

Metlakatla Indian Community

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Testimony submitted to the House and the Senate Appropriations Subcommittees
on Interior, Environment and Related Agencies

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The requests of the Metlakatla Indian Community (MIC) for the FY 2019 Interior, Environment, and Related Agencies budget are as follows:

- Create a new category within the BIA Construction budget for *Electrical Transmission and Telecommunications* project construction, of which \$11.5 million is needed to complete the intertie between Annette Island Reserve, AK and neighboring Ketchikan, AK.
- Continue strong funding for the BIA Safety of Dams (SOD) program within the BIA Resources Management Construction budget, of which \$1 million is needed to address the hazard mitigation needs and initial planning phases for improvements at Chester Lake Dam on Annette Island Reserve.
- Continue strong funding for tribal hatcheries under the *Fish, Wildlife, and Parks* sub-activity within the BIA Trust-Natural Resources Management budget.
- Increase appropriations to support the ongoing implementation of the U.S./Canada Pacific Salmon Treaty under both the BIA Trust-Natural Resources *Rights Protection Implementation* sub-activity and the U.S. Fish and Wildlife Service's *Pacific Marine Fisheries Commission*.
- Continue strong funding for tribal courts in PL 83-280 states under the BIA Public Safety and Justice *Law Enforcement-Tribal Justice Support* program element.
- Ensure that there is full and mandatory funding for Contract Support Costs (CSC).
- Appropriate additional funding for Village Built Clinics and reject the IHS proposals to limit 105(l) Clinic Leases
- Support IHS Advance Appropriations—just like what the VA has.
- Shield IHS funding from sequestration—just like how VA funding is shielded.
- Reject any proposed FY 2018 Rescissions for Indian programs.

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The Metlakatla Indian Community (MIC) is located on the Annette Island Reserve in southeast Alaska, a land base of 87,000 acres which includes significant fish and forestry resources. Through our Annette Island Service Unit we provide primary health services at our outpatient facility through funding from the IHS as a co-signer to the Alaska Tribal Health Compact under the Indian Self-Determination and Education Assistance Act. We are currently experiencing an ongoing, community-wide emergency: the lakes on which our island community depends on for drinking water and hydropower have reached dangerously low levels resulting in intermittent blackouts and our increased reliance on back up diesel power. The extent of this emergency and our proposal for relief are described below.

Create an Electrical Transmission and Telecommunications Category Under BIA Construction

We are currently experiencing an ongoing, community-wide emergency: because of changing weather patterns and decreased snowfall, the lakes on which our island community depends on for community drinking water and hydropower (Chester Lake and Purple Lake) have reached dangerously low levels resulting in intermittent blackouts, our increased reliance on dirty and unaffordable back up diesel power and uncertainty for our community's main employer who provides jobs that we absolutely cannot afford to lose. Over the past decades, we in partnership with several different federal agencies have successfully invested millions of dollars in energy generation and transmission infrastructure through a combination of loans to the community and a few small grants. Right now, we need \$11.5 million to run an undersea cable to finally complete the last portion of this intertie which will link our community with neighboring Ketchikan. The completion of this intertie will allow us to buy and sell affordable hydropower back and forth with Ketchikan as lake levels change and it will allow our community will finally access business-grade internet speeds beyond the antiquated microwave technology on which we currently rely. All of our studies are done, all of our permits are complete. This project would absolutely transform our community but with 80 percent seasonal unemployment in our community, our ratepayers simply cannot afford for Metlakatla Power and Light (our utility company) to take on an \$11.5 million loan—even at the very low federal interest rates available today.

To be clear, we do not need technical assistance or planning funds at this stage. We need on the ground construction funds to finally complete the very last portion of this critical project. We have been to every single federal and state agency and office and every non-profit that we can think of. Unfortunately, while everyone very much wants to help us, no one actually has the *construction* money to do so. We do not believe that we are the only tribe in this position. Year after year, studies and planning documents pile up across Indian Country raising hopes, only for tribes to find that construction priority lists are years long, require a substantial non-federal match or come in the form of "financing" for communities who already have very little money to begin with. As you may remember, when Recovery Act funding was appropriated, Indian Country was immediately ready with a list of shovel-ready projects a mile long. We would particularly like to thank these Subcommittees for recognizing this and substantially increasing appropriations for BIA Construction in FYs 2017 and 2018. This is why in FY 2019, we are proposing the creation of a new *Electrical Transmission and Telecommunications* category within the BIA Construction budget. We are here, we are ready and there is a tremendous pent up need for these vital projects in all of our communities.

BIA Safety of Dams Funding for Chester Lake Dam

Once again, we would like to thank the Subcommittees for increasing funding in FYs 2017 and 2018 for construction, particularly for Resources Management Construction. Chester Lake is our sole municipal water supply, so maintaining this reservoir is essential to the survival of the Tribe. Measures to secure and improve this water supply are a high priority to Tribal leaders. It is this consideration that led the Emergency Preparedness Task Force to enforce the cessation of hydropower operations from Chester Lake during the extremely low water period from July to September in 2016.

This had the effect of making the Tribe rely more heavily on diesel power generation and the Purple Lake Dam. The BIA Safety of Dams Downstream Hazard Classification Study 2016 was performed in summer 2016 to determine if the dam's hazard classification needed to be re-evaluated and to begin potential work to make improvements to this reservoir.

This process is part of the oversight provided by BIA SOD to ensure the safety of dams in Indian Country. *In March 2017, SOD informed MIC that the Chester Lake Dam qualified to have its hazard classification upgraded from low to high hazard*, thereby requiring additional comprehensive evaluation of the Dam, its status and steps to take to prevent any kind of an emergency or hazard to the community health and wellness.

The MIC has determined, through this process, that \$1 million in infrastructure funding is necessary to make safety improvements at Chester Lake Dam, as well as carry out necessary planning and studies for expansion of the dam's storage and hydropower production capacity. The total cost of this project will be approximately \$12 million, but the initial funding will allow for immediate safety measures to be implemented to protect the drinking water supply while planning for the Phase 2 improvements that will increase not only water storage capacity but also expanded hydropower production from Chester Lake Dam.

Tribal Hatcheries

We deeply appreciate the increase for the *Fish, Wildlife, and Parks* sub-activity within the BIA Trust-Natural Resources Management budget and are asking the Subcommittees to continue this increased funding level for FY 2019. MIC now receives hatchery funds from this sub-activity. Our new hatchery is now online and is expected to produce roughly 40 million more chum fry for the Northwest Region this year. Over the next five years, it is expected to produce 100 million more per year.

U.S./Canada Pacific Salmon Treaty

Pacific salmon migrate through a broad geographic range that includes rivers, streams and the coastal waters of both the United States and Canada. Recognizing this reality, the Pacific Salmon Treaty was negotiated between the U.S. and Canada in 1985 to prevent

overfishing and provide optimum production and fair sharing of the salmon harvest. In the U.S., salmon fisheries governed by the Treaty provide nearly 27,000 full time jobs and add nearly \$2 billion annually to the gross domestic product. Funding to carry out different elements of the Treaty is appropriated through the Departments of Interior, State and Commerce. In the Department of Interior's budget, this funding is appropriated through the BIA Trust-Natural Resources *Rights Protection Implementation* sub-activity and the U.S. Fish and Wildlife Service's *Pacific Marine Fisheries Commission*. We would like to thank the Subcommittees for rejecting the Administration's request to substantially cut funding for the *Rights Protection Implementation* sub-activity in FYs 2017 and 2018 and ask that you once again protect this sub-activity in FY 2019 and if possible, increase funding for it.

Tribal Court Assistance for Tribes Subject to PL 83-280

We deeply appreciate the much-needed support for tribes who are affected by Public Law 83-280 and who are striving to serve their communities with competent and appropriate judiciary systems. We are grateful for both the increased appropriations directed to the BIA Public Safety and Justice *Law Enforcement-Tribal Justice Support* program element and the helpful report language provided in FYs 2017 and 2018.

We ask that the Subcommittees continue to include PL 280-specific funding under this program element and continue to direct the BIA to "continue to work with Tribes and Tribal organizations in these States to consider options that promote, design, or pilot Tribal court systems for Tribal communities subject to full or partial State jurisdiction under Public Law 83-280."

Support for Overarching Priorities for Indian Country

We would like to associate ourselves with tribal testimony calling for:

- Full and mandatory funding for Contract Support Costs (CSC).
- Additional funding for Village Built Clinics and a rejection of the IHS proposals to limit 105(l) Clinic Leases.
- Support for IHS Advance Appropriations—just like what the VA has.
- Shielding IHS funding from sequestration—just like how VA funding is shielded.
- Rejecting any proposed FY 2018 Rescissions for Indian programs.

Conclusion

We are glad to provide any additional information you may request. Thank you for your consideration of the concerns and requests of the Metlakatla Indian Community.