

Quinault Indian Nation Appropriations Testimony
House Interior Appropriations Subcommittee
May 2018

Good afternoon Chairman Calvert, Ranking Member McCollum and Members of the Subcommittee. I am Fawn Sharp, President of the Quinault Indian Nation (“Quinault”). I want to thank the Subcommittee for holding this hearing to examine the critical funding needs of Indian Country, and for the Members’ commitment to ensuring that the federal government does its best to meet its trust responsibility to Tribes.

The Quinault Reservation (“Reservation”) is located on the southwestern corner of the Olympic Peninsula of Washington State and abuts the Pacific Ocean. I represent nearly 3,000 tribal members. My testimony focuses on the following priorities: (1) our need for adequate funding to manage our forests, (2) our plan to relocate the Lower Village at Taholah and the Village of Queets to higher, safer grounds due to impacts related to natural disasters; (3) the need for additional roads to access our village; (4) increased funding for the Home Improvement Program (HIP); (5) increased funding for Tribal Grants in the Historic Preservation Fund in order to meet compliance standards in Section 106, and (6) concerns about the proposed reorganization of the Department of the Interior.

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. In recent years, the United States has continued to fall short of meeting its treaty obligations as appropriations cuts, sequestration, inflation and other factors impede the federal government’s ability to meet its trust responsibility. As a result, Quinault spends about \$6 million annually to supplement inadequate levels of Federal funding.

Funding Request for Indian Forestry

Last year, we testified about the need for funding for Indian forestry management. The 2013 assessment of the status of Indian forests and forestry by the Indian Forest Management Assessment Team (IFMAT III) found that the U.S. is not fulfilling its trust responsibility, that annual funding must be increased, additional staff hired, and more opportunities for training and professional development provided. Although we appreciate the funding increases the Subcommittee enacted in the FY 2018 bill for the Forest Service, more is needed. For example, QIN has identified the need for an additional \$1,058,000 yearly to fully fund the positions and activities in order to carry out its new Forest Management Plan (FMP), which is required by the National Indian Forestry Management Act.

We thank the Subcommittee for including a \$722,000 increase in forestry funding for trust natural resource management from FY 2017 to FY 2018. However, this will still fall far short of the increases needed to bring parity to funding of Indian Forestry as compared to the funding of other forests within the United States. Given the FY2018 forestry line item was funded at

\$54.8 million, for FY2018 we urge the Subcommittee to increase this funding by \$10 million dollars to a total of \$64.8 million.

Funding Request for Relocation Project

There are two major villages 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 at the mouth of the Quinault River on the Pacific coast. Taholah consists of two locations known as the “Upper Village” and “Lower Village,” the latter of which is located below sea level. The village of Queets is situated in the northern portion of the Reservation and is located at the mouth of the Queets River on the Pacific coast. Both villages are vulnerable to the effects of climate change that cause increased storms surge and sea level rise, as well as natural disasters like earthquakes and tsunamis. The K-12 School, which serves both non-Indian as well as Indian children, and our child care center, Head Start program, and senior housing center are all located in the lower village and have less than a 15-minute evacuation window in the event of an earthquake or tsunami. Further, many of our emergency services such as fire, public safety and EMS/ambulances are also located in the lower village. Compounding the issue of public safety is the lack of auxiliary surface roads for emergency access to and from the Villages.

As a result of these threats, we are taking steps to relocate our people to higher ground. We recently completed a Master Plan to move Quinault people from the historic Lower Village to the Upper Village, which is mostly protected from flooding at approximately 120 feet above sea level. The Master Plan includes a new village that will provide for approximately 320 housing sites including single family and multi-family homes. The Plan also identifies locations for over 200,000 square-foot of community buildings including a school, community center, museum/cultural center, churches, offices, police, fire and emergency services buildings and assisted living facilities. It will also include a 30,000 square foot Generations Building that will house the Elders Program, Head Start, Early Head Start and Childcare. The Master Plan also calls for the protection of the existing wastewater treatment plant to shield it from the long-anticipated tsunami. Additionally, we have “shovel ready” construction documents for a \$1.7 million street which will provide access to the southeast neighborhood and the site for the new School. Unfortunately, the area planned for development is largely without basic infrastructure. Quinault cannot take on this endeavor alone, and we urge the Subcommittee to address these important safety issues.

We further urge the Subcommittee to direct the BIA and the Environmental Protection Agency to prioritize funding for tribes on the front lines of climate change. We also urge the Subcommittee to include report language that mandates funding criteria that is flexible enough to address the needs described above.

Funding Request for the Housing Improvement Program (HIP)

QIN has been utilizing the Housing Improvement Program (HIP) for members of the Nations for years. HIP is a home improvement and home replacement program that assists Tribal members who have substandard housing or no housing options at all. The funding the Nation obtains from this program assists its’ citizens that are in the most need and has had very positive tangible results for these citizens. Cutting this funding would be devastating to the people that need it most and utilize it.

We thank the Subcommittee for not following the Administration’s FY 2018 request to zero out this program and for funding it at \$9.7 million in FY 2018. Because there is continued need for

this program at QIN and throughout Indian Country, we ask the Subcommittee to increase funding to \$11.7 million in FY 2019.

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

Exit and entry access to the village of Taholah is limited to a single highway. Access to the village is cut off during natural disasters and weather events such as downed trees, mudslides, and treacherous conditions that make the road impassible. When access is cut off, emergency vehicles are unable to reach or leave the Upper or Lower Villages. Our community remains vulnerable to similar emergency response failures if we do not address this critical concern.

QIN 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 once either the lands or the right-of-ways are acquired.

We applaud the inclusion of \$34.6 million for the BIA Road Maintenance Program in FY 2018 to address the transportation safety concerns of tribal communities. We ask that the Subcommittee increase funding for this program to \$40 million to meet the current high demand of Tribes. We also urge the Subcommittee to include report language giving funding priority to tribes with safety and emergency access concerns.

Funding Increase Request for Tribal Grants in the Historic Preservation Fund

As you may know, section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties, including culturally significant places on Tribal lands. In reality, compliance with section 106 falls on Tribal governments as an unfunded mandate. In order to assist tribes with the costs associated with section 106 compliance and the protection of the Tribe's historic and culturally significant places, increased funding is needed for the Tribal Grants portion of the Historic Preservation Fund.

We thank the Subcommittee for the by \$1 million increase in funding to this program from FY 2017 to FY 2018. In order to meet the demand of the Quinault Nation and other Tribes for this important grant funding, we request an increase of \$1 million to fund the program at \$12.5 million in FY 2019.

Reorganization of the Department of the Interior

Secretary Zinke has announced a plan to reorganize the Department of the Interior by redefining the geographical boundaries of the regional offices of each of the bureaus of the Department. While the BIA is the focal point for the fulfillment of the United States' fulfillment of its trust responsibility to tribal governments, the programs and activities of virtually all of the bureaus within the Department impact Indian Country.

According to the proposed reorganization plan, each bureau or division would be divided into thirteen regions, with the regions of all of the various bureaus covering the same geographical area, which is not currently the case. Whether the proposed plan will work for agencies such as the Bureau of Land Management (BLM), the Bureau of Reclamation (BOR), the National Park Service (NPS), and the Fish and Wildlife Service (FWS) remains to be seen. We do not believe this plan is a useful model for the BIA for several reasons. The current BIA regional division has been in place for a significant time period and is based to some varying degree on several factors, including the: geographic characteristics of the area; means of subsistence and related cultural similarities of

the tribes within the area; and some level of shared history or experience with United States settlement of the area. Similarly, tribes have tended to relate to each other on the basis of the state and general regions within which they are located because they often have common issues and needs particular to the state in which they reside or the geographic area within which they live. For instance, many Washington, Oregon and Idaho tribes have Treaty fishing, hunting and gathering rights, whereas California tribes typically do not. Tribes have generally worked hard to educate Regional Offices about tribal needs and concerns, and have struggled to build positive working relationships with the Regional Offices and their staffs. The proposed reorganization would undo much of that work because BIA staff would be reassigned and need to learn about different issues and build new technical competencies. The efficient and effective delivery of services to tribal governments and their people, already a problem for the BIA, would be further impaired for years.

Another key element of Secretary Zinke's plan is the movement of the headquarters of some of the bureaus, for example, FWS, BLM and BOR, out of Washington, D.C. and into some of the Regional Offices. Moving the headquarters of these agencies away from Washington could have deleterious effects on tribes because we often have issues with them, and the BIA often serves as a valuable ally in advocating on behalf of tribal needs and concerns with those agencies. If, as it would appear, moving the headquarters of those agencies out of Washington means moving the Assistant Secretaries and agency Directors out to the Regional Offices, it will mean that the Assistant Secretary-Indian Affairs and the BIA Director will have less access to their counterparts in those agencies and less of an opportunity to serve as an advocate for tribal issues and concerns that are impacted by the policies and decisions of those agencies.

Unfortunately, there has been no consultation with Indian Country on this proposal. We urge Congress to review the reorganization proposal and scrutinize its potential impacts on the United States' fulfillment of its trust responsibilities to Indian Country. Specifically, we ask that the Subcommittee prohibit the use of appropriated funds for the purpose of reorganization until and unless the Department conducts a robust government-to-government consultation process with Indian Country.

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. Thank you for allowing me to testify to the Subcommittee today.