Tribal Planning in the Face of Environmental Injustice

Reed, Terra

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Issues of Natural Resource Extraction on Tribal Lands

Terra Reed
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Energy resources like coal, oil, and uranium are found on many Native American reservations across North America. Historically, tribal communities have had little to no control over their extraction or production but have suffered from associated economic decline, environmental degradation, health problems, and loss of cultural heritage. This article explores the various impacts as well as some creative solutions that tribes are using to regain autonomy over their land and the resources available to them. Tribal planning is a growing field that should take into account the cultural impacts of different kinds of development on tribal communities. City market test the applicability of Granapati’s analysis to different markets. Finally, common threads supporting successful cooperative housing markets are highlighted.
Native American sovereignty has been closely tied to and even reliant on the United States government for centuries, which has led to disproportionate control over many native communities in favor of non-native interests. Continued federal oversight of activities like energy resource management and economic development leaves tribes with little control over job availability, financing, or decision-making. Energy resources are found on many tribal lands, particularly in the northern plains and Southwest. In most cases, approaches to land ownership and management. Reservations were often isolated from non-native communities and ill suited for traditional agriculture. One historian points out, That a number of reservations have a wealth of mineral resources today is not without a certain irony, because originally it was the intention of the responsible authorities to leave American Indians only isolated areas which contained no mineral resources. (Frantz, 1999, p. 192) Reservations were established in isolated and desolate areas that most likely could not otherwise profit the government or other non-Indian entities. Later, when resources like coal, oil, and uranium became valuable for energy production, the federal government realized the energy value present on previously established reservations. In fact, tribal lands account for 3 to 10% of US oil reserves, 10 to 30% of US coal reserves, and at least half of all US uranium reserves (Frantz, 1999, p. 189).

**Impacts**

As these resources have become increasingly valuable and sought after, mineral extraction and production has become mired in a cycle of declining autonomy among tribal communities, contributing to economic, environmental, and cultural problems. The most direct impacts are economic and ecological, as a lack of autonomy means that people living on reservations gain few economic benefits from the industry. Meanwhile, the activity often destroys land and contributes to health problems for nearby communities. Indirectly, this system also contributes to declining social cohesion and cultural assets, which further contribute to difficulties maintaining autonomy.

**Economic**

Management of energy resources on tribal lands has important direct and indirect economic consequences. Not surprisingly, given the historical treatment of native people, tribes still have little control over how their land and its resources are managed. The Bureau of Indian Affairs (BIA), a federal agency that supervises tribes, was put in charge of managing tribal resources. Through this agency, non-native companies began to lease reservation land containing resources in the early 20th century. To further deprive tribes of the possible benefits of these resources, the 1938 Indian Tribal Mineral Leasing Act did not allow tribes to conduct their own extraction (Frantz, 1999, p. 195).
Surface mining, a common practice on coal-rich reservations in the Southwest and upper Midwest, quickly destroys the land. As one study notes,

The direct impacts of mining disturbance to land surfaces are usually severe with the destruction of natural ecosystems, either through the removal of all previous soils, plants, and animals or their burial beneath waste disposal facilities. (Cooke & Johnson, 2002, p. 43)

Once those lands have been destroyed, it is difficult to restore them. For example, reclamation efforts have had limited success in Montana, where only 735 of the 62,000 acres leased to coal mining “have been fully ‘reclaimed’ and released” (LaDuke, 2007, p. 1). Many coal companies claim that they have the technology and intention to fully reclaim the land they destroy, but most have yet to follow through on those promises. Meanwhile, mining continues to destroy natural ecosystems and habitats.

Mining has many other environmental impacts, such as the water use and pollution associated with extraction. This is particularly dangerous in the arid Southwest, where water is already scarce. One 500-megawatt coal-powered plant uses 2.2 billion gallons of water every year (UCS, 2005). The Four Corners power plant on the Navajo reservation in northern New Mexico generates over 2,000-megawatts each year (EPA, 2006), utilizing 8.8 billion gallons of clean water that it releases back into the environment full of chemicals and heavy metals.

On arid reservations, the use of this water is detrimental not only to the ecosystems near the mines, but also to tribal people who need water to live. Peabody’s “coal slurry pipeline swallowed more than a billion gallons of water a year, so much that the Hopis’ sacred springs, which have nourished them for at least a thousand years, began to dry up” (Grinde & Johansen, 1995, p. 141). Meanwhile, proposed in-situ leach (ISL) mining near Churchrock, New Mexico, would use comparable amounts of water contaminated by dangerous chemicals, which would then return to the aquifer. Proponents of ISL claim that the water is treated and brought back to pre-mining standards, but, according to one environmental lawyer, “there has never been an instance where a commercial ISL operation has restored groundwater to its pre-mining condition” (ENS, 2008). Such water abuse destroys fragile desert ecosystems as well as native peoples’ access to clean water.

Environmental

Beyond contributing to struggling economies, extracting and processing energy resources can cause devastating ecological damage.
Suffer the consequences of decreased social and political cohesion as indigenous people lose their traditional practices and leave reservations.

In Search of Autonomy

Tribes have been legally able to extract and produce their own energy resources for over 20 years, but it was not until the last decade that they have received significant technical and financial support to pursue these activities in a meaningful way. As they begin to take over energy extraction, tribes are faced with an opportunity to radically change the types of resources that they exploit to better represent tribal values. They have also begun to reap benefits that allow them to improve economic, environmental, and social conditions on reservations.

Title V of the Energy Policy Act of 2005 permits tribes to negotiate Tribal Energy Resource Agreements (TERAs) with energy companies and provides funds to help tribes that lack the capital for resource extraction (Miles, 2006; 25 USC, 3502). This act allows tribes more freedom to manage their land “without the oversight or approval of the federal government” (Miles, 2006, p. 469) and to gain economic independence. Laguna Pueblo in New Mexico is one example of a tribe that has taken advantage of this support. The tribe runs a facility that processes 50,000 gallons of tansmix fuel per day, which is sold in gas stations owned by the tribe’s community development corporation (LDC, n.d.). Control over energy resources is a step in the right direction for tribal sovereignty and economic independence, but it does not address the environmental or cultural problems associated with traditional energy production. Reclaiming tribal sovereignty must include ways for tribes to sustain themselves without destroying their land and cultural heritage.

Renewable energy production is one approach that has gained popularity in recent decades. While it is important to recognize that each tribe has a different history and set of values, clean energy is seen to be in harmony with “Native Americans’ respect for the environment and their concern for future generations” (Council et al., 2000).

As tribes explore opportunities to pursue renewable energy resources, they will make many decisions about how to approach and plan for the process. Cornell and Kalt (2003) identified four economic development models for tribes applicable to energy production and other forms of economic development: federal control, tribal enterprise, private “(micro)

While not as quantifiable as job loss or destruction of natural resources, tribes suffer the consequences of decreased social and political cohesion as indigenous people lose their traditional practices and leave reservations.
Laguna Pueblo’s feasibility plans also include capacity building and community education and outreach elements, which were found to “ultimately provide the greatest sustainable value to Laguna” (Stewart, 2008, p. 4). One important outcome of these programs was an internship position filled by someone within the tribe who acted as a champion for the project and helped ensure that the initiatives were based on local knowledge. Throughout the feasibility study, they also identified ways to educate and reach out to their community, so that the project would gain buy-in and the community would feel represented. These elements helped the tribe prepare for energy production projects that were ultimately more effective and sustainable for the community. The Tribal Energy Program is not the only resource for tribes to develop their own energy development programs; some tribes and native-owned companies take a more traditional business approach to the problem. In addition to using Tribal Energy Program funds, Laguna Pueblo also has a development corporation that oversees multiple economic development projects, including energy production.

Sacred Power Corporation, based in Albuquerque, New Mexico, is another example of a successful indigenous-owned enterprise. The company does not represent a specific tribe but is “the largest Native American owned and operated renewable energy systems integration and manufacturing firm in the US” (Sacred Power, 2014). Sacred Power is “committed to the development of local pueblo economies and energy independence while providing jobs in a rapidly evolving industry” (Sacred Power, 2014). The company’s leadership is composed of experienced businessmen and engineers who have built the company from the ground up. They work with tribal governments, non-native businesses and individuals, and government agencies to promote renewable energy. Although the corporation does not directly support a specific tribe and is a private company, it does work closely with tribes to help bring electricity and solar water heating to native communities that have no access to electricity (Sacred Power, 2014).

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Other tribes and native communities can follow and have followed these methods to pursue economic development through renewable energy production. In developing plans and projects, though, they must understand and work with the ecology and available resources in their vicinity. While the desert Southwest is ideal for solar energy production, tribes in other areas are taking advantage of technologies like biomass, geothermal, hydropower, and wind, as well as projects that increase energy efficiency. In Montana, where the Northern Cheyenne have been fighting coal companies that want to open mines on tribal land, conditions are ripe for both wind and biofuel energy production. Activists like Winona LaDuke, an Anishinabe activist from Minnesota, stress that renewable energy production on reservations would be highly beneficial (LaDuke, 2007, p. 3).

Planning approaches like those supported by the Tribal Energy Program help tribes identify the most appropriate technologies and approaches for their context. It also helps them develop plans to integrate economic development to support their communities and maintain their culture and heritage for more long-term solutions.

Conclusion

Ambitious projects to alter the way energy resources are managed on reservation lands introduce a new form of autonomy to tribal communities, who have long been denied the ability and the right to provide for their people. Aided by federal reforms and investment, tribal communities are exploring renewable energy resources, while also promoting development that improves the economic, environmental, and social conditions on reservations. Tribal energy production powers homes that have never experienced electricity and opens the doors for new development and investment in nearly abandoned communities. In turn, this creates a critical need for planning to maximize the benefit to tribal members. By approaching both resource management and related economic development thoughtfully and creatively, tribal leaders can successfully develop solar arrays and wind farms that benefit their communities directly and indirectly. For tribes, planning is a critical element to improving conditions on reservations in a manner that is harmonious with their culture and addresses the harms done to their communities over centuries of non-native imposition and control.

References


