

Quinault Indian Nation Appropriations Testimony
House Interior Appropriations Subcommittee
March 24, 2015

Good afternoon Chairman Calvert, Ranking Member McCollum and Members of the Subcommittee. I am Fawn Sharp, President of the Quinault Indian Nation (“Quinault”). The Quinault Reservation (“Reservation”) is located on the southwestern corner of the Olympic Peninsula. I represent nearly 3,000 tribal members. Thank you for holding this hearing to examine the critical funding needs of Indian Country. My testimony focuses on the following priorities: (1) our plan to relocate the Quinault community to higher, safer grounds due to impacts related to natural disasters; (2) the need for additional road to access our village; (3) our request to restore the Blueback salmon and Upper Quinault River; and (4) the need for funding to support drug interdiction.

U.S. Responsibility to Meet its Treaty and Trust Obligations to the Quinault People

Through treaties, executive orders, and other agreements, Indian Tribes ceded hundreds of millions of acres of our homelands to the Federal government to help build this great nation. In return, the United States made promises to provide for the education, health, and welfare of reservation residents.

For the Quinault, the promises of the United States were detailed in the Treaty of Olympia, which was signed on July 1, 1855, and on January 25, 1856 (11 Stat. 971). The lands and waters of the Quinault Reservation consist of 207,150 acres of beautiful forest lands, mountains, rivers, a lake, and 25 miles of relatively undisturbed Pacific coastline. There are two major villages and one housing community located within the Reservation. The village of Taholah, which is where the Quinault government operations are headquartered, is located in the southern portion of the Reservation. Taholah consists of two locations known as the “Upper Village” and “Lower Village.” The village of Queets is situated in the northern portion of the Reservation.

Under our Treaty, the Quinault retained our inherent sovereign rights to govern our lands, properties, resources, and our people. This includes access to our usual and accustomed lands and waters, and the right to co-manage the natural resources outside of our Reservation border. The United States has legal treaty and trust responsibilities to keep the promises it made to Quinault. Sadly, the United States has fallen short of meeting its obligations as appropriations cuts, sequestration, inflation and other factors impede our ability to meet the growing needs of our people. As a result, Quinault spends \$4.4 million annually to supplement lapses in Federal funding because the United States has failed to meet its solemn obligations.

Dire Need to Move the Quinault People to Higher Ground

“Noskiako’s” is a Quinault phrase that means “the water coming.” The phrase aptly describes the Lower Village, which is the ancestral home of the Quinault people and is located along the banks of the Quinault River at the mouth of the Pacific Ocean. The area is a tsunami hazard zone. On multiple occasions, the tribe has had to declare a state of emergency due to seawall breaches. Despite the Army Corps of Engineers rebuilding and reinforcing our seawall after the breach in March, 2014, persistent natural disasters related to climate change, flooding, sea level rise, storm surge, mud slides, tsunamis, earthquakes and ensuing liquefaction continue to threaten the safety

of our people. Compounding the issue of public safety is the lack of auxiliary surface roads for emergency access to and from the villages. The villages of Taholah and Queets each have direct access via only one highway (State Route 109 and US 101 respectively).

The Lower Village is no longer a safe place for the Quinault. We are taking steps to relocate our people to higher ground. In 2013, Quinault received a \$700,000 grant from the Administration for Native Americans to develop a comprehensive master plan to move Quinault people from the historic Lower Village, located below sea level, to the Upper Village, which is mostly protected from flooding at approximately 120 feet above sea level. Moving Tribal members out of the flood and tsunami zone is a priority of Quinault. More importantly, our K-12 Tribal School, our child care center, our Head Start program, and our senior housing center are located in the lower village and have less than a 15 minute evacuation window in the event of an earthquake or tsunami. This puts our children and elders at extreme risk. Further, many of our emergency services such as fire, public safety and EMS/ambulance are also located in the lower village. Quinault cannot take on this endeavor alone, and we urge the Subcommittee to address these important safety issues.

Request Funding for Relocation Project

The Quinault relocation project has five components: (1) Land Acquisition; (2) Master Planning for Upper Village Development and Lower Village Reclamation; (3) Infrastructure Development; (4) Engineering and Architectural Planning; and (5) Workforce Development and Construction. Completion of the project is estimated to be 10 years. We hope to secure funding for the relocation project through a combination of public and private sources.

The first phase of the plan is the acquisition of 246 acres of fractionated interests in individual land allotments in the Upper Village. The Quinault Indian Nation will work cooperatively with the Bureau of Indian Affairs (“BIA”) to buy the individual allotments to be taken into tribal trust for uses that will benefit the entire community. The Tribe is hoping to use Cobell land buy-back funds for these acquisitions. Due to the highly fractionated land on the Reservation, we estimate this process alone will take up to 18 months per parcel due to BIA requirements, including the necessary surveys, appraisals, and notice to land owners that must to be completed. Phases one and two of the project will occur concurrently.

When completed, the newly relocated village will fulfill Quinault’s goal of promoting the health, safety, and wellbeing of our people. The area planned for development is largely without basic infrastructure. Our master planning incorporates pedestrian and bicycle friendly roadways, transit access, water systems, and green utilities. We also plan to build sustainable and affordable housing for our members, incorporating passive solar heating technology. Our plans also include a new emergency operation center and a mixed-use community facility to accommodate early education, daycare, and workforce training programs. This project will create jobs on our Reservation, which has an unemployment rate significantly higher than the surrounding areas. We will provide the job training and certification necessary for Quinault members to obtain employment during the construction phases of the relocation project.

Coastal Tribes are among the most vulnerable populations to suffer the devastating impacts of natural disasters such as storm surge, earthquakes and tsunamis. Funding from both State and Federal agencies are too often emergency based and do not adequately cover preventative

measures to address ongoing hardship, property loss, and infrastructure damage to our villages. Quinault supports the efforts of Congressman Kilmer to provide direct funding to protect and preserve coastal tribal communities through the Tribal Coastal Resiliency Act. While working to relocate, we must not allow our culture and heritage to be destroyed by natural disaster. The Tribal Coastal Resiliency Act will give tribes resources to ensure their heritage areas are protected.

We applaud the Department of the Interior for including \$50 million in their FY16 budget for tribes to prepare and respond to climate change. We urge the Subcommittee to direct the BIA to prioritize spending for tribes on the front lines of climate change, and include report language that mandates funding criteria, drafted in consultation with the tribes, be flexible enough to address the needs described above.

Request Funding for an Additional Road to Access Quinault's Village of Taholah

Exit and entry access to the village of Taholah, where Quinault's government offices are located, is limited to a single highway. Access to the village is cut off during natural disasters and weather events as downed trees, mudslides, and treacherous conditions make the road impassible. This is a serious concern for our people. When access is cut off, emergency vehicles are unable to reach the villages. The lack of adequate emergency response recently contributed to the death of an elder when access to our village was shut off due to the impact of storms. Our community remains vulnerable to similar emergency response failures if we do not address this critical concern.

Quinault proposes to link an 8.2 mile service road, known as BIA Road 29 or McBride Road, primarily used for forest management and harvest activities, to a nearby highway. This will create two exit and entry points to our village. We estimate that this project will cost \$3.5 million for road construction and improvement activities.

We urge the Subcommittee to support the \$26.7 million funding request for the BIA Road Maintenance Program to address the transportation safety concerns of tribal communities. We also urge the Subcommittee to include report language giving funding priority to tribes with safety and emergency access concerns.

Request to Support Blueback Salmon and Upper Quinault River Restoration

The Quinault Indian Nation is leading the effort to restore the Upper Quinault River and the productivity of Blueback salmon ("Blueback"). Our most important salmon resource is the Blueback, which spawns only in the Upper Quinault River ("River"). The Blueback, as well as other salmon stocks native to the River, have significantly declined over the past 50 years due primarily to habitat loss associated with instability of the river due to removal of floodplain forests and other associated factors. In 2008, we developed a river restoration plan to restore the Upper Quinault River. Support for our plan includes the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the Army Corp of Engineers. We also have numerous State partners including the Governor's Salmon Recovery Office, Department of Natural Resources, Department of Fish and Wildlife, Department of Ecology, Washington Coast Sustainable Salmon Partnership, and the Pacific Coast Salmon Coalition.

Quinault has raised and invested approximately \$6 million in river restoration over the past decade through grant funding and tribal dollars. While we have made significant progress, there is still much to be done to achieve full restoration.

We urge the Subcommittee to provide \$5.79 million over a period of 5 years to support Upper Quinault River and Blueback Salmon restoration efforts. These funds will allow for the restoration of 7.7 miles of river, 860 acres of new floodplain, 140 engineered logjams, 537 acres of new forest and 61 permanent and seasonal jobs.

Need for Funding for Drug Interdiction Efforts

The Quinault Nation Reservation is remote, consisting of 25 miles of undeveloped coastline bordered by a major interstate highway. This setting offers many secluded entry points onto the Reservation for organized criminal enterprises that have plagued our community. In 2012, tribal police, working with federal, state and local officials helped an investigation that uncovered black tar heroin and liquid methamphetamine and led to 17 arrests of persons with ties to drug cartels. While these arrests should stand as a warning to anyone seeking to use our Reservation as a target for drug activity, we have reason to believe that non-Natives continue infiltrate the Quinault Reservation for drug activity and takings of our trust natural resources.

We continue to work with federal and local law enforcement to intercept those engaging in criminal activity on our Reservation. Unfortunately we are limited in our response by both jurisdictional restrictions and capacity. The Quinault Nation has a ten-man police department that has no criminal jurisdiction over non-tribal offenders. As we continue to build a closer relationship with the local U.S. Attorney's office and the FBI, our ability to fight drug related crime has improved. However, access to Federal grant programs specifically for drug interdiction is difficult to obtain. While Quinault invests \$970,000 in tribal funds annually into law enforcement activities, including drug interdiction, this is not enough to adequately address and prevent this activity.

We support the budget request of \$194.5 million for criminal investigations and police services, which contains. However we urge the Subcommittee to increase the line item of \$9.7 million within criminal investigations to combat drug trafficking and crime in Indian Country and ask that report language be included to ensure that these funds can be used by all coastal and border Tribes which are among the most susceptible to drug cartels and smugglers.

Conclusion

The Quinault Indian Nation is taking steps to build a brighter future for our people. We are guided by our traditions and deep desire to control our own destiny. We are doing our part to improve the lives of our people and to create opportunity on the Reservation, but we can't do it alone. We urge the Subcommittee to honor treaty and trust responsibilities to Quinault and to support our requests.