Funding Support for Chical Area OWTS Management Program

Indian Health Service (IHS)

IHS Sanitation Facilities Construction (SFC) Program

The Indian Health Service (IHS), through its 12 Area offices, provides health services for members of federally recognized Indian tribes. IHS is an agency of the U.S. Department of Health and Human Services. IHS is considered the primary provider of drinking water and wastewater facilities for Indian tribes. Since 1959, the IHS Sanitation Facilities Construction (SFC) Program has been funding construction of drinking water, sewer, and solid waste disposal facilities. The SFC Program is responsible for reviewing potential projects and ranking them each year on the Sanitation Deficiency System (SDS) list, which is also used by EPA to select projects for its Clean Water Indian Set-Aside Grant Program.

IHS projects on Isleta have been tied to OWTS. Over the past few years, IHS has rebuilt approximately 50 OWTS in the Chical Area (Lucero, 2005). Of the 50 OWTS rebuilt, 49 were experiencing problems. The lack of management could be tied to these systems.

IHS also provides on-site training and technical assistance for the planning, design, construction, and operation and maintenance of these systems. Special funds can be made available for Operation and Maintenance projects that utilize a variety of methods to improve the ability of a tribal utility authority to conduct the operation and maintenance of sanitation facilities. Development of an OWTS management program for the Chical Area appears to fall into this special project category. Implementing an OWTS management program could be funded as a demonstration project that highlights Isleta as being the first Tribal government to undertake this endeavor.

United States Environmental Protection Agency

Clean Water Act Indian Set-Aside Grant Program

Section 518(c) of the 1987 Amendments to the Clean Water Act authorized EPA to create a grant program to help pay for the planning, design, and construction of wastewater treatment systems to serve Indian tribes and Alaska Native Villages. The EPA's Clean Water Act Indian Set-Aside Grant Program provides assistance to Indian tribes for the planning, design, and construction of wastewater treatment systems. This program uses the Indian Health Service's (IHS) Sanitation Deficiency System (SDS) to identify priority wastewater projects for EPA grant funding. Eligible projects include interceptor sewers, wastewater treatment facilities, infiltration/inflow correction, collector sewers, major sewer system rehabilitation, and correction of combined sewer overflows. Grant Awards range from $35,000 to $1 million.
Isleta has been awarded several EPA 106 grants in the past related to the development of their water quality standards. As the first Tribal government to establish standards, Isleta’s success has led to several other tribes being also successful in this pursuit. In the past the EPA has been very supportive of Tribal programs, especially where they break new ground. Following on the success Isleta water quality standard, it is very likely the EPA would also provide funding to wastewater treatment systems under an OWTS management program.

**General Assistance Program (GAP)**

The mission of EPA and through its American Indian Environmental Office is to coordinate the Agency-wide effort to strengthen public health and environmental protection in Indian country, with a special emphasis on building tribal capacity to administer their own environmental programs. To this end, the office offers the Indian Environmental General Assistance Program (GAP), which provides grant assistance for planning, developing and establishing environmental management programs. Construction projects are NOT eligible.

Examples of fundable activities under this program include: planning, hiring staff, monitoring, and assessing environmental resources and pollution threats. AIEO oversees development and implementation of the Agency's Indian Policy and strives to ensure that all EPA Headquarters and Regional Offices implement their part of the Agency's Indian Program consistently with Administration policy. Each EPA Region with federally recognized tribes has a Regional Indian Coordinator. The Regional Indian Program Coordinator also administers the GAP for each Region.

In the past, Isleta has also received GAP funding. GAP funding supported the establishment of the Environmental Department. Building on the proven success of Isleta establishing an Environmental Department, obtaining funding through the GAP appear to be another potential EPA funding source to support a establishing the OWTS management program.

**Clean Water State Revolving Fund**

EPA awards grants to states to capitalize their Clean Water State Revolving Funds (CWSRFs). The states, through the CWSRF, make loans for high-priority water quality activities. As loan recipients make payments back into the fund, money is available for new loans to be issued to other recipients. Eligible projects include point source, non-point source and estuary protection projects. Point source projects typically include building wastewater treatment facilities; combined sewer overflow and sanitary sewer overflow correction; urban storm water control; and water quality aspects of landfill projects. Non-point source projects include agricultural, silviculture, rural, and some urban runoff control; on-site wastewater disposal systems (septic tanks); land conservation and riparian buffers; leaking underground
storage tank remediation, etc. Estuary protection projects include all of the above point and non-point source projects, as well as habitat restoration and other unique estuary projects.

Tribes receive grant funding through a separate program and are eligible to receive CWSRF loans from states. The NMED Construction Programs Bureau ([http://www.nmenv.state.nm.us/cpb/cwsrf.htm](http://www.nmenv.state.nm.us/cpb/cwsrf.htm)) is in charge of the CWSRF. Though funding is based on a priority basis and has been centered on centralized wastewater treatment system, OWTS are eligible also. The CWSRF remain an untapped resource for tribes.

**National Onsite Demonstration Project**

Managed by the National Small Flows Clearinghouse and funded by EPA, this first major demonstration program is examining the application of new onsite technologies and management techniques ([http://www.nesc.wvu.edu/nodp/nodp_index.htm](http://www.nesc.wvu.edu/nodp/nodp_index.htm)). Any project that evaluates a technology, system, or practice to demonstrate viable technological and/or managerial solutions that address onsite and small community wastewater needs can be considered "demonstration" in nature. Although each demonstration project may be unique in its individual objective(s), the common goal is to protect human health and the environment.

With a total of $8.5 million in EPA funding, the NODP program has seven phases, each in various stages of completion. Each stage has a different focus, including installing and monitoring various technologies, implementing management programs, building state capacity for regulation and management of decentralized systems, developing public education materials and conducting training programs. Phases 1 and 2 are complete, and summary reports are available from the National Small Flows Clearinghouse Web site. Phases 3 through 5 are under way, and Phases 6 and 7 are under development. Phase VI of the National Onsite Demonstration Program (NODP) will promote the use of onsite/community cluster wastewater treatment technologies and management systems as viable alternatives to centralized sewage systems in small communities and environmentally sensitive areas (e.g., high groundwater tables, steep slopes, or poor soil conditions).

The intent of NODP appears to be a funding source that Isleta could pursue to support of many aspects of its OWST management program. To my knowledge, there has been no tribal participation in any of the demonstration projects. Though OWTS management is not a unique subject, but for tribal communities this concept is would break new ground. In addition, NODP could potentially funding a demonstration project regard the use and viability of certain technologies and system designs to meet performance criteria. Developing an Isleta’s OWTS program integrated with advance system technology presents a unique opportunity to be showcased as a demonstration project and what is possible for tribal settings in this area.
U.S. Department of Health and Human Services

Administration for Native Americans (ANA)

Part of the U.S. Department of Health and Human Services, ANA provides capacity-building to help tribes manage and regulate their grants environmental resources. This Environmental Regulatory Enhancement grant competition is open to federally recognized, non-federally recognized, and state recognized tribes, Alaska Native Villages, and a variety of other tribal or village organizations or consortia. These grants are similar to the General Assistance Program (GAP) grants issued by EPA's AIEO office in that they can be used to help plan and set up environmental programs, but not for construction. Funded activities must be self-sustaining or be completed within the grant term. Examples of eligible activities include: training of tribal employees, development of laws and regulations to protect the environment, environmental assessments, and other projects to improve tribal capacity to plan, develop, and implement environmental programs.

This competitive funding source has great potential to assist developing an OWTS management program. Reviewing the ANA website (http://www.acf.dhhs.gov/programs/ana/) reveals many projects for planning related to resource and environmental management. Some projects involve water and land use planning. None of the projects were related to OWTS management. Development of the first tribal OWTS management program is a unique project that falls in with the mission and other projects ANA has supported.

United States Department of Agriculture

Rural Utilities Service - Water and Waste Disposal Systems for Rural Communities

The Water and Waste Disposal Systems for Rural Communities program provides monies to provide basic human amenities, alleviate health hazards, and promote the orderly growth of the rural areas of the nation by meeting the need for new and improved rural water and waste disposal facilities. Funds may be used for the installation, repair, improvement, or expansion of a rural water facility including costs of distribution lines and well pumping facilities. Funds also support the installation, repair, improvement, or expansion of a rural waste disposal facility, including the collection and treatment of sanitary waste stream, storm water, and solid wastes. Funds range: $6,250 to $29 million for loans; $4,600 to $9.9 million for grants.

In 2000, Rural Utilities Service and the IHS signed a Memorandum of Understanding (USDA, 2005). The purpose of this MOU is to establish the framework of partnering between the RUS and the IHS in providing assistance to American Indians and Alaska Natives in the development and operation of water, waste water, and solid waste facilities. The agencies share a common goal to assist Tribes in
improving their living environment through the delivery of quality infrastructure. RUS and IHS will work together, with the Tribes, to provide assistance to Tribes in facilities planning, design, construction, and operations. This MOU and partnership provide another potential resource to assist the OWTS program in all aspect of system development and management operation.