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Milk River Irrigation Project
Legislative Hearing Testimony
U.S. House of Representatives Committee on Natural Resources
Subcommittee on Water, Oceans, and Wildlife
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Chairman Huffman, Ranking Member Bentz, members of the Subcommittee, thank you for giving me the opportunity to testify on H.R. 1851, the St. Mary's Reinvestment Act. I am here today representing the Milk River Joint Board, the St. Mary's Rehabilitation Working Group, and all beneficiaries who rely on the Milk River Project.

My name is Jennifer Patrick, and I am the Project Manager for the Milk River Irrigation Project Joint Board of Control. The Milk River Project, often referred to as "the lifeline of the Hi-Line," was authorized on March 25, 1905 as a single-purpose irrigation project. This means irrigators are responsible for the operation, maintenance, and replacement costs of the facilities. The St. Mary River provides about 60% of the Milk River Project's water supply for over 148,000 acres of irrigated land during normal years, but this percentage increases to approximately 90% during drought years like this year. Four municipalities, two rural water systems, Ft. Belknap Tribal Agency, International Water Agreement with Canada, Blackfeet Tribal Agency and the Bowdoin National Wildlife Refuge also rely on the Milk River Project for some, or all of their water supplies as well as miles of recreation and wildlife habitat.

The stable supply of water provided by the system secures the "backbone" of the region's agricultural economy and communities. Without transferred water from the St. Mary River basin, irrigated agriculture, and the influx of local dollars generated, hi-line agriculture may cease to exist. This project is situated in the middle of the Blackfeet Reservation, and failure of this 100-year-old system will also result in environmental damage on the Blackfeet Reservation. Failure of the canals, siphons, or other aging elements of the project would not only devastate the economy of the Hi-Line but would threaten tribal treaties with the Fort Belknap and Blackfeet Tribes, and negatively impact international relations with Canada.

As one of the first Reclamation projects, the Milk River Project has provided water to farms that have produced food for millions of families not only in Montana but across the country. The infrastructure has performed well beyond the expected design life and is in desperate need of repair. To rehabilitate the entirety of the project would cost over \$200 million, of which water users will need to pay 73.96%. A sum that is unrealistic and impossible for the project beneficiaries to sustain. The loss of reliable water would devastate hundreds of families and disrupt the food supply chain across the state of Montana.

The Project has already experienced a catastrophic failure, further highlighting the need to address the aging infrastructure on the Milk River. On May 17, 2020, Drop 5 of the St. Mary Canal and Conveyance Work system experienced a catastrophic failure, compromising the entire water system and clean drinking water for many of the communities that depend on

it. With the help of our delegation, the Milk River Project was able to obtain funding under PL 111-11 to rehabilitate Drop 2 and 5.

The most urgent need is the replacement of the St. Mary Diversion Dam. The Diversion Dam has far surpassed its expected design life and must be replaced with a new structure that integrates fish screens to ensure bull trout will not be entrained. On March 25, 2020, the Alliance for the Wild Rockies filed a lawsuit against the Department of Interior regarding bull trout passage and entrainment within the St. Mary Diversion Dam and Conveyance Works and the Milk River Project. A federal magistrate judge dismissed the lawsuit on the basis that construction of a new fish screen will begin within 5 years, adding an additional layer of urgency to rehabilitation. The cost of the Dam rehabilitation is estimated at \$60 million, of which irrigators would have to pay the nearly 74%.

In 2005, the Montana Legislature authorized the sale of \$10 million in state bonds for the St. Mary Project. The sale of bonds and appropriations of funds is contingent upon the receipt of federal cost share. In order to access funds, the project must be defined and there must be a cost-share agreement with the federal government in place. Once the project has been defined and the cost-share established, the state will issue the bonds within 3 to 4 months. Additionally, in 2019 the Legislature authorized a \$40 million low-interest loan for the St. Mary's Diversion Project. The loan is also contingent on a federal cost-share. However, over \$4 million was used to repair Drop 2 and Drop 5 after the catastrophic failure in 2020.

Without a cost-share adjustment, farmers in the region will be unable to pay for the necessary repairs needed to maintain a reliable water supply. To allow for a workable solution for water users, Representative Rosendale introduced H.R. 1851, which will allow for a cost share adjustment for the rehabilitation of the Diversion Dam based on an ability to pay study performed by the Bureau of Reclamation. The Milk River Joint Board of Control fully funded that study in May ahead of this legislation to aid in the cost share discussions. The recent failures, lawsuit and drought exemplifies the vital need to address the aging infrastructure in the Milk River, beginning with the St. Mary Diversion Dam.

Chairman, Ranking Member, and Members of the Subcommittee, I want to thank you again for giving me the opportunity to discuss this important issue with you and look forward to answering any questions you may have.