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Winners Are Few as Forces Clash on Tribal Lands Over Air, Water and Jobs

By [JOHN M. BRODER](#)

BLACK MESA, Ariz. - The gigantic earth-moving crane sits idle, a 5,500-ton behemoth stilled by a legal, cultural and environmental dispute playing out far from the rich vein of coal beneath the desert of remote northeastern [Arizona](#).

The rig, known as a dragline, may never again scrape the earth's surface at the Black Mesa Mine to get at the coal beneath the Hopi and Navajo lands.

Some welcome the idling of the earth-gobbling beast, a symbol, they say, of the rape of the land and precious water below. Others, mostly American Indians who have come to depend on the high-paying jobs at the mine, are furious.

For 35 years, the Black Mesa Mine has produced coal for a power plant in southern Nevada. But it suspended operations at the end of December, ending the jobs of nearly 200 people.

Most of them are members of the Navajo Nation and the Hopi Tribe whose livelihood and dreams depend on work at the mine, jobs that pay as much as \$80,000 a year in wages and benefits, 10 times the average annual income on the reservations.

The mine is ceasing work indefinitely because the sole power plant it supplies, the Mohave Generating Station 273 miles away in Laughlin, Nev., is shutting down under a legal agreement with environmental groups that sued because of repeated pollution violations.

The power plant is owned by four utilities that have balked at paying the estimated \$1 billion in upgrades to comply with the court order and keep the plant operating.

One idled worker is Myrata Cody, 48, a heavy equipment operator at Black Mesa for the last 27 years. She is a Navajo and a single mother, providing support for three children and her aging parents. Her anger at losing her job drives her to tears.

"This income is the only thing I have," she said. "There is no power line to my house, no phone line, no running water. Everybody else has everything at the tip of their hands."

She reserved particular ire for the environmentalists who went after the owners of the power plant to try to stop the thick plume of smoke and noxious chemicals it has poured into the atmosphere for decades. The groups contended that the emissions fouled the air over the Grand Canyon and threatened the health of people who lived downwind.

"All those people protesting for the environmental groups, none of them live up here," Ms. Cody said. "If this plant shuts down, some of us are going to have to leave our elderly parents behind to go find work. Who's going to go out there and check on them, make sure they get their medication? Nobody from the environmental groups, that's for sure."

While many of the players are quick to point to villains - a heartless coal company, out-of-touch environmentalists, air-fouling utilities - the facts are more shaded and complex. The coal company has both exploited and enriched the reservations, the environmental groups are offering other sources of income for the tribes, and the utilities are seeking cleaner energy alternatives to the coal-burning Mohave plant.

The mine is operated by the Peabody Western Coal Company, a subsidiary of the Peabody Energy Corporation, the world's largest coal company, which has made tens of millions of dollars from the Black Mesa mine. But it has also poured millions of dollars into schools, community centers, roads and power lines on the Indian lands of northeastern Arizona, although basic services are still lacking in much of the tribal region.

It provides \$89 million a year in payroll, lease payments, taxes and other benefits to this region, where unemployment among the Hopi and Navajo is nearly 40 percent.

Buck Woodward, the mine manager, called the closing of Black Mesa "a tragedy" that could hinder economic development on the reservations for years.

The environmental groups that sued Southern California Edison and the three other owners of the Mohave Generating Station agreed to give the plant operators six years to comply with the consent decree, which was signed in 1999.

The company was supposed to install scrubbers to clean its smokestacks of sulfur dioxide emissions and negotiate new coal and water supply agreements with Peabody and the tribes. But it decided not to, at least for now, after the original estimate of \$400 million for compliance rose to \$1 billion and it received no assurance that it could recover the cost from customers.

The plaintiffs said that they were willing to discuss an extension of the deadline to preserve the jobs but that the utilities chose not to negotiate.

The environmental groups - the Grand Canyon Trust, the Sierra Club and the National Parks Conservation Association - are also proposing alternative energy sources for the power companies and economic development programs for the tribes to cushion the impact of closing the mine and the power plant.

Roger Clark of the Grand Canyon Trust said Southern California Edison and the other plant owners would be eligible for as much as \$50 million a year in pollution credits

when the Mohave plant closed. He added that the utilities should send some of that money to the Hopi and Navajo as compensation.

The plant owners delayed the needed investment in Mohave in part because they had no assurance that Peabody and the tribes would agree on water and coal issues that would keep a reliable source of fuel coming to the plant over the next 20 years.

Southern California Edison has acknowledged that the Mohave plant is a serious polluter and is seeking cleaner alternatives. This month it announced that it was opening a natural-gas-fueled plant in California to replace two-thirds of the generating capacity lost with Mohave.

And the tribes have fought among themselves for a generation over the wisdom of the coal agreement and the use of the water beneath their lands to transport the coal to Mohave. In an unusual process, the coal is ground into fine particles and mixed with water to form a slurry, which is carried by underground pipeline from Black Mesa to Mohave, where it is dried in large centrifuges and then burned to produce electricity.

The process uses 1.2 billion gallons of water a year from a water table known as the Navajo Aquifer, one of the highest-quality sources of water in the arid West. Some tribal leaders said sacred streams and springs had dried up because of the mine's water use and called its closing an undisguised blessing.

"Peabody has done us a favor by putting us in this situation," said Vernon Masayesva, 66, former Hopi chairman and longtime mine opponent. He said he sympathized with the workers, but added, "It's time for us to cut the umbilical cord to the company store."

Mr. Masayesva said that as a young man in the 1960's he listened to Hopi elders discussing the proposed mining of the coal beneath the Black Mesa, which gets its name from the low-slung pinyon trees that from a distance make the top of the 6,000-foot mesa look black. He said the elders believed that the coal could be of lasting value to the tribe, if mined at the right time, in the right way and for the right purpose.

But Mr. Masayesva said the agreements the Hopi and the Navajo struck with Peabody and the federal government were poor. "We should have waited until we were educated, until we had our own hydrologists, our own engineers, our own lawyers and economists," he said.

He said the mining had been destructive and wasteful, to the land and to the water. "Wasting water is criminal in our culture," he said. "It is the tribe's covenant with the earth, and we broke it."

Last, he said, the coal has been used for the wrong purpose. Rather than enriching the lives of all tribal members and contributing to a sustainable way of life, it is used to light the casinos of Las Vegas and heat the hot tubs of Los Angeles, he said.

"The benefits to the Hopi have been not much and not worth the price," he said. "It's time for us to get aggressive and get smart about our own resources."

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