

**Hearing Before the United States Senate
Committee on Environment and Public Works
Fisheries, Water, and Wildlife Subcommittee
September 20, 2023**

**Testimony of Jola WallowingBull
Director of the Northern Arapaho Tribal Engineering Department**

I. Introduction

Chairman Padilla, Ranking Member Lummis, members of the Subcommittee, thank you for holding this hearing and for giving me an opportunity to speak on behalf of the Northern Arapaho Tribe.

My name is Jola WallowingBull. I am an enrolled member of the Northern Arapaho Tribe from the Wind River Indian Reservation. The Wind River is home to both the Northern Arapaho and Eastern Shoshone Tribes. We currently have approximately 10,600 enrolled members.

I have been the Director of the Tribal Engineering Department for seven years. As Director, I work with state and federal agencies to maintain and help improve the Tribe's water and wastewater systems. The Tribe has three (3) water systems located in Ethete and Arapahoe, Wyoming and we have five (5) wastewater systems between both communities. I appreciate the opportunity to share with you some information about how these systems operate and serve our people—how we obtain funds for operations and improvements to our systems, the regulatory and workforce issues we face, and the vital importance federal funding plays to ensure we are able to deliver clean, safe water to our members and their families.

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II. Funding Sources and Improvements

To begin, I will first provide some background explaining how my Department is funded. Currently, the Northern Arapaho Tribe receives federal funding from the United States Department of Agriculture Rural Development office and from the Indian Health Service, or "IHS," for water projects. We use this funding to operate our Sanitation Facilities Construction program, or "SFC." The SFC provides for the installation of water and wastewater in individual homes. We also rely on these funds to operate our Significant Deficiency Systems program, which fixes deficiencies in our water and wastewater systems. The Environmental Protection Agency also provides funding through IHS.

In addition to these federal sources, we also receive state funding from the Wyoming Water Development Commission for water projects.

At the federal level, current funding practices are often demanding and time-consuming. Each agency has a different application process with different requirements. Additionally, after submitting applications, it often takes extended periods of time to actually receive funding and then put it to use. We understand the importance of properly managing these funds, but we believe we would all benefit, both the federal government and our tribe members, from a more efficient review system.

While we must wait for our applications to fix identified issues to be reviewed and approved, our work cannot and does not wait—leaks and other significant maintenance issues continue to pile up while our requests, submitted to address past problems and issues, slowly move through the approval process. We work hard to plug holes as we can, but the current review system ensures we are always addressing immediate emergencies rather than allocating our resources to planning for a better and more reliable future.

Sometimes, high priority projects are ignored for years. For example, in Arapahoe and Ethete, we had a hydrant project for which we requested funding over a decade ago. That project was just recently funded by the EPA in 2022. Other high priority projects like the Arapaho Well Project and Scada System also remain unfunded. These projects are integral for our system’s development and growth.

To be clear, it has been a pleasure working with the federal agencies. We have developed a great working relationship and have had many successes over the years. I look forward to building on our successes in the future. In addition to what has already been accomplished, my hope is that we are able to shift some of our collective focus to securing funding for future expansion, and not only focusing on existing facilities.

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III. Regulatory Issues

The Tribe also faces regulatory issues, the most restrictive being the Right of Way process with the Bureau of Indian Affairs.

Even after securing funding, the Right of Way process can prolong and delay the implementation of necessary projects by many years. The effects of that delay, compounded by inflation, mean that every dollar we receive loses its buying power over time. We frequently run out of money for projects that had obligated funding from years prior because of inflation driven increased costs.

An example of this is the Ethete Wellfield. That project was originally funded in 2014 but is still incomplete because it took approximately five years to get a land lease for the well field on tribal trust land.

Now we are in the process of applying for a Right of Way for the pipeline from the wellfield to the water treatment plant and we have amended the project scope such that construction of the pipeline must occur on another project in which we must apply for separate funds.

Streamlining the Right of Way process will help ensure that we can start projects faster and that dollars will go further.

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IV. Workforce Issues

The Tribe also faces problems when it comes to hiring workers and training and retaining talent. Currently, the Northern Arapaho Tribe has six water and wastewater operators. Of these, only two operators are certified Level 1 operators, Harold Little Bear and Floyd Addison. Our goal is for all our operators to obtain Level 1 certification. To effectively operate and maintain our systems, we need 12 certified operators.

Operators have a difficult, but essential, job. This summer we had a water break almost every week. With the reduced workforce, the long hours, and rigorous physical demands, our workers are being worn down.

A major obstacle preventing us from hiring and retaining adequate staff is the low pay. Right now, our operators make under the state average when compared to other professionals in their position. Increased pay and benefits for operators would encourage higher quality candidates and help retain high quality staff like our Level 1 operators, Harold Little Bear and Floyd Addison. Having a federal subsidy to increase wages for these positions would go a long way in bolstering these workforce efforts.

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V. Conclusion

The water and wastewater systems for the Northern Arapaho Tribe are underfunded, outdated, and at capacity. Our systems are not uniform. Many lines are undersized and made from substandard materials such as thin-walled PVC or asbestos concrete. Water main breaks are frequent and repair supplies are increasingly difficult to find.

As a tribe that is growing quickly and includes many children and young people, with more than 50 percent of our population under the age of 18 years old, it is crucial that we provide a safe and high-quality water and wastewater system to our people.

I am passionate about my job because of my elders, my grandparents, and the younger generations behind me. My grandparents did not have the same opportunities in life that we do. They fought for everything they had to provide a brighter future for my generation. Now, I look at my nieces, nephews, and their kids and want a brighter future for them. We face roadblocks from the federal government, state government, and even from within the Tribe. But our goal is to continue to provide safe drinking water for our people and communities. And we will fulfill that mission.

I am a Northern Arapaho woman born and raised on the Wind River Indian Reservation. I, and my team, take pride in serving our people and working tirelessly to meet the Tribe's needs. All the projects and work we do could not be completed without our team.

But we can't fix everything with the limited resources we have. As it stands now, we are unable to focus on tomorrow's growth and develop a master plan for the future because too many of our resources go towards the emergencies of today.

But for the longevity of the Tribe, we must have the opportunity to create a path forward, to move beyond simply plugging holes and scrambling to solve emergencies as they arise. I hope for and work towards a new chapter where we may proactively plan for our future, to improve all our systems and ensure we may provide a safe and quality drinking water and wastewater systems for future generations.

Thank you and I look forward to your questions.

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