Warm Springs Wastewater Sub-group Report September 30, 2019

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Background:
Currently the Tribes manage four wastewater systems on the reservation including two facultative lagoon systems located in Simnasho and Sunnyside. Additionally, the Tribes have the Warm Springs Wastewater Treatment Facility (NPDES Permit No. OR-003263-8) and the Kah-nee-ta Wastewater Treatment Facility (NPDES Permit No. OR 003410-0). The Kah-nee-ta system only discharges to the river in the winter months from October-March. There are three wastewater lift stations at Composite Products, Deschutes Crossing and the Museum at Warm Springs which are the only pressurized wastewater collection systems, the rest is by gravity flow.

EPA is the issuing agency for the two NPDES permits for the Warm Springs and Kah-nee-tah wastewater treatment plants. These permits are currently scheduled for reissuance in 2021. Both permits are currently administratively extended. There are also Administrative Orders on Consent (AOC) for both of these facilities.

Wastewater needs in priority order:

1) Warm Springs Treatment Plant
    a. FUNDED PROJECT: IHS $2,246,000 plus $335,000 tribal match.
       Brings this facility in compliance with the EPA permit. Deisgn will be completed with a professional services contract planned for award November 2019. Construction is planned 2020/2021.
    b. Not clear whether additional engineering and design will be needed for new permit.
    c. EPA expects to reissue the permit in 2021
2) Sunnyside Lagoon Systems - $1,063,181
    a. IHS funded project will provide a new 2-acre lagoon cell, relining of the existing western cell, conversion of the eastern cell to an evaporation and controlled percolation cell, installation of sewer main and required appurtenances, and improvements to the existing access road to allow for year-round street access.
    b. Design is under development
    c. Project planned for implementation in 2020-2021.
3) Kah-nee-ta Plant/Lagoon Systems - $2,940,960 (this cost reflects the resort being open)
    a. Developing Plant Master Plan that will identify the level of funding needed. Expected completion May 2020. May result in improving the plant or pursuing options that don't discharge to the river.
4) Simnasho Lagoon Systems - $582,000 (tentative)
    a. Engineering/design work needed. University of Portland and Derek Hancey, HIS are doing some engineering work with seniors for a Senior Project. .

Areawide sewer and water system projects:

1) Downtown campus area (pending action by the BIA); no schedule for this
   BIA has funded a construction management system during the next federal fiscal year; this infrastructure is on the federal inventory. There is not a competitive process for getting these funds and there is not match.

2) Industrial park (EDA grant pending, $1.4M).

Sub-group discussion:

EPA committed to reviewing existing engineering and design studies to determine what else may be needed to support permit renewal.

The Community Action Team also mentioned that it might be good to talk with the Alaska Native Tribal Health Consortium about how they were able to secure buy in for a fee structure.

Funding Secured:

1) The Oregon legislature approved $7.8 M of lottery bond proceeds for water and wastewater infrastructure. Of this, $1.3M is dedicated to Wastewater treatment. There may be some interest in reallocating how these funds were assigned among various infrastructure needs during the 2020 short legislative session.

Additional Funding opportunities:

A. Facilities Planning
    1) USDA RD – has small amount of grant funding for planning related activities ($30,000 max; requires match).
    2) Business Oregon has technical assistance/planning grants up to $20,000.
    3) Administration for Native Americans, US Health and Human Services.
    4) US HUD needs to be tied to affordable housing; (Indian CDBG, Indian Housing block grant).
    5) US EPA, Tribal set-aside program. Grants for planning and design. Potential projects are scored and ranked on SDS, and typically administered in conjunction with IHS.
    6) Indian Helath Serfice – sanitation deficiency system priority; competitive process.
B. Infrastructure financing
    1) Business Oregon - grant/loan combination packages for infrastructure. Requires rate structure and resolution of outstanding issues with existing loan.
    2) USDA RD - tribal set aside grants and loans. Outstanding issues need to be resolved with outstanding loans (e.g. administrative issues, service reviews, financials need to be provided).
    3) US Economic Development Administration - (grant request for $1.4M for industrial park infrastructure pending).
    4) Oregon Department of Environmental Quality – Clean Water State Revolving Loan Fund, low interest wastewater loans with potential for some principal forgiveness.
    5) Rural Community Assistance Corp – loans up to $200,000.
    6) US EPA – Tribal set-aside program. Grants. Potential projects are scored and ranked on SDS, and typically administered in conjunction with IHS. Can fund project administration and construction.
    7) US EPA – WIFIA loan guarantee program. Loans for 35 years for up to 49% of a project cost.
    8) Indian Health Service

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Recommended next steps:

1) Implement the HIS funded projects
2) Engineering asssesment/report for both KNT and Warm Springs WWTP
3) Engineering/assesment report from IHS for Simnasho Lagoon was initiated on 09/13/2019 with PSU students along with Derek Hancey from HIS
4) Rate structure fee establishment