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House Committee on Natural Resources Subcommittee for Indigenous Peoples
of the United States
Oversight Hearing “Infrastructure in Indigenous Communities:
Priorities for American Jobs Plan”

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On behalf of the 20 federally recognized tribes in the Bering Strait region we appreciate the opportunity to share comments on President Biden’s American Jobs Plan. We continue to experience on-going threats of water/sewer infrastructure failure (water storage tanks, distribution lines) impacting residential access to clean water, sewer and landfill services. Chairwoman Leger Fernandez, Ranking Member Young quyaana for the opportunity today.

Headquartered in Nome, Alaska, Norton Sound Health Corporation is owned and managed by the 20 federally recognized tribes of the Bering Strait region. Our tribal system includes a regional hospital and 15 village-based clinics, which we operate under an Indian Self-Determination and Education Assistance Act (ISDEAA) agreement¹. Our rural and remote Arctic region remains unconnected by roads, and we are 500 air miles from Alaska’s economic hub of Anchorage. Our service area encompasses 44,000 square miles.

The authorizing statute for the Indian Health Service, the *Indian Health Care Improvement Act*, Congress reaffirmed the Indian Health Service as the agency with “primary responsibility and authority to provide necessary sanitation facilities” and furthermore, “it is in the interest of the United States and it is the policy of the United States, that all Indian communities and Indian homes, new and existing, be provided with safe and adequate water supply systems and sanitary sewage waste disposal systems as soon as possible.” (25 USC 1632)

The American Jobs Plan offers real hope for the necessary investment to not only stabilize the economy, but promote health and wellness across our communities. In order to address the sanitation crisis in our communities, we urge that Congress provide direct focus on unserved communities, as well as repair and replacement of aging systems. We urge funding authorized by the American Jobs Plan build on the notions of Indian Self Determination to allow tribes and tribal organizations to establish pathways to service for our unserved communities.

¹ We serve the communities of: Brevig Mission, Council, Diomed, Elim, Gambell, Golovin, King Island, Koyuk, Mary's Igloo, Nome, St. Michael, Savoonga, Shaktoolik, Shishmaref, Solomon, Stebbins, Teller, Unalakleet, Wales, and White Mountain.

Access to clean water does not only address a humanitarian crisis, but also is the foundation of job creation. We have fish and reindeer meat export potential, but no way to process meat without access to clean water.

Under the current regulatory structure in Alaska managed by the Indian Health Service, the United States Department of Agriculture, the Environmental Protection Agency, and the State of Alaska it takes 5-10 years to connect an unserved community, costing \$350-\$750 thousand per home. There is absolutely no defined avenue to address sanitation emergencies and immediate sanitation infrastructure failure threats.

The challenges of building in Alaska are great, but they are not insurmountable. We have a short summer to early fall construction season between (May/June – Oct/Nov). All of your predesign work and materials must be ordered for the first barge. We know we can reduce the costs of construction by respecting those challenges and coordinating infrastructure investment with housing and roads programs.

The reality is the agencies imposing best practice score criteria, matching requirements, and cost caps delay projects by a year, if not a decade and increasing costs, while communities are without the adequate culturally relevant governance and operator support services. We witness this happen year after year with frustration, as people in our communities continue to suffer from water borne illnesses. We know we can do better.

Funding for Water & Sewer Projects

The Indian Health Service reports a total need for unserved homes across the lower 48 at \$137 million. The total need representing unserved communities in Alaska totals \$1.5 billion. These are homes without piped water and sewer. These are communities the agencies have deemed ineligible. There are people we have left without a path to service. We know Indian Self Determination works. Tribes and tribal organizations must be empowered with providing a path to service. The total sanitation need in Alaska is \$2.2 billion.

The coronavirus pandemic has not only highlighted the inequities in public health with a lack of access to clean water, but resulted in project delays for critical community infrastructure projects. Climate threats (fall storms) continue to damage essential public infrastructure (water storage tanks, distribution lines, sanitation roads). Aging public infrastructure impacts water quality. Essential maintenance of public facilities, such as water storage tank cleanings were also delayed due to Covid. We recommend making funding available to tribes, void of regulations that prevent funds going to our unserved communities and critical core infrastructure projects. We respectfully encourage:

- Funding for equipment to maintain the ongoing need for clean water/sewer services to tribes and tribal consortia
- Eliminate IHS ineligible cost match requirements and cost caps for unserved communities and communities facing sanitation emergencies receive critical infrastructure upgrades without regulatory hurdles or delay.
- Support culturally relevant operator training programs

Heavy equipment and adequate Arctic storage facilities are needed in all of our communities for snow removal during winter months and year-round, on-going maintenance to keep water/sewer/honey bucket services. The main equipment needed is: rubber-tired back-hoe or a large excavator, a loader or a dozer, vac trucks and vac trailers.

NSHC continues to work hard in improving the delivery of engineering, project management and remote maintenance services. In the Bering Strait region we face a \$261 million sanitation need. Five communities in our region, Diomede, Wales, Shishmaref, Stebbins, and Teller remain completely unconnected to running water and sewer. Gambell is 70% served, with 43 homes in the village of Gambell remaining unconnected to Water and Sewer. Ongoing sewer and water upgrades and maintenance backlogs remain concerns in seven communities. An estimated 520 homes in the Bering Strait region have no running water, nor flush toilets.

We hope the American Jobs Plan can help address the following sanitation emergencies:

- Diomede- \$5.1 million water storage tank replacement. The tank is failing inside out due to rust. \$2.3 million water source development and treatment. The water source has very high levels of arsenic and nitrates.
- Gambell - \$5.5 million water storage tank replacement. The roof of the water storage tank remains fragile after sustaining damage from high winds in a September 2019 storm event. While the 1.3 million gallon tank was built in 2009, tank insulation has failed in year's 2013, 2014, 2016, and 2018. 43 homes remain unconnected in Gambell, funding for a cost estimate would help move the development of a project scope.
- Shishmaref - a 1.5 mile sanitation road in Shishmaref was washed away in fall storm November 6-7, 2020. Due to pandemic manufacturing delays, a washeteria upgrade project in Shishmaref was delayed by 6 months, and a landfill fencing project delayed by 10-12 months. A project to provide honey bucket storage bins increased in cost due to demands on manufactured plastics. The honey bucket bins are manufactured out of plastic with welded metal frames. The landfill in Shishmaref is under threat of storm surges and needs a seawall.
- Brevig Landfill is failing and needs a full upgrade.
- Koyuk's landfill is at risk of failure, past design life. There is no space for additional garbage. 15 homes in Koyuk remain unconnected to water/sewer need. While washeterias are considered ineligible in served communities, there remains a need for washeteria/laundry mat services for unserved people.
- Stebbins faces an immediate need for a \$1 million honey bucket lagoon replacement project. When the lagoon melts this year, it will likely overflow and leak onto the road and surrounding landfill area.
- Unalakleet – The aging distribution pipes in Unalakleet are causing residents to experience brown water and boil notice events. The raw water distribution line is 4.5 miles long, clogged, subject to tital erosion, and has a high potential for freezing. The water distrubtion and service lines are at a state of failure, causing continual water conservation and water emergencies. Unalakleet needs immediate funding to install circ pumps in each house. Cir pumps are a critical element to stopping the repeated water shortage/leaks.

Public Health Impacts

The health impacts of a lack of sanitation and clean water infrastructure, in combination with a shortage of housing in our communities remains an ongoing public health crisis. The CDC has noted that infants from communities without running water are 5 times more likely to be hospitalized for respiratory infections and 11 times more likely to be hospitalized for pneumonia compared to the general population. One in three infants will be hospitalized due to a lack of running water and sewer.

While we are thankful for high vaccination rates and availability of vaccine to Alaska Native corporations, yet confronting the reality of the coronavirus pandemic shed new light on the threats of covid to Alaska Natives. State of Alaska data shed light that American Indians and Alaska Native people were 5 times more likely to be hospitalized due to Covid-19 and experience a death rate that is 4 times the white population.

The communities of Diomedede, Unalakleet & Wales are on the Environmental Protection Agency's EET list of water systems out of compliance with federal regulations for arsenic, uranium,— levels over what EPA has deemed to be safe for humans to drink in the long-term. Clearing regulatory (Best Practice Score/SDS cost caps/SDS match requirements) hurdles for these critical potable water projects will be tremendously helpful in addressing these water safety issues during Alaska's short construction seasons.

In a 2019 Statewide Threat Assessment published by the Denali Commission, the US Army Corps of Engineers and the University of Alaska Fairbanks, the communities of Shishmaref, Golovin, Shaktoolik, Unalakleet, and Saint Michael were identified as communities facing “erosion, flooding, permafrost degradation and combined threats” to critical public infrastructure. In Shaktoolik storm surges from the Bering Sea are eroding away the shore and getting dangerously close to public infrastructure. The school, clinic, fuel tank farm and other critical infrastructure are subject to flooding during fall/winter storms.

Finally, the decision of the Indian Health Service (“IHS”) to implement match requirements for SDS projects continues to provide challenges in addressing infrastructure needs, based on the false premise that our Alaska Native villages are ‘non-Indian’ in the SDS manual. Our unserved communities average over 90% Alaska Native. The SDS policy places Indian communities in the same category as “non-Indian” communities requiring that tribe's find contributions for ineligible buildings such as public schools and teacher housing. All community buildings are for the benefit of the Native community, including schools which serve as in some cases the primary gathering place for healthy community activities. Schools and teacher homes are also generally the only facilities connected to sewer and water, creating significant sanitation inequities in a community.

Thank you for your consideration of the concerns and requests of the Norton Sound Health Corporation.