

**Meeting Summary
Tribal Infrastructure Task Force (ITF) Principals Meeting
December 17, 2024**

Welcoming Remarks

Captain Sam Russell of EPA welcomed everyone to the meeting. The participants introduced themselves.

EPA and National Tribal Water Council Opening Remarks

Wynne Miller from EPA spoke briefly.

- She thanked all the participants for attending and extended a special thank you to Chairman Norton and Shaun Livermore from the National Tribal Water Council (NTWC).
- Emphasized the exciting work done under the Safe Drinking Water Act, especially in recent years thanks to Infrastructure Investment and Jobs Act (IIJA) funding and invited NTWC Chairman Norton to address the ITF.

National Tribal Water Council Chairman Norton provided background and history for the NTWC and proposed focus to identify needs of Tribal utilities.

- The NTWC was formed in 2008 to advocate for water and sustainability needs of Native American Tribes and Alaskan Native villages and consists of core and at-large members with includes specialized technical expertise.
- Since its inception, the NTWC has worked with EPA, the Indian Health Service (IHS), the Bureau of Indian Affairs (BIA), the National Congress of American Indians (NCAI), and numerous Tribal and non-Tribal environmental organizations.
- Although recent years have seen significant progress in the field of drinking water supply for Native American communities, there are additional needs in Tribal operations and maintenance capabilities and emphasized the needs of utility operators and their retention.
- NTWC is collecting narratives to develop a white paper about the challenges Tribally owned water utilities face and the resulting effects and will summarize the results of their efforts and share them with the ITF.

EPA's Yu-Ting Guilaran noted that EPA is planning a Tribal utility focused needs survey.

Indian Health Service Update on Water Utility Operations and Maintenance (O&M) Congressional Budget Request

Rear Admiral Mark Calkins from IHS provided an overview of the congressional budget request.

- In 2018, IHS evaluated the O&M funding needs of the country's Native American water utilities. He stated this report contained an initial estimate of the funding shortfall tribally owned and water and wastewater utilities needed to provide adequate O&M support. He recommended the report be updated to improve this estimate.

- IHS included a request for \$250 million to address operation and maintenance costs and \$10 million to support a nation-wide analysis to understand the O&M cost implications associated with IHS implementing their requirements under the Indian Health Care Improvement Act in the FY 2025 Department of Health and Human Services Justification of Estimates for Appropriations Committees.

Chairman Norton noted the IHS focus to address a backlog of Sanitary Deficiency System (SDS) projects and asked Rear Admiral Mark Calkins to provide additional details.

- Rear Admiral Mark Calkins said that in 2021 there was a \$3.4 billion dollar need with current \$600.5 million goes to fund the projects.
- Back in 2021, 1,513 projects were on the list. Now, 1,241 projects are on the list, including 648 new projects identified since EOY 2021.
- In 2025, IHS anticipated using IJA funding for another group of projects on the “legacy list” (of projects that had been on the funding list before new funding requests came in). As IHS continues funding projects down the legacy list, the projects will likely become more and more expensive, partly due to inflation.
- IHS is planning on funding projects that are newly added to the list with money from the annual appropriations

Break

Participants took a ten-minute break.

ITF Agency Updates

Indian Health Service (IHS)

Rear Admiral Mark Calkins described an update on IHS is project funding and responding to projects’ needs

- The new projects that have been added to IHS's SDS list are adding roughly \$1.9 billion in additional costs, which is a huge rise in costs for these projects. Inflation is a major reason for the rise in costs.
- IHS have been increasing their staff to address the high level of need and has been very engaged with the USPHS Commission Corps to help reduce the workload for Tribes.
- Many projects funded prior to 2021 are coming in overbudget. IHS has allocated a budget for what they call “project shortfall” to help address the remaining costs from overbudget projects. IHS is spending about \$4 million monthly on shortfall. In 2023, they allocated \$63 million (from IJS funding) and \$6.5 (from the annual appropriation) for shortfall costs.
- Thanks to IJA funding, IHS is able to benefit about 95,000 homes.
- Wynne Miller from EPA noted that EPA is also hearing from states about an increase in project costs as well.

Bureau of Indian Affairs (BIA)

Scott Sufficool provided an overview of major projects that BIA has been recently working on.

- In Fiscal Year (FY) 2024, BIA focused on addressing water and sanitation compliance issues for Public Water Systems (PWS).
- BIA undertook three major IJA-funded projects:
 - They are working with PWS which serve four Columbia River treaty Tribes and the Columbia River Inter-Tribal Fish Commission to support 41 federal fishing access sites. Last year, this project focused on two sites: the design is mostly complete, and construction will begin next year.
 - They are addressing a violation by a PWS near their northern Idaho agency.
 - In a Hopi reservation, naturally occurring arsenic is present in the drinking water. BIA is funding the Hopi Utility Corporation to help them engage with the region-wide commission to address the problem.
- For upcoming projects, they plan to continue working on drinking water compliance issues, including by identifying deficiencies, developing work orders, and ensuring operators have the knowledge and skills they need to address the challenges they face.
- Chairman Norton from NTWC said that as NTWC develops their proposal, he would like to share a survey with Scott.

U.S. Department of Agriculture (USDA)

Steven Polacek discussed USDA's current forms of support.

- Last year, USDA had an appropriation of \$1.5 billion to support communities, 85% of which was for communities with populations less than 1,000. USDA has a Tribal set-aside funding category, with \$22 million in set asides that were fully allocated to Tribes.
- USDA also offered about \$60 million in technical assistance (TA) support to a variety of partners.
- USDA has been focusing outreach on communities they have not served in the last five years.

U.S. Department of Housing and Urban Development (HUD)

Amber Hunter shared highlights from HUD's recent work.

- HUD leads the Tribal Housing and Related Infrastructure Interagency Task Force to develop coordinated and streamlined environmental reviews for housing and related infrastructure has developed two deliverables this year:
 - [Tribal/Interagency Environmental Streamlining Toolkit \(TIES\)](#): online tool kit that has interactive tool listing the environment requirements by agency; tips on coordinating consultation for historic preservation/endangered species; streamlining tools and guidance; and best practices
 - TIES platform continue to develop and evolve
 - On TIES, new [Planning Guide: Housing and Infrastructure Development in Indian Country](#) to help Tribes prepare for development of single family homes

- HUD and IHS are currently engaged in joint Tribal consultation get feedback and recommendations on how HUD and IHS programs better address housing related water and sewer infrastructure needs
- Joint consultation session arose from feedback received from HUD's Tribal Intergovernmental Advisory Committee
 - TIAC sent a letter to IHS requesting discussion of IHS's appropriation language that does not allow IHS construction dollars to be spent on NAHASDA funded projects. Tribes wanting more flexibility to use IHS funding for projects that support HUD funded homes
- One main challenge HUD faces is that funding for housing does not meet Tribes' needs. HUD seeks to continue to find ways to help Tribes access funding for housing and related infrastructure.

Bureau of Reclamation (BOR)

Jeffrey Morris described BOR's programs and the high level of funding they received in recent years.

- BOR signed a Memorandum of Understanding (MOU) with IHS. BOR is working with IHS on one project and scoping out other projects. They are using Inflation Reduction Act (IRA) funding to help IHS with project designs.
- BOR received roughly \$13 billion in IRA and IJA funding. For comparison, BOR's usual annual appropriation is around \$1.5 billion.
- In FY24, BOR announced over \$1 billion in funding available to Tribes, the most they have ever been able to make available for Tribes.
- BOR's programs include TA programs for Tribes and the suite of programs offered under their WaterSMART umbrella program. The cost share requirements for WaterSMART's programs can be a barrier for Tribes that wish to participate.
- This year, they implemented a new Tribal domestic water supply program, using roughly \$320 million in set aside funding.
- They have been also working on Native American water rights settlements, which can have a range of focuses, including ecological restoration.

Centers for Disease Control and Prevention (CDC)

Erik Svendsen described recent work the CDC has done that is directly related to Native American communities' drinking water and sanitation needs.

- He first noted that the CDC is not focused on construction of drinking water and/or sanitation infrastructure, and they do not have IJA or IRA funding to support that kind of work. However, the CDC does provide TA to water systems.
- The CDC has been providing TA support to private well programs across the country.
- Much of the CDC's related work has involved keeping people safe from Legionella, a bacteria that can cause Legionnaires' disease. They have consulted with and informed Tribes and Tribal facilities about Legionella.
- Other support CDC has provided includes reviewing IHS's sanitation project list to make sure it was consistent with the tool's functions and helping conduct household cistern surveys.

U.S. Environmental Protection Agency (EPA)

Yu-Ting Guilaran, Wynne Miller, and Carolyn Hoskinson described the various types of support EPA has been offering. Yu-Ting Guilaran started.

- In 2024, EPA made significant progress with implementing IIJA-funded projects. In over four years, the amount of IIJA funding they have provided for Tribal infrastructure projects is almost \$1 billion. In 2024, EPA released a third tranche of funding to EPA's regional offices, including \$156 million for Tribal drinking water infrastructure projects and \$70 million for Tribal wastewater infrastructure projects.
- EPA has roughly \$30 million available for projects that respond to emerging contaminants, including per- and polyfluoroalkyl substances (PFAS). EPA has roughly \$60 million available for projects that replace lead service lines (LSLs). EPA also has about \$30 million in grant funding available for small projects.
- EPA has established about forty direct grants with Tribes.
- Wynne Miller added that EPA has also significantly invested in TA. EPA has established 17 new IIJA-funded environmental TA centers, helping around 1,200 small and Tribal communities thus far. EPA spent about \$50 million to expand existing programs in order to reach 150 communities (27 have already been reached). Their EPA Rural and Tribal Technical Assistance Program has been working with 145 Tribal communities. Their WaterTA program has about forty active projects thus far, twelve of which are with Tribes (e.g., hydraulic analyses for the Navajo Nation).
- Yu-Ting Guilaran EPA wants to continue pursuing opportunities to help Tribal utilities overcome those challenges with non-compliance with drinking water regulations.
- Wynne Miller discussed EPA's goals for 2025, which include: continuing to make funding available to Tribal drinking water and wastewater projects; accelerating engineering projects; support decentralized communities through the Closing America's Wastewater Access Gap Initiative; and continuing to conduct the Drinking Water Infrastructure Needs Survey and Assessment.
- Carolyn Hoskinson described an IIJA-funded solid waste program EPA is managing. EPA selected 58 Tribes to receive grants (totaling roughly \$60 million) in 2023 to help them build more resilient recycling systems, including through support with planning, data collection, and equipment. EPA has since released an announcement about the funding opportunity for the second round and have held two public webinars about it.
- Carolyn Hoskinson also said EPA is conducting a study of O&M costs for Tribally run solid waste programs, which could support an FY27 budget request. EPA thanks both the Tribes that participated and IHS for supporting the study. To gather information, EPA had 15 meetings and six site visits and conducted a literature review of existing O&M cost studies. They shared their preliminary findings through two webinars. They hope to make the final report available for consultation in March.

Discussion and Next Steps (Action Items)

- Captain Sam Russell to follow up with NTWC on the Drinking Water Infrastructure Needs Survey.
- NTWC to continue developing aforementioned white paper about the challenges Tribally owned water utilities face and the resulting effects (see: "National Tribal Water Council Opening Remarks" section above) and provide updates to the ITF, as needed, about their

progress. If there are parts of the draft version NTWC would like to share, NTWC can share it with Captain Sam Russell for him to share with others.

- Chairman Norton to contact partners, as needed, to develop their tool.

Participants

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

Bureau of Reclamation (BOR)

- Jeffrey Morris, Program Manager, Native American and International Affairs Office
- Kelly Titensor, Native American Affairs Advisor
- Courtney Mathews, Native American Affairs Advisor

Centers for Disease Control and Prevention (CDC)

- CDR Troy Ritter, Environmental Health Officer
- Erik Svendsen, Director, Division of Environmental Health Science and Practice
- Brian Hubbard, Researcher, Division of Emergency and Environmental Health Services

U.S. Environmental Protection Agency (EPA)

- Yu-Ting Guilaran, Deputy Director, Office of Ground Water and Drinking Water (OGWDW)
- CAPT Samuel Russell, Tribal Safe Drinking Water Act (SDWA) Coordinator and Tribal Lead and ITF Coordinator
- Wynne Miller, Deputy Director, Office of Wastewater Management (OWM)
- Matthew Richardson, Tribal Lead and ITF Coordinator, OWM
- Carolyn Hoskinson, Director, Office of Resource Conservation and Recovery (ORCR)

U.S. Department of Housing and Urban Development (HUD)

- Amber Hunter, Division Director, Grants Evaluation, Northern Plains Office of Native American Programs (Northern Plains ONAP).
- Danielle Schopp, ONAP Environmental Clearance Officer

Indian Health Service (IHS)

- RADM Mark Calkins, Director, Division of Sanitation Facilities Construction

National Tribal Water Council (NTWC)

- Ken Norton, Chairman
- Shaun Livermore, Member

U.S. Department of Agriculture (USDA)

- Steven Polacek, Water Programs Director, Water Programs Division