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Resources and Development Committee presses Navajo Nation EPA public water systems program for accomplishments and drinking water data

Discussion arises while RDC considers acceptance of $1.5 million U.S. EPA grant

WINDOW ROCK – Of the seven legislative bills the Resources and Development Committee took action on last week on May 14, one bill in particular requesting for the approval and acceptance of a $1.5 million federal grant award for the Navajo Nation Public Water Systems Supervision Program generated heavy dialogue on the improvement of program performance reports and data maps depicting the status of water quality across the Navajo Nation.

Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill) was the sponsor of Legislation No. 0129-13, the bill requesting a waiver of the indirect cost rate, in addition to the acceptance of the grant from the U.S. Environmental Protection Agency.

“Each year for the last decade, we’ve been receiving federal funds from U.S. EPA,” said Ronnie Ben, environmental department manager, noting that the program goes before the RDC every year for grant approval, and “continues to ensure that drinking water on the Navajo Nation is going to be safe” for Diné people.

Though the RDC eventually voted 4-0 to approve the grant acceptance legislation, it was Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) who peppered Ben and NNPWSS environmental program manager Yolanda Barney with questions about the program.

“We talked about this before where we need some type of performance report. What have you done with the money before? How many unsafe drinking water incidents occurred? How was your program carried out?” questioned Delegate Tsosie.

“We have programs that come before us and say, ‘Approve this for me,’ and off they go again, and we don’t know the performance behind the money. How did the money benefit the Navajo Nation?” Delegate Tsosie pressed further.

Barney explained that since the NPWSS program was granted primary enforcement authority, or primacy, by the U.S. EPA in 2000, staff have been responsible for adopting environmental regulations, updating regulations, and maintaining a program that ensures public water systems operators are certified.

Staff also participate in activities geared toward the infrastructural development of drinking water systems, and provide enforcement to ensure that water is safe to drink on the Navajo Nation, Barney said.
“We maintain an extensive database on the water quality across the Navajo Nation,” stated Barney, and available data suggests high concentrations of uranium in some areas, and high levels of arsenic in others.

“In those areas, the [Navajo Tribal Utility Authority], the [Bureau of Indian Affairs], or whoever is out there operating an official water system has to do treatment to bring those levels down to drinking water standards,” Barney explained.

“We want information on how these programs are performing,” responded Delegate Tsosie. “Why is it that we get reports from Cameron [Chapter] that the water quality is bad? Yet, you are telling us that it is safe.”

Before the legislation is presented before the Naabik’íyáti’ Committee – the body with final authority on the proposed action – Delegate Tsosie asked program managers to provide a short summary describing the accomplishments made with the previous year’s federal grant monies, along with a map depicting water quality in communities across the Nation.

“Even if the information is lacking, tell us,” said Delegate Tsosie. “Tell us, ‘The information is lacking, and that with these funds, we will dedicate some of these funds to obtain that information.’

Legislation No. 0129-13 now moves onto the Budget and Finance Committee, where it will be considered for action at the next scheduled meeting on May 21, beginning at 10:00 a.m.

It will then move forward to the Naabik’íyáti’ Committee where final authority on the legislation rests.

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