

IHS Assistance for Tribal Infrastructure Bipartisan Infrastructure Law (BIL) Updates

Portland Area Indian Health Service (IHS), Division of Sanitation Facilities Construction (DSFC)

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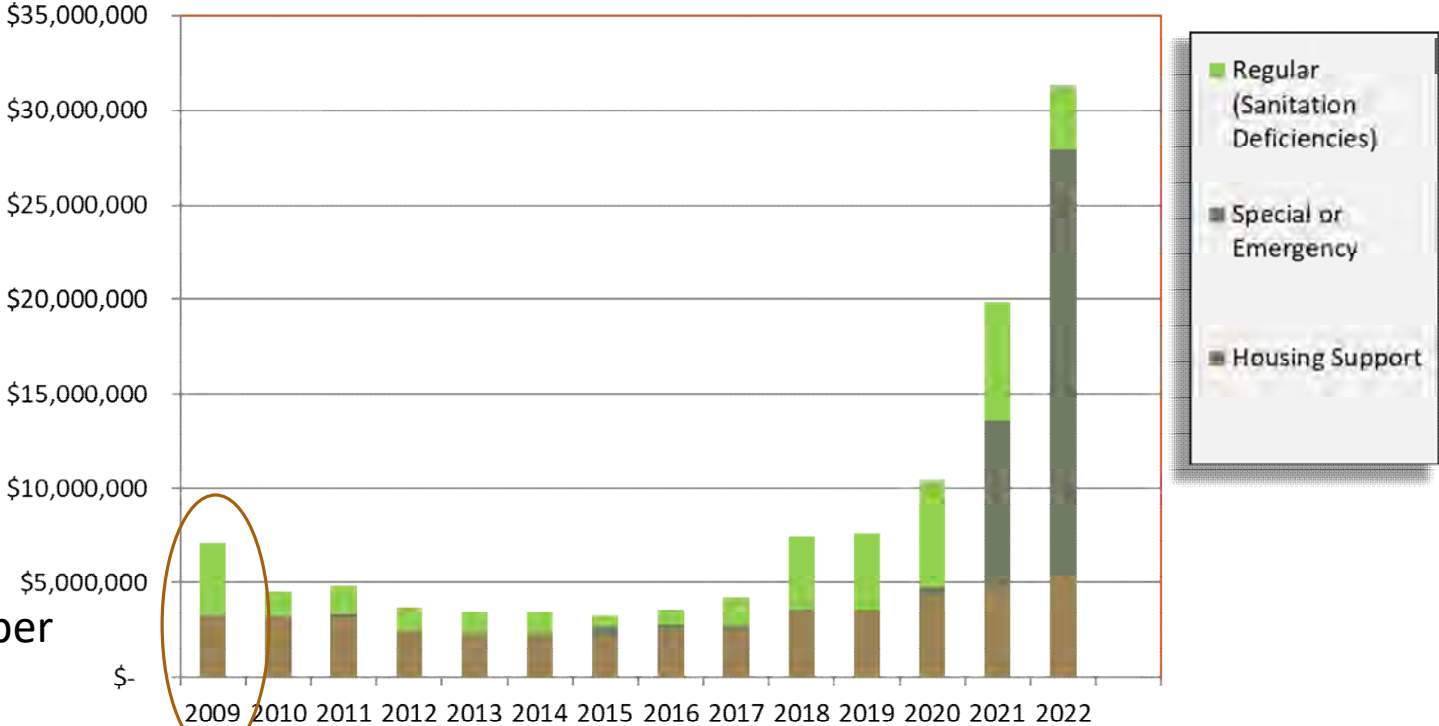


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IHS Portland Area Funding

IHS Construction Funding (Portland Area)



The FY22 IHS funding allocated to the Portland Area SFC Program (including IJJA funding) was \$31.3M, which was an 58% increase over the previous year.

Remember
ARRA?



Objectives

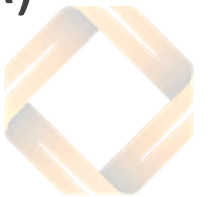
Provide our project stakeholders and funding partners with an understanding of:

- BIL funding opportunities for IHS
- Sanitation System Deficiency (SDS) – **IHS BIL Funding**
- IHS Resources for O&M support and capacity development
- Example – Collaboratively funding a \$24M new Water Treatment Plant



Topics Not Covered

- SFC Program Criteria:
 - **Who** is eligible for service
 - **What** sanitation facilities can be provided
 - **How** the project can be delivered
- IHS Housing Support Projects and Scattered Sites Projects
- IHS Special and Emergency Projects
- Interagency Agreements and Memorandums of Agreement (MOA)



IHS Assistance for Tribal Infrastructure

Public Law 86-121 (July 31, 1959) – established the SFC Program to cooperatively address AI/AN community sanitation needs.

Public Law 100-713 (Nov. 23, 1988) – amended the Indian Health Care Improvements Act, expanded IHS authority to include operation and maintenance support, and required an annual report to Congress on deficiencies.

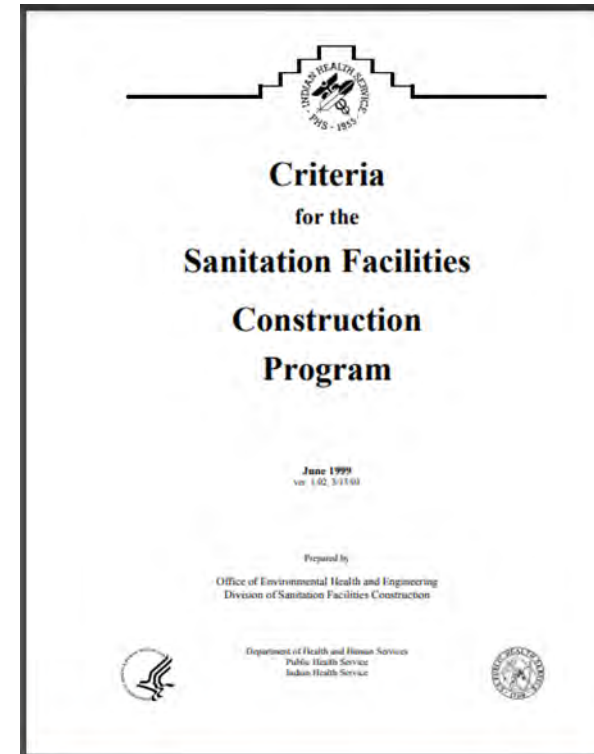
Primary Mission Activities

Identify deficiencies and develop multi-agency sanitation projects

Provide funding for water supply and waste disposal projects

Provide professional engineering design

Provide technical consultation and training to improve operation and maintenance capacity



<https://www.ihs.gov/dsfc/resources/>

Bipartisan Infrastructure Law (BIL)

- IHS will receive \$700M in each fiscal year from FY22 through FY26
- For a total of \$3.5B for the IHS SFC program
- These funds are available until expended
- These funds are one-time, non-recurring, and can only be used for the purposes specified in the statute
- *Portland Area received \$22.4M in BIL funding in FY22 to fund sanitation facility projects for existing homes*



IHS DSFC BIL Funding Allocation Goals

Goal 1	Allocate funds using data that follows direction of the Act.
Goal 2	Prioritize allocated funds where the majority can be used immediately to construct projects.
Goal 3	Make funding available to support planning, engineering, and design activities to get projects ready to fund including economically infeasible projects.
Goal 4	Allocation approach is easily explainable and publicly defensible.

IHS DSFC BIL FY22 Funding

FY 2022 Infrastructure Investment and Jobs Act (IIJA) Funding
(dollars in millions)

Activity	FY 2022 IIJA
Tier 1 Projects Construction Costs	581.2
Tier 1 Design & Construction Document Creation	59.8
Tier 2 and Tier 3 Planning, Design, & Construction Document Creation	33.0
Special and Emergency Projects	<u>1.5</u>
<i>subtotal, Projects</i>	675.5
Federal Salaries, Expenses, and Administration (3.0%)	21.0
HHS Office of Inspector General (0.5%)	<u>3.5</u>
Total	700.0



IHS Program Updates - BIL

- No more “fundable range”
- Program focus is on transitioning Tier 2 and Tier 3 projects to Tier 1 (Ready to Fund)
- No more “economically infeasible” projects
- Deadlines for FY23 Projects:
 - SDS Project List Submission to HQ: Sept. 1
 - HQ Data Review: Sept. 1 – Oct. 30th
 - SDS Project List Finalized for FY23 Funding Consideration: Nov. 30th

Project Funding Overview

Type	Project Purpose	Area Funding Allocation By DSFC Director (HQ)
Housing	Provide adequate sanitation facilities to newly constructed and like new-homes.	Housing Priority System (HPS)
Regular	Provide adequate sanitation facilities to existing homes.	Sanitation Deficiency System (SDS)
Special	Engineering investigations, planning, and training	Project Proposal Review
Emergency	Water supply and waste disposal emergencies cause of natural disasters or other unanticipated situations.	Project Proposal Review



IHS Assistance for Tribal Infrastructure

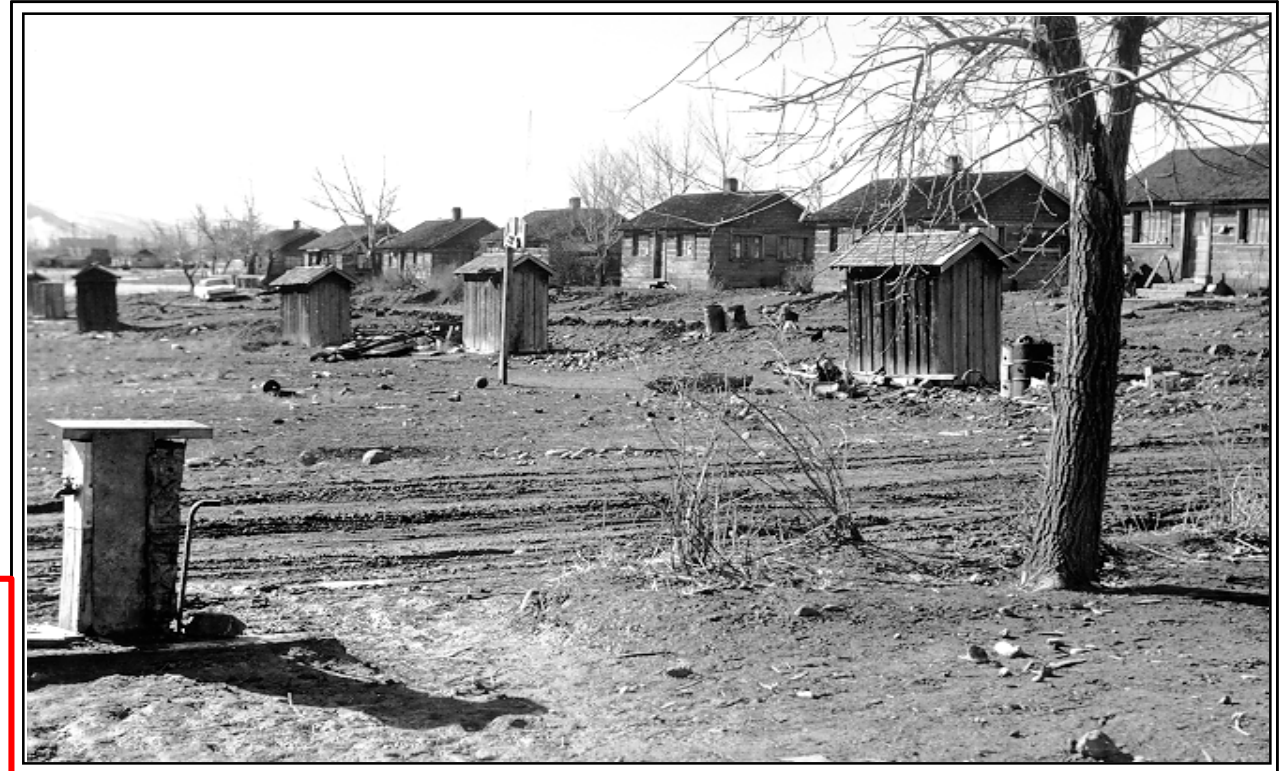
Funding Types

Regular Funds – existing homes, managed through the Sanitation Deficiency System

Homes are defined as permanent, 24-hour, year-round family dwellings.

IHS does not provide funds to serve commercial, industrial, or other non-residential establishments, including health clinics, schools, and office buildings.

Projects are prioritized using a range of factors: deficiency level, health impact, cost, O&M capacity, tribal priority, contributions, previous service. – **NOT ANYMORE**



First SFC project: Elko, Nevada 1958

Sanitation Deficiency System (SDS)

- The Sanitation Deficiency System is the SFC inventory of projects developed to address existing sanitation deficiencies in AI/AN homes and communities
- BIL funds appropriated to IHS will be allocated through SDS
- Without a “fundable range,” our emphasis is working with Tribal program partners to develop Tier 2 and Tier 3 projects to Tier 1 (Ready to Fund)



Sanitation Deficiency System (SDS) – Project Tiers

- Tier 1: Project is ready to fund
 - Cost estimate +/- 10%
 - Design parameters +/- 10%
 - Unit quantities +/- 10%
 - Completed Preliminary Engineering Report (PER), environmental review, and funding sources identified
- Tier 2: Engineering Assessed
 - Cost estimate +/- 25%
 - Deficiency is understood (and documented)
 - **Recommended/Preferred solution is identified**
 - Preliminary design, environmental review, and/or funding sources still pending
- Tier 3: Preliminarily Assessed
 - Deficiency is understood (and documented)
 - Recommended/Preferred solution **has not** been identified



Portland Area FY2021 SDS Snapshot

IHS Area - Portland (PO)

Indian Health Service
FY 2021 Annual Report of Sanitation Deficiency Levels

Area	State	Project No.	Project Name	Project DL	Area Priority	Project Tier	Project Cost	Cumulative Project Cost
PO	WASHINGTON	WA05344-1701	MAKAH - SEWER OUTFALL FORESHORE REPAIRS	2	1	1	\$684,278	\$684,278
PO	OREGON	OR16265-1201	CTWS - Dry Creek Water Treatment Plant Replacement	3	2	1	\$13,601,000	\$14,285,278
PO	WASHINGTON	WA31736-0103	TULALIP - galvi/AC water main replacement phase 3 part B	3	3	1	\$3,324,440	\$17,609,718
PO	IDAHO	ID06040-1604	Shoban FY2022 Existing Homes DL3	3	4	1	\$42,385	\$17,652,103
PO	WASHINGTON	WA29684-1901*	SWINOMISH - Smokehouse Road Water Access	3	5	2	\$762,820	\$18,414,923
PO	WASHINGTON	WA33755-1701	CCT - Seatons Grove Community Water System Improvements	3	6	1	\$315,350	\$18,730,273
PO	WASHINGTON	WA18477-0801	SUQUAMISH - Sackman CSS Repairs (Placeholder)	2	7	3	\$79,661	\$18,809,934
PO	WASHINGTON	WA33755-2101	CCT - SDS Scattered Sites	3	8	1	\$162,000	\$18,971,934
PO	WASHINGTON	WA05344-1601	MAKAH - WWTP LAGOON CELL SLUDGE REMOVAL	2	9	1	\$987,370	\$19,959,304
PO	WASHINGTON	WA23563-0903	SKOKOMISH Individual Services	3	10	1	\$37,700	\$19,997,004
PO	OREGON	OR16265-2201	CTWS - Sewer Collection System Renewal Phase I	2	11	3	\$1,430,000	\$21,427,004
PO	WASHINGTON	WA05344-0105	MAKAH - PERMANENT WATER SOURCE	3	12	3	\$13,376,759	\$34,803,763
PO	OREGON	OR21302-0801	CTSI - WWTP Rehabilitation	2	13	3	\$3,114,989	\$37,918,752
PO	OREGON	OR16265-1801	CTWS - Simnasho Lagoon Rehabilitation	3	14	3	\$513,810	\$38,432,562
PO	OREGON	OR16265-2601	CTWS - Water Distribution Rehabilitation Phase 1	2	15	3	\$2,654,000	\$41,086,562
PO	WASHINGTON	WA23563-0901	SKOKOMISH CWS Pressure Improvements	2	16	2	\$1,732,852	\$42,819,414
PO	WASHINGTON	WA29684-0201	SWINOMISH Water Service Line Replacements	2	17	1	\$238,900	\$43,058,314
PO	OREGON	OR18999-0201	WOR - Existing Homesites	3	18	3	\$65,000	\$43,123,314
PO	WASHINGTON	WA26999-0202	KAL - FY2022 SDS Scattered Sites	3	19	1	\$72,000	\$43,195,314
PO	WASHINGTON	WA14412-2701	CHEHALIS - Starr Well House Repairs	2	20	3	\$32,007	\$43,227,321
PO	WASHINGTON	WA37225-2301	USIT - AX100 pod flotation repair	2	21	3	\$237,322	\$43,464,643
PO	WASHINGTON	WA20904-0501	YAKAMA - Georgeville Arsenic Treatment System	3	22	2	\$686,565	\$44,151,208
PO	OREGON	OR16265-2501	CTWS - Municipal Landfill Construction	3	23	3	\$5,942,500	\$50,093,708
PO	IDAHO	ID06041-1001	Shoban Wastewater Lagoon Improvements	2	24	3	\$498,000	\$50,591,708
PO	WASHINGTON	WA10384-0501	CCT - Twin Lakes Secondary Source Well and Pumphouse	2	25	1	\$395,000	\$50,986,708
PO	OREGON	OR16999-1301	CTWS- Residential Water Meters	2	26	3	\$1,212,750	\$52,199,458
PO	OREGON	OR16999-1401	CTWS - Water Storage Tank Rehabilitation	2	27	2	\$119,625	\$52,319,083
PO	IDAHO	ID25117-1005*	NPT - East Kamiah Sewer Interceptor Upgrades	1	28	3	\$153,656	\$52,472,739
PO	WASHINGTON	WA33906-0801	STOI - McCoy Lake WST and Water Main Extension	2	29	3	\$975,177	\$53,447,916
PO	WASHINGTON	WA39858-1502	YAKAMA - White Swan Lagoon Renovation	2	30	3	\$2,238,000	\$55,685,916
PO	WASHINGTON	WA14412-2001	CHEHALIS - Fern Dr. Community Wastewater Improvements	2	31	1	\$420,654	\$56,106,570
PO	WASHINGTON	WA33770-0802	STOI - Wellpint Transfer Station Well	2	32	3	\$32,573	\$56,139,143
PO	WASHINGTON	WA39858-1201	YAKAMA-WHITE SWAN-Med. Valley Tank	2	33	3	\$1,355,000	\$57,494,143
PO	WASHINGTON	WA33755-0102	CCT - Seatons Grove Pumphouse Standby Generator	2	34	1	\$65,906	\$57,560,049
PO	IDAHO	ID06041-1601	Shoban Cemetery Road and Siler Road Water Main Extensions	2	35	2	\$882,000	\$58,442,049
PO	WASHINGTON	WA24599-0103	CCT - Nespalem Agency Liftstation Standby Generator	2	36	3	\$261,933	\$58,703,982
PO	WASHINGTON	WA24602-0103	CCT - Omak Rocky River Road Pumphouse Standby Generator	2	37	1	\$124,000	\$58,827,982
PO	OREGON	OR16265-2401	CTWS - Schoolie Flat Water System Rehabilitation	2	38	3	\$352,000	\$59,179,982
PO	WASHINGTON	WA10384-0102	CCT - Twin Lakes Pumphouse Standby Generator	2	39	1	\$111,000	\$59,290,982
PO	IDAHO	ID06040-1602	Shoban FY2022 Existing Home DL2	2	40	1	\$12,100	\$59,303,082
PO	OREGON	OR30289-0103	CTUIR: Wastewater System Upgrades	2	41	3	\$5,007,500	\$64,310,582
PO	WASHINGTON	WA05344-0201	MAKAH - WATERMAIN REPLACEMENT	2	42	3	\$6,698,183	\$71,008,765
PO	WASHINGTON	WA24581-0101	CCT - Disautel CWS Standby Generator	2	43	1	\$104,000	\$71,112,765
PO	IDAHO	ID35182-1002*	NPT - Domebo Flats Sewer Main Extension	1	44	2	\$603,098	\$71,715,863



Interagency Preliminary Engineering Report (PER) Template

Best Practice Document developed by:

- USDA RD, Rural Utilities Service
- US EPA, Office of Water
- US HUD, Office of Community Planning and Development
- IHS, Division of Sanitation Facilities Construction

The Interagency format helps to ensure that feasible alternative solutions have been evaluated, that a preferred solution has been selected based on cost and non-cost considerations, and that the proposed solution has been developed to a sufficient design level (~15%)



INTERAGENCY MEMORANDUM

Attached is a document explaining recommended best practice for the development of Preliminary Engineering Reports in support of funding applications for development of drinking water, wastewater, stormwater, and solid waste systems.

The best practice document was developed cooperatively by:

- [US Department of Agriculture, Rural Development, Rural Utilities Service, Water and Environmental Programs](#);
- [US Environmental Protection Agency \(EPA\), Office of Water, Office of Ground Water and Drinking Water and Office of Wastewater Management](#);
- [US Department of Housing and Urban Development \(HUD\), Office of Community Planning and Development](#);
- [US Department of Health and Human Services, Indian Health Service \(IHS\); Small Communities Water Infrastructure Exchange](#);

Extensive input from participating state administering agencies was also very important to the development of this document.

Federal agencies that cooperatively developed this document strongly encourage its use by funding agencies as part of the application process or project development. State administered programs are encouraged to adopt this document but are not required to do so, as it is up to a state administering agency's discretion to adopt it, based on the needs of the state administering agency.

A Preliminary Engineering Report (Report) is a planning document required by many state and federal funding agencies as part of the process of obtaining financial assistance for development of drinking water, wastewater, solid waste, and stormwater facilities. The attached Report outline details the requirements that funding agencies have adopted when a Report is required.

In general the Report should include a description of existing facilities and a description of the issues being addressed by the proposed project. It should identify alternatives, present a life cycle cost analysis of technically feasible alternatives and propose a specific course of action. The Report should also include a detailed current cost estimate of the recommended alternative. The attached outline describes these and other sections to be included in the Report.

Projects utilizing direct federal funding also require an environmental review in accordance with the National Environmental Policy Act (NEPA). The Report should indicate that environmental issues were considered as part of the engineering planning and include environmental information pertinent to engineering planning.

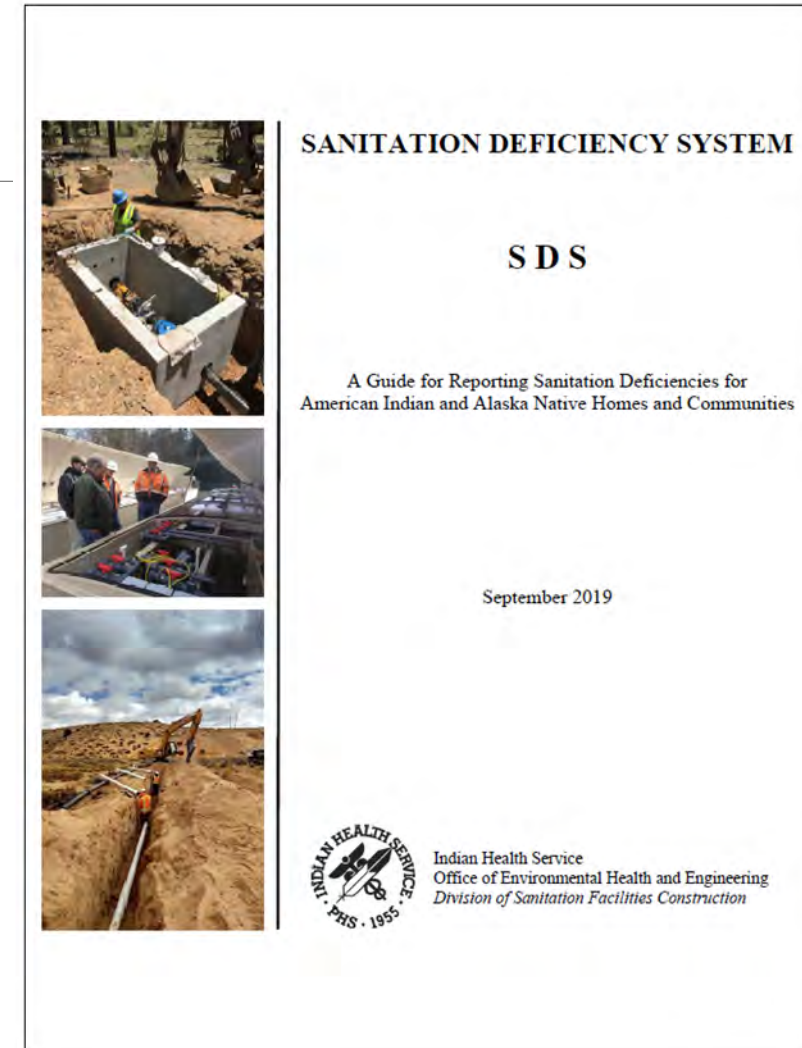
<https://www.epa.gov/tribal/infrastructure-task-force-preliminary-engineering-report>

Sanitation Deficiency System

Appendix E: Guidance on Assigning Project Impact Deficiency Levels (DLs)

SDS Scoring Criteria (not applicable to BIL funding)

Scoring Criteria	Point Assignment
Health Impact	0 to 30 points
Project Deficiency Level	0 to 25 points
Local Tribal Priority	0 to 16 points
O&M Capability	0 to 16 points
Capital Cost	-9 to 9 points
Contributions	0 to 8 points
Adequate Previous Service	0 to 4 points



<https://www.ihs.gov/dsfc/resources/>

Sanitation Deficiency System – Deficiency Levels

Appendix E: Guidance on Assigning Project Impact Deficiency Levels (DLs)

Deficiency Level	Description
5	Lacks a safe water supply and a sewage disposal system
4	Lacks a safe water supply or a sewage disposal system
3	A sanitation system which has an inadequate or partial water supply and/or sewage disposal facility that does not comply with applicable water supply or pollution control laws, or that has not solid waste disposal facilities
2	The deficiencies relate to capital improvements that are necessary to improve the facilities in order to meet the needs of such tribe or community for domestic sanitation facilities
1	The deficiencies relate to routine replacement, repair, or maintenance needs

O&M Program Technical Assistance

- Comprehensive Sanitation Facilities Surveys
- Composite Utility Drawings (as-builts)
- Operator Training
- Specific O&M Technical Support
- Organizational Capacity Development
 - Ordinance Development
 - Budgeting
 - Rate Studies
 - Asset Inventories
 - Asset Management Planning



Portland Area Utility Consultants

Portland Area District/Tribal utility consultants enhance operations and maintenance of tribal public water, wastewater, and solid waste systems to ensure safe drinking water, proper waste disposal, and public health for American Indians in Washington, Oregon, and Idaho.



DSFC Project Highlight – New WTP Construction

IHS Project PO-22-N46, Replacement Surface Water Treatment Plant, Confederated Tribes of Warm Springs

Scope: Provide a replacement 4.2 MGD surface water treatment plant employing advanced treatment technology capable of removing organic micro-pollutants and contaminants of emerging concern

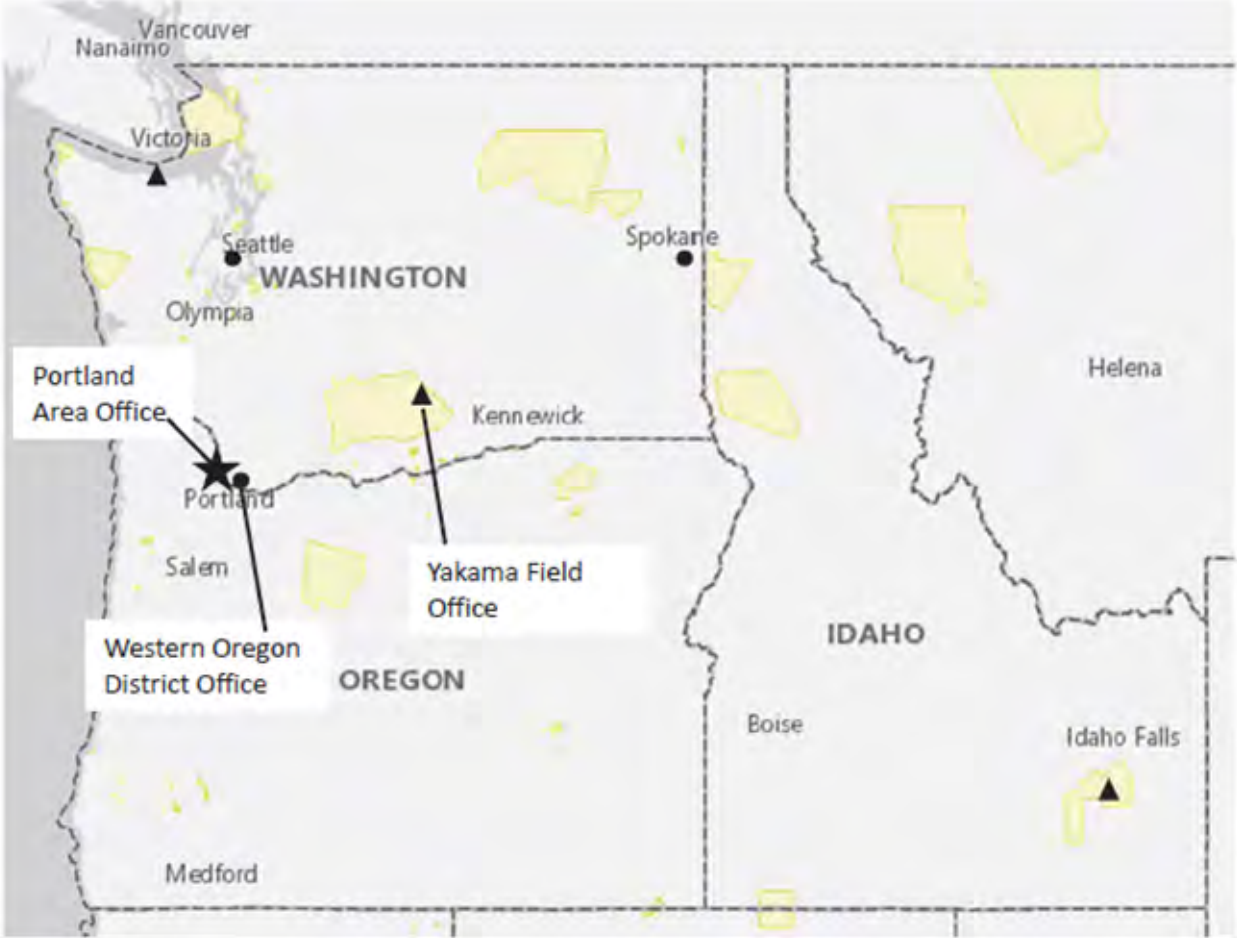
Project Funding: \$ 13,601,000 (IHS BIL)
\$ 6,130,000 (EPA SDWA Tribal Set Aside)
\$ 4,132,000 (EPA BIL Tribal Set Aside)
\$ 23,863,000 (Total)

O&M Support: \$ 42K for contracted O&M Support, Manual, and Training
\$TBD – Contracted Utility Capacity Development: Budget Development, Asset Inventories, and Operator Certification Support

Project Delivery: Design-Build



Portland Area DSFC Offices



IHS Assistance for Tribal Infrastructure

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IHS Assistance for Tribal Infrastructure

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- Port Angeles Field Office: Craig Haugland, P.E. 360-452-1196, craig.haugland@ihs.gov
- Fort Hall Field Office: LCDR Matthew Chadwick, P.E., (208) 238-5473, matthew.chadwick@ihs.gov

Tribal Utility Consultants:

- Ladd Folster, Spokane District Office, (509) 455-3522, laddie.folster@ihs.gov
- LCDR Sandy Redsteer, Olympic District Office, (360) 792-6483, sandy.redsteer@ihs.gov
- LCDR Jason Davis, Portland Area Office, (503) 414-7787, Jason.davis@ihs.gov



Some Takeaways

- The amount of funding received by the Portland Area DSFC program in FY22 far exceeds any previous year's total. DSFC is working to hire additional staff and leverage contracted A/E support to deliver this increased workload
- The IHS DSFC program will receive \$700M for 5 years (FY22-FY26), for a total of \$3.5B
- The funds will primarily be allocated through the Sanitation Deficiency System (SDS) for construction projects that will correct sanitation deficiencies serving existing eligible homes
- The focus has shifted from scoring and prioritizing projects to advancing Tier 3 and Tier 2 projects to Tier 1 – Ready to Fund
- Including funding for contracted O&M technical support and Utility capacity development is a program priority for this funding opportunity
- *Tribes are encouraged to get in touch with their local DSFC office to discuss sanitation needs to take advantage of this funding opportunity*

Thank you!



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