

Challenging Environmental Colonialism

Anthony Salzetta

University of Illinois, Indigenous Thinkers

Abstract

In this journal, I will discuss modern day environmental exploitation as it relates to native americans. In my research, I found no shortage of opposition to the dangers of natural resource extraction on tribal lands. While tribes remain sovereign nations, the overarching authority and loopholes of federal and state governments force many indigenous people to remain vulnerable to the violences of capitalism. Against all odds, native individuals and organizations throughout the country, and globe, meet these offenses with fervent opposition. Here, I will explore the tactics and victories of Indigenous North Americans.

1. The Environment and Marginalized Communities

2 It is rare for any critical study of environmental impacts to come un-
3 coupled with a story of social and cultural degradation. Humans have an
4 incredible bond with the land around them, and destroying the land often
5 means crushing those who are inextricably linked to it. If not commonly con-
6 sidered, it is indeed easily understood why, for example, an affluent neighbor-
7 hood would not desire the construction of a coal-fired power plant or toxic

8 dumping site in its vicinity. Organized groups of people with considerable
9 wealth have considerably greater clout in governmental affairs than their less
10 wealthy counterparts. Thus, environmentally destructive projects most of-
11 ten occur in vulnerable, marginalized communities and further vulnerability
12 and marginalization of these communities. Beyond interfering with ecosys-
13 tem integrity, natural resource extractors and heavy polluters alter cultural
14 norms, safety, and health. Environmental conquest has become another tool
15 of colonialism by controlling native people's simple rights to clean air and
16 water. Indigenous environmental activism is now yet another facet of the
17 centuries' old battle for self determination.

18 The freedom of choice and action, or the opportunity to achieve what an
19 individual values and enjoys doing, became an interesting subject of much dis-
20 cussion in the Millenium Ecosystem Assessment. Provided for, to some great
21 extent, by ecosystem services; personal safety, material wellness, health, and
22 social cohesion are incredibly important to maintaining a happy and free way
23 of life. The variety of environmental offenses that occur on Native American
24 soil are primarily results of natural resource extraction and waste storage.
25 Directly, natural resource extraction and natural resource waste storage re-
26 sult in immense air and water pollution that often lead to irreversible health
27 disorders. Indirectly, the influx of non-native migrant workers threatens com-
28 munity safety and brings bouts of violence - especially towards women.

29 The sections to follow will discuss specific problems, their linkage to na-
30 tional and international struggles, and how brave community members stand

31 together to change the world. The unifying feature of these heart-breaking,
32 yet inspiring stories, is that each is a step towards sovereignty, justice, the
33 freedom to act, and the freedom to an identity. These activists have shown
34 that fighting for change against adversity is never easy, but always worth it.

35 *1.1. Moapa River Reservation*

36 About 30 miles north of Las Vegas lies a small Native American Reser-
37 vation. The Moapa Band of Paiutes is rather small, just over 300, but the
38 threat to their way of life is rather massive. Sitting just outside the tribal
39 boundaries is NV Energy's Reid Gardner coal-fired power plant. The power
40 plant, which stores its coal ash on site, is, in United States senator Harry
41 Reid's words, "literally killing the Paiutes." Despite its crushing effect on the
42 community, the members remain united in their myriad battles against the
43 coal plant.

44 The deleterious effects of the nearby power plant are mostly the result
45 of the on-site coal ash dump. Coal ash is the combination of two kinds of
46 post-combustion waste. Fly ash, fine particles that float up to be caught by
47 pollution controllers, is collected from the scrubbers; and bottom ash, coarser
48 residue, is collected from the bottom of the furnace. Coal ash is stored at
49 more than 1000 facilities around the United States, and according to the EPA,
50 at 136 Million tons annually it comprises the second largest waste stream in
51 the country. Storage of this waste occurs in two formats - either dammed
52 off in a "pond" after mixture with water, or dry storage in abandoned mines

53 and uncovered vats. At this point, coal ash becomes incredibly prone to
54 leaching into nearby drinking water streams and reservoirs. Leaching occurs
55 when groundwater or rain runoff make contact with the ash, and the toxic
56 chemicals dissolve. They then percolate through the water into surface level
57 rivers, lakes, and wetlands and into groundwater aquifers.

58 Comprised of more than 25 per cent of the periodic table, including ar-
59 senic, mercury, lead, chromium, and selenium, coal ash is regulated even less
60 by the federal government than municipal garbage. This is an incredible in-
61 sult to frontline communities around the nation, as the Physicians for Social
62 Responsibility reported that if eaten, drunk, or inhaled, this heavy pollutant
63 can cause, among other disorders, "cognitive deficits, developmental delays,
64 behavioral problems, heart damage, lung disease, respiratory distress, kidney
65 disease, reproductive disorders, birth defects, and impaired bone growth."

66 For years, residents of the Moapa River Reservtion didn't know the dan-
67 gers of coal ash, or that beyond leaching, they faced the additional threat of
68 deadly winds. As wind blows over the desert and the open ash dump site, it
69 whirls it up into the air and billows through the town just 300 yards away.
70 Tribal elder Calvin Myles, in an interview with Earthjustice, compared it to
71 a sandstorm, "but this," he says, "is a sandstorm that burns your skin, buries
72 your lungs, and kills your neighbors." Regardless of its horrible effect on the
73 indigenous community, according to an Indian Country Today august 2012
74 article, NV Energy plans to expand the dump site even further. In a con-
75 versation with health officials, Myles plead for them to refuse the worsening

76 of what was already unbearable. "I cannot practice my religion anymore,"
77 he argued, "I cannot eat my natural foods that we gather, I cannot use the
78 skins anymore of the rabbits that we use for clothing, I cannot use the willows
79 for housing... they're all contaminated." On windy days, when grey clouds
80 envelop the reservation, families shelter away in their houses, but even that
81 doesn't keep them safe. The heavy metals seep through the walls into their
82 homes, schools, and cars. The Reid Gardner plant degrades the Paiutes'
83 health and culture, and they are currently battling it with an extraordinary
84 diversity of tactics.

85 The Moapa Paiutes are involved in numerous legal battles to end the free
86 reign of coal ash pollution. According to an August 2013 article in the Las
87 Vegas Review Journal, the tribe and the Sierra Club, the oldest and largest
88 grassroots environmental organization in the United States, worked together
89 to sue the Bureau of Land Management and the Southern Nevada Health
90 District for approving NV Energy's plans to enlarge the already incredibly
91 dangerous coal ash open dump site. Additionally, tribal members filed a
92 federal lawsuit to force the energy company to clean up the toxic site with
93 charges of violating the Resource Conservation and Recovery Act and the
94 Clean Water Act.

95 In January 2014, after a law suit led by the Earth Justice organization, the
96 Moapa tribe, and 10 other public interest groups, the EPA agreed to finally
97 establish rules regarding the disposal of coal ash by December 19th, 2014.
98 Following years of delay, this rule will come not a day too early. While this

99 does not specify the content of the rules to be established, it is a promising
100 change to end the further destruction of lives and communities around the
101 nation.

102 In April 2012, the Moapa embarked on a 50 mile Cultural Healing Walk
103 over three days, culminating in a congregation of environmental activists in
104 Las Vegas on Earth Day. The march, done in protest of the power plant, was
105 no doubt a testament to the continued unity and solidarity within the tribe.
106 This energy carried over into a plan approved by the Intereor Department just
107 two months later, in June 2012. The Moapa band of Paiutes would construct
108 the first utility-scale solar energy project on a reservation. According to
109 Indian Country Today, the 350 megawatt solar plant would generate enough
110 power for 100,000 homes. Furthermore, many of the tribe members applaud
111 the plan as a return to energy and life more in-tune with nature.

112 Despite their efforts to publicize the offenses of heavy polluters, and beat
113 them in and out of court one step at a time, the Moapa people remain
114 forced to undergo the effects of coal ash pollution. Still, as tribal chairman
115 William Anderson revealed, " Every home has someone - or everyone - using
116 a breathing apparatus or inhaler." Deaths are too frequent, and most often
117 those living closest to the facility.

118 Through each victory and success of the Moapa, they further establish
119 themselves as an independent body seizing of the right to freely live. They
120 fight for the right of children to run around playgrounds and feel safe at
121 school. They fight for the right to practice cultural traditions and hand

122 down family history to the next generation. The NV Energy company has
123 sought to take from them the choice of how to live. Through unwavering
124 individual opposition and alliances with several large advocate agencies, the
125 Moapa will hopefully one day return the power of choice to their people.

126 *1.2. Elsipogtog Mi'kmaq*

127 "Oh my gosh, they're going to kill me before hearing me out," Mi'kmaq
128 anti-fracking blockader Amy Sock thought as she fled attack dogs and police
129 armed with snipers and assault rifles. The violent clash between protesters
130 blockading a highway and the Royal Canadian Mounted Police (RCMP) on
131 October 17th followed the build-up of several months' resistance to the New
132 Brunswick Premier's desire for a resource boom.

133 According to an October 2013 article in the Guardian, opposition to
134 fracking in the Elsipogtog region had been growing since 2010, when New
135 Brunswick sold 1.4 million hectares, about one-seventh of the region, to be
136 explored for shale gas drilling. Fracking, short for Hydraulic Fracturing,
137 is an incredibly controversial topic. While some tout the economic benefits,
138 Hydrofracking is thought to be very dangerous to the environment and public
139 health.

140 In the process of fracking, wells are drilled anywhere from 200 meters to
141 2.5 kilometers into the ground to reach shale-gas wells. A highly pressurized
142 stream of water, sand, and numerous chemicals is then pumped into the well
143 to shatter the rock deep underground. This releases oil and gas which then

144 is caught upon returning up the well. The process causes two major threats
145 to nearby public health and safety - drinking water pollution and ambient
146 air pollution.

147 The industry claims that any chemicals used in the process are not harm-
148 ful to humans and are commonly found materials. According to CBC news,
149 however, these include guar gum, boron, zirconium, titanium, iron, and poly-
150 acrylamide. Additionally, the process releases radioactive chemicals barium
151 and strontium and benzene, a dangerous carcinogen. This becomes problem-
152 atic when well walls fracture and this water and chemical slurry can leach
153 through the ground into drinking water supplies. A staggering figure of 20
154 per cent of wells, though, according to a recent Cornell University study,
155 fracture immediately upon use. Virtually all wells fracture after 30 years of
156 use, and the question is just of when. Furthermore, there are reports of peo-
157 ple being able to light their sink and hose water on fire due to the methane
158 released into the ground.

159 The air pollution caused by hydraulic fracturing is of equal concern to
160 many. According to a March 2012 study by the Colorado School of Pub-
161 lic Health, the fracking process releases benzene, ethylbenzene, toluene, xy-
162 lene, heptane, octane, diethylbenzene, and aliaphatic hydrocarbons. Many
163 of these chemicals have respiratory and neurological effects, others are known
164 carcinogens, and still more cause headaches, nausea, skin rashes, eye irrita-
165 tion, sore throats, and difficulty breathing.

166 As all these public health impacts are focused on the community nearby,

167 and proposed drilling is on traditional Elsipogtog land, it is easy to under-
168 stand why the Mi'kmaq would be opposed. After months of petitioning,
169 rallying, and big-dogging, the indigenous activists and their allies took one
170 last stand to blockade a road and SWN Resources' access to their seismic
171 testing equipment. Months of peaceful protest ended when several hundred
172 mounties raided the camp with armored troop transports and live ammu-
173 nition. Panic ensued, six police cars were torched, and 40 protesters were
174 arrested. Little is known of the actual progression of events, and police claims
175 of finding weapons in the camp have been unsubstantiated.

176 Within 24 hours, as reported by cbc news, over 45 solidarity protests
177 sprung up around Canada highlighting the issues that drove the Elsipogtog
178 blockade. Shannon Houle of the Saddle Lake Cree Nation explained that
179 around the country, protestors stood not just in solidarity with the Mi'kmaq,
180 but the earth and water. The national and provincial governments sought to
181 destroy precious soil and water health on indigenous lands, without approval.
182 The University of Saskatchewan professor Ken Coates explained the 1999
183 Supreme Court decision that "has made it absolutely, unequivocally clear
184 that First Nations people have to be consulted... and accommodated."

185 The Elsipogtog people have become a frontline community battling for
186 maintenance of legal and democratic rights. In their struggle to enforce their
187 treaty rights, they became a microphone for the 62 per cent of Canadians,
188 according to The Vancouver Sun, that support a moratorium on Hydraulic
189 Fracturing. Miles Howe, the primary journalist throughout the protest, re-

190 ported that police attempted to bribe him into becoming an informant, and
191 that over the summer he had seen the RCMP punch women in the mouth,
192 tackle elders, and arrest two women for praying.

193 Despite heavy resistance by indigenous and non-natives alike, SWN En-
194 ergy announced that it had completed its seismic testing and would be re-
195 turning in 2015. Although they only completed 50 per cent of their seismic
196 testing data, it is unclear that they will finish it and it is absolutely clear
197 that they won't release the chemical makeup of their fracking fluids. The
198 Canadian government's actions through this process have been an affront to
199 democracy and indigenous sovereignty. This battle is far from over, and with
200 some luck it will join the 186 other court decisions in the last two decades
201 that have won land-disputes in favor of indigenous Canadians.

202 "You're talking drums and feathers versus assault rifles, tasers
203 and pepper spray... You can't call sending in 200 RCMP with dogs
204 and snipers, attacking protesters, anything other than hostile.
205 They made a direct choice to violate the peace treaty."

206 - Pam Palmater, head of Ryerson's Centre for Indigenous Governance

207 "When you're a First Nations person, you have a strong connection to
208 Mother Earth ... We're very proud of that. To us, it doesn't matter if they
209 drag us around or throw us in jail," says Amy Sock in an interview with
210 the Aboriginal Multi-Media Society, "We have no other choice. We can't
211 trust the government and we can't trust the RCMP to protect us. We have

212 to do it ourselves.” Perhaps the most heartening aspect of the protests is
213 the unfaltering spirit of defiance against a corrupt government that violates
214 sovereign rights. Even today, Indigenous people are fighting to establish their
215 sovereignty, and until each and every battle is won, the world can count on
216 resistance to continue.

217 **2. Closing Thoughts**

218 While united in their struggle to establish the basic human right to clean
219 air and water, these indigenous warriors are further united in their overarch-
220 ing war against marginalization by mainstream society. In a speech given the
221 day before the October 17th RCMP raid, Canadian Prime Minister Stephen
222 Harper glorified the pioneers of their nation who ”forged an independent
223 country where none would have otherwise existed.” Such ignorance is rather
224 reflective of the Western Society he leads. The generally pervasive forgetful-
225 ness of the true original inhabitants of this continent is perhaps the greatest
226 threat to indigenous sovereignty, but with each act of resistance and the abil-
227 ity to build on the legal and cultural victories of the past, sovereignty and
228 nationhood becomes less of a pipe dream each day. Native Americans and
229 First Nations will continue to stand strong, and together define their own
230 future, free of federal oppression.

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