

A century of federal indifference left generations of Navajo homes without running water

Written by Elizabeth Miller New Mexico In Depth April 12, 2021
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PART THREE: Federal funding, oversight gaps left tribes a century behind

An expansive and complex federal government bureaucracy has shorted Native Americans on basic provisions for their welfare for more than a century.

Seven federal agencies have programs to lay pipes or fund construction for tribal communities: the Indian Health Service, U.S. Environmental Protection Agency, U.S. Department of Agriculture, Department of Housing and Urban Development, the Department of Interior's Bureau of Reclamation, the U.S. Army Corps of Engineers, and the Department of Commerce's Economic Development Administration.

According to the Government Accountability Office, confusion among the agencies around roles and responsibilities, inaccurate reporting, and absent plans have all contributed to leaving so many Native American homes without water.

The lapses span decades.

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For instance, a 1980 GAO report found that the Environmental Protection Agency failed to effectively implement a drinking water program on the Navajo Reservation and needed to improve recordkeeping, reporting, sampling, and public notification, as well as correct public water system violations. When GAO staff tested 32 drinking water wells for bacteria and radionuclides for that report, they found six with excessive levels of radionuclide contamination.

The New Mexico Department of Health has also documented contaminants in groundwater wells in northwestern New Mexico. It's these kinds of wells that remote communities continue to rely on while they wait for water from the Navajo-Gallup Project.

"There are many rural communities that lack, or have lacked potable water supplies. We have that all over New Mexico in a number of areas," Rolf Schmidt-Petersen, director of New Mexico's Interstate Stream Commission, which oversees how New Mexico's waters are developed, said. "Over the last 20 years, there have been multiple different efforts through the state with the drinking water program to try to address those pieces."

The Indian Health Service tracks the need for water, sewer, and solid waste projects in tribal communities. In the first years after taking up that task in 1960, the agency used low-cost, fast projects to replace dried-up wells, contaminated springs, or seasonally inaccessible watering points.

Engineers worked in remote, water scarce areas, amid harsh climates, and while facing finite budgets. They revived old wells instead of drilling new ones, and utilized gravity, solar power, and wind power where electricity wasn't available. The most complex project added a 5,000-gallon water storage tank and five miles of plastic piping for 80 homes in Twin Lakes, N.M. Homeowners dug the trenches for their own house service lines.

"The population is growing, and we need to have water," Julie Badonie, former president of the Tohatchi Chapter said.

A growing population, rising construction costs, inflation, and stagnant funding impaired the goal of connecting every home with water, as did aging infrastructure and increasingly stringent environmental standards, according to the agency's 50th anniversary report.

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When the IHS considers projects to address poor quality water sources, upgrade existing systems, or construct plumbing to houses for the first time, the most expensive projects score in such a way as to [deprioritize](#) them. These projects, 523 of 1,837 on the Service's list, are deemed "economically infeasible." More than 80 percent of them are in Alaska Native and Navajo areas.

Research commissioned by the Colorado River Basin Water and Tribes Initiative has spent about eight months studying clean water access on tribal lands, and investigating why nearly 48 percent of tribal homes among the Colorado River Basin's 29 tribes do not have access to reliable water sources, clean drinking water, or basic sanitation. A review of the Indian Health Service's list of water and sanitation projects for tribal communities found a funding gap of around \$3.1 billion

"So it will take big money to solve this problem, but it's also shameful that the federal government that has a responsibility to provide a permanent homeland to tribes in exchange for the land that was taken from them, has not fulfilled that responsibility," Anne Castle, who served as assistant secretary for water and science in the U.S. Department of the Interior from 2009 to 2014 and co-leads the initiative on Universal Access to Clean Water for Native Americans, said.

Most Americans are unaware of the problem, and that contributes to "lackadaisical efforts" to address "Our country's collective ignorance of this lack of fundamental life support need is an example of environmental injustice and institutional racism," Castle said.

The initiative has begun sharing their findings with Congressional staffers, and on March 26, 10 senators, including New Mexico Sen. Martin Heinrich, D-N.M., cited that research when announcing a resolution to reaffirm the federal government's responsibility for providing clean drinking water to tribal communities.

Public officials interviewed for this story agreed the Navajo Nation would have been better off had the Navajo-Gallup Water Supply Project been finished before the pandemic hit.

"This project was an important project before the pandemic in that it settles the Navajo claims in

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the San Juan Basin and it's going to provide a firm drinking water supply for a region that desperately needs it," Pat Page, manager of the U.S. Bureau of Reclamation's Four Corners office, which is overseeing the project's construction, said. "The pandemic has raised awareness for how important this project is."

Construction remains underway on the main pipeline, but design changes are pushing the estimated date for completion from 2024 to 2028. Residents born the year the state and tribe agreed to this plan —2005 — would have time to finish college before the water runs in the pipeline.

"We are making progress putting pipe in the ground," Page said. "The San Juan Lateral may not help with this pandemic, but it hopefully will put the Navajo Nation and this part of the country in a better position if and when there's an issue like this in the future."

Whether that water reaches their communities or homes, some of which have already spent a lifetime on the waiting list for plumbing, remains to be seen.

Next time: PART FOUR: *Water within sight, but out of reach*

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