

HJR

37

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 30, 1993

FURTHER REFERRALS:

HESS

Date of Committee Action: 4-6-93

The COMMUNITY AND REGIONAL AFFAIRS Committee considered:

HJR 37

HOUSE JOINT RESOLUTION NO. 37

FED MONEY FOR RURAL WATER/SEWER PROJECTS

Urging the Congress to enact H.R. 1033 or similar legislation authorizing construction grants for publicly-owned treatment works in economically distressed rural communities.

RECOMMENDATIONS: [] the same title
 be replaced with _____ [] a new title

[] have attached amendments(s)

do pass

[] do not pass

[] no recommendations

[] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(s): _____ (Dept)

APPROVES PREVIOUS: _____ (Dept/Date)

[] fiscal impact _____

[] fiscal note(s) _____

zero fiscal note L A A

[] zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Jerry Sanders</i>	✓				
<i>Pat N. Harris</i>	✓				
<i>V. J. Willis</i>	✓				
<i>W. K. Williams</i>	✓				
<i>W. J. D. [unclear]</i>	✓				
<i>Harley Olberg</i>	✓				

Harley Olberg
 CHAIRMAN'S SIGNATURE



Representative Lyman F. Hoffman

Alaska State House
State Capitol • Juneau, Alaska 99801-1182 • (907) 465-4453

April 5, 1993

DISTRICT 39

- AKIACHAK
AKIAK
ALEKNAGIK
ATMAUTLUAK
BETHEL
CHEFORNAK
CLARKS POINT
DILLINGHAM
EEK
EKUK
GOODNEWS BAY
KASIGLUK
KIPNUK
KONGIGANAK
KWETHLUK
KWIGILLINGOK
MANOKOTAK
NAPAKIAK
NAPASKIAK
NUNAPITCHUK
OSCARVILLE
PLATINUM
PORTAGE CREEK
QUINHAGAK
TOGIAK
TUNTUTULIAK
TWIN HILLS

TO: Representative Harley Olberg, Chairman
House Community and Regional Affairs Committee
FROM: Representative Lyman F. Hoffman
RE: HJR 37 - Urging Congress to enact H.R. 1033

As Alaska prepares to enter the 21st century, it is difficult to believe our state's village residents continue to be subjected to hepatitis A, dysentery, meningitis and a host of other illnesses due to a lack of basic water and sewer systems.

Less than 7 years from the turn of the millennium, while many national economies become dependent on advanced science and technology, villagers rely on honeybucket dumpsters for sewage disposal and central watering spigots for drinking water.

In the summer of 1990, nearly 1/4 of the residents of Kotlik were victims of viral meningitis caused by two leaky underground pits filled with human sewage.

52 village clinics have no running water or flush toilets. Many community health aides must find alternative sources to clean themselves between patients. Some resort to heating water in microwave ovens.

HR 1033 establishes a grant program for construction of publicly owned treatment works in economically distressed rural communities. This program would provide \$300 million per year for 6 years to fund these grants.

Considering 90% of the wastewater facilities in Alaska Native villages have been assessed by the federal government as inadequate and DEC has identified a need for \$1.2 billion to correct water and sewer problems in rural Alaska, I ask your support for HJR 37.

Thank you for your consideration.

P.O. Box 886 • Bethel, Alaska 99559 • (907) 543-3541

Sponsor Statement

103D CONGRESS
1ST SESSION

H. R. 1033

To amend the Federal Water Pollution Control Act to establish a grant program for construction of publicly owned treatment works in economically distressed rural communities.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 1993

Mr. HAYES introduced the following bill; which was referred to the Committee on Public Works and Transportation

A BILL

To amend the Federal Water Pollution Control Act to establish a grant program for construction of publicly owned treatment works in economically distressed rural communities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Rural Community
5 Clean Water Assistance Act of 1993".

HR 1033

1 SEC. 2. AMENDMENT TO FEDERAL WATER POLLUTION CON-
2 TROL ACT.

3 The Federal Water Pollution Control Act (33 U.S.C.
4 1251-1387) is amended by adding at the end the follow-
5 ing:

6 **"TITLE VII—CONSTRUCTION**
7 **GRANT PROGRAM FOR**
8 **TREATMENT WORKS IN**
9 **RURAL COMMUNITIES**

10 **"SEC. 701. GRANTS.**

11 **"(a) IN GENERAL.—**The Administrator is authorized
12 to make grants to any State, municipality, or
13 intermunicipal or interstate agency for the construction of
14 publicly owned treatment works located in economically
15 distressed rural communities and for any purpose for
16 which a grant may be made under sections 319(h) and
17 319(i) of this Act (including innovative and alternative ap-
18 proaches for the control of nonpoint sources of pollution).

19 **"(b) APPLICATION.—**Any State, municipality, or
20 agency referred to in subsection (a) interested in receiving
21 a grant under this title shall submit to the Administrator
22 an application for such grant. Such application shall be
23 in such form and contain such information as the Admin-
24 istrator may require by regulation.

25 **"(c) TERMS AND CONDITIONS.—**Grants made under
26 this title shall be subject to such terms and conditions as

1 the Administrator may require by regulation to carry out
2 the objectives of this title.

3 **"SEC. 702. FEDERAL SHARE.**

4 "The Federal share of any grant made under this
5 title shall be 90 percent of the cost of construction. The
6 non-Federal share of such costs shall be provided from
7 non-Federal sources of funding.

8 **"SEC. 703. ALLOTMENT.**

9 "(a) IN GENERAL.—Sums authorized to be appro-
10 priated for a fiscal year pursuant to section 704 shall be
11 allotted among the States for such fiscal year by the Ad-
12 ministrator not later than the 10th day which begins after
13 the date of the enactment of this title in the ratio which
14 the population in economically distressed rural commu-
15 nities of each State bears to the total population in eco-
16 nomically distressed rural communities of all the States.

17 "(b) PERIOD OF AVAILABILITY; REALLOTMENT.—
18 Sums allotted to the States for a fiscal year shall remain
19 available for obligation for the fiscal year for which au-
20 thorized and for the period of the next succeeding 12
21 months. The amount of any allotment not obligated by the
22 end of such 24-month period shall be immediately reallot-
23 ted by the Administrator on the basis of the same ratio
24 as applicable to sums allotted for the then current fiscal
25 year, except that none of the funds reallotted by the Ad-

1 administrator for a fiscal year shall be allotted to any State
2 which failed to obligate any of the funds being reallocated.
3 Any sum made available to a State by reallocation under
4 this subsection shall be in addition to any funds otherwise
5 allotted to such State for grants under this title during
6 any fiscal year.

7 **"SEC. 704. AUTHORIZATION OF APPROPRIATIONS.**

8 "There is authorized to be appropriated to carry out
9 this title \$300,000,000 per fiscal year for fiscal years
10 1994, 1995, 1996, 1997, 1998, and 1999. Such sums
11 shall remain available until expended.

12 **"SEC. 705. DEFINITIONS.**

13 "In this title, the following definitions apply:

14 "(1) CONSTRUCTION.—The term 'construction'
15 has the meaning such term has in section 212.

16 "(2) ECONOMICALLY DISTRESSED RURAL COM-
17 MUNITY.—The term 'economically distressed rural
18 community' means a rural community in which the
19 median household income of the residents of such
20 community is less than 75 percent of the national
21 median household income, as determined by the lat-
22 est decennial census of the United States.

23 "(3) RURAL COMMUNITY.—The term 'rural
24 community' means a political subdivision of a State

1 with a population of less than 20,000, as determined
2 by the latest decennial census of the United States.

3 “(4) TREATMENT WORKS.—The term ‘treat-
4 ment works’ has the meaning such term has in sec-
5 tion 212.”.

○

Post-It™ brand fax transmittal memo 7871		# of pages
To <i>Roger</i>	From <i>KEITH KELTON</i>	
Co.	Co.	
Dept.	Phone # <i>465-5135</i>	
Fax # <i>465-2278</i>	Fax #	

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a survey to de-
 enance of treat-
 his Act, as com-

pared to the efficiency planned at the time the grant was made. The results of such annual survey shall be included in the report required under section 516(a) of this Act.

SEWAGE COLLECTION SYSTEMS

Sec. 211. (a) No grant shall be made for a sewage collection system under this title unless such grant (1) is for replacement or major rehabilitation of an existing collection system and is necessary to the total integrity and performance of the waste treatment works servicing such community, or (2) is for a new collection system in an existing community with sufficient existing or planned capacity adequately to treat such collected sewage and is consistent with section 201 of this Act.

(b) If the Administrator uses population density as a test for determining the eligibility of a collector sewer for assistance it shall be only for the purpose of evaluating alternatives and determining the needs for such system in relation to ground or surface water quality impact.

(c) No grant shall be made under this title from funds authorized for any fiscal year during the period beginning October 1, 1977, and ending September 30, [1985,] 1990, for treatment works for control of pollutant discharges from separate storm sewer systems.

DEFINITIONS

Sec. 212. As used in this title—

(1) The term "construction" means any one or more of the following: preliminary planning to determine the feasibility of treatment works, engineering, architectural, legal, fiscal, or economic investigations or studies, surveys, designs, plans, working drawings, specifications, procedures, field testing of innovative or alternative waste water treatment processes and techniques meeting guidelines promulgated under section 304(d)(9) of this Act, or other necessary actions, erection, building, acquisition, alteration, remodeling, improvement, or extension of treatment works, or the inspection or supervision of any of the following items.

(2)(A) The term "treatment works" means any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial waste of a liquid nature to implement section 201 of this Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, outfall sewers, sewage collection systems, pumping power, and other equipment, and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process (including land use for the storage of treated wastewater in land treatment systems prior

Definitions: Federal Water Pollution Control Act

to and application) or is used for ultimate disposal of residues resulting from such treatment.

(B) In addition to the definition contained in subparagraph (A) of this paragraph, "treatment works" means any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste, including storm water runoff, or industrial waste, including waste in combined storm water and sanitary sewer systems. Any application for construction grants which includes wholly or in part such methods or systems shall, in accordance with guidelines published by the Administrator pursuant to subparagraph (C) of this paragraph, contain adequate data and analysis demonstrating such proposal to be, over the life of such works, the most cost efficient alternative to comply with section 301 or 302 of this Act, or the requirements of section 201 of this Act.

(C) For the purposes of subparagraph (B) of this paragraph, the Administrator shall, within one hundred and eighty days after the date of enactment of this title, publish and thereafter revise no less often than annually, guidelines for the evaluation of methods, including cost-effective analysis, described in subparagraph (B) of this paragraph.

(D) The term "replacement" as used in this title means these expenditures for obtaining and installing equipment, accessories, or appurtenances during the useful life of the treatment works necessary to maintain the capacity and performance for which such works are designed and constructed.

LOAN GUARANTEES FOR CONSTRUCTION OF TREATMENT WORKS

SEC. 213. (a) Subject to the conditions of this section and to such terms and conditions as the Administrator determines to be necessary to carry out the purposes of this title, the Administrator is authorized to guarantee, and to make commitments to guarantee, the principal and interest (including interest accruing between the date of default and the date of the payment in full of the guarantee) of any loan, obligation, or participation therein of any State, municipality, or intermunicipal or interstate agency issued directly and exclusively to the Federal Financing Bank to finance that part of the cost of any grant-eligible project for the construction of publicly owned treatment works not paid for with Federal financial assistance under this title (other than this section), which project the Administrator has determined to be eligible for such financial assistance under this title, including, but not limited to, projects eligible for reimbursement under section 206 of this title.

(b) No guarantee, or commitment to make a guarantee, may be made pursuant to this section—

(1) unless the Administrator certifies that the issuing body is unable to obtain on reasonable terms sufficient credit to finance its actual needs without such guarantee; and

(2) unless the Administrator determines that there is a reasonable assurance of repayment of the loan, obligation, or participation therein.

A determination of whether financing is available at reasonable rates shall be made by the Secretary of the Treasury with relation-

VILLAGE SAFE WATER

SERVICES & BENEFITS

- **Project Planning.** Through preparation of feasibility studies, VSW assists communities in reviewing all the alternatives available for solving their sanitation problems; the capital costs of alternatives, and the operation and maintenance expenses the community will have to pay after the project is completed. Experience has shown that when communities have this basic information, they make good decisions on the type of service best suited to their needs and means.

- **Technical Assistance.** VSW provides technical assistance to villages during all phases of a project including planning, design, and construction. Because VSW staff has the aptitude and training in the area of sanitation engineering, local interests are protected. VSW ensures villages get what is paid for, consistent with local needs.

- **Varying Construction Techniques.** While a variety of construction methods can be used, force account construction practices are well understood and employed by the VSW program. In this way, the local workforce benefits directly from VSW assisted projects, VSW provides assistance in material expediting, construction supervision, and project inspection. If a community opts to perform part of a project through contract, VSW staff help in drafting the contract, selecting a contractor, and in overseeing the contract to assure the community is getting what it expects.

- **Agreement Negotiations.** VSW staff are available to assist communities to work out user fee agreements with large water users (such as schools) or agreements for waste heat with the Alaska Village Electric Cooperative.

- **Financial Accountability.** Financial management is provided by DEC through a contract with a CPA firm. This assures timely payment of bills, meeting payrolls, fulfillment of IRS requirements, and final project accountability of all expenses.

Village Safe Water

VILLAGE SAFE WATER

Grants for Water, Sewer, & Solid Waste Projects

Village Safe Water provides up to 100 percent of project costs to villages for sanitation improvements. First class cities with populations <600, unincorporated villages with populations of 25-600 or second class cities are eligible for grants. VSW grants generally provide safe water sources at central locations, places to dispose of honeybucket wastes, and, in some cases, piped utilities, laundries, and shower facilities. VSW engineers assist communities by acting as the city's engineer.

The VSW program provides engineering assistance to remote communities in the planning, design, construction, and maintenance of sanitation facilities. Before a village accepts a grant, the staff provides residents with a careful assessment of future maintenance costs as they relate to the community's ability and willingness to support services with local revenues.

A unique service offered by the Village Safe Water program is "hands-on" technical assistance whenever or wherever it is needed. This involves working one-on-one with local officials to identify sanitation problems and propose cost effective solutions. Feasibility studies are often used to determine the most appropriate level of service. During the life of these projects, VSW offers engineering assistance.

VSW is a "dirty boots" outfit. Engineering staff, experienced in cold climate utility development, help out when the community does not have the management expertise needed for a major capital project.

-
- Communication
 - Feasibility Studies
 - Technical Advice
 - Engineering
 - Construction
 - Management
 - Planning
-

VSW is a "dirty boots" outfit.

VILLAGE SAFE WATER

FUNDING SOURCES

Village Safe Water is flexible in its approach to financing sanitation needs. Although many projects are funded solely through State appropriations, the program has been successful in capturing federal dollars through a variety of sources including the Public Health Service, the Environmental Protection Agency, and the Housing and Urban Development Authority.

- **State Projects**

67 communities and \$32 million worth of capital projects for FY 94 have no other sources of funding other than a state general fund appropriation. A line item allocation is requested to complete each.

- **Federal/State Projects**

During FY 94, 28 communities have projects which need State funds to supplement money from the federal government. This category of projects represents approximately \$17.0 million in federal funds.

Joint ventures pool the necessary financial resources. Effective working agreements have been developed and implemented between Village Safe Water and various federal agencies to allow completion of basic sanitation services in the villages.

Additional Information: More detailed information on these projects is available by contacting Keith Kelton at 465-5135.

For many communities, a State appropriation is the only funding source available to address sanitation needs.

State appropriations can be used to capture federal dollars.

VSW FY 94 Capital Budget List
December 18, 1992

000707

<u>Municipality</u>	<u>Project Title</u>	<u>Grant Amount</u>	<u>Cum. Grant</u>	<u>Score</u>
\$Cuzinkie	Maintenance Equipment	100,000	\$32,187,800	625
\$Pedro Bay	Pedro Bay Landfill Study and Design	75,000	\$32,262,800	625
Nuiqsut	Fresh Water Lake Fencing Project	250,000	\$32,512,800	600
Stabbins	Clear Lake Access Road	65,500	\$32,578,300	600
Scammion Bay	Dumpsite Relocation (continuation)	100,000	\$32,678,300	600
\$Upper Kalskag	Water System Improv.	525,000	\$33,203,300	600
*Lower Kalskag	Phase II Water and Sewer	801,000	\$34,004,300	600
Takotna Village Council	Takotna Water/Sewer Project	37,000	\$34,041,300	600
Wainwright	Washeteria Design/Const.	1,280,000	\$35,321,300	575
Metlakatla Indian Comm.	Storm Drainage	713,410	\$36,034,710	575
\$Ruby	Water Filtering System	10,732	\$36,045,442	575
Ambler	Water and Sewer Hookup	163,800	\$36,209,242	575
Port Alexander	Filtration Feasibility Study	40,000	\$36,249,242	550
Chalkyitsik	Chalkyitsik Landfill	660,000	\$36,909,242	525
Grayling	Water, Sewer	1,500,000	\$38,409,242	525
Dot Lake	Replacement of Village Utility Building	400,000	\$38,809,242	525
72 Akiak	Akiak Water and Sewer Completion Project	800,000	\$39,609,242	525
Grayling	Solid Waste	50,000	\$39,659,242	525
Point Hope	Landfill Relocation	5,205,580	\$44,864,822	500
White Mountain	New Landfill	560,000	\$45,424,822	500
Wales	Alternate Water Source	350,000	\$45,774,822	500
Chuathbaluk	Chuathbaluk Master Plan	50,000	\$45,824,822	500
Beaver	New Community Well	170,000	\$45,994,822	475
Manokotak	Water Holding Tank	100,000	\$46,094,822	475
*Shungnak	Water/Sewer Phase II	275,000	\$46,369,822	450
Healy Lake	Healy Lake Landfill Improvements	76,800	\$46,446,622	450
Kiana	Kiana Expansion Planning	110,500	\$46,557,122	450
\$Aliakaket	Sanitation Improvement	66,064	\$46,623,186	450
Port Graham	Solid Waste/Sludge Disp.	50,000	\$46,673,186	425
Tatitlek Village	Dump reloc. study/design	100,000	\$46,773,186	400
Atkasuk	Trash Truck	150,000	\$46,923,186	400
Anaktuvuk Pass	Trash Compactor Truck	120,000	\$47,043,186	400
Point Lay	Trash Compactor Truck	150,000	\$47,193,186	400
Birch Creek	Dumpsite relocation/construction	660,000	\$47,853,186	400
Ugashik Village	Water Wells/Solid Waste	375,000	\$48,228,186	375
Pelican	Landfill Access Control Project	26,000	\$48,254,186	375
Egegik	Sewer and Solid Waste Project	196,000	\$48,450,186	375
Fort Yukon	Landfill Renovation	50,000	\$48,500,186	375
Beaver	New Landfill Site	158,000	\$48,658,186	375
Evansville	Solid Waste Landfill	250,000	\$48,908,186	300
Nelson Lagoon	Health Clinic/Community Center Water and Sewer	20,700	\$48,928,886	300
Larsen Bay	Water Storage Tank and Landfill Upgrade	200,000	\$49,128,886	275
Newhalen	Newhalen Landfill	60,000	\$49,188,886	250
Medfra	Sanitation Landfill	41,200	\$49,230,086	250

\$ Indicates federal funds are available for this project.
*Indicates partial funding of multi-phased project.
Shaded area indicates documented public health problem.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: HJR 37

Revision Date: _____
Title: Urging the Congress to enact H.R. 1033
or similar legislation authorizing construction grants.....
Sponsor: Representative Hoffman
Requestor: House C&RA

Department Affected: Legislative Affairs Agency
BRU: All
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared By: Karla Schofield, Deputy Director
Division: Administrative Services

Phone: 465-3852
Date: 11/2/94

Approved By: Pamela A. Stoops, Executive Director
Agency: Legislative Affairs Agency

Date: 11/2/94

Distribution (by preparer): Leg. Finance, Legislative Sponsor, Requestor, OMB, Gov. , & Impacted Agency(ies).



HOUSE COMMUNITY AND REGIONAL AFFAIRS

DATE: 4/6/93

PLACE: Rm. 124

SUBJECT OF MEETING:
 HB 173
 HJR 37
 HB 209

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Roger McKowan	Rep Hoffman			L	4453	(Y) N	HJR 37
Rick Ulrich	City of Bethel					(Y) N	HB 173
Deborah Erickson	DHSS/ Public Health	DHSS Health Program specialist TL			x3090	(Y) N	HB 209
Ron Pagenkopf	Juniata Youth Activities 1970-90				586-2077	(Y) N	173
John Hansen	DCEO	Box D Juneau			5-2581	FF needed Y N	HB-173
Maria Munson	Alaska Native Health Board	229 4th St June 99801			6-5880	(Y) N	HB 209
FEITH KELTON	ADL					Y N	HJR 37
						Y N	
						Y N	
						Y N	
						Y N	