

**Testimony of Gilbert Harrison, Sr.
Navajo Nation**

**Before the
United States Senate Committee
on Indian Affairs
Washington, DC**

**Oversight Hearing on "EPA's Gold King Mine Disaster:
Examining the Harmful Impacts to Indian Country"**

Wednesday, September 16, 2015

Yá'át'ééh (hello) Chairman Barrasso, Vice-Chairman Tester, and Members of the Committee, my name is Gilbert Harrison. I am a member of the Navajo Nation and I have a 20 acre farm located in a community on the Navajo Reservation called Gadii'ahi, along the San Juan River. My community has been directly impacted by the spill. Gadii'ahi is part of the San Juan River Farming Project, which consists of six chapters that depend entirely on the River for irrigation needs. All of the farms in this Project are mom and pop farm plots, in that they are 2, 5, 10 and in a few instances 20 acres in size. My plight is very similar to the majority of these farms. Thank you for allowing me to speak before this Committee.

Just to give you a little background about myself, I am 73 years old. I have been married to a wonderful woman, Gloria, for over 25 years, and I have raised 4 sons. I spent 4 years in the Marine Corps during the Vietnam era. I also received my Bachelors of Science and Masters degree in Electrical Engineering from Loyola Marymount in Los Angeles, California. I am a registered Professional Engineer in the State of Arizona. After college, I remained in Los Angeles for 5 years doing Aerospace Engineering work. Thereafter, I came back to Window Rock, Arizona and worked for the Navajo Nation in their Division of Economic Development for 6 years. I then worked for Indian Health Service in Window Rock at their Navajo Area Office for another 28 years. I retired from office work in 2007 and have been farming full-time since.

I was raised on a farm and have been actively farming for 25 years. On my farm, presently, I have about 7 acres for alfalfa and the rest of the acreage are divided for corn, watermelon, cantaloupe and hay grazer. I would estimate about 50% of my crops go toward our personal use and 50% go toward sale to other Navajo ranchers. We are also sheep ranchers. We use the sheep for our own personal use. I have a small farm, so the income from my farm is too small to make a living from. I depend heavily on my retirement pay. I sell a little bit of alfalfa here and there. I also sell some Navajo traditional foods converted from corn, such as steamed corn and kneel down bread and corn pollen, which is used during Navajo traditional ceremonies. This type of corn is a Navajo traditional type of corn that comes from a specialized seed handed down from

generation to generation. The remainder of my crops is for household consumption. I also share some of my crops with extended family. We use some of the alfalfa and hay grazer for our sheep, which are now at our summer camp atop the Carrizo Mountains, located about 40 miles west of Shiprock, New Mexico, an area not affected by the spill.

I first heard about the spill at the Gold King Mine from our Honorable Navajo Nation Council Delegate, Amber Crotty, about a day or two after the spill occurred. It was along the lines of "did you hear there was a spill and there's a large gold plume headed our way?" The Navajo Nation Irrigation Office shut off the irrigation water from the San Juan River around the same time. Occasionally, water also gets turned off due to maintenance or other issues. So, at that particular time, I did not realize the extent of this event and the effect it would have on my farm. However, after Navajo Nation President Russell Begaye declared a State of Emergency and put a ban on San Juan River water use, I realized we were in for some rough times. I had to get water to my crops! I started hauling water for our watermelons and cantaloupes from a tank that was provided by the Bureau of Indian Affairs. Additional water tanks were also provided by the U.S. EPA, however we had received word that those tanks were contaminated, so we did not take water from those tanks.

Alfalfa has roots that extend about 12 to 18 inches deep into the ground. As such, they require a lot of water, up to 3 irrigations between cuts and there are normally 3 cuts per season. Corn also requires frequent watering. At my age of 73, I do not have the physical capability or the equipment to provide the water necessary to keep these crops fully watered. I only had the capabilities to provide water for my watermelons and cantaloupes, so I had to leave the corn and alfalfa to suffer.

It's difficult to determine at this time what my losses are with regards to alfalfa and corn. I will have to wait until the end of this growing season, in November, to figure out the loss on my annual crops. In early spring we will be able to see the areas of no growth and where we need to replant the alfalfa. However, I roughly estimate a 40% loss in alfalfa at this time. Generally, alfalfa has a life span of about 6 to 7 years, and we are about 3 to 4 years into this cycle. Due to this event, we will also have to buy and replant seeds to replace the damaged alfalfa stands earlier than expected. This means plowing under the entire alfalfa stand, planting rotational crops for two years, and then finally replanting alfalfa. This is an additional economic burden in labor, equipment wear and tear, fuel, seeds and fertilizer. I also roughly estimate a 50% loss of my corn and a 20% loss of my cantaloupes and watermelons. My loss on hay grazer is maybe about 50%. These are all very rough estimates of losses that I did not anticipate!

I do not have many sources to go to in order to recoup my losses. My farming operation is small, so I cannot carry the expense of having any crop loss insurance. As such, it looks like I will have to rely on a claim to U.S. EPA to recoup my losses. We did receive U.S. EPA's Standard Form

95, however we have not filled it out yet. We will not know the full extent of our loss until early spring, particularly in the area of alfalfa, where losses are seen not only for this year, but for years to come. EPA needs to consider this when they review our claims. Additionally some of the native crops do not fit into a "can" unit of measure, so U.S. EPA will have to be understanding. I am hoping that when I do submit a claim to the U.S. EPA, they will make good on reimbursing me for my losses in a timely manner. I am a little worried that by the time I submit my claim, U.S. EPA may no longer be under pressure from the media or Congress. As such, they may not be as willing to reimburse me for my losses. I hope Congress and other leaders will keep checking on the U.S. EPA to prevent this from happening.

This disconcerting spill event has cause social issues that may take a long time to heal, such that it pitted farmers and communities against each other, farmer against farmer, and in some cases brother against brother. Because of the contamination, there are some communities that still do not trust the water from the San Juan River. As such, they voted to keep their water system off. There are other farmers within these communities who did not agree with that decision, which placed them at odds with each other. Then, on the other side, there are communities who voted to have their irrigation water turned back on and their waters were turned on. Unfortunately, our community of Gadii'ahi is on the tail end of the system that did not get turned on. However, after a recent vote by my community to have water restored, Gadii'ahi was able to receive minimal amounts of water directly from the San Juan River by a pump system provided by the Navajo Nation last week. After about 5 weeks, I am finally getting water to my crops. The water supply is about half of the typical amount due to the capabilities of the pump, but I take whatever water I can get.

This spill caused by the U.S. EPA created a lot of chaos, confrontation, confusion and losses among the farming community. As such, I am very disappointed and greatly upset with the U.S. EPA. As a engineer, I understand that no matter the design, you have to prepare for contingencies. I do not feel that the U.S. EPA, nor their contractor, was prepared for this tragic event. We had to suffer and still are suffering the consequences. To prevent future reoccurrence of this disaster, EPA should be required to engineer and implement a design that will contain, treat, and minimize release of toxic water at the source.

Despite this event, I will continue farming. I love farming and working the land. I expect I will be doing it until I am no longer able to. With your help, I hope that I will continue farming and irrigating from a safe and continuous water supply.

Ahéhee. ' Thank you for providing me a little of your time to explain my story. I am available for any questions you may have.