

**Meeting Summary**  
**Tribal Infrastructure Task Force Principals Meeting**  
**October 31, 2023**

**Welcoming Remarks**

CAPT Dave Harvey and Rear Admiral Mark Calkins of IHS welcomed the meeting participants to IHS headquarters and discussed how IHS is looking forward to further collaboration with all ITF members to resolve water and wastewater deficiencies identified across Indian country. They introduced Josh Marshall, IHS Senior Advisor to the Director. Part of Josh's portfolio is to oversee IHS implementation of Bipartisan Infrastructure Law (BIL)/ (Infrastructure Investment and Jobs Act (IIJA) funding. CAPT Sam Russell of EPA summarized the discussion topics for the meeting as laid out in the agenda sent to the participants. Following welcoming remarks meeting participants introduced themselves.

**ITF Agency Updates**

CAPT Sam Russell facilitated a discussion with the ITF agencies reviewing their work to implement projects funded under the BIL/IIJA. A summary of the information provided by each ITF agency is provided below.

Indian Health Service (IHS)

Admiral Mark Calkins updated the group on funded projects, challenges faced, and potential solutions to address those challenges.

- IHS has funded 456 projects through the BIL and discussed their approach to focus BIL funding on their 2021 Sanitation Deficiency System list of projects.
- IHS is partnering with the U.S. Army Corps of Engineers to support design and construction of projects and is pursuing a similar partnership with the Bureau of Reclamation.
- IHS indicated that recent project construction bids have come in over budget and that they are aiming for projects durations of 2-3 years.

U.S. Environmental Protection Agency (EPA)

Yu-Ting Guilaran provided an update from the Office of Groundwater and Drinking Water.

- On June 28<sup>th</sup>, EPA released \$278 million in water infrastructure funding, its largest allocation of funding for Tribal water infrastructure ever, \$175 million of that funding was specifically for tribal drinking water infrastructure. EPA also this year released the 7<sup>th</sup> Drinking Water Needs Survey and Assessment report to Congress demonstrating greater than \$4 billion in estimated Tribal drinking water infrastructure needs over the next 20 years.
- EPA is supporting Tribes to conduct service line inventories, ahead of the October 2024 deadline, and to identify and address lead service lines using \$300 million in BIL funding, over five years, to support Tribes.
- EPA anticipates a finalized PFAS rule in 2024 and will leverage \$176.5 in BIL funding, over five years, to address PFAS and other emerging contaminants.
- EPA reported plans to award up to \$150 million in grants to Environmental Finance Centers for water technical assistance to communities, including tribes.

Wynne Miller provided an update from the Office of Wastewater Management.

- OWM received \$64 million of the \$278 million through a set-aside for tribes. This helped to co-fund 82 projects for FY22.
- Technical assistance for tribal wastewater systems is available through the Rural, Small, and Tribal (RST) program.
- EPA is partnering with USDA on the Closing America's Wastewater Access Gap in 11 communities, including one Tribal. EPA anticipates this will expand to around 150 communities.

Catharine Davis provided an update on solid waste.

- The BIL provided the largest investment ever in recycling and new funding is improving waste management system efficiency and reducing impacts of waste on the climate.
- Solid Waste Infrastructure for Recycling Grant Program recipients were recently announced, and additional Tribal grants are expected in late 2023 or early 2024.
- EPA and IHS are improving open dump data and piloted a mapping app and verifications for 36 locations. This will be followed with training for Tribes to conduct their own investigations.
- Tribes consistently raise funding of operations and maintenance as a challenge.

#### Indian Affairs (IA)

CAPT James Ebert provided an update from BIA and highlighted a few success stories.

- Over five years, BIA will provide \$50 million for tribal irrigation and power and \$200 million for water sanitation and dams. They are focusing on the greatest needs and existing projects with funding needs and indicated they are experiencing supply chain issues and occasional cost overruns.
- BIA partnered with IHS on a wellfield to reduce arsenic in drinking water and on 31 sites with the Columbia River Inter-Tribal Fish Commission.

#### Bureau of Reclamation (Reclamation)

Jeffrey Morris provided an update from Reclamation.

- Reclamation is developing a partnership with the IHS.
- Reclamation has developed two new BIL programs with \$2.1 billion over five years under WaterSMART an invested \$528 million to reduce water shortages in the Colorado River and selected 370 projects that total \$2.7 billion.
- BOR has also utilized funds from the Inflation Reduction Act, including \$4 billion to mitigate drought impacts with priority given to the Colorado River Basin, \$550 million for domestic water supply projects, \$25 million for canal improvement projects, and \$12.5 million in emergency drought relief.
- A challenge for Reclamation is to keep up with all the money that is available.

#### U.S. Department of Agriculture (USDA)

Steve Polacek provided an update from USDA.

- USDA has spent about \$1.7 billion in non-BIL funding for water/wastewater projects this year across the country.

- USDA has 2022 Disaster Water Grants Program funding available<sup>1</sup> for rural water system, serving a population of up to 35,000, that were damaged by Presidentially Declared Disasters from 2022.
- USDA RD WEP is standing up a Disaster Technical Assistance program to assist communities that would be eligible for the CY22 Disaster construction program.
- In general, USDA programs help communities with populations <10,000 with water, solid waste, stormwater and wastewater needs. Sixty-five percent of funds went to Justice40 communities.
- USDA grants and loans can be used as the nonfederal 25% match for FEMA and other federal grant in aid programs, for communities needing additional funding.

#### Centers for Disease Control (CDC)

Troy Ritter provided an update from CDC.

- CDC is partnering with the IHS program to support a water hauling pilot program to demonstrate the ability to haul water to homes that cannot be served by pipes.
- The CDC has a private foundation that is marketing the benefits of water and sanitation and getting people to invest in this infrastructure. They funded miniature sanitation systems at 400 homes in Alaska with children ages less than 12 years and reporting significantly less respiratory issues.
- CDC has revised how public notifications are given to tribes. In the past notifications of reportable diseases went to the state, who in turn may or may not have notified tribes. The process has been changed to ensure tribes are aware of reportable diseases.
- A critical decision point for CDC moving forward is how to come up with different approaches to address legionella.

#### Housing and Urban Development (HUD)

While a part of the ITF no representatives from HUD participated in this meeting. However, written notes were provided via email, see below section “Written Update from HUD”.

#### **Technical Support for Planning, Design, and Construction Documents**

The group discussed strategies to overcome the current bottleneck that planning, design, and construction documents has created in project implementation. IHS will be meeting with BOR shortly to discuss the MOA under development that was referenced in ITF Agency Updates.

EPA has contracts and grants, such as RST grants, and the Closing America’s Wastewater Access Gap Program that can assist with this effort.

USDA has planning and predevelopment grants, but they require the applicants to develop a relationship with their own contractors.

#### **ITF Priorities and Action Items**

The group discussed priorities for the next calendar year and action items moving forward. Priorities including continuing the G-Invoicing working group to develop a messaging strategy around concluding older projects and having an approach for open projects, looking at how to streamline funding

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<sup>1</sup> <https://www.rd.usda.gov/programs-services/water-environmental-programs/calendar-year-2022-disaster-water-grants-program>

applications, continuing the open dump mapping project, and looking closer at operations and maintenance. For next steps IHS is looking for formal agency feedback on a report detailing tribal operations and maintenance and all participants were asked for recommendations on better engagement of tribal representatives in the ITF. Please note that the on-line meeting cut off in the middle of this discussion so this summary may be incomplete.

## **Attendees**

### U.S. Environmental Protection Agency (EPA)

- Office of Ground Water and Drinking Water (OGWDW)
  - Yu-Ting Guilaran, Deputy Director
  - Katie Foreman, Branch Manager, Tribal and Water Resources Assistance Branch
  - CAPT Samuel Russell, Tribal Lead and ITF Coordinator, Tribal and Water Resources Assistance Branch
- Office of Wastewater Management
  - Wynne Miller, Deputy Director
  - Catherine Allen, Branch Manager, Sustainable Communities and Infrastructure Branch
  - Matthew Richardson, Tribal Lead and ITF Coordinator, Sustainable Communities and Infrastructure Branch
- Office of Resource Conservation and Recovery
  - Carolyn Hoskinson, Director
  - Catherine Davis, Deputy Director, Program Implementation and Information Division
  - Charles Reddoor, National Tribal Programs Coordinator

### Indian Health Service (IHS)

- Josh Marshall, Senior Advisor to the Director
- RADM Mark Calkins, Director, Division of Sanitation Facilities Construction (DSFC)
- CAPT David Harvey, Deputy Director, DSFC

### Bureau of Indian Affairs (BIA)

- Judith Wilson, Director, Office of Facilities, Property, and Safety Management
- Scott Sufficool, Program Chief, IA Public Health and Safety Program
- CAPT James Ebert

### Bureau of Reclamation (Reclamation)

- Jeffrey Morris, Program Manager, Native American Affairs Program
- Kelly Titensor, Advisor, Native American Affairs Program

### U.S. Department of Agriculture

- Steven Polacek, Water Programs Director, Rural Utility Service, Rural Development Agency
- Dolores “Lola” Maratita, Community Program Specialist, Rural Utility Service

### Center for Disease Control

- CAPT Troy Ritter

## **Written Update from HUD**

While a part of the ITE, no representatives from HUD participated in this meeting. However, the following written updates were provided:

HUD Office of Native American Programs (ONAP) did not receive any extra funding for infrastructure and no big initiatives through the BIL. However, HUD ONAP would be pleased to help with any coordination efforts to connect Tribal housing to infrastructure opportunities. With respect to HUD ONAP's efforts leading the Tribal Housing and Related Infrastructure Interagency Task Force (THRIITF), we are happy to report that the THRIITF developed a tool that can help better coordinate environmental review for infrastructure projects in Indian Country. The tool is the "Tribal/Interagency Environmental Streamlining Toolkit" (TIES). TIES provides Tribes with information and the tools necessary to create one environmental review when multiple agencies are involved in the funding and/or BIA's approval of a Trust lease is necessary for a Tribal housing project. It is designed to be a hub for Tribes and agencies to find environmental requirements for Tribal housing and related infrastructure (electric, water, broadband, roads) from eight different federal agencies. It also contains guidance and best practices for coordination, including coordinating endangered species and historic preservation reviews. TIES will continue to be updated with content as the Task Force develops additional guidance and training tools. TIES is available at <https://www.hudexchange.info/programs/environmental-review/ties-toolkit/introduction/>