

US EPA ARCHIVE DOCUMENT

## FY 2010 National Water Program End of Year Performance by Subobjective

The following chapters provide a summary of the progress made toward accomplishing environmental and program goals for each subobjective described in the FY 2010 *National Water Program Guidance*. Each subobjective chapter includes the following information:

- A brief summary of overall performance in 2010 and the previous four years for measures under each subobjective.
- A description of performance highlights, including what commitments were met and what factors contributed to success.
- A description of management challenges, if appropriate, identifying key factors that led to measures not being met and next steps to improve performance for the future.

Each subobjective section focuses primarily on measures with FY 2010 commitments. Indicator measures are discussed where trends significantly differ from previous year's results. Annual Commitment System (ACS) measure codes are provided in the text in parentheses.

### Key for Reading Performance Measure Charts and Tables

For all charts with national trend results, commitments are reflected by trend lines and results by vertical bars. For charts with regional FY 2010 results, a dotted line indicates the national FY 2010 commitment for that particular measure. Although regions use the national commitment as a point of reference in setting their annual commitments, regional commitments may vary based on different conditions. Green bars in both national and regional charts identify commitments met, and red bars identify measures not met.

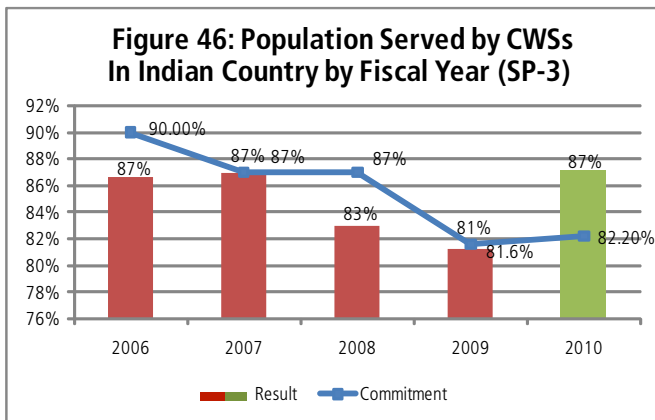
For the measure summary tables in each subobjective chapter, a green "up" arrow means that a measure met its FY 2010 commitment, and a red "down" arrow indicates that the annual commitment was not met. The letter "I" means that the measure is an indicator measure and did not have an annual commitment for FY 2010. Measures without data or not reporting in FY 2010 are indicated by "Data Unavailable." An "LT" symbol notes that the measure has a long-term goal and does not have an annual commitment. A gold star (★) in the past trends column highlights that the measure has met its annual commitment 100% of the time over the past four or five years. And finally, the appendix number represents the page in Appendix D (D-00) on the website where additional details about the measure can be found, and the figure number is the number of the chart in the chapter.

# American Indian Drinking Water and Water Quality FY 2010 Performance

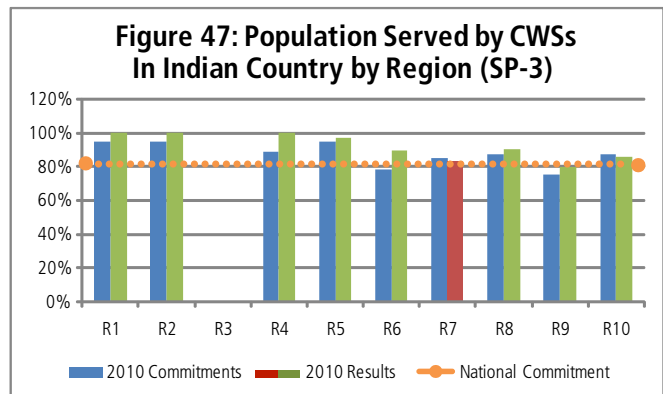
## Drinking Water

An important priority for the National Water Program is ensuring public health and environmental protection to drinking water consumers in Indian Country through sustained Public Water System (PWS) compliance with the National Primary Drinking Water Regulations (NPDWRs). OW has three measures for tracking the safety of drinking water for tribes: percent of population in Indian Country receiving safe drinking water (SP-3), number of tribal households lacking access to safe drinking water (SP-5), and the number of tribal community water systems (CWSs) undergoing sanitary surveys (SDW-1b). EPA met two of the three commitments for these measures in FY 2010.

For the first time in five years, EPA achieved its national target for the percentage of the population in Indian Country served by CWSs that receive drinking water meeting all applicable health-based standards (SP-3) (Figure 46).



(Universe: 777,181 people)



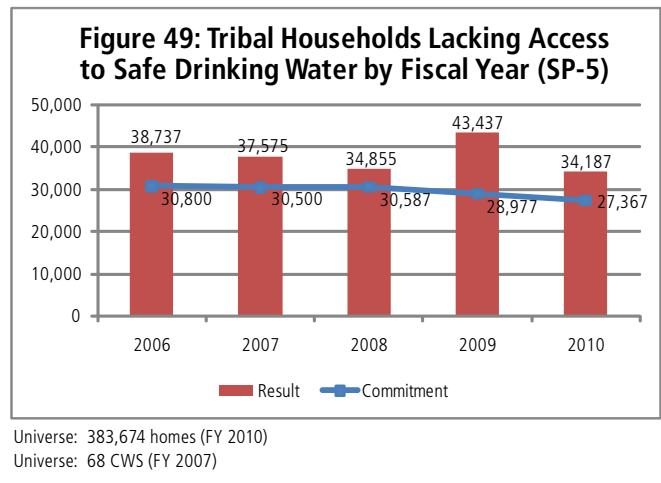
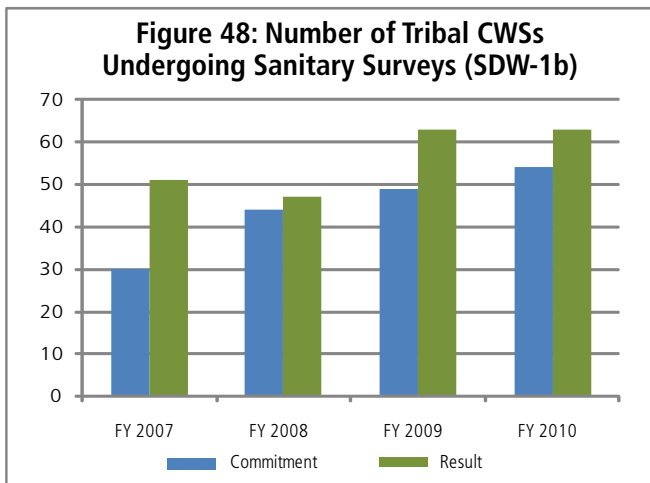
Seven of the nine regions with direct responsibility for implementing the Safe Drinking Water Act (SDWA) in Indian Country met or exceeded their individual SP-3 commitments in 2010 (Figure 47). This achievement is especially important considering approximately 93% of the population in Indian Country is served by small systems (501–3,300 people; 64%) or very small systems (25–500 people; 29.2%). Throughout the United States, smaller systems generally have greater difficulty maintaining compliance with new and existing drinking water regulations than larger systems.

For the fourth year in a row, EPA has met its annual commitment for the percent of CWSs that have undergone a sanitary survey within the past three years, as required under the Interim Enhanced and Long-Term I Surface Water Treatment Rules. Sixty-three (63) tribes underwent a sanitary survey in FY 2010, which was above the commitment of 55 (SDW-1b) (Figure 48).

For the fifth consecutive year, the National Water Program has been unable to meet its annual commitment in coordination with other federal agencies to reduce by 50 percent by 2015 the number of homes provided access to safe drinking water (SP-5) (Figure 49). However, the number of homes lacking access to safe drinking water has decreased from a high of 43,437 homes in FY 2009 to a low of 34,187 homes in FY 2010. The program suspects that the historic deviation from the measure is most likely attributable to an increase in the total number of tribal homes tracked by the Indian Health Service and a loss of safe water access at previously served homes. In 2003, when this measure was first introduced, the universe of total homes in Indian Country was 319,070 homes. As of 2010, that number has increased to 383,674 homes. Since 2003, however, over 80,000 homes in Indian Country have received access to safe drinking water. For FY 2011, the program has developed a new

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measure that more accurately tracks the interagency provision of access to safe drinking water in Indian Country, while maintaining measure SP-5 as an indicator.



Despite progress made on tribal compliance with National Primary Drinking Water Regulations and greater access to safe drinking water, challenges remain in protecting public health under the SDWA in Indian Country. Below are the top-ranked barriers to safe drinking water included in a report commissioned by EPA, HUD, USDA, and IHS titled, "Meeting the Access Goal: Strategies for Increasing Access to Safe Drinking Water and Wastewater Treatment to American Indian and Alaska Native Homes October 2008," prepared for the Infrastructure Task Force.

- Suboptimal tribal utility operation & maintenance (O&M) capacity (technical, financial, and managerial).
- Prohibitive O&M costs for low housing densities and systems in remote geography or harsh climate.
- Funding for O&M costs at federal agencies that have authority to provide it has not been appropriated by Congress.
- Funding for technical assistance is decreasing.

Limits in statutory authority and funding availability may hinder the National Water Program's ability to address all of these barriers. However, increased coordination with other federal partners operating in Indian Country and the inclusion of sustainability to guide the efforts undertaken by the program will enable EPA to ensure the provision of safe drinking water and the protection of public health.

## Water Quality

The National Water Program has four measures for tracking access to basic sanitation and the integrity of tribal water quality programs. These include the number of tribal households with access to basic sanitation (SP-15), the number of tribes with water quality standards (WQS) approved (WQ-2), the number of tribes implementing monitoring strategies (WQ-6a), and the percentage of current tribal NPDES permits (WQ-12a). OW missed its commitments for three out of four of these measures in FY 2010.

The Agency has had challenges meeting its annual commitment of reducing the number of households on tribal lands lacking access to basic sanitation. More than 25,700 homes still lack access to basic sanitation, which does not meet the Agency's FY 2010 goal of reducing this number to 18,985 homes (SP-15) (Figure 50). Since 2003, however, over 43,000 homes in Indian Country have received access to basic sanitation. Although the reduction of homes lacking access to basic sanitation from 28,052 homes in FY 2009 to 25,737 homes in FY 2010 is not insignificant, the shortfall is most likely attributable to several factors, including:

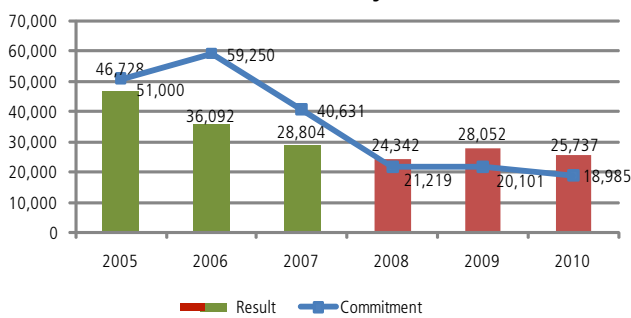
- (1) An increased number of homes on tribal lands tracked by the Indian Health Service.
- (2) A loss of basic sewer access of some previously served homes.

The impact from malfunctioning or outdated wastewater infrastructure affects water quality on tribal lands, as sewage is inadequately treated prior to release to surface water or ground water. Challenges to gaining access to basic sanitation are described in the Drinking Water section and are included in a report commissioned by EPA, HUD, USDA, and IHS titled, "Meeting the Access Goal: Strategies for Increasing Access to Safe Drinking Water and Wastewater Treatment to American Indian and Alaska Native Homes October 2008," prepared for the Infrastructure Task Force.

In 2003, when measure SP-15 was first introduced, the universe of total homes in Indian Country was 319,070 homes. As of 2010, that number had increased to 383,674 homes. For FY 2011, the program has developed a new measure that more accurately tracks the interagency provision of access to basic sanitation in Indian Country. The current measure (SP-15) will continue to serve as an indicator that will allow the programs to continue reporting the need for infrastructure assistance on tribal lands.

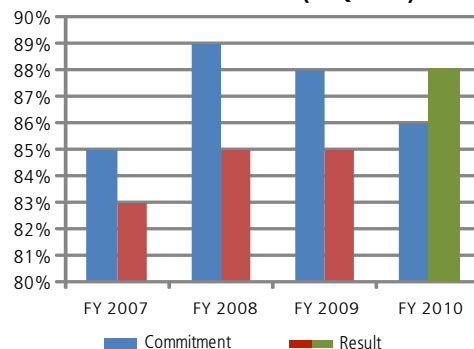
Although Indian tribes have made progress over the past few years in receiving EPA approval for WQS and criteria (WQ-3b and WQ-4b), EPA and other federal agencies have struggled to meet their annual commitments for keeping NPDES permits current. In FY 2010, permits for 88% of tribal facilities were considered current, slightly above the national goal of 86% (WQ-12b) (Figure 51).

**Figure 50: Tribal Households Lacking Access to Basic Sanitation by Fiscal Year (SP-15)**



(Universe: 383,674 homes [FY 2010])

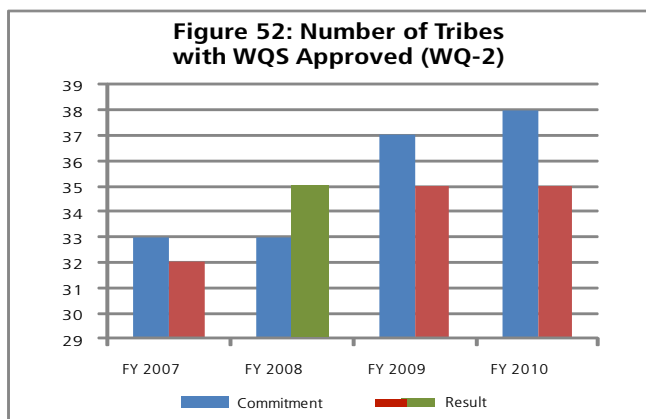
**Figure 51: Percent of Tribal NPDES Permits Current (WQ-12b)**



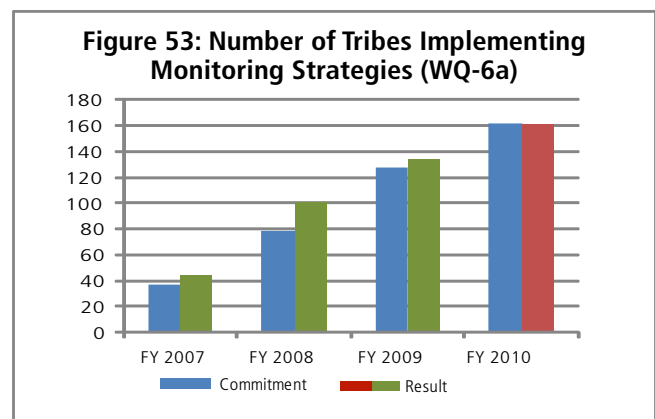
(Universe: 411 tribal facilities)

EPA is committed to assisting any tribe interested in adopting WQS under the Clean Water Act (CWA), and the Agency tracks progress under measure WQ-2 (Figure 52). Meeting the eligibility criteria and developing the detailed standards can be a challenge for tribes and often requires time and collaboration with EPA. Not all tribes can meet the criteria or want WQS authority. For this measure, therefore, the universe reflects all federally recognized tribes who have applied for “treatment in the same manner as a state” (TAS) to administer the WQS program (as of September 2009). In FY 2010, EPA approved standards for 35 tribes, falling short of the annual goal of 38.

Tribes continue to develop and implement their ambient water quality monitoring strategies. One hundred and sixty-one (161) tribes that currently receive funding under CWA Section 106 developed and began implementing monitoring strategies in FY 2010. This was an increase of 31 tribes over the FY 2009 results but just short of the FY 2010 commitment of 162 tribes (WQ-6a) (Figure 53). Monitoring strategies are an important first step in tribes’ understanding and assessment of the water resources on their reservations. While annual tribal Section 106 work plans provide a shorter term prioritization of a tribe’s monitoring and assessment activities for a given fiscal year, monitoring strategies provide a longer term framework for all monitoring activities that a tribe does, or would like to do, and are the basis for running a successful monitoring program.



(Universe: 58 tribes)



(Universe: 242 tribes)

One of the most important factors contributing to success of tribal monitoring and assessment programs is improved tools for data submission. One hundred and six (106) tribes are providing water quality data in a format accessible for storage in EPA’s data system against the FY 2010 commitment of 99 (WQ-6b). EPA has provided the Water Quality Exchange (WQX), a Web-based data submission tool that uses the WQX data flow framework for facilitating data submission to the STORET Warehouse. EPA continues to enhance this tool as well as promote training and assistance in its use. Tribes have also leveraged Exchange Network grant funding to assist in local data management and data submission through WQX. All of these additional elements have contributed to the success of meeting and exceeding the target for this measure.