

**Testimony of Timothy J. Greene
Chairman, Makah Tribal Council**

Neah Bay, Washington

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House Appropriations Subcommittee on Interior, Environment
and Related Agencies On the Fiscal Year 2016

Good afternoon Mr. Chairman and Members of the Subcommittee, I am Timothy J. Greene, Chairman of the Makah Tribal Council. Thank you for this opportunity to present testimony on behalf of the Makah Tribe on the FY 2016 federal budget.

I would like to first testify today on two of our tribal funding priority issues:

- 1.) Our efforts to secure funding to relocate our Makah Healthcare facility above the tsunami flood zone;
- 2.) Our efforts to secure funding to construct a new Head Start/Childcare facility.

Also I will provide an update on our work in support of the development of a federal, tribal, and state ocean policy, Warm House Beach Dump Superfund Site, Makah Commercial Dock and Broadband efforts.

Federal Departments and Agencies involved are: Dept. of Health and Human Services, Indian Health Services, Office of Head Start, US Dept. of Housing and Urban Development, Council on Environmental Quality, National Ocean Council, NOAA, US Dept. of Transportation, US Coast Guard, US Dept. of Treasury, EPA Superfund, EPA Region 10, Bureau of Indian Affairs, US Dept. of Agriculture, and the Federal Communications Commission.

Makah Healthcare Campus Relocation Project The Sophie Trettevick Indian Health Center (STIHC) at Neah Bay, WA, is the only medical facility to service the Makah Indian Reservation with a population of approximately 1,414. Our health care facility provides comprehensive primary care, dental health services, community health services, and 24/7 telemedicine to tribal and non-tribal members alike. The nearest full service medical facility is 75 miles away in Port Angeles, Washington.

Our current facility was identified in 2005 in the Indian Health Service Portland Area Health Services Master Plan as being functionally inadequate by having a critical shortage of clinical and administrative support space. The current structure is configured in such a way that it cannot be remodeled to support standard health care system requirements. While our clinic provides the only essential medical services to our community, it is located within the tsunami flood zone.

The Makah Tribe is in the process of a phased development and implementation of a new health care campus that will relocate the existing facility to a safer upland location. Phase I of the project was completed in 2012 with the relocation of the Wellness Center. The Wellness Center provides integrative medicine, recovery services, community and public health services.

The remainder of the expansion will consist of three new buildings. Building 1 will house Primary Care, Radiology, Nursing & Administration; Building 2 - Dental/Pharmacy services; and Building 3 - physical therapy and Emergency Operations and Disaster Relief center.

In 2013 the Makah Tribal Council met with the National Development Council (NDC) to review the possibility of entering into an agreement to establish a New Market Tax Credits Leverage Equity Structure as a potential funding apparatus for the Healthcare Campus Relocation Project.

Engaging New Market Tax Credits (NMTC) as a funding strategy addresses the fact that the Makah Healthcare Campus construction has limited access to conventional financial resources. Our clinic is not designated as a Federally Qualified Health Care Center, therefore cannot fully access the Health Resources and Services Administration. Equity from NMTCs will provide 20% of the funds necessary to complete the relocation.

Head Start- Childcare Facility Relocation Project In 1997 the tribe opened a Head Start-Childcare campus that is located within a Tsunami flood zone. The campus structures have settled over the last 18 years and foundation issues have developed along with other maintenance costs. Currently our potential student population has exceeded the requirements of 35 square feet of space per child. Our Head Start is serving 46 eligible students, with a waiting list of 17. The Childcare program is licensed to serve 50 children and is applying for authorization for an increased number of children served. The complication in this process is lack of space. When monies are made available for program improvement such as the Early Head Start Childcare Partnership Grant, we do not qualify due to lack of space.

The Makah Tribal Council is committed to the education of our next generation and has subsidized the unmet needs of this program for many years. Makah has established academic sustainable success from the elementary through the post-secondary levels and understands that the foundation for this success starts with the educational services of our Early Head Start and Head Start programs as well as the alignment of Childcare services. Therefore, it is of great importance that a larger facility be constructed above the Tsunami zone to provide a safe, secure learning environment. To accomplish these goals a coordinated approach between our Head Start/Childcare programs and Housing Department will result in a cost effective solution.

The model activity under NAHASDA guidance that aligns perfectly with the Head Start and Childcare collaboration is the construction of a day care center or community building to the extent that the facility will be used by residents of affordable housing. Head Start and Childcare programs are also required to implement family outreach activities and provide services to low income families that reside within the communities affordable housing units.

The Makah Housing Department has demonstrated that self-determination can be achieved through vision and strategic planning with the completion of the 9.2 million dollar infrastructure known as "Sail River Heights". The tribe has already invested \$431,000 in the infrastructure for Parcel "C" of Sail River Heights. This investment includes the ready availability of utilities. The design of a community center has also been purchased which includes a multipurpose area, USDA certified kitchen, and covered playground area. The architects that designed this original plan are still under contract and specialize in

Childcare/Head Start facilities accommodating the enhancement of the existing design. This is also an eligible activity under the Indian Community Development Block Grant.

Updates on Continuing Priority Issues The Makah Tribe has proven to be a successful example of American Indian Self-Governance and Self-Determination at work.

Ocean Policy For the Makah Indian people, indigenous to the Cape Flattery region in Washington State, the sustainability and protection of the ocean and its related environment and resources is essential to maintaining our cultural way of life and our current maritime economy. The Makah Tribal Council (MTC) views the 1855 Treaty of Neah Bay as legally enabling the MTC to act in unison with the federal government to act as a Resource Trustee to jointly protect our treaty trust resources for our tribal membership.

To that end the MTC will continue to work with the federal and state governments in creating a comprehensive National Ocean Policy (NOP). The MTC has nominated Chairman Timothy J. Greene Sr. to serve as a tribal representative on the National Ocean Council Governance Coordinating Committee. We support the standing up of the West Coast Regional Planning Body by NOAA to provide the regional aspect to the NOP. We view the synchronization of federal and tribal ocean authorities as a necessary step toward meeting our mutual trust responsibility to the Makah Tribal membership and request funding be directed to the appropriate NOAA program to address this need. To meet our tribal trust responsibility to the Makah Tribe the MTC has directed our tribal staff to develop a MTC Ocean Policy.

Climate Change Critical to our ability to address climate related issues to Ocean Policy and pressing issues such as Ocean Acidification is the continued Congressional financial support of the Bureau of Indian Affairs Tribal Cooperative Landscape Conservation Program, which will provide funding to support tribal projects to address climate change adaptation and ocean and coastal management planning.

US/Canadian Vessel Safety Summit The MTC has participated in international, federal and state marine transportation safety and oil pollution legislation and rule makings and shipping safety initiatives. Currently we are working with US and Canadian federal authorities, British Columbia Provincial and Washington State authorities, Canadian 1st Nations and Washington State Tribes, and US and Canadian Industry concerning coal, crude by rail and oil sands exports to address shipping safety issues by convening a US/Canadian Vessel Safety Summit. Our Tribal Resource program is funding by the EPA Brownsfield grant.

The RI/FS phase identifies contaminants at the site, and measures the risk to human health and ecological exposures. Phase II of the RI/FS process will be data analysis. The RI/FS Process is the most important, as it will likely dictate the Record of Decision (ROD) which determines the final decision on what remedies will be taken to clean the site, i.e., capping or total removal. Due to the tribe's reliance and current harvesting practices of shell fish and traditional resources, the tribe is of the belief that *only acceptable* remedy would be a total removal.

Makah Commercial Dock- Phase I and Phase II The Makah Commercial Fishing Replacement Dock was designed to better facilitate the mobility of ocean products from local

and commercial fishermen to land transport and buyers. The Commercial Dock can serve as an inspiration to other Tribes around the United States for many years to come. The crucial aspect to the success of Phase I was securing the \$10.24 million construction monies. We demonstrated the ability to understand and successfully utilize the complex New Market Tax Credit Program under the Department of Treasury. This financing strategy proved to be challenging at the front end, however the compliance requirements are not as difficult as other funding sources and allows the Tribe to continue to move forward with additional priorities.

The completion of Phase I accommodates Phase II, the Oil Spill Prevention and Response Access Dock by providing entrance infrastructure for semi-trucks and other transporters. Phase II will be an extension of Phase I and provide mooring and services for oil spill response vessels and access to deploy oil spill response equipment and access to the recovered oil products in the event of an incident. Facilities to house an incident command post will also be incorporated. To assist us in Phase II of this endeavor, the Makah Tribe was awarded the TIGER 2014 Grant from the Department of Transportation for planning, permitting and design funds. Directly related to Phase II is our work on the US Coast Guard Rule Making on the US/Canadian Spill Response Comparability Analysis and the High Volume Port Line mandate.

Broadband- Fast Speed Internet We receive limited internet service through an antiquated and over-saturated copper network, resulting in speeds as slow as 34KB, which is slower than dial-up service, rendering it unable to serve the both the community and anchor institutions.

The solution to this issue may be costly and take several years which is the laying of fiber from Neah Bay to the nearest access point, 30 miles away. An interim solution identified and being implemented is to have microwave transmitters placed strategically to deliver enhanced broadband speeds to the anchor institutions including government offices and the schools. The MTC would like to acknowledge the Bureau of Indian Affairs for supporting the North West Regional Director Stanley Speaks in the financial assistance he designated for this project.

Next steps, include a feasibility study, a 5-year pro forma financial projection, and engineer plans to close the fiber gap as well as research the practicality of the Tribe developing our own telecom. The feasibility study will also determine the most efficient manner to connect private homes, and small businesses to a broadband link as well as building on to the fiber backbone for the outlying tribal departments that are not located on the tribal administrative campus.

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