

SB

147

SFIN

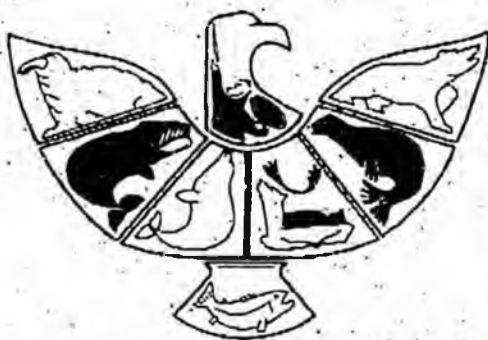
FILE

SB 147

**was referred to the
Senate Finance
Committee**

Hearing(s) were held

**The bill did not move
from Committee**



Alaska Native Health Board

4201 Tudor Centre Dr., Suite 105
Anchorage, Alaska 99508

Phone: (907) 562-6006
FAX: (907) 563-2001

Testimony to the Alaska State Legislature Senate Finance Committee
RE: SBI47 "An Act relating to local contributions under the village safe water program; and providing for an effective date."

April 21, 1999

Hello, my name is Tina Long, Coordinator for the Rural Alaska Sanitation Coalition. Today, I will be testifying on behalf of the Alaska Native Health Board and the Rural Alaska Sanitation Coalition and as an individual who has worked with rural communities and residents for most of my adult life. Both the Alaska Native Health Board and the Rural Alaska Sanitation Coalition are members of the Governor's Council on Rural Sanitation.

The Alaska Native Health Board (ANHB) is a non-profit organization established in 1968 for the purpose of "promoting the spiritual, physical, mental, social, and cultural well-being and pride of Alaska Native People," and is a legally established statewide organization representing Alaska Natives on public health policy issues.

Since 1992 the Alaska Native Health Board adopted as its legislative priority the improvement of safe water and sanitation services in rural villages of Alaska and has consistently identified rural sanitation as one of its highest public health priorities.

The Rural Alaska Sanitation Coalition was conceived and created from the Alaska Native Health Board's concern for improving Alaska's rural sanitation conditions.

The mission of the Rural Alaska Sanitation Coalition is to bring about positive, long term change in the substandard water, sewer, and solid waste conditions existing in Alaska villages.

The Rural Alaska Sanitation Coalition is a group of rural sanitation technicians and village residents from every region of the state who collectively discuss water, sewer, and solid waste issues and develop solutions by working through and improving existing or proposed federal and state mechanisms.

The Rural Alaska Sanitation Coalition is recognized as an advocate for the continuing improvement of rural water and sewer and sanitation facilities and programs.

ALEUTIAN/PRIIBILOF ISLANDS ASSOCIATION
BRISTOL BAY AREA HEALTH CORPORATION
CHUGACHMIUT
COPPER RIVER NATIVE ASSOCIATION
EPALELE IN TRIBES
KODIAK AREA NATIVE ASSOCIATION
MANILAQ ASSOCIATION

METLAKATLA INDIAN COMMUNITY
MT SANFORD TRIBAL CONSORTIUM
NATIVE VILLAGE OF EKLUTNA
NATIVE VILLAGE OF TYONEK
NINILCHIK TRADITIONAL COUNCIL
NORTH SLOPE BOROUGH

NORTON SOUND HEALTH CORPORATION
SELDOVIA VILLAGE TRIBE
SOUTHCENTRAL FOUNDATION
SOUTHEAST ALASKA REGIONAL HEALTH CONSORTIUM
TANANA CONFERENCE
YUKON-KUSKOKWIM HEALTH CORPORATION
VALDEZ NATIVE TRIBE

Testimony re: SB147 "An Act relating to local contributions under the village safe water program; and providing for an effective date."

Alaska Native Health Board/Rural Alaska Sanitation Coalition

Page 2 of 2

04/21/99

The Rural Alaska Sanitation Coalition has actively participated in the development of the Governor's Council on Rural Sanitation Rural Sanitation 2005 Action Plan and is identified within that document to assist in federal and state agency's development of each year's village sanitation construction projects' baseline performance criteria and priority list guidelines.

The Alaska Native Health Board and the Rural Alaska Sanitation Coalition oppose Senate Bill 147 which would require local contributions under the Village Safe Water Program, for the following reasons:

- The overall purpose of constructing water and sewer facilities is to improve the public health of the communities.
- Alaskans living in rural communities throughout the state have substandard and inadequate water and sewer facilities. This lack of standard facilities forces many rural Alaskans to drink untreated or inadequately treated water from ponds, creeks, or rivers, and it results in buckets being used for toilets and outhouses being used for restrooms. Under these circumstances, the same water sources often become indirectly contaminated by leaching sewage and children can become directly exposed to raw sewage pooling near their homes. This undermines every attempt to improve the public health of rural Alaska and creates an acceptance of on-going and potentially life-threatening diseases.
- The availability of safe drinking water and sanitary sewer facilities is vital to good health. Lack of water and exposure to human waste leads to high risk of poor hygiene and widespread incidence of sicknesses like hepatitis, food poisoning, dysentery, and other diarrhea illnesses caused by other bacterial and viral agents,
- It is unclear why this Legislation has been proposed in the first place and what the purpose of the match would be. If passed, however, it will have a devastating impact on village economies. Poor communities are those with the highest need. Communities can not afford the match requirement. A community with a \$1.3 million much needed water and sewer project would have to come up with a \$65,000 match. This particular piece of legislation would result in unfair treatment for communities who were unable to provide a match. This would disenfranchise poor communities.
- Additionally, documentation for both the community as well as the Village Safe Water program would be an accounting nightmare. And, there is a great potential for subjectivity being used to qualify matching contributions.
- Burdens placed upon rural communities are already hard, especially with the likelihood of other State funding being reduced. Communities are already partnering with State and Federal agencies to get their projects accomplished. They are already putting their time and expenses and available resources in projects. They already have the significant burden for operating and maintaining the systems once constructed.
- 71 Village Safe Water Projects are ready to go and would be significantly delayed, reduced, or eliminated if Senate Bill 147 passes and takes effect July 1, 1999. Additionally, this bill puts \$20 million in FY2000 Federal sanitation project funding at risk.

The Alaska Native Health Board and the Rural Alaska Sanitation Coalition urge the committee to oppose the passage of SB 147.

EVANSVILLE TRIBAL COUNCIL
P.O. BOX 26087
BETTLES FIELD, ALASKA 99726
PHONE: (907) 592-5005
FAX: (907) 692-5006

Sent by way of facsimile transmission

April 20, 1999

Senator John Torgerson
State Capital, Room 512
Juneau, AK 99801-1182

Dear Senator Torgerson,

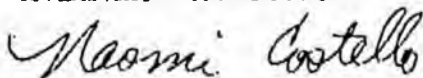
We are in opposition to Senate Bill No. 147 that will require a five percent (5%) local match for unincorporated communities that receive funding through the State Village Safe Water Program.

This bill will harm the ability of our unincorporated community to provide needed water and sewer projects to improve the health and well being. Most of the federal funding available from Bureau of Indian Affairs, Department of Agriculture, and Indian Health Service are competitive or fund only up to 75% of total project costs. For example if our community submitted a request of just \$300,000, the 5% will require our small community to find an additional \$15,000. This is a substantial amount for this small request.

We can see the detriment not only to our community that is more likely to request less than one million and see how the effect of the match on larger communities that need a project. To impose a local match can only prolong the inadequate water and sewer facilities in our community and in other rural villages.

We thank you for your consideration of our request to see that Senate Bill No. 147 does not pass.

Sincerely,
Evansville Tribal Council



Naomi Costello
Tribal Administrator

Summary of Federal Authority and Appropriations
for
EPA Grants to Alaska for Small Community Sanitation Systems

Federal Authorization

Authorization for the grant program is found in Section 303 of the amended Safe Drinking Water Act (P.L. 104-182 section 303):

"(a) In General.--The Administrator of the Environmental Protection Agency may make grants to the State of Alaska for the benefit of rural and Native villages in Alaska to pay the Federal share of the cost of-

- (1) the development and construction of public water systems and wastewater systems to improve the health and sanitation conditions in the villages; and
- (2) training, technical assistance, and educational programs relating to the operation and management of sanitation services in rural and Native villages.

(b) Federal Share.--The Federal share of the cost of the activities described in subsection (a) shall be 50 percent. *(Superseded by appropriations language. See below.)*

(c) Administrative Expenses.--The State of Alaska may use an amount not to exceed 4 percent of any grant made available under this subsection for administrative expenses necessary to carry out the activities described in subsection (a). *(See also appropriations language below.)*

(d) Consultation With the State of Alaska.--The Administrator shall consult with the State of Alaska on a method of prioritizing the allocation of grants under subsection (a) according to the needs of, and relative health and sanitation conditions in, each eligible village.

(e. Authorization of Appropriations..." *(See appropriation language below.)*

FFY 1999 Federal Appropriation

The language in federal law (Title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999) making the FFY 1999 appropriation (the appropriation for the SFY 2000 capital budget) includes the following:

"For environmental programs and infrastructure assistance, including ... \$30,000,000 for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages..."

Senate Committee Report: "\$30 million for rural and Alaskan Native villages to address the special water and wastewater treatment needs of thousands of households that lack basic sanitation, including \$2,000,000 for training and technical assistance. The State of Alaska will provide a match of \$15,000,000."

State FY 2000 Budget

The State's FY 2000 budget request distributes the \$30 million in federal funding as follows:

Total EPA Funding	\$30,000.0
Capital Budget Projects	(\$28,000.0)
Balance Available for Program Administration, Training, Tech Asst	\$2,000.0
DEC Operating Budget (Training, Tech Asst, Program Admin)	(\$1,208.0)
DCRA Operating Budget (Training, Tech Asst)	(\$792.0)
Balance	\$0.0

Summary of Federal Authority and Appropriations
for
USDA-RD Grants to Alaska for Small Community Sanitation Systems

Federal Authorization

Authorization for the grant program is found in Section 306D of the amended Consolidated Farm and Rural Development Act (P.L. 104-127) as amended by the Omnibus Consolidated and Emergency Supplemental Appropriations Act (P.L. 105-277):

"(a) IN GENERAL- The Secretary may make grants to the State of Alaska for the benefit of rural or Native villages in Alaska to provide for the development and construction of water and wastewater systems to improve the health and sanitation conditions in those villages.

(b) MATCHING FUNDS- To be eligible to receive a grant under subsection (a), the State of Alaska shall provide twenty-five percent matching funds from non-Federal sources.

(c) CONSULTATION WITH THE STATE OF ALASKA- The Secretary shall consult with the State of Alaska on a method of prioritizing the allocation of grants under subsection (a) according to the needs of, and relative health and sanitation conditions in, each village.

(d) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 1996 through 2002."

FFY 1999 Federal Appropriation

None. USDA is allocating \$20 million in agency discretionary funds.

State FY 2000 Budget

USDA-RD funds are granted directly to communities. As in years past, only the state match is included in the SFY 2000 Capital Budget. No USDA funds or state match are included in the operating budget. All but a small portion of the USDA-RD funds are allocated to Village Safe Water projects for SFY 2000:

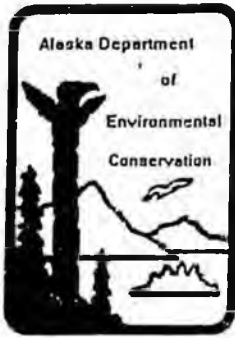
Total USDA-RD Funding	\$20,000.0
Capital Budget Projects	(\$19,934.8)
Balance (Carry-Forward to FY 2001 Capital Projects)	<u>\$65.2</u>

**CRITERIA SYSTEM
ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CAPITAL BUDGET
SFY 2000**

VILLAGE SAFE WATER PROGRAM

I. Problem Addressed		
A. Public Health		
1.	An existing human disease event exists (documented by a recognized public health organization and reviewed by ADEC). Construction of the requested capital project <u>will correct</u> the <u>existing</u> problem.	300
2.	Current conditions are sufficiently severe that a disease event could occur but it has not been reported.	200
3.	Conditions are not probable for a disease event to take place. The capital project is required to prevent or minimize the possibility of future public health problems.	100
B. Environmental		
1.	A documented pollution event has taken place and construction of this facility will correct the existing problem.	200
2.	Current conditions are sufficiently severe that a pollution event could occur but it has not been reported.	100
3.	Conditions are not probable for a pollution event to take place. The capital project is required to prevent or minimize the possibility of future pollution events.	50
II. Project Development Status		
A.	Engineering plans and specifications have been prepared.	100
B.	Feasibility study or facility plan has been prepared.	50
C.	Comprehensive study or master plan has been prepared which compares the need for the project with other community needs.	25
D.	No documentation has been prepared.	0

III. Other Funds		
A.	Confirmed federal funding available to match or complete project.	100
IV. Operation and Maintenance Capabilities		
A.	Trained operator or utility manager employed: Name and training. and/or	75
B.	1. State certified <u>primary</u> operator employed: Name and certification number.	150
	2. State certified <u>backup</u> operator employed: Name and certification number.	100
C.	Rules, Fee Schedules or User fee ordinance adopted: Copy submitted.	50
D.	O&M costs and funding identified.	50
E.	Compliance with State Drinking Water program turbidity and bacti sample submittal requirements for at least 9 of 12 months.	75
V. Relationship to Other Project Phases		
A.	This project is needed to make the initial project phase functional.	150
B.	This project is needed to promote economic development and local employment opportunities. <u>Specific</u> economic development potential must be identified or explanation of how project fits into long range utility plan.	100
C.	Project construction coordinated with other projects and funding sources to promote cost efficiencies. Projects/funding such as ISTEPA and AEA should be identified.	50
D.	Village and school facility consolidation.	150
VI. Resolution signed by council quorum submitted identifying project as the number one community priority.		50



ALASKA DEPARTMENT OF ENVIRONMENTAL
CONSERVATION

DIVISION OF FACILITY CONSTRUCTION AND OPERATION

SFY 00 CAPITAL PROJECTS SCORING CRITERIA

MUNICIPAL MATCHING GRANTS

I. Problem Addressed

Projects score the highest from either Public Health or Environmental criteria.

A. Public Health (One of the following)

- | | |
|---|-----|
| 1. A human disease event exists, documented by a recognized public health organization or reviewed by ADEC. Construction of this project will correct the existing problem. | 300 |
| 2. Current conditions are severe enough that a disease event can occur, or a drinking water standard could be exceeded, but neither has happened or been reported yet. | 200 |
| 3. Conditions are not probable that a disease event will occur. However, this project will prevent or minimize potential public health problems. | 100 |

B. Environmental (One of the following)

- | | |
|---|-----|
| 1. A pollution event has occurred, documented by a recognized public health organization or reviewed by ADEC. Construction of this project will correct the existing problem. | 200 |
| 2. Current conditions are severe enough that a pollution event can occur, but it has not happened or has not been reported yet. | 100 |
| 3. Conditions are not probable that a pollution event will occur. However, this project will prevent or minimize potential future pollution events. | 50 |

II. Project Development Status (One of the following)

- | | |
|---|-----|
| 1. Engineering plans and specifications have been approved by ADEC or the appropriate regulatory authority. | 125 |
| 2. Engineering plans and specifications have been prepared and provided to ADEC. | 100 |
| 3. A feasibility study or facility plan has been prepared and has been provided to ADEC. | 50 |
| 4. A comprehensive study or master plan has been prepared which compares the need for the project with other community needs and has been provided to ADEC. | 25 |

III. Operation, Maintenance and Management Capabilities (Any or all of the following)

- | | |
|--|-----|
| A. Facilities are operated by the correct level of State certified operators required by State law or, where facilities are not required to be operated by certified operators, the operators are qualified and trained. | 100 |
| B. Drinking Water System complies with the testing and sample submittal requirements. | 75 |
| C. Treatment facilities comply with permit requirements. | 75 |
| D. Operation and Maintenance costs have been estimated for this project. | 50 |
| E. The community has conducted a rate analysis within the last five years, copy attached or on file with ADEC. | 50 |
| F. A user fee ordinance is adopted. The most recent version of the ordinance is on file with ADEC or a copy is attached. | 50 |

IV. Relationship to other Project Phases (Any or all of the following)

Phased projects are projects identified as phased for purposes of funding.

- | | |
|--|-----|
| A. This project will make the initial project phase functional or complete construction. | 100 |
|--|-----|

B. This project needs to be constructed in conjunction with another project to reduce overall costs to the State. Schedule must be identified.	50
V. <u>Local Project Commitment</u> (Any or all of the following)	
A. The source, amount and year of matching funds have been identified and are available now. This does not include any <u>anticipated</u> funds such as future year State, legislative, or federal funds or appropriations.	100
B. This project will capture federal funds. Federal funds are available for use on the project.	75
C. The local governing body has submitted a resolution or priority list identifying this project as the top priority in the community's overall list of capital projects for this fiscal year.	50
VI. <u>Economic Development</u>	
1. This project is needed to promote economic development or local hiring opportunities. Specific economic development potential must be identified.	100

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF FACILITY CONSTRUCTION & OPERATION

TONY KNOWLES, GOVERNOR

410 Willoughby Ave., Ste 105
Juneau, AK 99801-1795
PHONE: (907) 465-5135
FAX: (907) 465-5177
<http://www.state.ak.us/dec>
deaston@envircon.state.ak.us

April 14, 1999

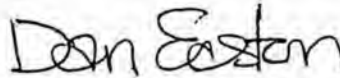
The Honorable Dave Donley, Chair
Senate Finance Capital Budget Subcommittee
Alaska State Senate
State Capitol, Rm. 508
Juneau, AK 99801-1182

Dear Senator Donley:

During the subcommittee hearing on the Division of Facility Construction and Operation Fiscal Year 2000 capital budget request, you asked that we provide you with summaries of the federal statutes pertaining to the two Village Safe Water program federal funding sources and where that funding goes in the state budget. We also promised to provide you with copies of the criteria we use to rank projects for funding under the Village Safe Water program and the Municipal Water, Sewer and Solid Waste Matching Grant program. The requested items are enclosed.

We would be happy to provide the subcommittee with further information on, or explanation of these or other topics.

Sincerely,



Dan Easton, P.E.
Director

Enclosures (4)

cc: Senator Al Adams
Senator John Torgerson
Senator Gary Wilken
Joan Brown, Office of Management and Budget

◀◀Building Community Sanitation Systems>>>

LTN1100-R01
04/21/99

LEGISLATIVE TELECONFERENCE NETWORK

PAGE 01
08:03:29

TCN: 90620 DATE & TIME: 04/21/99 08:00 TO 11:00 STATUS:5 IN PROG.

**** ORDER SUMMARY ****

SPONSOR: SFIN SENATE FINANCE CHAIRS: PARNELL
PURPOSE: PUB PUBLIC HEARING LEGISLATIVE TORGERSON
CONTACT: DARWIN TEL#: (907)465-2138
CHAIRING SITE: JUNEAU CAPITOL CAP532
TOLL FREE: (800)368-8772 DIAL-UP: LIO: (907)258-8772

SPONSOR REMARKS(PUB): TESTIMONY:Y ALLOWED 3 MINUTE LIMIT
TESTIMONY WILL BE TAKEN WITH A 3 MINUTE LIMIT.
SEE COMMITTEE SCHEDULE IN BASIS

SPONSOR REMARKS(LIO): BACKUP MATERIAL:N MEETING IN PROGRESS:N MAX. SITES:25
OTHER SITES MAY ADD.
MEETING ID IS 7346. BACKUP = HOM
TCN REQUESTED ON 04/21/99 AND HAS 9 UPDATES

**** AGENDA ****

- 1 SB 146 COM. FISH LICENSE/FISHERMEN'S FUND
- 2 SB 147 VILLAGE SAFE WATER ACT
- 3 SB 148 AIRPORT LANDING FEES
- 4 SB 10 UNDERGROUND UTILITIES
- 5 SB 29 REQUIREMENTS FOR PHYSICIAN'S LICENSE
- 6 SB 123 PUBLIC INTEREST LITIGANT: FEES
- 7 SB 73 ASSISTED LIVING FACILITIES
- 8 SB 106 REMAND OF HEALTH FACILITY PAYMNT DECISION
- 9 SB 107 ABOLISH TOURISM MARKETING COUNCIL
- 10 SB 132 TRANSFERRING CERTAIN DEC FUNCTIONS

**** PARTICIPATING LIOS ****

ANC ANCHORAGE	716 W 4TH, #200	LOCATION STAFF
BAR BARROW	COURTHOUSE #305	LOCATION STAFF
COR CORDOVA	705 2ND STREET	LOCATION STAFF
DLG DILLINGHAM	KANGIIQUTAQ BLDG	LOCATION STAFF
FBX FAIRBANKS	119 N CUSHMAN ST	LOCATION STAFF
HOM HOMER	345 W STERLING	LOCATION STAFF
* JNU JUNEAU	CAPITOL CAP532	LOCATION STAFF
KEN KENAI LIO	145 MAIN ST LOOP	LOCATION STAFF
KOD KODIAK	112 MILL BAY RD.	LOCATION STAFF
MAT MATSU	600 E RAILROAD	LOCATION STAFF
VAL VALDEZ	STATE BLDG. #13	LOCATION STAFF
WRG WRANGELL LTC	LONGSHORMEN'S	LOCATION STAFF

**** VOLUNTEER & OFFNET SITES ****

ZZZ OF1 OFFNET 1	ANCHORAGE	MORT PLUMB	(907)266-2548
ZZZ OF2 OFFNET 2	METLAKATLA	TIM GILMARTIN	(907)886-4441
ZZZ OF3 OFFNET 3	KLAWOCK	DONNA WILLIAMS	(907)755-2261
ZZZ OF4 OFFNET 4	THORN BAY	JENNY TIERNEY	(907)828-3908
ZZZ OF5 OFFNET 5	TANANA	PAUL ERHART	(907)366-7160
ZZZ OF6 OFFNET 6	MCGRATH	BRENT URSEL	(907)524-3299
ZZZ OF7 OFFNET 7	KOYIKUK	MAYOR LOLNITZ	(907)927-2214
ZZZ OF8 OFFNET 8	EAGLE VILLAGE	JOANNE BECK	(907)547-2271
ZZZ OF9 OFFNET 9	CHALKYITSIK	JAMES NATHANIEL	(907)848-8295

PARTICIPANTS IN:CORDOVA

COR

04/21/99
10:01:13

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM
PARTICIPANT LIST (TESTIFIERS ONLY)
TCN:90620 SCHEDULED FOR:04/21/99 08:00 TO 11:00
PUBLIC HEARING SENATE FINANCE

LTN1150
BY:JNU
FOR:ALL

LOCATION:ANCHORAGE

SB 147	✓TOM	COLLIDGE	AANHS	TESTIFY	
SB 147	✓TINA	LONG	RS AK N HEALTH	BTESTIFY	
SB 147	✓SHEILA	SELKREGG	USDA RURAL DEV	TESTIFY	
SB 148	✓BUTCH	HALLFORD	N AIR CARGO	TESTIFY	
SB 148	JOHN	STEINER		TESTIFY	
SB 148	✓STEVE	FARISH _____	ANS ?S	DOT PF	TESTIFY
SB 123	THEDA	PITTMAN		TESTIFY	
SB 123	HUGH	FLEISCHER		TESTIFY	
SB 123	LES	GARA		TESTIFY	
SB 123	ROBIN	SMITH		TESTIFY	
SB 73	DWIGHT	BECKER (ANS ?'S)	SENIOR SERVICES	TESTIFY	
SB 106	DAN	HOUGHTON	AK REGIONAL HOSP	TESTIFY	

LOCATION:CORDOVA

LOCATION:KENAI LIO

LOCATION:MATSU

SB 132	MR	ROB	WELLS	TESTIFY
--------	----	-----	-------	---------

LOCATION:VALDEZ

SB 107	MS	LISA	VONBARGEN	VCVB	TESTIFY
--------	----	------	-----------	------	---------

LOCATION:WRANGELL LTC

SB 146	MR.	OTTO	FLORSCHUTZ	TESTIFY
--------	-----	------	------------	---------

SENATE FINANCE COMMITTEE

SIGN-IN

SB 147-VILLAGE SAFE WATER ACT

NAME: Dan Easton Subject/Bill No: SB 147

Co./Dept./Title: Director, Facility Const, DEC Phone: 465-5135

Address: 410 Willoughby Ave Zip: 99201

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____

Co./Dept./Title: _____ Phone: _____

Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____

Co./Dept./Title: _____ Phone: _____

Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____

Co./Dept./Title: _____ Phone: _____

Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions