UNIVERSAL ACCESS TO CLEAN WATER FOR TRIBAL COMMUNITIES

Stanford Water in the West Program
September 16, 2021
Colorado River
Water & Tribes Initiative

- All 30 tribes in the Colorado River Basin
- Goal: Elevate tribal voices in management of River
Tribes and Public Health

♦ Highest death and hospitalization rates of any ethnic group
♦ Among younger people (18-39), death rate of Native Americans is 9 times that of white population

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Death Rate (Higher)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Native Americans</td>
<td>1,800 people</td>
</tr>
<tr>
<td>Hispanics</td>
<td>4,700</td>
</tr>
<tr>
<td>Blacks</td>
<td>4,900</td>
</tr>
<tr>
<td>Asians</td>
<td>16,000</td>
</tr>
<tr>
<td>Whites</td>
<td>16,000</td>
</tr>
</tbody>
</table>

Higher death rate.
Tribes and Public Health

♦ Incidence of COVID cases on Indian reservations correlated to lack of indoor plumbing
Lack of Access to Clean Water

- Native American households are 19 times more likely than white households to lack indoor plumbing.
- Nearly 48% of tribal homes do not have access to clean drinking water or basic sanitation.
- Race is the strongest predictor of water access.
Universal Clean Water Access Initiative

♦ Understand the problem
♦ Educate
♦ Engage support
♦ Promote real solutions
♦ Seize the moment!
Biden Admin Priorities

♦ COVID Relief – Addresses public health in hardest hit communities
♦ Economic Recovery – Build back better with water infrastructure and Indian country jobs
♦ Racial Equity – Address historical disparities
♦ Climate Change – Provide resilient water systems
Research Report

- Data on access for tribes in Colorado River Basin
- Federal trust responsibility as applicable to clean water
- Review of federal agency programs
Lack of Access to Water Can Take Several Forms

- No piped water
- Inadequate quality
- Aging infrastructure
- Operation & maintenance
Tribal households more likely to lack piped water than any other racial group
Inadequate water quality is pervasive in Indian country.
AGING INFRASTRUCTURE

Existing water infrastructure is deteriorating or inadequate.
O&M

Operation and maintenance is a critical component of long-term water security.
Solving the Problem

- Commitment to correcting this wrong
- Funding at level of unmet need
- Whole of government approach
Commitment

♦ White House statement that universal access will be provided for all Native communities
♦ Directive to federal agencies
♦ Deadlines, metrics, dashboard
♦ Other countries have done this!
Funding Needs

♦ Indian Health Service
♦ Bureau of Reclamation
♦ EPA State Revolving Funds – TSAs
♦ USDA-Rural Development
Whole of Government Approach

♦ Inter-agency task force
♦ Assess the need
♦ Identify causes of past failure
♦ Consult with tribes
♦ Plan, design, and build the necessary systems
Support for Universal Access

♦ Senate Res. 141 and House Res. 320
  ♦ “Access to reliable, clean drinking water in Tribal communities is an essential human need, is critical to the health, well-being, and economic development of people, and is integral to maintaining the public health of the entire United States”
  ♦ “The provision of reliable, clean drinking water is an essential component of the Federal trust responsibility to Indian Tribes”
Settlements Not a Precondition!

- Tribal water rights settlements are critical
- But settlements are complicated, involve many issues, and can take decades
- Lack of a settled or decreed water right shouldn’t block access to clean drinking water
Funding Legislation

♦ S. 2369 sponsored by Sens. Bennet, Heinrich, Warren, and Hickenlooper
♦ S. 1895 sponsored by Sens. Lujan, Heinrich, Sinema and Rounds has a similar goal
♦ Drafted to fold into an infrastructure bill
Funding in S. 2369

- **Indian Health Service**
  - Sanitation Facilities Deficiency List - $3.1 billion (+10% for admin.)
  - Technical assistance and training - $150 million
  - Operation and maintenance assistance - $500 million

- **Bureau of Reclamation**
  - Technical Assistance Program - $90 million
  - Rural Water Supply Act authority - $2.0 billion

- **EPA State Revolving Funds** — TSAs - $100 million each

- **USDA-RD** — grants for water systems - $500 million
Support for S. 2369

- National Congress of American Indians
- 20 tribal leaders in Colorado River Basin
- Ten Tribes Partnership
- Coalition of water organizations
- Coalition of business interests
Infrastructure Inv and Jobs Act (bipartisan, $1.5 trillion)

♦ IHS - $3.5 billion for Sanitation Deficiency
♦ EPA - Big plus ups for Tribal Set-Asides
♦ Reclamation - $1.0 billion for Rural Water
Remaining for Budget Reconciliation Bill ($3.5 B)

- IHS - $500 million for O&M assistance and $150 million for technical assistance
- USDA - $500 million for water grants
- Reclamation – additional $1.0 billion for tribal rural water and $90 million for tech asst
Colorado River Operating Guidelines Negotiations

♦ States and Feds committed to tribes having seat at the table, but what does it look like?
♦ Request a State and Federal commitment to universal clean water access for tribes?
Ongoing Activities

- Funding legislation
- Administrative reform recommendations
- Work with federal agencies on implementation, detailees
- Congressional hearings
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Website: tribalcleanwater.org