Message

From: Baron, Adam [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=563EF058707D4930868C6CF1E0828A43-BARON, ADAM]
Sent: 8/7/2019 3:50:29 PM
To: Contreras, Peter [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3c7e515833814b74a7ebafcfef8b6322-Contreras, Peter]
Subject: RE: EPA Q & A RE Warm Springs Safe Drinking Water Challenges

I don't see a role for me/ you to get this through the finish line, but just wanted to make sure we are on the same page.

Running down to get some coffee – back soon.

Adam Baron
Drinking Water Enforcement Officer
Field, Data, & Drinking Water Enforcement Section
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 155
Seattle, Washington 98101
Office (206) 553-6361
baron.adam@epa.gov

From: Contreras, Peter <Contreras.Peter@epa.gov>
Sent: Wednesday, August 07, 2019 8:22 AM
To: Martinson, Mathew <martinson.mathew@epa.gov>; Green, Richard <Green.Richard@epa.gov>; Burgess, Karen <Burgess.Karen@epa.gov>
Cc: Baron, Adam <Baron.Adam@epa.gov>; MacIntyre, Mark <Macintyre.Mark@epa.gov>
Subject: RE: EPA Q & A RE Warm Springs Safe Drinking Water Challenges

Hi Karen: I had provided some comments back to Bill D. by a separate email string for the enforcement activity, but

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) I'll forward my message to you, and wait to see what Mark/Bill need to finalize.

Thanks,

Peter

Peter Contreras, Chief
Field, Data & Drinking Water Enforcement Section
Water Enforcement & Field Branch
Enforcement and Compliance Assurance Division
Seattle ,WA (206) 553-6708

From: Martinson, Mathew <martinson.mathew@epa.gov>
Sent: Wednesday, August 07, 2019 7:47 AM
To: Green, Richard <Green.Richard@epa.gov>; Burgess, Karen <Burgess.Karen@epa.gov>

Cc: Contreras, Peter <Contreras.Peter@epa.gov>; Baron, Adam <Baron.Adam@epa.gov>; MacIntyre, Mark <Macintyre.Mark@epa.gov>
Subject: Re: EPA Q & A RE Warm Springs Safe Drinking Water Challenges

Good morning Rick and Karen,

This is great background and summary. Thank you for summarizing. For Public Affairs current request, please limit the

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

I'm Ex. 6 Personal Privacy (PP) but wanted to close the loop on this. I'll be back next Wednesday and we can coordinate for the September 24 summit.

Thank you,
Mat

Sent from my iPhone

On Aug 7, 2019, at 7:14 AM, Green, Richard <Green.Richard@epa.gov> wrote:

> Karen,
>
> Several EPA folks, including Wenona, Peter, OOO's Tony Barber, myself, and Mat in his previous role with IHS, attended the June 12th funding summit at Warm Springs. I presented verbally and handed out several printed copies of the attached spreadsheet, which outlines a number of funding options from both EPA sources as well as EPA/Oregon, or Oregon state funding.
>
> The general consensus from potential state lenders in Oregon – ODEQ's CWSRF, OHA & IFA's DWSRF, and other state loan programs administered by IFA, is that Warm Springs is not a good candidate to take on debt. So that excludes EPA's primary infrastructure funding vehicles, the two **SRF**s and **WIFIA**, and leaves grant funding, specifically EPA's DW and CW Tribal Set-Aside grant programs (see the additional attachment showing the funding that EPA has provided to Warm Springs recently), DWSRF set-asides administered by OHA and IFA, Oregon state grant programs, and EPA's new WIIN grants. Along with the Tribal Set-Asides, the Section 2104 WIIN grant, for Small and Disadvantaged Communities, appears to be the best fit. When this new grant program is up and running in the next few months, I'd strongly encourage Warm Springs to apply for funding. There's a small pot of Section 2104 funding available to ANV/Tribes in Region 10, plus each state gets their own pot. Warm Springs is eligible to apply for funding from both pots of 2104 funding, because they're a Tribe, AND because they're a public water system in the state of Oregon. Dave Emme, Oregon's DW program manager, who also attended the June 12th summit, indicated a willingness to allow/encourage Warm Springs to apply for some of Oregon's $500K in Section 2104 grant funding. As an aside, prior to the recent DW boil water notice, Chris Affeldt alerted me to the fact that a couple of buildings on the WS reservations, buildings that house childcare facilities, had **lead service lines**. I worked with Oregon's IFA to pre-approve a small amount of 100% principal forgiveness loan money (i.e., grants) to fund the replacement of the LSLs; all the Tribes needs to do is apply for the funding. They haven't applied yet, although it is completely understandable why this was relegated to the backburner.
>
> I agree with BIA's repeated request for the various Federal agencies to identify a portion of an FTE to stay involved with addressing Warm Springs' DW and WW needs for as long as it takes to address

them. At the summit, and during a subsequent conference call, we also discussed the Tribe hiring an intern/grad student/Peace Corp-type volunteer to assist with grant writing. My personal sense was that their current grant writer/coordinator is simply overwhelmed and needs help. And I totally get why he prefers to just work with HUD – because they can deliver large gobs of grant money at one time. But he, or someone, also needs to explore using a suite of funding from various sources to make all of the needed improvements happen. The same goes for their COO—overwhelmed, overworked, and spread too thin. She knows what needs to be done to help Warm Springs become a more sustainable community, but really needs assistance working with the board and residents. If Region 10 had an FTE to spare, this situation would be perfect for a place-based person to devote part of a career to assisting Warm Springs in their transition to becoming a more viable community.

Thanks.

Rick Green, Regional Coordinator
State Revolving Fund
Region 10 EPA
(206) 553-8504
green.richard@epa.gov
https://www.epa.gov/dwsrf
https://www.epa.gov/cwsrf

From: Burgess, Karen <Burgess.Karen@epa.gov>
Sent: Tuesday, August 6, 2019 5:57 PM
To: Contreras, Peter <Contreras.Peter@epa.gov>; Baron, Adam <Baron.Adam@epa.gov>; Green, Richard <Green.Richard@epa.gov>
Cc: Martinson, Mathew <martinson.mathew@epa.gov>; MacIntyre, Mark <Macintyre.Mark@epa.gov>
Subject: RE: EPA Q & A RE Warm Springs Safe Drinking Water Challenges

Peter, Rick and Adam: ASAP Mark needs additional information in order to respond to questions from the news reporter. Specifically, interested in answers to questions about what EPA has done to help the tribe get funding for system repairs/improvements. Mark mentioned a June 12th Summit meeting where possibly some things where discussed. Has information been provided to the tribe about possible sources of funding and how they can apply? Please reply all as soon as possible.

Karen Burgess, PE
Manager, Groundwater and Drinking Water Section
U.S. EPA Region 10 - Water Division

Phone (206) 553-1644

From: Martinson, Mathew <martinson.mathew@epa.gov>
Sent: Monday, August 05, 2019 4:19 PM
To: MacIntyre, Mark <Macintyre.Mark@epa.gov>; Contreras, Peter <Contreras.Peter@epa.gov>; Baron, Adam <Baron.Adam@epa.gov>
Cc: Burgess, Karen <Burgess.Karen@epa.gov>
Subject: RE: EPA Q & A RE Warm Springs Safe Drinking Water Challenges

Mark,

Suggestions below.

Mathew J. Martinson, P.E., BCEE
CAPT, USPHS
Branch Chief, Permitting, Drinking Water and Infrastructure Branch

U.S. EPA, Region 10
Phone: 206-553-6334 (Direct)

From: MacIntyre, Mark <Macintyre.Mark@epa.gov>
Sent: Monday, August 5, 2019 3:42 PM
To: Martinson, Mathew <martinson.mathew@epa.gov>; Contreras, Peter <Contreras.Peter@epa.gov>; Baron, Adam <Baron.Adam@epa.gov>
Cc: Burgess, Karen <Burgess.Karen@epa.gov>
Subject: FW: EPA Q & A RE Warm Springs Safe Drinking Water Challenges

Mat/Peter/Adam:: Can you help me work on this "blurb" for Emily @ OPB:

Emily: "Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Emily Cureton <ecureton@opb.org>
Sent: Monday, August 5, 2019 9:28 AM
To: MacIntyre, Mark <Macintyre.Mark@epa.gov>
Subject: Re: EPA Q & A RE Warm Springs Safe Drinking Water Challenges

Mark,
Thanks again for this. I do not see any dollar amounts anywhere, so I am left to assume the financial assistance via EPA-specific programs since the disaster declaration = $0.

BIA said its emergency funding provided during the recent disaster declaration exceeds $400k. but that "**The trust relationship is shared by all federal agencies, not just the BIA…" and that "BIA does not typically provide tribes with technical assistance with their water systems, this technical assistance is typically provided by the Indian Health Service or the Environmental Protection Agency."**

IHS detailed various technical assistance and funding requests. It pointed to a $447K HUD grant, which was actually released to the tribes in 2018. Unclear if new HUD funding has been made available for pressure valve repair beginning today.

Members of the congressional delegation have told me the tribe has not made any specific asks of them.

FEMA has not gotten any requests for assistance, and referred me to the BIA.

The Governor's office said CTWS will be "allocated $7.8M for water and wastewater in HB 5030 (Section 30) in lottery bonding authority.

Just running this by, in case you hear differently. This is a complicated puzzle of everyone pointing at someone else, as far as I can tell.

From: "MacIntyre, Mark" <Macintyre.Mark@epa.gov>
Date: Thursday, August 1, 2019 at 5:45 PM
To: Emily Cureton <ecureton@opb.org>
Subject: EPA Q & A RE Warm Springs Safe Drinking Water Challenges

Emily: Thank you for the good discussion this afternoon.....Please contact me if more questions arise. Also: based on today's conversation and just to be clear, the Safe Drinking Water Act's rules and requirements are not suspended or waived as a result of a boil-water notice. MM

Q: What technical and financial assistance is being provided by EPA in the past 60 days?

- EPA issued SDWA Orders and jointly organized a "funding summit" to coordinate federal funding from various agencies. Multiple agencies, organizations and representatives have stepped forward to work collaboratively to identify funding and other resources for the tribe. Over 60 people convened for the June 12 summit, and multiple action-oriented subcommittees were formed. A follow up summit is scheduled to occur in August.

- As part of the SDWA orders, EPA is speaking weekly with the tribal utilities staff and monthly site visits with tribal leadership to improve communication and coordinate priority actions under the order.

- Separately, the Indian Health Service has also provided on-site training and technical assistance, linked with an interagency agreement from EPA.

- The June "funding summit" has also resulted in a HUD "imminent threat" grant to assist with immediate needs (line breaks) associated with the current boil water notice.

- Distribution system construction expected to be completed by contractors in early August. Confirmation sampling then expected to be delivered to EPA in mid-August. Boil water notice could potentially be lifted by mid to

late August. Alternate water and boil water notice will remain in place until then. Warm Springs will be using HUD grants to recoup their costs for this work.

- Warm Springs utilities have been focused on stabilizing the distribution system. Accordingly, they have yet to meet certain SDWA requirements including additional planning to maintain an alternate water supply and other technical and contracting processes. Tribe has taken steps towards advancing this work.

- Soon after system stabilization, Warm Springs will need to focus on what's called the "120-day engineering assessment." Warm Springs has funding for this assessment, and EPA understands it will be performed by PDG, same firm that did the distribution system stabilization work.

- EPA will be on site again for the monthly Tribal Council briefing on August 12. At that point, EPA will also do a walk through to see status of distribution system work and review progress under the orders generally.

Mark A. MacIntyre
Senior Public Information Officer
U.S. EPA Region 10
1200 Sixth Ave. Suite 155 MS – 12-D-12
Seattle, WA 98101
Desk: 206.553.7302
Mobile: 206.369.7999

<EPA & OR potential funding sources for WS (new version).xlsx>

<Warm Springs (Update).xlsx>