

Chippewa Cree Tribal Water Resource Department

TESTIMONY OF JONATHAN EAGLEMAN, DIRECTOR
THE CHIPPEWA CREE TRIBAL WATER RESOURCES DEPARTMENT
CHIPPEWA CREE TRIBE OF THE ROCKY BOY'S RESERVATION IN MONTANA
BEFORE THE
MONTANA JOINT APPROPRIATIONS SUBCOMMITTEE FOR LONG-RANGE PLANNING -
TREASURE STATE ENDOWMENT PROGRAM
ON HB.11
A BILL REGARDING THE ROCKY BOY'S/NORTH CENTRAL MONTANA REGIONAL WATER
SYSTEM PROJECT

Hearing Room 317B
Thursday January 18, 2013
8:30AM

Mr. Chairman and members of the Joint Appropriations Subcommittee, my name is Jonathan Eagleman and I serve as the Director of the Chippewa Cree Tribal Water Resources Department, which is responsible for the Operations, Maintenance, and Replacement of the Core System Infrastructure of the Rocky Boy's/North Central Montana Regional Water System Project.

On behalf of the Chippewa Cree Tribe and the Rocky Boy's/North Central Montana Regional Water System Coordinating Committee, I extend our gratitude to the State of Montana for their support of the Rocky Boy's/North Central Montana Regional Water System Project and I am here today to testify for continued support of this urgently needed regional water system.

Mr. Chairman and Committee members, I would like to briefly explain the Chippewa Cree's journey to ensure the availability of clean water for our reservation. Water is sacred to our people and is the lifeblood for our permanent homeland, the Rocky Boy's Reservation located in north central Montana. The Rocky Boy's/North Central Montana Regional Water System started as the Chippewa Cree Tribe's pursuit to provide safe potable drinking water to the growing population within the Rocky Boy's Reservation located near Havre, Montana. United States Public Law 107-331 was signed to allocate 10,000 acre/feet of water from Tiber Reservoir to be treated and conveyed to the Rocky Boy's Reservation. As the water rights settlement process evolved, a greater need for water from non-tribal residents located in north central Montana was identified. Through a cooperative partnership with the Chippewa Cree Tribe and the residents of north central Montana, we were able to establish the Rocky Boy's/North Central Montana Regional Water System Project.

As the construction process has moved forward, the Tribe has installed nearly \$51 million of Core System Infrastructure that will be used to service the residents of north central Montana and the residents of the Rocky Boy's Reservation. The Core System to date has constructed nearly 18 miles of Core System transmission pipeline, a raw water intake building, and has nearly \$73.3 million of shovel ready projects. This infrastructure directly benefits the overall development of the regional water system. As the tribal portion is a critical aspect to the overall development of the project, the Authority has allowed the Tribe to receive, at times, a disproportionate share of the federal funding, as well as providing integral assistance in obtaining state funding to achieve these Core System construction obligations. Due to this fact, one of our strategic objectives today is to assist the Authority in efforts to engage the state funding mechanism that it requires for its priority projects.

As the Tribe moves forward with the Core System portions of the regional water system, it is essential that the Authority receives the state funding available to help continue to meet the construction obligations required to provide the residents in north central Montana with a dependable potable water source. Mr. Chairman, to date – 13 years after the United States signed a historic water rights agreement with our Tribe and 10 years after the enactment of a Federal law to deliver that water to our project – less than 20% of the Federal appropriations required to construct this project has been received. **State funding has been and continues to be critical to the progress of the Rocky Boy's/North Central Montana Regional Water System Project.**

The Authority has relied heavily upon state funding to complete "Non-Core" portions of infrastructure completed thus far and will continue to be relied upon as projects move forward. Construction costs continue to rise each year due to inflation. Since its authorization in 2002, the funding ceiling for the Rocky Boy's/NCMRWS Project has increased from \$229 million to

over \$350 million due to the application of annual indexing factors by the Bureau of Reclamation. The receipt of insufficient levels of funding and the impact of inflation are having a significant negative impact on realizing Project completion. If funding levels do not exceed, or at least offset, the impact of annual indexing, the completion date for the Rocky Boy's/NCMRWS Project will be extended indefinitely.

Despite the limited funding received to date, we are extremely proud of the progress that has been made to address severe water shortages and surface water regulatory violations. The funding we received through ARRA stimulus and the State of Montana Treasure State Endowment Regional Water System Fund Program have been especially helpful in fostering the success stories we can report to date. However, our Project still requires adequate amounts of funding to ensure the current and future generations living in north central Montana are able to enjoy the benefit of a dependable drinking water supply.

In closing, we fully support HB11 as a funding mechanism to allow for the construction of the Non-Core System portions of the Rocky Boy's/North Central Montana Regional Water System Project to proceed. Mr. Chairman and Subcommittee members, I thank you again for allowing me to testify on this critically important legislation that will help all of this to complete the construction of our authorized regional water project on a more timely basis, thereby increasing our standard of living on the Rocky Boy's Reservation and surrounding communities in north central Montana.

Thank you.

Mr. Jonathan Eagleman, Director