

**Testimony of Timothy J. Greene
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Neah Bay, Washington**

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Before the
House Appropriations Subcommittee on
Interior, Environment and Related Agencies
On the Fiscal Year 2014 Budget

Good afternoon, Mr. Chairman and Members of the Subcommittee, I am Timothy J. Greene, Chairman of the Makah Tribal Council. I want to thank you for this opportunity to present testimony on the views of the Makah Tribal Council on the FY 2014 federal budget.

I would like to testify today on four priority issues:

Assistance from the federal government for helping us clean up the Warmhouse beach open dump site on our Reservation;
Our efforts to secure federal grant funding for replacing our commercial fishing dock;
Our work in support of a sustainable federal ocean policy; and
True high speed internet service to our Reservation.

Warmhouse Beach Open Dump

The Makah Tribe continues to take aggressive steps to address the serious environmental and health risks posed by the Warmhouse Beach Open Dump, a decades-old landfill located on the Makah Reservation that was used by the U.S. Department of Defense and other federal agencies to dispose of hazardous waste. The Dump is leaching harmful chemicals into a nearby stream which flows into the pristine waters of the Strait of Juan de Fuca at Warmhouse Beach, a traditional shellfishing location for the Makah people. Frequent fires at the Dump have contributed to air pollution in the town of Neah Bay and the Reservation community.

In the fall of 2012, we opened a new solid waste transfer station in Neah Bay, which enabled us to close the Dump. This important step for the Tribe has been many years in the making. Now the challenge before us is to clean up the Dump so it will stop polluting our waters.

The Tribe has documented that the Makah Air Force Station, which supported radar operations at Bahokus Peak from World War II through 1988, disposed of many hazardous

substances at the Dump since its opening in the 1970's including asbestos, batteries, pesticides, paints and waste oil. For many years, other federal agencies with operations on the Reservation also disposed of their waste at the Dump. As a result of this legacy of waste disposal on tribal land, the federal government bears substantial responsibility for cleaning up the Dump and preventing further exposure of the Reservation community to the environmental and health hazards caused by the Dump.

The Makah Tribe has taken action to secure federal assistance for cleaning up the Dump through negotiations with the Defense Department. The Tribe has also pursued listing the Dump through the federal Superfund program. We have waited many years and tried many avenues to clean up this dump. We would appreciate this Subcommittee's support for our efforts.

Commercial Fishing Dock

The Port of Neah Bay Commercial Fishing Dock was constructed between 1947 and 1952. Its condition has now deteriorated so badly that it has been closed to semi-truck traffic for eight years. Structural surveys of the dock have led to the conclusion that the dock now needs to be completely replaced.

This commercial dock generates over \$6 million in fish landings annually, which are shipped around the country and internationally. It is the only commercial dock in 100 miles of coastline. It supports about half of the working-age population of Neah Bay and over 100 minority-owned enterprises. It supports the traditional maritime culture of the Makah Tribe. It also supports the ecosystem management and biological data collection efforts of the State of Washington, the National Marine Fisheries Service (NMFS) and tribes to ensure sustainable fisheries of over 20 ground fish species, salmon species, halibut and shellfish. The commercial dock also supports the oil spill response work performed by the Makah Tribe and our response partners.

The Tribe has paid for a lot of the preliminary work on a new commercial dock. We have also contributed \$200,000 in matching funds for a grant we received from the Economic Development Administration (EDA) for design and environmental permitting for construction of a new dock. With EDA's assistance, environmental studies and engineering are underway.

We have been working with many federal agencies, including the EDA, BIA, USDOT, the Office of Indian Energy and Economic Development, and state agencies, to find funding that can help us with the construction costs for this dock replacement project, thus far without success. We are looking at the possibility of New Market Tax Credits and bonding. The four applications to the USDOT TIGER program were all well received but did not make the final cut. The Tribe is able to contribute a substantial amount towards construction, but we need the federal government's assistance in finalizing this important economic development initiative.

National Ocean Policy

The Makah Tribe is proud of former Tribal Chairman Micah McCarty's service as a Co-chair to the Governance Coordinating Committee which is tasked by the National Ocean Council to assist in developing a National Ocean Policy. We view our continued involvement in the Governance Coordinating Council as essential to representing our treaty related interests in ocean policy and will request the replacement of Mr. McCarty with another Makah policy representative.

We are proud of our work as well on ensuring tribal consultation on federal maritime matters such as the recently completed Vessel Traffic Risk Assessment by George Washington University concerning the export of coal and Canadian Oil Sands through our treaty area and the signing of the Makah Tribe/Coast Guard District 13 Interoperability and Coordination MOA to improve oil spill pollution prevention and response among other task activities.

The Makah Tribe applauds the Obama Administration's release of the first U.S. National Ocean Policy. We await notification from the federal government on when the West Coast Regional Planning Body will be stood up. The Makah Tribe stands ready to engage in substantive and meaningful dialog with the federal government on developing a coastal marine spatial plan for our shared waters and associated natural resources. We need to develop a comprehensive plan for the future to ensure resilience of the ecosystem; the health, safety, and welfare of our community and infrastructure; and the continued sustainability of our fisheries.

Discussions are continuing on how we can best engage on these issues with the Department of Commerce, Department of the Interior, Bureau of Ocean Energy Management, Regulation and Enforcement, Offshore Energy Management, and the Environmental Protection Agency.

True High Speed Internet

Over the last few years we have been working on obtaining improved broadband to Neah Bay. Last year our emphasis was to work with NOANET to facilitate the grant they received to get broadband to Neah Bay but the grant expired on January 1, 2013 and before we could secure microwave tower space in Clallam Bay, WA. The Tribe has secured tower space in Neah Bay and Lower Elwha, but the middle mile from Clallam Bay and Neah Bay remains an issue.

In the meantime the Tribe has taken the initiative to install a fiber backbone for the Tribal government in anticipation that broadband will be available in Neah Bay soon.

Although it did not result in any additional broadband, we did place an order with Centurylink who is the sole internet provider in Neah Bay, for a 10.5 mg service for the Tribal government. However, we have received confirmation that they will not be able to provide this service to Neah Bay because Centurylink facilities are overloaded.

We are requesting assistance with support in pursuit of running fiber optic cable from Clallam Bay to Neah Bay which would complete the middle mile and allow the community and the tribal government access to true high speed broadband service.

Thank you again Mr. Chairman and Members of the Subcommittee for this opportunity to testify before you today.