

BEFORE THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON NATURAL RESOURCES – SUBCOMMITTEE ON INDIAN,
INSULAR, AND ALASKA NATIVE AFFAIRS

Oversight Hearing

Improving and Expanding Infrastructure in Tribal and Insular Communities

Prepared Testimony of Chairman Herman Honanie, Hopi Tribe

March 9, 2017

Good morning Chairman LaMalfa, Ranking Member Torres, and Honorable Members of the House Natural Resources Subcommittee on Indian, Insular, and Alaska Native Affairs. It is a pleasure to be here today to testify on improving and expanding critical infrastructure in Indian Country. My name is Herman Honanie and I have the privilege of serving as chairman of the Hopi Tribe. I am Pipwugwa (tobacco) clan from Kykotsmovi, which sits below Oraziwi the oldest continuously inhabited community in North America. Today the village has no modern infrastructure.

The Hopi Tribe's ancestral lands span across northern Arizona and include the Grand Canyon. The Hopi people have resided in this area since time immemorial. The Hopi Reservation is located in the northeast corner of Arizona and is approximately 2.5 million square miles, which is about the same size as the State of Rhode Island. The Hopi Tribe has 14,282 enrolled tribal citizens, over half of whom reside on the Hopi Reservation – this number does not include non-Indian and non-enrolled Indians living on the Hopi Reservation.

The Hopi Reservation is plagued by poverty and suffers from a 60% unemployment rate. Due to the remote nature of the Reservation economic development is incredibly difficult leaving the Tribe to rely on only a few sources of income. This situation is exacerbated by the fact that the Hopi Reservation is completely landlocked and surrounded by the Navajo Reservation making it difficult to create off-reservation economic development opportunities. The Hopi Tribe does not have a casino facility and its only meaningful economic development opportunity on the Reservation is revenue generated by coal royalties.

I would like to take this opportunity to cover several difficult situations that the Hopi Tribe is coping with when it comes to infrastructure development.

I. Landlocked Nature of the Reservation

The Hopi Reservation is completely surrounded by the Navajo Reservation landlocking the Tribe and forcing it to cross Navajo Nation lands to reach the outside world. When the federal government created the Navajo Reservation and encircled our

reservation, it did not retain a utility corridor right-of-way for the Hopi Tribe. The Hopi Tribe has no natural access to the Western Area Power Grid, to cellular 911 emergency call service, utility distribution and natural resources transportation corridors. This means that anytime the Hopi Tribe needs access to off-reservation services it must pay the Navajo Nation for a right-of-way across the Navajo Reservation to connect to fiber optic networks, the electrical grid, and other utilities. This significantly increases the cost for the Hopi Tribe for on-reservation economic development. The land-locked nature of the Hopi Reservation also makes it difficult to create off-reservation economic development because of the distances the tribal citizens must travel to embark on those enterprises.

II. Implementation of the 1974 Navajo and Hopi Relocation Act

With the enactment of the Navajo and Hopi Indian Relocation Act of 1974 (the Relocation Act), referred to as Public Law 93-531, as amended by Public Law 96-305, the Office of Navajo and Hopi Indian Relocation (ONHIR) was created to facilitate the relocation of tribal members to their respective reservation land. One purpose of ONHIR was to “insure that persons displaced are treated fairly, consistently and equitably so that these persons will not suffer the disproportionate, adverse, social, economic, cultural and other impacts of relocation.” 25 CFR SS 700.1.

This has not held true for our Hopi relocatee families, who have not been treated fairly, consistently, or equitably, as witnessed by the US House Appropriations Subcommittee leadership on their visit to the Hopi relocatee community of Yuh Weh Loo Pahki in January of 2015. These Hopi relocatees have consistently asked that funds be provided to meet the needs of the families for safe and sanitary housing, roads, infrastructure, and economic benefits as proscribed by the Relocation Act, but their pleas go ignored.

For example, in the early 1990’s a road feasibility study was conducted by ONHIR for 13 miles of upgraded roads near Yuh Weh Loo Pahki at a cost of \$6.0 million dollars, but ONHIR later rejected the proposal, informing the Tribe and families that it was not feasible to serve the Hopi relocatee families. Meanwhile, ONHIR has built entire communities (Coalmine Mesa, Pinon, Tuba City, etc) for Navajo relocatees on the Navajo Nation and New Lands-Sanders/Chambers with infrastructure, fire suppression, and paved roads, even a replacement of a bridge over the Rio Puerco River. The Hopi relocatees, especially the residents of Yu Weh Loo Paki, have requested assistance numerous times from the ONHIR for discretionary funds to improve their living conditions, make home repairs, and to provide for essential community needs. ONHIR has finally in the past five years provided a community building-modular trailer. This structure is insufficient to meet the long-term needs of the relocatee families. These measures are minimal and do not meet the intent of the Act. The Hopi relocatee families should be entitled to the same benefits allowed for Navajo relocatee families.

A high school and medical center/hospital were also to be built under the Relocation Act. The Hopi Junior-Senior High School was finally built in 1986, but was

scaled down due to increased costs. The Hopi Health Care Center was built in 1996, but only as an ambulatory care center with less than 16 beds for patients. The Hopi Tribe had to lobby and submit funding requests to build these facilities, while on Navajo – specifically New Lands – schools and a hospital with complete, modern infrastructure were built using ONHIR funds. Without proper funding for the Hopi Health Care center, Hopi tribal citizens still have to be flown out to off-reservation hospitals for care on a regular basis, including in emergency. It is apparent that the Hopi Tribe has received far less and has given up the most under the Act.

III. Implementation of the 1996 Navajo-Hopi Land Dispute Settlement Act

The Navajo-Hopi Land Dispute Settlement Act (Settlement Act) was enacted in 1996. *See* Pub. L. 104-301. The Settlement Act was a successor to the Relocation Act and was meant to provide the Hopi Tribe with appropriate compensation for Navajo families illegally residing on and occupying Hopi Partitioned Land. The United States government interceded to find a mutually acceptable settlement. It is important to note that the only parties to the settlement were the Hopi Tribe and the federal government; not the State of Arizona or the Navajo Nation.

The Settlement Act sought to allow Navajo families to remain on Hopi land subject to a 75-year lease agreement. In exchange for these leases and the loss of lands the Hopi Tribe was promised replacement lands. Since the Navajo Reservation completely surrounds the Hopi Reservation, these replacement lands would need to be located outside of the existing reservation.

The Settlement Act provides the Tribe with the ability to regain lands and have them placed into federal trust status; this includes interspersed Arizona State trust lands. *Id.* § 6. In order to obtain Arizona State trust land the Settlement Act requires the State to concur that the acquisition is in the interest of the State and the Tribe must pay the State the fair market value of the land. *Id.*

The Settlement Act states that “it is in the best interest of the Tribe and the United States that there be a fair and final settlement of certain issues remaining in connection with the Navajo-Hopi Land Settlement Act of 1974, including the full and final settlement of the multiple claims that the Tribe has against the United States.” *Id.* § 2 (2). However, it has been over twenty years and the Hopi Tribe does not have its fair and final settlement because the State of Arizona refuses to initiate condemnation proceedings to allow the Tribe to obtain the 144,000 acres of interspersed State trust land. The State and the Tribe have been in negotiations but to no avail and those talks have often stalled or been delayed over the years. The Tribe is eager to have its full and final settlement but it needs engagement from the State.

The United States has a duty to provide the Tribe the “full and final settlement” it promised under the terms of the 1996 Settlement Act. The severe delay in implementing the Settlement Act sets a bad precedent and could serve to cool settlement negotiations between the United States and other tribal nations.

It also prevents the Tribe from engaging in meaningful economic development off-reservation. The land has increased in value over the interceding twenty years making the eventual purchase of it from the State of Arizona even more expensive. Meanwhile, the Hopi Tribe is paying the State for grazing rights on the State trust land. This situation is untenable and the United States must live up to its obligations under the Settlement Act and its trust responsibility to the Hopi Tribe.

IV. Hopi Arsenic Mitigation Project

The Hopi Tribe's water infrastructure was funded and engineered by the federal government. In 2001, the Environmental Protection Agency ("EPA") revised its drinking water regulations and decreased the allowable level of arsenic in drinking water. In 2006, EPA funded a study to assist the Tribe in evaluating existing conditions for public water systems in the First and Second Mesa areas that were known to exceed the maximum contaminant level (MCL) for arsenic and recommend viable engineering solutions to ensure regulatory compliance. Beginning in 2008, the Hopi Water Resources Program began working with the Indian Health Service ("IHS") and EPA to complete an arsenic mitigation study. As a baseline, the following data was collected at local well sites to quantify the water quality issues relating to arsenic and begin the process of seeking sustainable solutions.

		First Mesa		Second Mesa				
		Keams Canyon, Wells 2 & 3 Composite	Polacca Well #8	Lower Sipaulovi - Mishongnovi Well	Upper Sipaulovi Well	Second Mesa Day School Well	New Shungopavi Well (Drilled 2008)	Shungopavi Well
Parameter	Units	Result	Result	Result	Result	Result	Result	Result
Alkalinity	mg/L	340	320	280	270	290	240	240
Iron, Total	mg/L	<.05	0.11	0.26	<.05	<.05	0.22	<0.050
Arsenic, Total	ppb	38	20	18	18	19	33	15
Arsenic, Trivalent	mg/L	0.026	0.016	<0.0020	0.0022	<0.002	Unknown	0.005
Calcium	mg/L	<5	<5	<5	<5	<5	<5	<5
Magnesium	mg/L	<5	<5	<5	<5	<5	<5	<5
pH	pH Units	9.4	9.6	9.7	9.7	9.7	9.94	9.8
Solids, Total Dissolved	mg/L	460	380	350	330	340	350	300
Sulfate	mg/L	26	17	18	16	15	22	21
Turbidity	NTU's	<1	<1	3.3	<1	<1	2.4	<1.0
Silica	mg/L	13	15	18	18	17	24	19
Vanadium	mg/L	<.05	<.05	1.5	1.5	1.7	Unknown	0.33
Average Well Production Rate	gpm	150*	100	90	9	50	(Offline) Unknown	65

* Value represents combined yields of Well #2 & #3 assuming pumping rate of 75 gpm per well

As indicated in the table above, all wells serving the First and Second Mesa region exceed the MCL for arsenic which is set at 10 parts per billion (ppb). Generally, the arsenic concentrations in Second Mesa range from 15-20 ppb and increase as one moves eastward towards First Mesa where Keams Canyon wells register the highest arsenic concentration in the region at 38 ppb. The exception to this trend occurs at the

newly drilled Shungopavi well which was sampled after drilling and was shown to have an arsenic concentration of 33 ppb. Also noted was the unusually high pH of the tested waters coupled with high alkalinity and the absence of hardness (calcium and magnesium). This odd combination of water quality attributes makes the water of this region very difficult and potentially expensive to treat for arsenic removal. All of the treatment techniques evaluated (adsorption, coagulation filtration (CF), reverse osmosis, ion exchange) to remove arsenic from the regions' groundwater will require pH adjustment which will prove difficult and costly given the high buffering capacity indicated by the high alkalinity. Also noted, was the likelihood that water in the First Mesa area would require preconditioning through a process known as oxidation to convert the naturally occurring arsenic into a form that has a higher affinity for removal.

These, among other complicating factors led the arsenic mitigation team to advise against water treatment options if a non-treatment solution could be identified. Based on the stated observations, high anticipated operating cost of treatment facilities, the operational difficulties experienced by existing local treatment systems and lack of financial resources, the team looked elsewhere to identify a higher quality water source that could be developed to serve the region.

After reviewing Hopi area wells, research identified a region 15 miles north of the Hopi Cultural Center referred to as "Turquoise Trail/ Tawa,ovi" which, according to a report completed by Thompson Pollari and the WLB Group in 2005, has an existing well with superior water yield potential and an arsenic concentration of 3-4 ppb. The report contains pump test data and water quality information for the Navajo Aquifer in the Turquoise Trail region that suggests favorable conditions that may support development of this area as a primary water source for the villages that are currently out of compliance with federal regulations related to arsenic. Alternate locations were evaluated for well field development near the Hopi Veteran's Center (HVC) near Kykotsmovi. Although the existing wells in the HVC area demonstrate compliant arsenic concentrations of 7 ppb, they do not yield anywhere near the quantity of water that is obtainable in the Turquoise Trail region.

Below is a table generated using data presented by TetraTech EM Inc in a Hopi Source Water Assessment conducted from 2005 to 2006. The table offers a summary of water usage statistics organized by each of the public water systems that are out of compliance with the arsenic rules.

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Public Water System	PWSID #	*Average Daily Water Usage (GPD)	Equivalent Continuous Pumping Rate Based on 12 hr Day (GPM)
Polacca FMCV, Including Hospital & Polacca Day School	090400106	77900	108.2
Hopi High School	090400395	57600	80.0
Shungopavi	090400259	34000	47.2
Hopi Cultural Center	090400260	6000	8.3
Lower Sipaulovi/Mishongnovi	090400107	14100	19.6
Upper Sipaulovi/Mishongnovi	090400394	7600	10.6
Second Mesa Day School	0400057	11000	15.3
Total, Minimum Required Yield		208200	289.2
* Source Hopi Source Water Assessments, TetraTech EM Inc., January 2006			

As indicated above, the minimum required yield needed to serve the identified users is 208,200 gallons per day or a continuous equivalent pumping rate of 289.2 gallons per minute based on a 12-hour day. It is anticipated, based on the previously discussed existing well data, that the Turquoise Trail region is capable of supporting wells that can produce as much as 500 GPM+. As reported in the Thompson Pollari-WLB Group report, the existing well (Tawa'ovi/Turquoise) was pump tested at 345 GPM for 21 hours with a corresponding drawdown of 125 feet. The static water level was 521 ft bgs prior to pumping and the terminal dynamic water level was measured at 646 ft bgs at the end of the test. The pump was set at 1,700 ft bgs so at the end of the pump test there was still a water column of 1,054 ft over the pump. This is emphasized to demonstrate that the final pumping rate of 345 gpm was likely a limitation of the test pump and not necessarily reflective of the true yield potential of the well/aquifer.

After assessing the water needs of the area and reviewing the Turquoise Trail well data, the Hopi Water Resources Department, IHS and EPA collaboratively developed the Hopi Arsenic Mitigation Project concept. This concept proposes to develop a new well field in the vicinity of the existing Turquoise Trail well to take advantage of the higher quality water which appears to be available in sufficient quantity to serve the First and Second Mesa villages. The water would be delivered to each of the communities by a large piped network that would be constructed over the course of several construction phases. The concept-level cost estimate to design and construct the proposed water system is between \$20 to \$25 million. It is anticipated that the cost estimate will vary as the concept is further developed through the collection of design data during the ongoing planning process. During the past five years, the EPA and IHS have committed grant funding to further explore and develop the arsenic mitigation concept.

HAMP Proposed Wellfield and Piping Route



Over the course of the years, several informational meetings pertaining to the arsenic mitigation concept have been held with various stakeholders including community members, community leaders, utility operators, federal water system regulators and federal funding agencies. At each of the individual gatherings there has been overwhelming support for the project as the meeting participants acknowledge that this is a project devised to improve the health of the served communities. On the other hand it has been difficult to assemble multi-community meetings which will be critical as the arsenic mitigation team solicits comments from the affected communities to determine how best to operate and maintain a shared water system. This project is substantially larger in scope and cost than ordinary sanitation projects in the area. The Tribe has been informed that in order to qualify for federal grants for this project it must have a defined plan detailing how the system would be operated and maintained.

The Hopi Arsenic Mitigation Project (HAMP) will pump water from the Turquoise wellfield located approximately 15 miles north of Second Mesa and pipe it to the Hopi villages at First and Second Mesas and to the Keams Canyon Water System and the water systems for Hopi Junior-Senior High School and Second Mesa Day School. HAMP will provide water that complies with the Safe Drinking Water Act and will replace the use of low-producing, high arsenic wells in the vicinity of First and Second Mesa and Keams Canyon. The new water supply will allow the villages at First and Second Mesa to come into compliance with Safe Drinking Water Act standards and will provide a permanent alternative water supply to Bureau of Indian Affairs and Bureau of Indian Education facilities that does not require the interim use of expensive and difficult to maintain arsenic removal technology.

At this point, several million federal dollars have been invested into the project, and various impacted agencies remain fully supportive of the project and reaching operation of the new wells. Through discussion with Tribal Council, the Tribe is now considering next steps and how to proceed with this project. An outline of remaining action items and options follows:

A. Project Summary:

In January 2014, the Tribe provided a briefing to the Department of the Interior. The summary included highlights of the project, which heavily featured the creation of the Hopi Tribe's Public Utility Authority. The new Utility Authority is responsible for setting water rates and addressing other regulatory requirements for HAMP.

The largest funding for this project will come from the USDA-RD application. Several other federal agencies have invested millions of dollars into this project and continue to support the effort, they are of the understanding that the newly-created utility will run HAMP.

This need is urgent in light of EPA planning to bring an enforcement action against the Tribe and/or village(s) out of compliance, potentially this year.

i. Action items left for the Utility Authority

- Staffing and setting up the utility accounting operation; initially the Hopi Public Utility Authority will oversee completion of the HAMP planning followed by management of HAMP construction
- Tribal Council agreed to contribute \$350,000 to get the Public Utility Authority and Utility Commission up and running
- Both agencies need to sign the Indian Affairs and Hopi Tribe MOA to get the work done that was proposed by IHS in their Planning Agreement – the Planning Agreement will then develop the information to allow the BIA/BIE connections to be part of HAMP and the USDA-RD Application

ii. USDA-RD Application

- A significant amount of work has been done on this application, which will ultimately secure \$13-16M for HAMP

iii. IHS Preliminary Engineering Report

- The expected USDA loan amount is \$1,978,500, after a total of \$2.25 million in up-front cash and grant contributions from the Tribe
- Estimated user costs for the HAMP are expected to be a \$35/month plus \$2.55 per 1,000 gallons of water used per month – total costs per home is \$49.82/month, plus local delivery costs
- This is made with the understanding that these steps remain:
 - Submission of the USDA funding application

- Formalization of agreements between Tribe and the villages
- Staffing the new Hopi Public Utility Authority
- Acquiring full construction funding and awarding a construction contract, construction of project
- Transfer of the new facilities to the HPUA

B. The BIA's Relationship to the HAMP

- The BIA wishes to partner with HAMP to be included on a construction line
- The Tribe and the Department of the Interior (DOI) initiated a potential HAMP related partnership, which would provide a source of revenue to tribe via user fees
- A draft MOA was being reviewing by IHS counsel but no progress has been made since
- The Preliminary Engineering Report will need to be amended if BIA/BIE and Tribe enter into agreement

The HAMP is absolutely essential to the health and safety of Hopi tribal citizens. The Tribe is greatly appreciative of its federal partners in this project.

V. Hopi Detention Facility

The Hopi Tribe has been in need of a detention facility for several decades. The detention facility that was initially established on the Hopi Reservation in 1981 was not intended for incarceration. The existing adult detention facility in First Mesa was originally built as a treatment facility. Over the years the building was converted and used as an adult detention facility. With the security requirements and special operation needs, the building did not meet the standards for a secure and safe detention facility.

In 2005, Hopi Tribal Council authorized Tribal Resolution H-042-2005, which established the Hopi Detention Facility Steering Committee and directed the committee to pursue the planning, design and construction of a new Hopi Detention Facility on the Hopi Reservation. The committee was tasked with the responsibility of searching for funds to build a permanent facility. The Tribe allocated one million dollars to the committee to fulfill this project. The committee was able to develop plans for a permanent facility; however the Tribe was unable to secure funding to build a facility. At the same time, similarly to the Relocation issues raised above, the federal government built a new detention facility for the Navajo Nation in Tuba City. That facility is now approximately half empty while the Hopi Tribe does not have any detention facility at all. In 2016, by Tribal Council resolution, the Committee was disbanded because Tribal Council did not see any progress being made.

The committee was a direct result of actions taken by the Office of Inspector General in 2004. In 2004, the Office of Inspector General conducted a health and safety inspection, which resulted in the immediate closure of the juvenile correctional component. Up until that time, corrections held minors with adults in joint spaces. Juveniles are currently being housed in Navajo County Jail in Holbrook, Arizona.

Despite these serious issues facing Hopi, the Navajo Nation was provided a detention center at that time while Hopi's needs for detention space and a psychiatric treatment facility has yet to be addressed.

In February 2015, David Little Wind, Director of Bureau of Indian Affairs- Office of Justice Services, met with tribal leaders, including myself, and Councilman Mervin Yoywtewa, Chairman of the Law Enforcement Task Team, to discuss the building of a new detention facility. BIA-OJS recognized that there was a need for a new facility and the recommendation at that time was to repair by replacement.

The detention facility was still being used and operated to incarcerate inmates who had either been sentenced to 30 days or less or were awaiting hearings in the Hopi Tribal Courts. Between 2013 and 2015, there had been an inspection of the facility, which resulted in portions being deemed unsafe and uninhabitable. Those inmates who had been formally sentenced to more than 30 days of incarceration were transported to other facilities. These facilities included Navajo County Jail, in Holbrook, Arizona; Coconino County Jail, in Flagstaff, Arizona, Arizona State Prison Complex, in San Luis, Arizona, and Chief Ignacio Adult Detention Facility, in Towaoc, Colorado. However, the facility remained partially open.

In October 2016, the Hopi Detention Facility was formally closed. Structural issues were cited as the cause of closure. As part of the closure, all inmates and staff were to evacuate the building immediately. Any new arrestees were to be booked and transported to Navajo County Jail within one hour of being booked. The Tribe was not given any notice of the closure. A charge of orders was issued from BOI-OJS Hopi Agency instructing all officers that the officer would have to conduct the transport related to any arrests they made. This instruction was also given to the Hopi Resource Enforcement Services (HRES) officers. HRES acts as a secondary law enforcement agency when services are requested by BIA-OJS. There was no formal agreement from the Hopi Tribe on the charge of orders. Due to the high costs and liability concerns associated with the courtesy transport the Hopi Tribe concluded it could no longer provide this support and have declined any transports of arrestees.

BIA-OJS was aware for the need for a new facility and had indicated plans for a transition from the old facility to a temporary facility while the new facility was constructed. BIA-OJS Hopi Agency met with Chairman Honanie in late October 2016 to discuss the temporary facility. The temporary facility would include two components to cover the needs of the Correctional staff and Administrative staff. The temporary facility would also allow detaining individuals for up to eight hours. The Hopi Tribe through various meetings was verbally told that the temporary facility would be in place by November 2016. However, as of this date, the temporary facility has not been received; BIA-OJS has cited administrative issues as the cause of delay.

Not having a facility places a burden on the personnel and administrative costs continue to rise. Officers conduct booking of arrestee from their units. Additional costs are being incurred in the areas of transportation, additional staff hours, and incarceration.

The BIA informed the Tribe last week that it costs the BIA \$100,000/month in contract costs to house the inmates at other facilities.

The irony of this situation is that the BIA-OJS has the money to replace the facility, but the BIA does not receive construction dollars for installation. The BIA-OJS is meeting with the Department of Justice to find out if the DOJ would be able to provide the construction funding for the project.

As the Hopi community waits to have its detention facility needs met, crime does not cease. As a result of having no facility, law enforcement officers must use their own personal discretion when arresting individuals who have committed violations of the Hopi Code. There is no deterrent factor to keep individuals from committing crimes when they know they will not be arrested. It is only a matter of time until a minor incident turns into a much more serious crime of violence.

VI. Hopi Telecommunications

The Federal Communications Commission considers the Hopi Reservation a high cost project area. Anytime that the Hopi Tribe seeks to connect to the outside world it must cross the Navajo Nation, Indian allotments, and State land. This requires the Hopi Tribe to pay massive amounts for easements in order to lay or connect fiber. The cost of building telecommunications projects on Hopi land is 27% more than in other parts of Arizona. The Hopi Tribe received an American Recovery and Reinvestment Act (“ARRA”) to construct and purchase fiber and electronics to connect to the internet. The Tribe was not allowed to use ARRA funds to purchase the rights-of-way so Hopi Telecommunications Inc. (“HTI”) had to absorb those costs. The entire project cost to build a fiber optic cable route from Jeddito Community to Holbrook, Arizona – roughly 61 miles – cost the HTI was \$3.3 million. Included in this cost was \$500,000 paid in right-of-ways, which accounts for approximately 15% of the entire project cost. If this same fiber optic route was constructed on non-Indian land it would cost approximately \$2.4 million (or 74% of the cost for building it on tribal land).

VII. Hopi Road Infrastructure

The Hopi Department of Transportation (“HDOT”) is charged with 1,235.1 miles of Hopi’s official inventoried road mile consists of:

- 625.1 miles of unimproved earth roads
- 5.8 miles of gravel roads
- 99.6 miles of asphalt surface roads
- 405.5 miles of jeep trail roads
- 1,136 total BIA & Tribal road miles

- 99.1 total miles of AZ State Highways
- 1,235.1 combined total Hopi inventory road miles

10 bridges with a combined length of 1,258.0 feet

The Tribal Transportation Program (“TTP”) is the only continuous funding source for Hopi’s construction program inclusive of all components from planning, design, and construction and now including road maintenance as result of the need expressed in Indian Country that regulations be amended to allow use of TTP funds for road maintenance. The remote nature of the Hopi Reservation has led the cost to construct new roads to increase from \$900,000/mile in 2013 to \$1.2 million/mile now. Dealing with these technical challenges increases operational costs at an estimated rate of 3% annually. The current TTP annual allocation provides for at least for three miles of roadway construction with support to the road maintenance program of \$500,000 and now includes the Hopi Senom Transit Program.

The Interior Appropriation allocations for the road maintenance program have not kept up with true costs for the past 30 years. The Hopi Tribe had no other options but to take responsibility for the BIA’s road maintenance duties/program as the threat to life and safety were becoming more evident on Hopi’s roadways. In order to achieve maintenance goals the Tribe has been forced to draw from its construction accounts but is necessary as lives are being impacted. In addition to the already severe and inadequate funding, Hopi sustained a severe decrease to its road maintenance allocation by 40% in fiscal year 2012 from \$500,000 to \$300,000 with no justifiable or adequate reasoning taken by the BIA. We have repeatedly met with the BIA requesting them to remedy this reduction.

The majority of HDOT’s calls relate to the construction of new roadways and maintenance issues on existing roadways (an average of 15/week). The lack of suitable material and resources to maintain the 625.1 miles of unimproved roads makes traveling them a potentially life-threatening situation. Roads within the hearts of villages where the majority of residents reside are no better than outside of the villages. HDOT is responsible for maintaining the roads for emergency service providers, school buses, and everyday commuters but it is a daunting task given the lack of available resources.

HDOT continue its daily assessment and documents challenges with not just BIA roads but with state highways as well. The state highways are no better than the BIA roads. It leaves the Tribe to believe that it has been forgotten by the federal government and the State of Arizona. There are currently no major plans to remedy these unsafe roadways on the part of either the federal government or the State.

VII. Conclusion

I appreciate the Subcommittee’s time and attention to the Hopi Tribe’s infrastructure concerns and challenges. The Tribe encourages the Subcommittee and its staff to visit the Hopi Reservation to witness the issues covered in my testimony first hand.