

W2ASACT MEETING NOTES

Meeting on January 9, 2024, 10 am to 12 pm

Dept. of Natural Resources & Conservation, 1539 11th Ave, Helena, Montana

Second Floor CMR Conference Room and Zoom

Zoom Meeting participants:

1	Abigail Weimer, DNRC	20	Lindsay Volpe, DNRC
2	Anita	21	Lindsey Glastetter, DNRC - ARPA
3	Anna Miller & Cook, Denise	22	Maureen Connor, Philipsburg
4	Autumn Coleman, DNRC	23	Michelle McNamee, DNRC
5	Becky Anseth, MT Dept of Commerce	24	Michelle Stidham (WSSUser)
6	Becky Bey, KLJ	25	Mike Abrahamson, DEQ
7	Coleen O'Rourke, DNRC ARPA	26	Nikki Rogers, MRWS
8	David Larson, DNRC	27	Rick Duncan, DNRC (14064617948)
9	Heidi Fleury, DNRC - WMCC	28	Roger Skogen, MRWS
10	Jessi Finstad, DNRC	29	Samantha Kemp, DNRC - ARPA
11	John Camden, MRWS	30	Seth Shteir, DNRC - ARPA
12	Jay Springer, Herberly & Associates	31	Shawna Swanz, DNRC - ARPA
13	Katherine Certalic, DNRC - ARPA	32	Shelly Cleverly, Butte Silver-Bow
14	Kelly Hendrix, DNRC - WMCC	33	Sonja Hoeglund, DNRC (14065944738)
15	Kristen Jordan, DNRC - WMCC	34	Stephanie Murphy, DNRC – WMCC
16	Kristi Kline, MRWS	35	Susan Brurud, MT Dept of Commerce
17	Kylee Hughes, DNRC	36	
18	Lance Goodman, MAP	37	
19	Laura Gundlach, Morrison Maierle	38	

At DNRC:

Anna Miller, DNRC

Denise Cook, DNRC

Joel Chavez, DNRC

Michelle McNamee, DNRC

Rebecca Shaw-Quinones, Interstate Eng

Lindsay Volpe, DNRC

Acronyms:

AIS – American Iron & Steel

APE – Advanced Pump & Equipment

ARPA – American Rescue Plan Act of 2021

ARRA – American Recovery & Reinvestment Act of 2009

AWWA – American Water Works Association

BABA – Build America, Buy American

BIL – Bipartisan Infrastructure Plan

BOI – Montana Department of Commerce, Board of Investments
 CARDD – Conservation & Resource Development Division, DNRC
 CDBG – Community Development Block Grant Program, MT Department of Commerce
 CMRWA – Central Montana Regional Water Authority
 COVID-19 – Corona Virus 2019
 DEQ – Montana Department of Environmental Quality
 DNRC – Montana Department of Natural Resources & Conservation
 GWE – Great West Engineering
 HDR – HDR Engineering
 HUD – Housing and Urban Development
 IAC – Infrastructure Advisory Commission (ARPA)
 IUP – Intended Use Plan
 KLJ – Kadmas Lee & Jackson Engineering
 LFD – Montana State Legislative Fiscal Division
 MAP – Midwest Assistance Program
 MEPA – Montana Environmental Policy Act
 MISC – Montana Invasive Species Council
 MRWS – Montana Rural Water Systems
 MCEP – See TSEP
 RATES – Rural & Tribal Environmental Solutions
 RDG – Reclamation Development Grant Program, DNRC
 RRGL – Renewable Resource Grant and Loan Program, DNRC
 SRF (DNRC) – Wastewater State Revolving Fund Loan Program
 TSEP – Treasure State Endowment Program, MT Department of Commerce – Now MSEP
 USDA - RD – United States Department of Agriculture – Rural Development
 WASACT – Water & Solid Waste Action Coordinating Team, Montana
 WMCC – Western Montana Conservation Commission (from Flathead Basin Commission and
 Upper Columbia Conservation Commission)
 WRF (DNRC) – Drinking Water State Revolving Fund Loan Program

Call to Order, Sign-in Sheet, Agenda Changes

Anna Miller called the scheduled meeting of the Water, Wastewater and Solid Waste Action Coordinating Team (W2ASACT) to order at 10:00 am, on Tuesday, January 9, 2024. Anna went over the agenda and asked those in attendance to introduce themselves. The draft minutes from the October 10, 2023, meeting, which were distributed to those present at DNRC and posted to the WASACT website, were approved and adopted by those attending with no revisions. There were no changes made to today's agenda. There were 6 attendees in the room. According to the Zoom report, there were a total of 31 participants on the meeting.

Anna noted that there is new funding available from the US Bureau of Reclamation and Army Corps of Engineers. And she pointed out a change to the BABA preference for

Infrastructure projects. There is a waiver available. As you know, the agency with the most funding was the lead agency for applying for a waiver. Anna said there are changes coming this year. If you have federal funds, you may have other requirements. Becky Anseth added that depending on where your project was when BABA came into play and if you have CDBG funds, the changes could affect your project.

Anna said the CDBG awards are out. Becky said yes, six infrastructure projects have received awards and those have been notified. If you work with an agency with federal funding, there may be requirements to meet, similar to Rural Development. That is something to pay attention to and talk to your staff. Rosie Goldich has all the specific details on the BABA if you have CDBG fund in your budget.

Stakeholder Update

Lindsay Volpe gave a summary of what came out of the listening sessions during the Stakeholder Engagement Process at DNRC - CARDD. Through the three meetings, we updated our program guidelines and went through and provided a structure to explain program rules. They discussed the program information and took feedback from stakeholders. She said they plan to incorporate them into the next round of applications.

Lindsay said there was a comprehensive overview of the programs and a new Technical Assistant Grant they are hoping to roll out in January. This will be to provide technical assistance to people, communities or applicants that might not have worked with any type of providers in the past and need help to get started. Commerce was successful with that program. This will cover not just water and wastewater infrastructure projects, but irrigation and stormwater projects. It is a great place for projects to start.

We will also have Non-Point Source program in the 2025 Biennium. There is a schedule for when those funding opportunities are open. In the guideline document, you can see our process. That is a great document and a comprehensive summary of the work we do and we appreciate everyone who participated and were able to contribute feedback. We are also looking into comments received about our reporting process. We have a committee looking over our final report on the reporting documents to figure out how to make it more efficient or looking at options to update that for applicants.

Lindsay announced that the Planning Grant cycle is open for applicants. We also did a special kind of initial planning grant cycle that provided a match for MCEP and CDBG applicants. We are looking to get those contracted as soon as possible.

We have a planning grant cycle open now. We hope to do it every week. If we don't get a lot of demand every two weeks, we'll look at applications and do a curtesy review and award as fast as we can. That cycle will close in April. It's a little different schedule based

on our stakeholder group, but Lindsay thinks it will give us a more comprehensive approach to how we fund and award and manage our programs. It also gives the applicants a little more transparency on the work we do and why we do it.

Autumn Coleman shared a link to the RRGL Planning Grant applications <https://grants.dnrc.mt.gov/submit> in the chat.

Lindsay asked if Autumn could also share the link to the final grant program guidelines: <https://dnrc.mt.gov/docs/conservation/RD-Bureau/RRGL/RRGL-Program-Guidelines-2025-Biennium.pdf>.

Rebecca Shaw-Quinones added that it was a good process. Anna added that on planning grants, you have more money. Lindsay said different limits were made. Also, they will do water and wastewater, etc. As Autumn continued sharing her screen, she said that you click on the link <https://dnrc.mt.gov/Conservation/Grant-and-Loan-Programs/Renewable-Resource-Grants-and-Loans/> for dates and also in Submittables.

Anna said planning grants can help develop a document to submit a project to RRGL or MCEP in May 2024. Susan Brurud said funding is still available from Commerce. Projects can get ready for the process with 20 hours for Technical Assistance. The goal is to submit planning grants. It is a great program. We work with DNRC and DEQ. This is beneficial to smaller water groups having to tie into city water and sewer. Also there is help to inventory Lead Service Lines – communities can apply to Commerce and inventories must have been complete by October 16, 2024. Autumn showed how to create and account for public water systems up to 25 and over.

Susan Brurud said they can assign 100 hours for technical assistance for the inventory. There is contact info, templates and reporting guidance and an online educational tool. There are resources for communities to complete reporting. Funding will cover to the home, not just to the curb. There are monthly meetings. Check <https://comdev.mt.gov/>. My contact info is on the landing page <https://comdev.mt.gov/Programs-and-Boards/Community-Technical-Assistance-Program/Lead-Service-Lines> or email susan.brurud@mt.gov 406-945-2969. They will be at the Montana Rural Water Systems March conference.

Anna added that every system requires reporting to be completed by October 2024. Funding is available once inventory is complete if a project is needed to replace lead service lines.

Susan Brurud noted that LCRI is a program open to all systems and is for Technical Assistance. There are an estimated 160 systems that need to report. She added that they have 70 applications in and will have technical assistance assigned. Also DEQ is

offering a program for communities who already reported inventory. There will be a link on Commerce and DEQ's websites.

Program Updates

Lindsay Volpe, DNRC

Lindsay announced that her bureau hired Kylee Hughes as an RRGL Program Manager. It is time to prepare for the May 15, 2024 grant cycle. Look for applications to be posted mid-February and you can also apply in Submittables. Rebecca asked if the infrastructure amount went up or is it still \$125,000? Lindsay said we don't know that information.

John Camden, MRWS

John announced that the 2024 Montana Rural Water Conference will be March 20-22. The WASACT workshop is scheduled for Wednesday morning, March 20. John's position will be advertised. He is retiring at the end of July. He said there are 10 programs that deal with water, wastewater, small systems and tribal projects at MRW.

Roger Skogen, MRWS

Roger said if you want a booth at the March conference, get registered now. January 26 is the early bird deadline.

Kristie Kline, MRWS

Kristie noted that the stakeholder meeting offered much clarity. She added that there is positive progress in the protection of source water.

Nikki Rogers, MRWS

Nikki is excited for the March conference.

Lance Goodman, MAP

Lance reported the Devin is on the road. His office is juggling projects. Anna asked if MAP personnel will be the MRW conference and Lance said yes.

Anna Miller, DNRC

Anna said DEQ personnel are not in attendance today due to EPA reviewers in town.

Anna spoke on loan forgiveness and having to incorporate BABA requirements into projects. She said we can do interim financing. Give us a call.

Michelle McNamee, DNRC

The ARPA program is about half-way along and has 80% of the grant agreements under contract with \$250,000,000 in project funds contracted. Our focus is on trainings and getting information out.

- 2025 is the expenditure deadline. December 2025 project funds must be spent and have met match.
- Help understanding ARPA agreement terms.
- Contact your grant manager to update information on projects.
 - In two weeks, January 23 from 9-12, there is a training, which is hybrid to allow in person and Zoom/Teams attendance.
 - Then they will meet monthly.
 - Quarterly reports are due January 16.

Anna said to be aware:

- January 19 is the end the Continuing Resolution so funding the federal government is dependent on Congress.
- There are a number of grants with Inflation Reductions Act package. She is not sure if there is funding for infrastructure projects.

Autumn Coleman, DNRC

Autumn noted on behalf of the WASACT Workshop Committee, that the draft agenda is posted on the website.

Anna added that the second piece of legislation will include infrastructure funding.

Becky Anseth, Dept. of Commerce

Becky reported that HB 355 included the Infrastructure Partnership Act or SLIPA to cities and towns for infrastructure projects. This funding is broader and can help with water, wastewater, bridge and fire-suppression, streets, roads, land, lights, airports, public grids, maintain or repair existing projects. The program is open, they are hiring staff and had a town hall with 100 – 250 attendees.

Anna mentioned Louise Welsh at Commerce and the need for affordable housing. Anna said we can address that at the next WASACT meeting in April.

Rick Duncan, DNRC Regional Water System Program Manager

Fort Peck-Dry Prairie -- Rick reported that the remaining Fort Peck Dry Prairie Reservation supply mains are under contract, but Dry Prairie contractors are shutdown as of two weeks ago. Recent improvements at the regional water treatment plant, including the roof of the pre-sedimentation basin are either completed or in the process of being completed. Fort Peck Tribes are proposing water depots at several locations on the Reservation, and according to Reclamation, that could be as few as 4 and as many as 8. We are waiting to see what the proposal is going to be as far as what the Tribes wish to do there. Dry Prairie is planning on running water mains to the Pines Cabin project that's in the south part of Valley County, but estimated costs have ballooned significantly. Dry Prairie has been formally advised that they need to approach the 2025 Legislature for any additional regional water system funding from the state.

Rocky Boy's/North Central Montana. The Water Treatment Plant (WTP) phase I, if it hasn't reached substantial completion, it must be really close, because they are working on finishing surfaces and some cosmetic work in the public areas as well as supplying the final touches on that. We were hoping to hear this week that they've reached a substantial completion on Segment 4 of pipeline. Progress was minimal in the 2023 construction season. There is high ground water, and a lot of it, apparently on segment 5 of 9, so significant de-watering will have to take place in the 2024 construction season in order to allow them to catch up. Part of the strategy there is that the Chippewa Cree Construction Corporation (CCCC) is planning on putting on a second pipeline construction crew. They are recruiting members or personnel for that right now, and they have approval from Reclamation to do that.

North Central - The CCCC was supposed to complete Segment 4 and were then to provide construction testing water to the contractor for the Loma County Water District Branch main, and that didn't happen. Alternatively, the Authority has worked with its contractor and the Loma County WD to create a connection between Loma's existing infrastructure and the pipeline to provide water for testing pressure and leakage and disinfection so the contractor can get to substantial completion on that project. Havre area has a relatively small project for building connecting mains over from Havre's existing infrastructure to where the transmission main from the Core pipeline will run. The transmission main itself is in the final stages of design and is expected to be submitted for review by DEQ in the near future. North Central plans to bid on the project, estimated at approximately \$50 Million, in phases beginning spring 2024. The Authority is working with Power-Teton County Water District to see if the Authority can provide water to them. Several possible solutions are under consideration; more on that

as plans develop. There will also be more about that Shelby wellfield hydrologic study reviews underway. Results of those studies, the analysis of those summaries, should be out late spring or early summer of 2024. The Chippewa Cree Tribe has informed the Authority that they don't want the responsibility for oversight of construction on Phase 2 of the WTP. The Authority has this under consideration because they will have to take the responsibility for oversight. The estimated cost of Phase 2 with all the re-pricing is approximately \$100 Million. The cost of the transmission main to Shelby has ballooned from \$42 Million up to almost \$98 Million. The Authority members cannot collectively afford their minimal \$20 Million share to do this. Alternatives are currently under consideration. There will be more information coming on this.

Central Montana Regional Water Authority (CMRWA) As reported in October, the CMRWA is supplying Madison Formation groundwater from the Ubet Wellfield to the City of Harlowton since late September. There have been some bumps in the road as both consumers and the town public water supply or public works staff get used to water chemistry for their new supply and their processes. Phase I is complete and in the warranty period. Phases 2 A, B and C to Roundup are all under construction and the contractors are trying to work through the winter. They're expected to reach substantial completion of the third and final of those sub-phases of Phase 2 by the end of 2024. The Authority has plans to bid Phase 4, which is Roundup to Melstone, later this year. There was a pre-construction conference for construction of Wells 4 and 5 at the Ubet Wellfield that took place yesterday. Well 4 construction is set to begin March 1st, approximately and complete by May 1st. Well 5 will be complete by July 1st.

Dry Redwater held three scoping meetings in Billings, Jordan and Circle late in Calendar Year 2023. This is part of the work being done by Reclamation's contractor for completion of the project feasibility study, which is due out mid-to-late summer 2024. Also, an updated MEPA compliance document is expected in September of 2024. The Authority is currently working on their Highway 200 West water project development. This will be the extent of what the Authority is able to complete in Richland County using water supplied by the City of Sidney. The funding package for that project is being put together as they complete preparations of project plans and specs. A final note on all this is that the Authority is either buying or has already purchased property within the Town of Circle to place a modular unit for their offices. (If anyone has questions, reach out to me at rduncan@mt.gov and I will attempt to answer them to the best of my knowledge.)

Anna said she is happy to see progress in Regional Water systems to get water to communities. It is a great investment.

Mike Abrahamson, DEQ

Mike noted that a new SRF drinking water manager has been hired. His office will likely be looking for a couple more engineers. They are designing a planning waiver, which

they hope to have done prior to May 14, 2022. The 2024 Cap Grant issuance – you should assume BABA requirements apply. There are other waivers that may be exempt from BABA. He mentioned a “Divinimous waiver”.

David Larson, DNRC

Regarding the Uniform Application and Standard Documents, David said that section 00900 has a few possible changes. These include AIS and a change for BABA. These are on the WASACT website under forms.

David noted the private planning grant program is going well. He spoke of an abandoning septic tanks issue and going to the city of Livingston. There are 45 people and possibly more affected going out of septic tanks.

The Emergency Grant program received more funding. This could help with a water line break or ditch bank repairs. Cities, towns and counties can apply. The issue has to shutdown your system. Anna asked if it is best to encourage or refer folks to a planning grant before an issue becomes an emergency and David said yes.

Congressional Update

Anna reported that we are not sure if there will be a federal government shutdown.

There will also be some ARPA training.

Anna reminded all that ARPA funds need to be spent first before SRF funds.

The next WASACT meeting is scheduled for April 9 from 10 to 12 at DNRC.

We hope to see you at the MRWS conference in March and the funding workshop. The theme “Partners in Growth, Investing in Our Future”.

End of updates

Anna thanked all for attending.

The meeting was adjourned at 11:30.

Minutes taken by Denise Cook, reviewed by Anna Miller and Rick Duncan, and approved/adopted at the WASACT meeting on April 9, 2024.