

**TESTIMONY OF SHERRY PARKER, CHAIRWOMAN
THE HUALAPAI TRIBE OF ARIZONA
BEFORE THE HOUSE APPROPRIATIONS COMMITTEE
SUBCOMMITTEE ON INTERIOR AND RELATED AGENCIES
BUREAU OF INDIAN AFFAIRS
HUALAPAI TRIBE WATER RIGHTS SETTLEMENT FUND**

April, 2024

The Hualapai Tribe thanks the Subcommittee for the opportunity to present this testimony in support of the Bureau of Indian Affairs' request in the amount of \$45 million to begin to fulfill the United States' obligations under the Hualapai Tribe Water Rights Settlement Act, P.L. 117-349.

This settlement was enacted in 2022 to resolve all of the Tribe's reserved water right claims in the State of Arizona. The Act settled those claims by securing to the Tribe 4,000-acre-feet per year of Central Arizona Project water from the Colorado River, and authorizing \$312 million to be deposited into a Hualapai Water Trust Fund to allow the Tribe to implement the settlement by constructing and operating an infrastructure project to deliver this water to our Reservation.

The Settlement Act provides that Congress must appropriate all the settlement funds by April 15, 2029, for the settlement to remain in effect. If this does not happen, the Settlement Act will by its terms be repealed and the benefits of the settlement for not only the Tribe, but for all of the parties—including the United States, the State of Arizona, the Central Arizona Project, the Salt River Project and Freeport Minerals Company—will evaporate.

A key component of the Settlement Act is that as soon as any appropriated funds are deposited into a Hualapai Water Trust Fund, the Tribe can begin to expend these monies to do the compliance activities required by federal law for construction of the infrastructure project, including the environmental studies required by the National Environmental Policy Act (NEPA). The appropriation of the \$45 million requested by the Bureau of Indian Affairs will allow the Tribe to begin to do this important NEPA work now—so that when the Trust Fund is fully funded, the Tribe can begin the actual construction of the project that will finally deliver a safe and secure supply of water to the Reservation. It is urgent that this be accomplished as soon as possible for the reasons set forth below.

The Hualapai Reservation encompasses approximately one million acres in northwestern Arizona. The Colorado River forms the 108-mile northern boundary of the Reservation through a portion of the Grand Canyon. The Reservation is arid. It has no significant surface streams other than the Colorado River. It has very limited groundwater resources. The Tribe's groundwater wells are a depletable resource and well levels on the Reservation have been dropping for years.

The Tribe's principal residential community at Peach Springs relies exclusively on three groundwater wells in the Truxton Aquifer near the Reservation's southern boundary. Since those wells were installed in 1975, the piping for the system is 49 years old and has failed in the recent past, leaving our community without water for several days. One of the wells has also suffered episodes of dangerous E-coli and coliform contamination and we have not been able to locate the source of the contamination. When that well is out of service because of contamination, we are unable to supply sufficient water to the community, so we have to implement strict mandatory conservation measures. Because this groundwater is currently the only source of water for our residential needs on the Reservation, we are very vulnerable to any short-term interruptions in supply from these wells, and also to the long-term decline in the levels in the Truxton Aquifer that supplies our groundwater.

The situation is even worse elsewhere on the Reservation. There is a small well on the east side of the Reservation that provides water to ranchers and wildlife in that area, but the water is not potable for human consumption. On the western side of the Reservation, the Tribe successfully operates a tourist attraction, called Grand Canyon West, that overlooks the Grand Canyon and has one million visitors per year while employing several hundred tribal members. For the past three years, after the two wells that served Grand Canyon West failed, the Tribe has been forced to haul water 15 miles to the original well sites, where the water must then be pumped for 35 miles out to Grand Canyon West. This patchwork system is burdensome, insecure and very expensive, but it is the only way we can continue our vital tourist operations at Grand Canyon West.

The Colorado River is the only feasible water supply for satisfying the long-term future needs of people who live on our Reservation. Our Tribe needs delivery of Colorado River water both to provide a permanent and secure water supply for the domestic and residential needs of our present and future population, and also to fully realize the unique opportunities for economic development that we have at Grand Canyon West.

The \$45 million in the BIA funding request is the first installment of the Hualapai Tribe Water Rights Settlement Act and is essential if our Tribe is to attain a secure future on our Reservation. We have done everything possible to allow our Reservation to be a permanent livable homeland, including developing our government and developing an economy to provide jobs and income to our people—but the lack of a secure and replenishable water supply on our Reservation has been a major obstacle that prevents us from achieving economic self-sufficiency, a goal that Federal Indian policy has long favored. This is why we finalized the water right settlement with the State of Arizona and its major water users.

Passage of the Hualapai Tribe Water Rights Settlement Act was an historic event for the Hualapai Tribe, but it will be a hollow victory if Congress does not provide the resources to fully fund and implement the Act before the Enforceability Date in 2029. In the history of Indian land and water settlements Congress has never failed to provide the funding necessary by the Enforceability Date of a settlement. Therefore, we urgently ask the Subcommittee to now take the first step to full implementation of the Act and include \$45 million in the Bureau of Indian Affairs Indian Water Rights Settlement Account for the Hualapai Tribe Water Rights Settlement Act.