

Bush Foundation Grant #: 30056 Makoce Na Mni Waste Grant Amount: \$170,247.00

Grant Purpose: To develop an appropriate legal entity under the Oglala Sioux Tribe to oversee water, sewer and solid waste operations and infrastructure improvement.

Grant Period: 8/1/2014 – 9/30/2017

Final Report due 11/30/17

Grant Progress

1. What specific aspects, components or activities of your work over the entire grant term were most instrumental to making progress? Why was each important? (Provide up to 3 answers)

Answer # 1 Maximum of 1,200 characters with spaces (approximately 200 words)

Stakeholder meetings were instrumental to us achieving our goals including: Oglala Sioux Tribe (OST) Water and Sewer Program, Oglala Sioux Rural Water Supply System, OST Department of Water Maintenance and Conservation, Oglala Sioux (Lakota) Housing, OST Utilities Commission, OST Tech Team, OST Roads, OST Environmental Program, OST Roads Department, Promise Zone Planning Task Force and Infrastructure Task Force which included local, state and federal agencies. Key government agencies involved include: US Dept. of Agriculture; Department of Housing and Development; Indian Health Service; FEMA; Bureau of Reclamation; Bureau of Indian Affairs; and Environmental Protection Agency.

Some meetings were more effective than others. We learned that for meetings to be effective there needed to be an agenda sent before the meeting, an effective facilitator, agreements on assignments and responsibilities developed during the meeting and clear and concise minutes distributed after the meeting. We also learned that people needed to be prepared for meetings and that meetings without preparation and people bringing their information, etc. were not very effective.

Answer # 2. Maximum of 1,200 characters (approximately 200 words)

Research was instrumental. We gathered tribal laws and ordinances applicable to the prospective entity. We looked at water and wastewater rate schedules for other Tribes and towns. Rates have not been raised on the Reservation for 35 years and collection rates are low. The Mni Wiconi Act said no individual will be charged for water due to treaty rights. We realized that we could not finalize rate schedules so we made recommendations on how to proceed.

OSTDWM&C, OSRWSS and Housing began working on the 7 Years for 7 Generations Community Water Upgrades to transfer water systems to the Bureau of Reclamation under the Mni Wiconi Act. BOR would then subsidize operations and maintenance of the community water systems. BOR appropriations and will not cover all costs so we need tribal rate structures and collection systems that will support the shortfalls.

We obtained a Comprehensive Planning grant for Solid Waste including a rate study and development of a rate schedule. We did great deal of research on funding sources and government regulations. There is no centralized records system for the three systems. The Tribe set an objective to set this up but it is a monumental undertaking.

Answer # 3. Maximum of 1,200 characters (approximately 200 words)

The Bush Grant was instrumental in the Pine Ridge Indian Reservation getting the **Promise Zone designation** in 2015 due to collaboration of Thunder Valley CDC, Oglala Sioux (

Lakota) Housing, Oglala Sioux Tribe and Oglala Lakota College. Once the Promise Zone was established the Infrastructure Group which dealt with water, wastewater and solid waste was set up. The PZ generated the development of a Tribal Planning Office and the Integrated Infrastructure Planning Group which brought federal and tribal agencies together to work on unified strategies for water, sewer, solid waste, roads, etc. The PZ gave a major boost to the 7 Years for 7 Generations \$33 million dollar community water upgrade plan by removing 5 federal barriers and making funds available for planning and development needed to submit grant applications for water, wastewater and solid waste. These efforts went side by side with the development of the Commission or management entity which the proposal was designed to create. The PZ also created a lot of other necessary work which took some resources from the development of the entity itself. PZ impetus slowed down with the change of Federal administrations.

2. What key lessons did you learn about doing your work during this year? Were any the result of something you might characterize as failure? (Provide up to two answers)

Answer #1 (Maximum of 1,200 characters)

We learned that **political influence is invaluable**. The Promise Zone designation taught us how pressure from top levels of the federal government are needed to get things done. Native people are very dependent on the federal government for basic services such as water, wastewater and solid waste. These are treaty rights but have been mixed with federal laws and regulations with grant and loan programs tied to poverty, etc. These add a myriad of requirements which do not often contribute to effective local operations.

The Tribe needs to develop systems and integrated methods of financing both federal and tribal. If we can develop this Commission/entity it can be a model for proper development, operations, financing, etc. for many tribal systems not just infrastructure.

We learned that political influence on the tribal level is important. The opposition of President Steele to the Promise Zone decreased some of the effects it could have had. We learned that dealing with the change of tribal administrations every 2 years is devastating and we are planning for this. This is one reason that a Commission either chartered or just established within the Tribal entity is so important.

Answer # 2. (Maximum of 1,200 characters)

The second lesson was **the need for planning and development including personnel and funding**. We identified Leslie Mesteth as Coordinator of the grant. We learned that our plan to give each of the 3 programs \$20,000 for their time would not work so we hired a Leslie. She then left to become Director of the OST Solid Waste program and cleaned up the program in 6 months. On the one hand she met a desperate Tribal need. On the other, although she continued to help the grant proceed from the inside of the tribal program structure, it slowed the development of the entity. The lesson is the need for smart, hard-working local people to get the work done. There are many of them, but they are busy meeting current work obligations and survival needs.

Most grants require a lot of upfront work to gather data, get support and write the proposal. USDA Water and Environmental Grants require a Preengineering Report (from \$10,000 to \$90,000) done by an engineer and an Environmental Review. Finding funds to do these was a challenge. OS(L)H allowed their Grants Facilitator to write proposals and a couple of government agencies provided the funds for PERs and Environmental Reviews.

3. Select the stage of the community innovation process that was the main focus of your work prior to the grant period.

Identifying a community need or issue

Increasing collective understanding of the issue

Generating possible solutions to address the issue.

Provide a brief description of your work for the stage that you selected above.

Maximum of 300 characters (approximately 50 words)

We were completing the Mni Wiconi water project when the Director of OSRWSS stated we need to think about once the system was done. We identified a need to upgrade community water, wastewater and solid waste infrastructure and to develop a tribal entity to manage, finance, plan and develop these.

Select the stage of the community innovation process that was the main focus of your work during the grant period.

Identifying a community need or issue

Increasing collective understanding of the issue

Generating possible solutions to address the issue.

Provide a brief description of your work for the stage that you selected above.

Maximum of 300 characters (approximately 50 words)

We gathered data, looked at models, brought stakeholders together and revised solutions. We presented the Tribe with 4 alternatives for management and grant work led to funding for water, sewer and solid waste infrastructure and planning. The Tribal Council will look at them in the near future.

Select the stage of the community innovation process that will be the main focus of your work in the future (if applicable)

Identifying a community need or issue

Increasing collective understanding of the issue

Generating possible solutions to address the issue.

Testing or beginning to implement possible solutions to address the issue.*

Provide a brief description of your work for the stage that you selected above.

Maximum of 300 characters (approximately 50 words)

There is more work to do to set the entity. We have prepared 4 solutions be presented to the Council: a charter, a special tribal program with Commission, a special tribal program under a Council Committee, or a Coordinator to work with OST DWM&C, OST Water & Sewer and OST Solid Waste.

4. Looking at the community innovation process [diagram](#), and how it might relate to the work you completed through your grant, what element of the diagram, if any, was most important to completing your work?

Maximum of 1,200 characters (approximately 200 words).

Inclusive and collaborative were important since there are so many entities involved and infrastructure affects everyone from individuals to the Tribe to the Federal government. Tribes must deal with Federal agencies more than any other group in the country and so the Promise Zone and all the meetings etc. proved very important. The PZ provided political impetus to remove 5 roadblocks to the 7 Years for 7 Generations project as well as other infrastructure projects. **Resourceful** was

important since tribal workers are busy doing their daily jobs. Taking time to plan and develop is hard. OS(L)H provided the key planning and organizing point through the Bush grant and its own resources. Finding people and funds for planning and development as well as competent people is a key issue. We cannot choose which of the elements was most important. In fact, the process showed us that all three are very important. It is important to let stakeholders know about needs, involve them in a truly collaborative process and be resourceful to get things done. The needs for tribal development include planning, knowledge, data, and funds and it takes the involvement of many groups to get this done.

5. What elements not included in the community innovation process [diagram](#), if any, were instrumental in completing your work? *Maximum of 1,200 characters (approximately 200 words).*

Understanding the **interconnectedness and complexity** of any innovation are key elements. Unseen changes in funding, personnel, tribal government, federal government all affected progress or lack of it. Another is **key people**. The loss of Paul Iron Cloud, OSLH CEO, and one of the guiding forces in the project slowed us down. The move of Leslie Mesteth from Bush Coordinator to OST Solid Waste Director hurt overall entity development but it helped to make important improvements to the Solid Waste program which was one of the goals of the entity.

Mixing concrete progress with planning was a key element. The 7 Years for 7 Generations project to upgrade community water systems gave the project a focus. Although time and energy spent took away from development of the entity it gave us perspective and resulted in the Tribe obtaining \$9,733,300 to upgrade 11 of 19 communities and submitting proposals for \$23,757,339 for the remaining 8. Funds were obtained to upgrade one condemned wastewater system and do preengineering reports for 7 more. The Solid Waste program obtained funds to do a comprehensive plan, upgrade its major waste site, build an operations building and get new equipment.

6. What progress, if any, have you made toward achieving an innovation -- a breakthrough in addressing a community need that is more effective, equitable or sustainable than existing approaches -- and why do you think you are closer now, or further away, than when you started the grant? *Maximum of 1,200 characters (approximately 200 words).*

Progress made includes: Secured a Bush Foundation Innovation Grant to develop an entity to oversee OST Water, Wastewater and Solid Waste planning, development, operation, maintenance, etc. Obtained designation as a Promise Zone 2015 which opened the door to Federal assistance from many agencies. Obtained a USDA WEP grant for repair and expansion of Wounded Knee lagoon. Obtained a USDA SEARCH grant to do preengineering report for Red Shirt lagoon renovation. Began the 7 Years for 7 Generations effort to upgrade all community water systems: used Mni Wiconi funds of \$1,499,300 for 3 communities, obtained USDA grants of \$8,234,000 for 7 communities and submitted USDA proposals to obtain \$23,332,339 for 8 communities. Obtained an EDA grant for to do Preengineering Reports for wastewater system upgrade for 6 communities. Obtained grants to upgrade the OST Solid Waste program including a Comprehensive Plan, equipment, expansion and construction of an operations building at Red Shirt landfill. Studied other Tribes and towns infrastructure management systems. Researched water, wastewater and solid waste rates. Developed draft recommendations to the Tribal Council for 4 possible entities.

7. If you did not achieve an innovation, what additional progress, work or steps would be required to reach that breakthrough or innovation?

Maximum of 1,200 characters (approximately 200 words).

We achieved a great deal toward the overall water, wastewater and solid waste entity but we found there is much that needs to be done to truly implement an entity for Water, Wastewater and Solid Waste including reorganization, gathering of basic records, knowing and challenging government interpretation of regulations, having skilled people in engineering, writing proposals, etc. The ultimate need is a functioning and adequately financed entity but the work to get there is daunting since so much has been neglected in the past.

The first step is to find a competent person or persons to take all that we have done so far and meet with Council members and program directors etc. to review the 4 options for an entity and pick one or develop a new one. One major next step is to develop fair and sustainable rate schedules for all three programs. We need to find a Grants Facilitator to find funding for the entity and continuing work on infrastructure development. One key step is to make sure the entity has a competent Owner's Representative responsible to key stakeholders and the people to watch out for the Tribe's interests when interacting with contractors and government agencies.

8. What are the next steps or plans, if any, for continuing this project?

Maximum of 1,200 characters (approximately 200 words).

Continue 7 Years for 7 Generations community water system upgrade: implement 11 projects already funded; assure funding of 8 projects submitted, and find 25% (\$3,870,000) leverage funding for Pine Ridge Village (\$15 million) to get into WEP 1780 program. Complete renovation and expansion of Wounded Knee Wastewater system. Complete Preengineering Report for Red Shirt Wastewater system. Pick A/E firm to do Preengineering Reports for 6 community wastewater systems in the EDA grant. Complete Wastewater Comprehensive Plan including rate recommendations. Complete design and construction for Red Shirt Solid Waste site and operations building.

Refine and present 4 current options for an entity to the Program Directors and Tribal Council. Key steps to do this include developing funding options, rate schedules, personnel options, collection procedures, etc. for the entity. Funding must be secured for a Coordinator to continue the work begun under the Bush Innovation grant. The Coordinator would do planning, obtain further development and planning funding, assist the directors involved to implement current projects, keep the Council informed and develop a business plan for the entity.

9. If you could go back to the start of your grant period and give yourself one piece of advice or learning, what would it be? Why would this have been important to know?

Maximum of 1,200 characters (approximately 200 words).

We would have hired a Coordinator right from the start. Committees can generate ideas and set priorities and plans but it takes 1 competent person to organize and make sure things get done. It is important to make sure there is a competent person with the time to oversee the overall effort. Another name for this person would be a Facilitator. We would have been able to move much faster on the grant if we had someone working on it full time from the beginning.

There are many competent and dedicated people working for the Tribe but they are busy meeting the survival needs of the people and reporting needs of federal programs. We would have realized the need for more person hours dedicated just to the grant. On the other hand it might have been good that we did not know all the obstacles or we would not have even tried.

10. What else would you like to share with us? Optional. Maximum of 1,200 characters/about 200 words).

Thank you very much. Often the Tribe is bogged down in survival mode. You allowed us, under the inspiration of Mr. Frank Means and Mr. Paul Iron Cloud, to truly plan for 7 generations. The grant brought Housing and tribal and federal programs together to attack a major, though not glamorous, need on the Reservation: operations, upgrade, maintenance and planning for water, wastewater and solid waste. Pilamaya.

The grant poised the Tribe to receive \$33 million dollars for community water upgrades under the 7 Years for 7 Generations plan. We obtained \$1,463,000 to upgrade and expand the condemned Wounded Knee Lagoon. We obtained \$270,000 to do Preengineering reports needed to obtain grants to upgrade the wastewater infrastructure. It led to the overhaul of the Solid Waste program which has been a shamble for years and obtaining funds for a comprehensive plan and facilities and equipment upgrade.

Though the entity has not been set up we provided a basis for the Tribe to decide on an Oglala Sioux Tribe Water, Wastewater and Solid Waste Entity that can finance, operate, maintain, replace, and expand these systems to foster increased housing, economic development and environment.

Organization Name: Oglala Sioux (Lakota) Housing (OSLH) \$170,247 Grant # 30056
Makoce Na Mni Waste (Good Earth and Water) 8/1/14 to 9/30/17 2/21/19

Final Financial Report

	\$	Revised Budget	Spent	Balance
Salaries		42,901	42,901	0
Fringe		3,259	3,259	0
Travel		14,000	11,057	2,943
Consulting		80,050	82,993	<2,943>
NEE	\$12,000			
TVCDC	\$30,000			
Cuny Comm	\$8,970			
mitom,inc.	\$32,023			
Fiscal and administrative fee.		25,537	25,537	0
Office Supplies		4500	4500	0
		\$170,247	\$170,247	0

The major change we made was instead of having funds go to the 3 tribal programs to get work done, we hired a Coordinator. This was at the suggestion of the program directors. After the Coordinator left we paid our Grants Facilitator to coordinate the remainder of the grant.

We did not spend fringe because the Coordinator was put on temporary instead of permanent. We did not make as many trips as we had estimated.

4.18.16 #: Oglala Sioux (Lakota) Housing to: Aya Johnson

OSLH Request ID: 30056 Makoce Na Mni Waste (Good Earth and Water)

Length of Project (months): 24 8/1/14 to 9/30/16 Funded Amount: \$170,247

Acct 41 Bush Innovation Fund 1/14/15 to 3/29/16 spent \$77,244 balance \$93,003 \$170,247

	YTD actual	Budget	Balance	Revision
Salaries	42,901	69,981	27,080	42,901
Fringe	3,259	0	(3259)	3259
Travel	11,057	9150	(1907)	14,000

Consulting	4550	71139	66,589	80,050
Fiscal and admin	15477	15477	0	25,537
Office supplies	0	4500	4500	4500
	77,244	170,247	93,003	170,247

Originally we were going to give each Tribal program \$20,000 to hire someone but at our first meeting the program directors told OSLH to hire one coordinator. We hired Leslie Mesteth and she did a great job and recently transferred to the Solid Waste Program of the Tribe which is actually part of the program plan. We have most of the consulting funds allocated under contracts: Thunder Valley CDC \$30,000, technical assistance and community input; Cuny Communications \$8,979 website development; John Glover \$12,000 ordinance research and development. We feel we do not have time to hire a new person and get them on board by September. I have been overseeing the project but not charging the Bush grant but I plan on working on it to help finish it up. I am doing this as part of my contract with Housing and not charging any additional funds.

4.22.16 Hi Tom, Thank you for this information and your call today. You are good to go on the budget changes. Please let me know if you have further questions.

Warm regards, **Aya Johnson** *Community Innovation Associate* 651-379-2250