (S.5045) was introduced and referred to the Senate Environment and Public Works (EPW) Committee on July 21, 2026 and passed unanimously on September 16, 2026. The bill modifies how air monitoring data are impacted by prescribed fires. Specifically, it would reduce the burden and cost for States to demonstrate an exceptional event and clarify the eligibility of prescribed fires as exceptional events in order to “help prevent or mitigate wildfires.” The bill was led by Senator John Curtis (R-UT) and co-sponsored by EPW Chair Shelley Moore Capito (R-WV) and Senators Jeff Merkley (D-OR), John Boozman (R-AR), Alex Padilla (D-CA), and Mark Kelly (D-AZ). It has been placed on the Senate Legislative Calendar under General Orders. Click [here](#) for further information and [here](#) for a copy of the bill.

Fuel Economy Rollback Finalized

On September 30, 2026, the U.S. Department of Transportation’s National Highway Traffic Safety Administration (NHTSA) published its SAFE III rule revising Corporate Average Fuel Economy (CAFE) standards for passenger cars and light trucks for model years (MYs) 2022 through 2031 in the Federal Register (91 Fed. Reg. 61,988). The final rule establishes weaker fuel economy standards than the standards adopted in 2024, including retroactive revisions for MYs 2022 through 2026 and new footprint-based standards for MYs 2027 through 2031. NHTSA estimates the rule will produce a combined industry-average required CAFE level of 34.9 miles per gallon in MY 2031, including 40.2 mpg for passenger cars and 26.4 mpg for light trucks, compared with an estimated 49.3 mpg combined level under the previously applicable standards. Click [here](#) for more information.

FUNDING OPPORTUNITIES

Tribal Funding Registry

The Tribal Funding Registry is a Native-led platform that brings together federal, state, corporate, foundation, and Tribal funding opportunities in one place. Built for Tribal Nations and Indigenous-led organizations, with guided support from staff who understand Tribal context. Click [here](#) for more information.

NDN Collective Community Action Fund

The 2026 Community Action Fund Grant Cycle is Now Open! With grants up to \$20,000 USD the Community Action Fund (CAF) grantsupports Indigenous-led direct actions and organizing efforts that are often urgent and time sensitive. The CAF prioritizes frontline, grassroots and community-based efforts that defend Indigenous Peoples' rights, communities and Nations, including responses to climate disasters. Applications accepted on a rolling basis until 10/16/2026. Click [here](#) for more information.

DOE Office of Indian Energy: On-Request Technical Assistance

Rolling Deadline. Indian Tribes and Alaska Native Villages can apply annually to receive on-request technical assistance with energy planning; housing, building energy efficiency, and resilience; project development; village power; and policy and regulation. Assistance is provided by the U.S. Department of Energy (DOE) Office of Indian Energy and its national laboratories, along with other partnering organizations, at no cost. Click [here](#) for more information.

USDA Emergency Community Water Assistance Grants

Applications accepted continuously. This program provides grants to assist rural communities that have had a significant decline in quantity or quality of drinking water. Grant may fund waterline extensions from existing systems, construction of new water lines; repairs to existing systems, construction of new wells, reservoirs, transmission lines, treatment plants, and other water sources. Priority is given to areas with less than 10,000 people, low-income areas, and communities facing imminent decline and shortage of water. Click [here](#) for more information.