

**Tribal Infrastructure Task Force (ITF) Meeting
Meeting/Call Summary
November 1, 2016**

Attendance

Bacock	Alan	Big Pine Paiute Tribe
Bennon	Brian	Inter Tribal Council of Arizona, Inc.
Bland	Naseera	US Environmental Protection Agency (EPA) Office of Waste Management (OWM)
Bullough	Jennifer	US Department of Housing and Urban Development (HUD)*
Burg	Marta	Tribal Consultant, Eagle Rock, California
Calkins	Mark	Indian Health Service (IHS) Division of Sanitation Facilities Construction (DSFC)*
Daily	Alex	IHS DSFC
Frace	Sheila	EPA OWM*
Guernica	Mimi	EPA Office of Land and Emergency Management (OLEM)
Harvey	David	IHS DSFC
Katchinoff	Julien	US State Department
Kubena	Kellie	US Department of Agriculture (USDA) Rural Development (RD)
Laroche	Darrell	Bureau of Indian Affairs (BIA)*
Lieberman	Paige	EPA American Indian Environmental Office (AIEO)
Livermore	Shaun	Poarch Band of Creek Indians
Moravec	Krista	Horsley Witten Group, Contractor
Nielson	Hal	USDA RD
Ponti	Jacki	USDA RD*
Reddoor	Charles	EPA OLEM
Richardson	Matthew	EPA OWM
Roy	Rob	La Jolla Band of Luiseno Indians
Russell	Sam	EPA Office of Ground Water and Drinking Water (OGWDW)
Salyer	Katherine	EPA OLEM
Schindler	Nicole	USDA RD
Smith	Garrett	EPA Region 2
Snowden	Kami	Tribal Solid Waste Advisory Network
Snyder	Jessica	EPA OLEM
Titensor	Kelly	US Bureau of Reclamation (BOR)
Vonfeck	Stephanie	EPA OWM
Wagner	Dennis	EPA Region 10, Anchorage
Wheaton	John	Nez Perce Tribe

(* ITF Principal)

A. Welcome & Introductions

Sheila Frace and Matt Richardson welcomed everyone. The purpose of the meeting is to get everyone up to date on the significant progress that has been made in each of the topics and to discuss next steps.

B. Update on IHS/USDA Water Utility O&M Analysis

David Harvey provided an update on the IHS/USDA operation and maintenance (O&M) cost analysis associated with tribal water and wastewater utilities. The assessment is being conducted to meet the ITF Access Goal of reducing the lack of access to safe drinking water and basic sanitation in Indian Country. This goal is unlikely to be met with the current level of federal funding if the focus is on constructing new infrastructure. Therefore, the workgroup's direction is to develop a methodology to evaluate O&M costs for tribally operated facilities and outline a strategy to address those costs.

The three outputs of the analysis are 1) identify the optimum O&M benchmarks and document best practices based on utility type, location, and population served; 2) develop a national estimate of O&M costs for utilities owned and operated by American Indian (AI) and Alaska Native Village (ANV) communities; and 3) develop information for technical support to AI and ANV communities that own and operate utilities.

The approach is divided into two phases. The first phase will identify the universe of tribal organizations and the utilities they oversee. IHS staff are currently validating their inventory of utility organizations and water/wastewater utilities. At this point, the utility organization is not linked with the utility system in the inventory. Once the validation is complete, staff will identify utilities that are considered well-run. This will be done through a pre-screening process involving IHS Tribal Utility Consultants and District Consultants. Once utilities are identified, tribes will be contacted to see if they want to be included in the study as benchmark utilities. If so, they will be asked to provide data about their budget process, revenue, assets, etc.

During the second phase, of those tribal utilities not identified as benchmarks, a randomly selected sample will be contacted to participate. The same data will be collected as from the benchmark utilities. At the end of the analysis, there will be a universe of benchmark utilities, optimal and non-optimal practices, and case studies of best management practices.

The actual organization of the final list of utilities is yet to be determined, but because of the diverse utility types in ANVs, it is anticipated that they are being organized and analyzed by system type. In the lower 48, systems will most likely be organized and analyzed by size of population served and number of systems managed by the tribe.

The AI communities and ANVs are on two different timelines, with ANVs on a faster timeline, a year ahead of AI communities. Phase one for AI communities is scheduled to be completed by March 2017 and phase two by March 2018.

David asked for feedback with the effort from tribal members, particularly how to make their message clear about what they are trying to do and how to improve the perception of their message by tribes.

Comment/Question: The tribes in Region 9 are very supportive and find the analysis valuable. There are many small tribes in California that are not public water systems or do not have formal management organizations. How are they being addressed in this analysis?

Response: If the utility is a community system that is under EPA's definition of "Community water system", they will be included. If the tribe is not providing services, then IHS is not interested in getting data on programs that do not exist. If there was an attempt by the tribe to provide services, such as

septic tank pumping, the assumption from Headquarters is that there must be services provided to homes. If they can get feedback on that, EPA can try to collect cost data.

Comment/Question: Through this study, how do we promote community engagement and get everyone involved in this process to get all the data?

Response: You are right. Are there other organizations that we need to reach out to? This might not be for Joe Q. Public, but we need to reach tribal utilities, environmental directors, and other tribal governmental entities.

Comment/Question: Have we conducted outreach to tribal communities to let them know we are doing the study?

Response: Yes. We have continued outreach through the ITF calls. Are there other venues we should be reaching out to?

Comment/Question: So you have a mechanism to get this information to tribes so they can see what we are doing and why?

Comment/Question: IHS had a session at the Region 9 annual conference. Other venues might be available, I'm not sure how many participants. Other suggestions would be to go through Regional Tribal Operations Committees (RTOCs) and letters or emails directly from Headquarters to tribal leaders. Attend existing meeting structures throughout the regions is the current aim.

Response: IHS would prefer to be the one communicating. We would be happy to go to RTOCs and describe the effort. A notice was posted on WaterOperator.org.

Comment/Question: The Tribal Lands and Environmental Forum is in August in Oklahoma. You could make a submission in their request for topics. You could also hold a webinar for those you have identified to explain the study and see if they are interested in participating.

In Alaska, we are working with partners who are working directly with the communities.

Comment/Question: You could also ask EPA OW through Felicia Wright to get the word out. Their newsletter goes out about every other month.

Comment/Question: I have two comments. When you communicate with the entities, be sure to make a personal connection. Secondly, what organizations are you working with in Alaska, to ensure the information is going to be adequately representative?

Response: The program is fully contracted, and IHS has little involvement. The Alaska Health Consortium is working with the State of Alaska Rural Utilities Systems Program. They have the capacity and information.

C. Progress and Next Steps on Three Solid Waste Subgroups

Each solid waste subgroup reported on their progress and next steps.

a. Assessing Barriers to Sustainable Waste Programs

Marta Burg presented on behalf of the subgroup. The focus of their work was to identify barriers to the development and implementation of sustainable waste programs, strategies to overcome those barriers, and recommendations to ITF.

Based on the comments the workgroup received, ITF has requested additional work be done. All of the information in their report came from the knowledge and experience of the team members and the outreach they did to tribal representatives, practitioners, and agency personnel. They need more supporting data and specific information on the programs that currently exist. The ITF principals have been contacted to get clarification on the next steps.

Some of the same team members can continue to participate, and will help define next steps for the report and ancillary work to move the effort forward.

Some of the recommendations were supported by the Region 9 tribes and have been implemented on the regional level. These include creating a support group, populating a resource directory, coordinating with technical providers, and flushing out strategies that the tribes find helpful.

There were no comments or questions.

b. Community Engagement Strategies

Kami Snowden provided the overview. The workgroup has a new co-lead from Region 7. The workgroup is anxious to get it out there and learn and test some of the ways of engaging the entire community.

One of the strategies they identified in their report was developing a solid waste advisory committee. Its membership should not be restricted to tribal entities, and rather, should include entities that are also doing business with the tribe. A template strategy was developed to guide tribes in creating a committee.

Their strategies are defined around how to engage an entire community in the decision-making process, especially when the end result entails some degree of financial support through tribes.

Comment/Question: What other things can we do to help you in this process?

Comment/Question: Your report identified a few pilots.

Response: Yes, we would really like to implement some of the strategies to see how they work in the field. We would like to implement one in Alaska, representing a more rural community with fewer opportunities, and one in the lower 48 at minimum.

Comment/Question: Dennis Wagner was asked if he had a chance to review the workgroup's report and if he thought something could be piloted in Alaska. He responded that he has not had a chance to look at it yet.

Response: The workgroup's next step, if a pilot or two can take place, is to ask for a minor financial commitment from the principals.

Because the workgroup has so many affiliates, they all are interconnected at some point. The workgroup also used peer matching a lot in every effort. They think it is a very highly valuable resource so that everyone gains from every perspective.

Comment/Question: What is the timing for the pilot? How long would it take?

Response: About twelve months would be a good estimate.

c. Open Dump Inventory, Health Assessment Methodology & Needs Data

David Harvey provided an overview of the workgroup's report. They looked at the quality of the open dump data in IHS' Operation and Maintenance Data System (OMDS) database and found that it is not as complete as they hoped it would be. About 3,300 sites are pending action, and of those, one third had no reported surface area or a reported surface area of zero. The data quality make it difficult to calculate hazards associated with the open dumps. Additional missing data include location coordinates of an open dump and status of sites outside of a reservation that are not under control of the Indian government.

The workgroup came up with actions outlined in the executive summary: commit to a schedule to review and update open dump data in the OMDS; develop a training program for field staff to adequately assess open dumps and accurately enter data into OMDS; develop evaluation criteria to assess the effectiveness of tribal solid waste management programs; continue to encourage tribes to develop and enforce solid waste codes and ordinances; and continue to encourage tribes to actively clean up and close open dumps.

With these proposed actions, IHS sent over a draft memorandum of understanding (MOU) to EPA OLEM in September. They are in discussions to establish roles, including who will take the lead on each of the actions.

IHS is also developing an interagency agreement with EPA AIEO for matching funds to draft a solicitation for code and ordinance training development. This will be a five-year effort. The solicitation has not been announced yet, but market research is ongoing. The idea is to have up to 20 tribes attend. The per diem lodging would be covered by the contractor providing the training and tribes would cover other costs. The same trainers would be available to the trainees afterwards. Six to eight months later, tribes and trainers would meet again to evaluate the tribes' progress in developing the codes and ordinances, and strategize solutions to barriers they are encountering, ultimately leading to the implementation of the codes and ordinances. The IHS director is interested in the workgroup's report and may be able to provide some political backing to move this effort forward.

Comment/Question: Is the report that you develop for the ITF going to be finalized? It sounds like you are moving into implementation.

Response: If it still says draft, it can be changed to final.

Comment/Question: For tribes, the biggest barrier is not with the laws themselves, but effective implementation and enforcement, especially with the environmental laws. Any assistance in training

and follow-up to address the structures in smaller communities that do not have enforcement mechanisms would be helpful.

Comment/Question: There is an opportunity to make a connection with between training for emergency preparedness in source water protection and solid waste management. Tribes do it already in their plans, but open dumps are usually near stream flows, impacting source water.

Response: In the health hazard assessment, there are questions about the distance between water sources and open dumps to address this.

Comment/Question: Opening up the training to emergency preparedness agencies/programs, including soil conservation districts, should be considered.

Comment/Question: I like the workgroup's approach of identifying specific hurdles that will be represented in other locations. The enforcement hurdles identified in the second meeting will be most challenging.

Comment/Question: Enforcement is critical, and not just a challenge for tribes. Counties and states also cannot enforce laws against illegal dumping unless there is direct, concrete evidence, such as seeing the illegal dumping or a having a picture or video of the act of dumping.

Comment/Question: This is as a great opportunity to work with the local county or state public health district. They are willing to assist on non-tribal lands, but on tribal lands they lose enforcement authority.

Comment/Question: With regards to the status of the MOU, there was a briefing schedule with management, and they need to get concurrence up the chain and agree on next steps.

D. Discussion and Next ITF Conversation

There was no further discussion. Matt Richardson thanked everyone for participating.

Action Items

Action Item	Responsible Party
Review & approve meeting notes	All meeting participants
Post meeting notes online	Matt Richardson
Schedule next ITF Principal's meeting to identify next steps for the ITF	Stephanie VonFeck
Post reports of Workgroups 2 and 3 on ITF website	Stephanie VonFeck