

RTOC Drinking Water / Wastewater Workgroup Meeting  
2/8/12 – Gila River Indian Community

Participants: see attached sign-in sheet

1. Drinking Water Tribal Set-Aside ranking criteria change

EPA Region 9 is proposing to change the DWTSAs ranking criteria developed by this workgroup and in consultation with Region 9 tribes. The proposed change would lower the ranking of Water Outage projects so that all projects that address primary drinking water standards will receive a higher ranking. See attached presentation. EPA Region 9 will initiate consultation soon.

2. Transfers between Tribal Set-Aside programs

This year EPA received the statutory language that allows transfers between the tribal set-aside programs, something Region 9 tribes had advocated for. Hopefully we will be able to implement this authority in FY 12. EPA will consult with tribes.

3. Water Infrastructure Funding Needs

IHS' budget was cut by 17% this year. See attached budget justification. Tribes can address decreased funding through IHS delegates, regional interagency meetings, Infrastructure Task Force, tribal leaders and NCAI. We will have a conference call next month to discuss further.

This year, EPA's Clean Water SRF was cut by 3.5% and the Drinking Water SRF was cut by 4.5%. Tribes need a SRF funding floor because cuts in the SRF hurt tribes more than States.

Tribes requested the status of EPA and IHS funded projects, as well as the overall backlog of projects.

4. Tribal feedback on Technical and Financial Training for Tribal Leaders

The Infrastructure Task Force is focusing on sustainability and has heard from several tribal utilities about challenges and successes, including the Navajo Tribal Utility Authority, the Tohono O'odham Utility Authority, and Pyramid Lake Paiute Tribe. From these presentations, the ITF has identified several factors that contribute to the success of utilities, including the importance of having a tribal utility with sufficient autonomy from tribal government; the training and retention of operators; the ability to run the utility as a business; establishing fair and accepted billing and collection procedures; educating consumers and the Tribe regarding what is needed for a system to operate sustainably; and the ability to subsidize the utility through tribal general fund or economic development contributions or side businesses operated by the utility.

The ITF requested tribal feedback on a proposal to spend some available funds to develop a Technical and Financial Training for Tribal Leaders. Most workgroup participants did not think

that this training would be useful as an initial step to address sustainability. Specific input included the following comments:

- It's the tribe's job to train tribal leaders
- Most important need: funding
- Operators need training for Continuing Education Units (CEUs)
- Tribal leaders don't need this training
- Bad idea for EPA to train tribal leaders – better to do outreach on good governance, train utility staff, “train the trainers”
- Look at what's working: circuit riders
- Silly idea
- Training – will it be “cookie cutter”? Will it fit my tribe?
- Look at ITF recommendations: O&M Study
- How will this provide a measurable improvement in sustainability?
- Don't make decisions about next steps on the basis of only 5 tribal utility presentations – need more information.
- ITF should complete a study of barriers to sustainability (including operational costs and other factors) first, and then determine how best to direct limited resources to remove them

## 5. California Water Plan Update

The *California Water Plan* provides a collaborative planning framework for elected officials, agencies, tribes, water and resource managers, businesses, academia, stakeholders, and the public to develop findings and recommendations and make informed decisions for California's water future.

The goal of the Tribal Advisory Committee (AC) is to create a forum where California Native American Tribes and organizations can help to develop the material in the California Water Plan Update 2013 and ensure Tribal perspectives on land, water, and culture are included in those materials.

The California Department of Water Resources is requesting more participants in the Tribal AC, which is also planning the next Tribal Water Summit. More information is available at <http://www.waterplan.water.ca.gov/tribal2/tac/index.cfm>.

One of the topic-based caucuses for Update 2013 of the California Water Plan will focus on Disadvantaged Communities (DACs) and Environmental Justice (EJ) communities. The issues in these communities may be familiar to some Tribal communities as well. The Tribal AC is considering how to best engage with the DAC/EJ caucus, which will focus on underserved and severely underserved communities and issues relating to:

- access to clean, safe water
- water infrastructure
- costs of water
- water treatment/water quality
- and more

A key activity area for the DAC/EJ Caucus is updating the report on "Californians Without Safe Water." The report supplemented the 2005 Update of the Water Plan. The DAC/EJ Caucus will assist in revising this document. There has been some initial discussion about expanding the scope of the report and including additional topics, such as flood risks.

The 2005 report included a section called, "A Focus on California's Native American Population." This was Section 5 in the report, which is available online at: [www.waterplan.water.ca.gov/docs/cwpu2005/vol4/vol4-waterquality-californianswithoutsafewater.pdf](http://www.waterplan.water.ca.gov/docs/cwpu2005/vol4/vol4-waterquality-californianswithoutsafewater.pdf). This section will remain in the report as it is revised for Update 2013. There has also been a suggestion to change the section on "Conclusions" to include recommendations and potential action items.

#### 6. California Wastewater Operator Certification

The current timeline provided by the State Water Resources Control Board Office of Operator Certification timeline for approval of the draft regulation that would include provisions for waste water operators on tribal lands to obtain California certifications indicates all CalEPA agency signoffs by this week. Other important milestones are for the public notice on 3/30/12 with the goal of becoming effective on 3/06/13. The workgroup continues to monitor the progress. See attached updated timeline.

#### 7. Action Items

What	Who	When
1. Provide status of EPA ARRA projects	EPA	See attached
2. Provide status of IHS projects	IHS	
3. Address IHS decreased funding request <ul style="list-style-type: none"> <li>• IHS delegates</li> <li>• Regional interagency</li> <li>• Infrastructure Task Force</li> <li>• Tribal leaders / NCAI</li> </ul>	All	FY 12
4. Send IHS budget testimony to tribes	Jill Sherman-Warne	See attached
5. Address need for tribal SRF funding floor	All	FY 12
6. Next Workgroup call	All	3/20/12