

Cathy Chavers, Chairwoman of the Bois Forte Band of Chippewa

Testimony on Infrastructure Bill – June 28, 2022

Senate Committee on Indian Affairs

Boozhoo Ahneen, my name is Cathy Chavers and I am the Chairwoman of the Bois Forte Band of Chippewa. I am also the current President of the Minnesota Chippewa Tribe which includes the six Chippewa bands; White Earth, Mille Lacs, Fond du Lac, Leech Lake, Grand Portage and Bois Forte. I am very honored and humbled to be testifying to you today on the infrastructure bill.

I want to briefly tell you some information about Bois Forte, just so you have an idea of who and where we are located. Bois Forte is located in extremely rural northeastern Minnesota. We have approximately 3600 enrolled tribal members enrolled within our tribe. There are three sectors of the reservation located many miles apart which include the Vermilion sector, located near Tower, Minnesota, the Nett Lake Sector which is the main sector of Bois Forte and the Deer Creek sector that has no tribal members living there. We have approximately 500-600 people who reside in Vermilion and Nett Lake. A majority of our tribal members live in the state of Minnesota.

I have been the Tribal Chairwoman for Bois Forte since 2016 and worked for the tribe 30+ years in the areas of education and healthcare. We know that historically the federal government has not fulfilled their trust responsibility. Throughout my years as a tribal leader and employee, I

have witnessed the band struggle with inadequate funding throughout all our programs.

Historically, this lack of funding has created great inadequacies and disparities throughout all bands. These shortfalls are Especially prevalent in the areas of tribal infrastructure.

Due to the pandemic, we as tribes have seen instrumental and substantial amounts of funding that have never been seen before. What we have learned from this historic funding that we have received from the U.S. Treasury for the pandemic and issuance of ARPA funding, is that the tribes would benefit from consultation on how the determination of funding is decided. As we have experienced with the various formulas that were initiated from the US Treasury, some tribes benefit, and others do not. This infrastructure funding for the betterment of Bois Forte should be based on square miles, acreage, etc. and not just solely on census date or population. Government agencies need to consult with tribes to get a better understanding of our limitations in various aspects due to inadequate funding such as additional administrative costs being allowed. The need for federal agencies will fund programs new or existing but do not provide adequate funding for administration and operating costs for programs to continue and be successful. These costs are then the responsibility of the tribe which the tribe cannot sustain, or support and the tribe loses the program which was very much needed. Sad to say but this is an on-going issue for many tribes.

With the infrastructure bill, we need to be allowed to have the administrative costs to add additional personnel to assist the tribes with these various funds being allocated. A small tribe as Bois Forte does not currently have the capacity due to current ARPA funding and now with

new funding to be appropriated. Our current staff is stressed and current out with the additional workloads, responsibilities and reporting requirements from the previous pandemic funding to have to take on more work. Another way to help tribes is to make funding categories and uses more flexible to meet the needs of the tribes. Tribal needs are at times unique situations that do not fit into the federal governments categories to expend the funds. Tribes have limited staffing capabilities to also apply for any competitive grants. It also is not in any tribe's best interest to have to compete for grants against ones another. There needs to be noncompetitive grants allocated or a non-restrictive direct allocation (which Bois Forte prefers) to the tribes bypassing the federal agencies bureaucracy. Too many times funding is allocated late with short timelines for spending and or too many obstacles/hurdles to jump through to access the funding.

I will be breaking down Bois Forte's comments within the following categories:

CRITICAL NEEDS

I am not sure if you are aware of Bois Forte's recent land acquisition of 28,000+ acres of land within the reservation boundaries this past week or two. We are extremely excited but will also need to import our newly acquired land acreage into our BIA inventory list. If infrastructure funding for roads is based upon existing inventory, it would be critical for Bois Forte to get this new land into the current inventory list.

One area that is extremely critical for Bois Forte is GIS. We currently do not have the funding, equipment or resources to have this very valuable service which is needed for all areas of infrastructure such as precise road inventory data, water and sewer shut off markings, allotment and parcel boundary markings for example. We need this important data for any type of grant and other funding opportunities in Bois Forte's future. We currently lack in the areas mentioned when applying for funding.

ENERGY

Due to our rural location and having limited access to energy resources, we can see the need for more energy efficiency opportunities such as LED lighting for all reservation buildings, programmable HVAC systems to allow for controllable heating and cooling after employee hours to reduce heating and cooling costs, back-up generators, HVAC replacement and funding for replacement parts and labor due to old and inundated equipment.

Bois Forte would be extremely willing to have solar farms in multiple locations throughout the reservation, but that would require the electrical infrastructure grid to be updated throughout the entire reservation and perhaps electrical substations to be built close to the reservation.

We are working closely with our local electricity providers to work on the issues that we both have currently and for years to come.

Renewable energy, electric cars and charging stations in and around Bois Forte is a high priority as well. There currently are no charging stations available on or near the reservation, so this is very much needed. We currently have a Housing area of approximately 30 homes that has outdated and inadequate electrical boxes to meet any car charging needs in the future.

We also need extensions of our emergency siren alert system for emergencies to our current communities in Nett Lake and Vermilion, plus upgrades and additional communities to ensure the safety and lives of our families. Helipads in both Nett Lake and Vermilion communities for access of Life flight-air ambulance is also a priority as the nearest trauma center is over 100 miles away.

WATER AND SEWER

Bois Forte abides by the Clean Water Act under federal law. Infrastructure needs in the area of water and wastewater is an extremely high need at Bois Forte. We see the dire need for future expansion of our water and wells throughout the entire Bois Forte Reservation, Nett Lake and Vermilion communities. Expansion of water and sewer, pond expansion, sewer replacement, failing drain fields in our housing area where there is no funding to replace them. We do have as SDS list through Indian Health Service however funding for these projects can take years from now. We have various types of housing, such as HUD, low rent, tax credit, recreational, private homeowners.

Current water and wastewater systems also need to be established to provide additional housing in our area. Lack of adequate housing and apartments contribute to difficulty in recruiting employees to fill open positions and no place for families to live. We have been tasked with providing for the next seven generations according to our culture but without the proper and updated infrastructure that will hinder this immensely.

We realized that we need collaborations and partnerships with area towns, municipalities etc. An example of how this can happen is the Indian Point community sewer system. This system is and has been a problem at Bois Forte. We will have the opportunity to if given the funding to connect to the waste system in the City of Orr to alleviate this problem. This would entail installing a underground piping system under the lake to the City of Orr to connect. Orr's current system is only at 25% of its full potential. We can also connect our neighbors as well to enhance our area for housing. As a smaller tribe we look to our neighbors and others as we know that we cannot do many things on our own due to our small size and funding shortfalls or restricted requirements for funding.

CLIMATE RESILIENCY

Bois Forte is what we consider to be rich in natural resources with our vast amount of forest, streams and lakes. Nett Lake is well known for having the best wild rice in the world. We have our lake that grows our wild rice where we do not allow any type of motorized vehicles on our

lake which allows our rice to be considered “organic”. Our current dam that controls the lake is failing along with our fish ladder and we are barely maintaining preventative measures to keep the dam from totally failing and then emptying our lake which in turn will be the end of Nett Lake wild rice forever. We have failed to find funding to properly address this project, due to this, our own DNR department is going to install rock arch dam which will allow the fish to get to the lake and will be less mechanical and more natural.

We currently do not have funding or resources available to work specifically with climate change. We consider ourselves a tribe rich in our natural resources but not rich financially. In order to deal with climate resiliency, we need adequate funding to update our current water quality lab and other resources to develop this type of program. At Bois Forte, we have no one dedicated to this extremely important issue.

WORKFORCE

Workforce development has turned into a huge and difficult issue at Bois Forte. We are located 65 miles from any city one way on where to recruit staff for various positions. This is especially difficult in rural areas. The pandemic brought broadband to the forefront for teleworking, meetings, telemedicine and schooling. There is and always will be a need for broadband especially with upgrades to equipment, supporting data infrastructure software and much more. Bois Forte currently has an aging workforce and limited funding for educating and getting qualified staff in technical areas such as IT, water and wastewater operators, wildlife

biologists, GIS and support staff in the areas of administration such as accountants. It is difficult for small tribes to compete with off reservation entities that can offer more pay and other perks or benefits. Programs for technical training would be welcomed with open arms and on reservation would alleviate the transportation issue that is in rural areas. Bois Forte is trying to implement succession planning for our organization but again lack of funding is a barrier.

SUMMARY

The items listed in my testimony are just some of the inadequacies we have at Bois Forte. I have tried to list some of the more important infrastructure projects but there are more and always will be more. I appreciate and again am honored to be able to testify today on behalf of Bois Forte but also on behalf of the smaller rural tribes who struggle to meet their community's needs. We are very much appreciative of the recent funding opportunities, as this again is very unusual for us in Indian Country. We have been the most regulated people when it comes to programs and services, and we make the best of whatever funding or situations that arise.

Again, Chi Miigwech (Thank you very much) for Bois Forte's voice to be heard in this testimony today.