



ENERGY POLICY: House panel to explore energy potential on Indian lands

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Phil Taylor, E&E reporter

The House Subcommittee on Indian and Alaska Native Affairs on Friday will explore ways to spur the development of vast energy potential and jobs on tribal lands.

A key to unlocking that potential is the elimination of federal laws such as the Endangered Species Act that have derailed energy and economic development on tribal lands, according to subcommittee Chairman Don Young (R-Alaska).

Young earlier this year said tribes, as sovereign nations, should not be subject to the same laws that encumber energy production on federal lands, namely ESA, the Clean Air Act and National Environmental Policy Act.

The 20-term congressman and former Natural Resources Committee chairman earlier this year said federal agencies were "double dipping" by conducting duplicative environmental reviews of projects on tribal lands, a concern echoed by many tribal leaders and tribal energy advocates.

"We have so many people involved in these offices, and really, what are they doing? They are implementing regulatory law that is not voted upon that determines how people live," Young said at the time (E&E Daily, Jan. 11).

In addition to standard environmental reviews from agencies including the Interior Department and U.S. EPA, energy projects on tribal lands must often receive real estate appraisals from Interior's Bureau of Indian Affairs, an additional regulatory step that often discourages outside investment.

The roadblocks are problematic considering the size of energy reserves held by the nation's 565 federally recognized American Indian tribes. Interior's Office of Indian Energy and Economic Development estimates tribal lands to contain more than 5 billion barrels of oil and more than 50 billion tons of coal.

Tribal lands could also produce enough wind power to satisfy about 14 percent of U.S. demand, while solar resources on Southwest reservations could generate 4.5 times the energy needed to power the entire United States, according to federal estimates.

"Together these lands contain abundant resources in conventional and renewable energy, in hard rock minerals and aggregates, and in timber, farming, grazing, and fish and wildlife resources," Young said at a recent subcommittee hearing on the BIA budget. "Through responsible development of these resources, tribes and individual Indians are well-positioned to provide good jobs to tribal members and revenues to tribal governments."

The hearing will include testimony from Tex Hall, chairman of Three Affiliated Tribes of the Fort Berthold Reservation, whose reservation is beginning to share in the booming success of the Bakken Shale oil play in North Dakota.

The creation in 2008 of a "one-stop shop" helped streamline oil and gas leasing and production for Fort Berthold's Mandan, Arikara and Hidatsa peoples (Land Letter, July 16, 2009).

The Obama administration's 2012 budget request includes an increase of \$3.5 million for BIA energy projects as part of Interior's "New Energy Frontier." The budget also contains \$1 million for conventional energy development at Fort Berthold and an additional \$500,000 for staff at the one-stop shop.

At the invitation of committee Democrats, the hearing will also include testimony from Neil McCaleb of the Chickasaw Nation. A handful of other tribal leaders have been invited to deliver remarks.

Schedule: The hearing is Friday, April 1, at 11 a.m. in 1324 Longworth.

Witnesses: Tex Hall, chairman of Three Affiliated Tribes of the Fort Berthold Reservation; Neil McCaleb of the Chickasaw Nation; Irene Cuch, member of the business committee, Ute Tribe of Uintah and Ouray Reservation; Ben Shelly, president, Navajo Nation; and Bob Gough, Intertribal Council on Utility Policy.