

Infrastructure Task Force federal partner response to Access Subgroup Report:
Meeting the Access Goal
Strategies for Increasing Access to Safe Drinking Water and Wastewater Treatment to
American Indian and Alaska Native Homes
October 23, 2009

Background

The Infrastructure Task Force (“Task Force”) has made measurable progress since its beginnings in 2003. This document provides a synopsis of both that progress and any proposed future activities. The Task Force was assembled by the federal Memoranda of Understanding (MOU) signatory agencies to develop strategies addressing the commitments made by the United States in 2000 at the World Summit on Sustainable Development and the United Nations Millennium Development Goal (MDG) for improved access to safe drinking water and basic sanitation around the world. At that time, the US, in looking at the MDG for improved access to these services in underserved areas, committed to addressing the lack of access to safe drinking water and basic sanitation in Indian Country by reducing the number of tribal homes lacking access by 50% by 2015 (Access Goal). As a first step, the Task Force drafted two MOUs to help achieve these commitments. The MOUs were signed, in June 2007, by the US Environmental Protection Agency, the US Department of Health and Human Services, the US Department of Agriculture, the US Department of Housing and Urban Development, and the US Department of the Interior.

The lack of access to safe drinking water and wastewater disposal in Indian Country continues to threaten the public health of American Indian and Alaska Native (AI/AN) communities. According to 2007 data from the Indian Health Service (IHS), approximately 13% of AI/AN homes do not have safe water and/or wastewater disposal facilities. This is an extremely high percentage compared with the 0.6% of non-native homes in the United States that lack such infrastructure, as measured in 2005 by the US Census Bureau.

In March 2007, an Access Subgroup (“Subgroup”) was formed by the Task Force to identify implementation strategies to meet the Access Goal and recommend actions to be taken by the partner agencies. The Subgroup completed their charge in March 2008 with the submission of the attached report “**Meeting the Access Goal – Strategies for Increasing Access to Safe Drinking Water and Wastewater Treatment to American Indian and Alaska Native Homes**”.

The Task Force applauds the efforts of the Subgroup. The Subgroup report provides an excellent starting place for future efforts to improve access to safe water and wastewater disposal for American Indians and Alaska Natives. The report identified, prioritized, and categorized barriers, and recommended approaches for meeting the Access Goal. These barriers and recommendations were divided into three major themes:

- A. Infrastructure Funding,
- B. Operations and Maintenance Funding including support for tribal utility capacity development, and
- C. Programmatic Coordination.

The highest ranked recommendations to increase access to safe drinking water and wastewater disposal services for American Indians and Alaska Natives were:

1. All partner agencies should work together in the budget process to increase funding for both infrastructure and operations and maintenance to meet the Access Goal.
2. All partner agencies should provide better coordination and outreach on the programs that are currently available to fund Access related infrastructure, as well as for system operations and maintenance assistance within Indian Country.
3. All partner agencies should investigate unused/underutilized infrastructure funding that can be used toward the Access Goal.
4. A workgroup should be established to investigate innovative and previously used alternatives to piped water and sewer in hard to serve areas of Alaska and the Navajo Nation, and to identify funding for pilot projects and subsequent implementation.
5. All partner agencies should work together to formally coordinate technical assistance services and adopt common standards for pre-construction documents, planning and design standards.

The Task Force federal partners propose to address the top recommendations included in the Subgroup report through a multifaceted coordinated approach. The Task Force expects the long term outcome of these efforts will be:

1. Improved identification of tribal infrastructure needs
2. Improved documentation and reporting of tribal infrastructure needs in the federal budget process
3. Clarified processes for prioritizing infrastructure needs by each partner agency providing funding for tribal infrastructure
4. Improved communication and consultation with tribes on their infrastructure needs data collection and on their budget processes for addressing those needs.
5. Ongoing collaboration which will provide opportunities to better leverage resources amongst the federal partners, tribes, and states.

The Task Force recognizes that the Access Goal is unlikely to be met at the current federal funding levels, especially if the efforts are limited to construction of new infrastructure. In order to stretch the current federal resources, the Task Force will work toward prioritizing infrastructure funding in collaboration with tribes to efficiently support sustainable projects that improve public health conditions in a technically sound manner, while not overlooking existing infrastructure available to meet identified needs. The Task Force will also explore the need to improve and support tribal utility management to ensure that the infrastructure investments made by federal agencies are operated and maintained to maximize the public health benefits and useful life of each project funded.

The Subgroup report contains an excellent summary of possible approaches to assist the Task Force partners in meeting the Access Goal. In the short term, in order to maintain the Subgroup's momentum and to work towards the long-term outcomes enumerated above, the Task Force has requested the Subgroup form four implementation workgroups. The details on each workgroup can be found in Appendix 1.

The challenges inherent in increasing access to safe drinking water and wastewater disposal for American Indians and Alaska Natives beyond the need for additional funding were witnessed by the Task Force leadership during an August 2008 trip to visit several Alaska Native Villages. On the trip, the Task Force leadership gained insight into the progress made and challenges remaining in providing increased access to safe drinking water and wastewater disposal under austere environmental conditions. The Task Force leadership witnessed current innovative system design, operation and maintenance efforts, and the need for additional progress to continue to be made. Additional details about the August 2008 trip can be found in Appendix 2.

Access Workgroup Mandate

The Task Force has directed the four workgroups formed to refine the recommendations listed in the Subgroup report. The Task Force has directed that the workgroups include a broad cross-section of federal and tribal subject matter experts on both technical and policy related issues in order to ensure more effective solutions. The Task Force believes that the greatest opportunities for success in meeting the Access Goal will be through the effective collaboration and coordination of federal resources, resulting in less duplication of effort. The Task Force recommends that this approach be followed for infrastructure project priority setting, project funding, any operation and maintenance capacity building initiatives, and in the provision of technical assistance services.

The Task Force partners are committed to the success of the workgroups, and are prepared to dedicate staff time to ensure that progress is made toward these important activities. In order to provide structure to the deliberations, each workgroup has drafted a charter document. The charters delineate the workgroup goal(s), objectives, deliverables, membership, communication process, project schedule and assumptions. The charters will be reviewed and endorsed by the Task Force leadership in the coming weeks.

The Task Force partners will specifically support workgroup efforts to identify and implement efficient approaches to selecting and funding projects in consultation with tribes, opportunities to improve and possibly fund the building up of the operations and maintenance capacity of tribes to sustainably manage federal infrastructure investments, and potential changes recommended for agency policies that currently pose barriers to the provision of safe drinking water and safe wastewater disposal for American Indians and Alaska Natives.

Staying on Track

While the Task Force recognizes that the US Government's Access Goal may not be able to be met at the current funding levels for tribal infrastructure projects, it is the expectation of the partners that the workgroup deliverables will improve the government's efficiency in providing water and wastewater infrastructure to American Indians and Alaska Natives at the current levels and provide a summary of the additional conditions necessary to meet the Access Goal.

To ensure that the Task Force leadership and the Access Subgroup are on track to meet the 2015 Access Goal deadline, the Task Force will revisit the goal measures annually and reexamine the Access strategy in 2011.

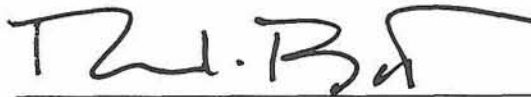
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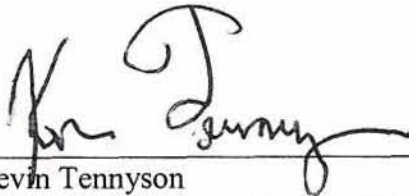
Ronald Ferguson
Director, Division of Sanitation Facilities Construction
Department of Health and Human Services
Indian Health Service



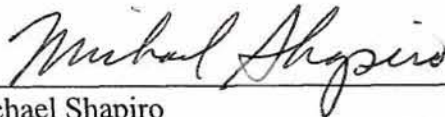
Jacqueline Ponti Lazaruk
Assistant Administrator for Water and Environmental Programs
United States Department of Agriculture



Rodger Boyd
Deputy Assistant Secretary for Native American Programs
Office of Native American Programs
US Department of Housing and Urban Development



Kevin Tennyson
Assistant Secretary of Indian Affairs
US Department of the Interior



Michael Shapiro
Deputy Assistant Administrator, Office of Water
US Environmental Protection Agency

**Appendix 1
Infrastructure Task Force
Access Workgroup Details**

<u>Workgroup 1:</u> Coordination of technical assistance, O&M costs, and minimum design requirements
Lead Task Force Partner: Indian Health Service
Scope <ul style="list-style-type: none">• Develop a strategy to improve the coordination of delivering technical assistance services to American Indian/Alaska Native tribes and villages throughout the United States.• Obtain buy-in from all partner agencies and initiate implementation strategy for coordinating technical service delivery.• Establish a methodology to evaluate operations and maintenance costs for tribally operated sanitation facilities and outline an implementation strategy.• Identify a strategy to define minimum performance standards for sanitation facilities funded and constructed with partner agency funds.

<u>Workgroup 2:</u> Technical Alternatives to Increase Access to Safe Water and Wastewater Disposal on the Navajo Reservation and Alaskan Tribal Lands
Lead Task Force Partner: Environmental Protection Agency
Scope <ul style="list-style-type: none">• Investigate, identify, and consolidate the range of ideas and solutions that have been proposed in the past• Clearly state existing barriers and reasons why previously proposed solutions have not been successful• Identify opportunities to remove barriers• Propose new solutions to address problems.• Identify potential pilot projects (potential funding from EPA, IHS and USDA)

Workgroup 3: Streamline pre-construction paperwork for water and wastewater infrastructure projects funded by IHS, EPA and USDA.

Lead Task Force Partner: Environmental Protection Agency

Scope

- Interview representatives within each relevant agency and at least two tribal government representatives - all of whom have direct experience dealing with pre-construction paperwork.
- Draft a strategy document which:
 - Characterizes the problems and potential solutions
 - Summarizes the scope of all agency required documents across the project life-cycle: a) proposal, b) award, c) progress tracking and d) close out.
 - Identify which offices and individuals at each agency, as well as tribal representatives, would be necessary to participate
 - Determine the processes required at each agency to revise and harmonize pre-construction paperwork requirements
 - Determine what level of management is empowered to make decisions regarding pre-construction requirements and how to engage them in this discussion

Workgroup 4: Identify Underutilized Funding (IUF) and Leverage Existing Programs.

Lead Task Force Partner: US Department of Agriculture

Scope

- Identify categories for underutilized funding:
 - Funds that go unspent;
 - Funds that exist for other purposes but could be spent on access; or
 - Funds that are designated for access but could be spent on more effective projects.
- Outline where underutilized funding may exist. To the greatest extent possible examine programs of all the participating Departments/Agencies (USDA, HHS, DOI, HUD and EPA).
- Determine the barriers that exist to accessing underutilized grant and loan funding and define the programmatic requirements necessary to use them effectively.
- Identify how the promotion of other funding streams (like HUD and USDA Rural Development programs for the construction of bathrooms) can be more effective in helping the participating Departments/Agencies reach the Access Goal.
- Consider partnership with the National American Indian Housing Council (NAIHC).

Appendix 2

Infrastructure Task Force

Alaska Native Village Trip Report

In August 2008, the Infrastructure Task Force leadership received a tour of several Alaskan Native Villages, held discussions with local leaders and residents, and participated in follow-up briefings from the state and federal agencies and technical assistance providers in the area. The outcome of this trip provided the Task Force with a different perspective on the primary issues related to the advancement of water and wastewater infrastructure system development.

Although funding is a driver for success related to infrastructure development in Alaska, there are four primary areas where improvements in federal agency communication and coordination could yield better results. These include:

1. accountability and tracking of existing projects and funding;
2. technical training;
3. affordable and practical systems design; and
4. more efficient funding processes with additional village input

While progress has been made in the tracking of projects and associated funding, further improvements are necessary. An accurate and complete inventory of not only the infrastructure needs in Alaska, but also the progress made towards meeting those needs is critical. No such inventory is currently available. Several groups, including The Alaskan Village Electric Cooperative, Alaska Village Initiatives and the Denali Commission offered to provide the Task Force with assistance in such a comprehensive data collection effort.

Also, technical and financial training for these villages is essential to the successful operation and long-term sustainability of these federally-constructed systems. While efforts are being made in this regard by several organizations (i.e., Alaska Rural Water Association), much more is still needed. Of particular note is the Alaska Rural Utilities Collaborative (ARUC) program operated by the Alaska Native Tribal Health Consortium (ANTHC). The program is designed to assist villages with the challenges of managing the finances and operations of their new systems. This statewide program is based on a successful regional pilot program (Rural Utility Cooperative - RUC) to operate and manage water and sewer systems. ARUC currently serves 17 rural Alaska communities and continues to expand. This program has demonstrated good quality and effectiveness: data shows an average community system will become financially self-reliant after three years of ARUC membership. However, additional funding is needed to allow expansion of ARUC to many more Alaska communities that need assistance with their utility systems. The ARUC reduces communication errors and problems by providing a centralized coordination platform to achieve maximum benefits from available resources.

In addition, a separate Alaska Department of Environmental Conservation (DEC) organization, the Alaska Rural Utilities Business Advisor (ARUBA), also reviews communities' capacity to sustain a viable water and/waste system prior to their receiving funding for capital sanitation projects. The review assesses the business, technical and financial capabilities, among other factors. Based on observations in the field, the full potential of the program is unclear. In addition to ANTHC, the State of Alaska Remote Maintenance Worker program and the Alaska

Rural Water Circuit Riders program provide technical assistance and training to the villages. Although all of these programs and activities provide benefit to Alaskan villages, better coordination and communications amongst all of these programs and organizations would help to achieve maximum benefit.

Affordable, practical and sustainable system designs are necessary to ensure that infrastructure projects are constructed under more reasonable timeframes. The health risks associated with the existing conditions in villages are significant and long-standing. More complex system design can extend construction timelines significantly. The health risks related to the lack of access to a safe water supply and wastewater disposal system should be considered when designing systems for Alaskan Natives. In some cases, a less complex system may serve the needs of a community in a more affordable and immediate way. Furthermore, additional interim solutions may be necessary for the highest risk areas.

In addition, the completion of pre-development and design phases prior to the full funding of projects would improve overall management of funds and ensure more sustainable systems in the long-run. Although this approach is being employed in some cases, it is not being consistently applied in all cases.

Another factor affecting the speed at which systems are constructed is the “force” account approach employed. Under this approach, local village labor is used, almost exclusively for construction of new systems. Creating a sense of ownership and a base of skilled operators within a village is beneficial. However, in some cases, available village labor is limited, and as a result, construction timelines can be longer (10+ years) than the average in other rural and remote areas (3-5 years). In the ensuing years, the community continues to face significant health risks and unsanitary conditions. In addition, the total system cost increases as the cost of materials and equipment rises over time. Despite these negative impacts, it is generally believed that the force account approach cannot be altered. However, local leaders, if consulted effectively, may value the long-term health benefits to the community over the temporary employment for a select group. The result of such a compromise solution would be shorter construction timelines, more timely addressing of health risks, and lower overall system costs. It is worth pursuing an alternative approach.

Finally, it is evident that there is generally a strong commitment from all the federal partner Task Force agencies to improve conditions in the Alaskan villages. However, better communication and coordination could improve the success of their efforts. Better and more coordinated communication with the villages themselves is also necessary. Some villages have lost confidence in the infrastructure project planning process and its ability to improve their situation effectively. Coordination of resources is well meant, but not well described. The process could be improved through more transparency and the development of clear, customer-friendly guides for village leaders, as well as a clear and consistent methodology for achieving timely results.

Furthermore, a more inclusive approach to communication amongst the agencies could improve overall effectiveness of efforts in Alaska. The agencies have a common goal and should be openly sharing information and strategizing to reach that goal. In addition, consistent messages to villages on available program funding should be developed.