

# NEWS AND VIEWS

on Native American energy resources

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The federal government officially agreed early this month to put \$50 million into a public-private partnership to build the country's first commercial-scale geothermal power plant. The Baca geothermal project, named for its location on the Baca Ranch in the Jemez Mountains of Northern New Mexico, won federal approval over protests by Indian Pueblos in the area that it would violate their religious freedom and do untold damage to the area's water supply and environment.

The Pueblos had been urging the Department of Energy (DOE) to reconsider its plans for Baca, on which the agency has already spent about \$15 million. The final go-ahead is yet to come from the New Mexico State Engineer's office - which is officially still in the hearings process - but some energy officials privately express confidence that the state will go along. If so, construction is expected to begin this summer, with completion slated for 1982.

The Pueblos' objections are basically threefold. First, is their concern with the data DOE and the two companies behind the plant - Union Geothermal Co. and Public Service Co. of New Mexico - have been using, to measure the impact on the area's groundwater supply. The three partners claim that an impermeable layer of rock will prevent the tapping of geothermal pools from lowering - or polluting - the surface waters of the Jemez and other rivers in the area. The Indians, however, charge that the existence of such a layer of rock is only an assumption, and one which is not supported by other data assembled for them by CERT and a team of independent geologists. As Richard Madalena, a lieutenant governor of the Jemez Pueblo, puts it: "We're concerned about our

water. We're not comfortable with what DOE and the companies are telling us. They just have assumptions about what will happen to our surface water; we want something more concrete."

There is also worry among the Pueblos that the air-pollution and water-quality information, used by DOE for its environmental-impact statement on the project, was inadequate. The same applies to the agency's review of the socioeconomic impacts from the development. Madalena cites one example: a highway running through the Jemez Reservation has already "picked up heavy traffic" from site-exploration and preparation work on the project alone. Increase traffic will mean more road maintenance and law enforcement for the Pueblo, and that will cost money that, Madalena says, the Jemez Indians don't have.

Finally, and maybe most importantly, is the issue of religion. The Jemez mountain range is sacred land to the Pueblos, explains Santa Ana Governor Lorenzo Montoya; "disturb a section," adds Madalena, and "you destroy the whole thing." The Indian leaders point to a recently enacted federal law, the American Indian Religious Freedom Act, which says the United States must protect and preserve Indians' "access to sites, use and possession of sacred objects, and the freedom to worship through ceremonial and traditional rites." DOE's impact statement concedes that the plant "will probably impact" on the Pueblos' religious practices, but says the full extent of such infringement can't be considered due to the secrecy which the Indians attach to the precise location and manner of their worship. The Indians counter that such secrecy is essential and that to

identify specific sites of worship or shrines would destroy them. Santa Clara Governor Paul Tafoya says his Pueblo may go to court to try to stop the plant, using the Act as legal ammunition.

**WASHINGTON FOCUS:** Legislation that would establish a mechanism for states and tribes to resolve their jurisdictional disputes without resorting to the courtroom, was approved in early May by the Senate's Select Indian Affairs Committee. The bill (S.1181), like a similar measure approved by the panel in the last Congress, would authorize states and tribes to enter into compacts and other forms of agreements covering jurisdiction and governmental operations on Indian lands.

**FREE SUMMER STUDENT PROGRAMS:** This summer CERT is sponsoring four free 2-3 week-long study programs for Indian high school juniors and seniors interested in energy engineering and resource management. Participants will approve their skills in mathematics and science, attend lectures covering business engineering subjects, make on-site inspections of energy and other industrial projects, meet and talk with practicing Indian engineers, business people and managers - and still have plenty of time to relax and enjoy campus life. All room and board, travel and tuition expenses will be borne by CERT. The four programs will be held at: Arizona State University (Tempe), June 3-13; Montana State University (Bozeman), June 8-28; the University of Idaho (Moscow), July 6-25, and the University of Arizona (Tucson), July 13-August 1. To apply, write as soon as possible to George Thomas, Director, Office of Education and Human Resource Development, CERT, 5660 South Syracuse Circle, Suite 206, Englewood, CO 80111, or call (303)779-4760.