



Attorneys encourage tribes to find renewable energy projects

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February 13, 2010

KENNEWICK, Wash. - American Indian tribes have considerable opportunities to generate electricity using renewable resources, speakers agreed Tuesday at a regional conference.

"Tribal renewable resources are underrated and underreported," said Bob Gough from the Intertribal Council on Utility Policy, Rosebud, S.D. He was among four speakers during a panel discussion on energy development for tribal economies. The session was among several at the 10th annual Harvesting Clean Energy Conference at the Tri-Cities Convention Center Sunday through Tuesday.

Gough said tribes face many barriers to developing renewable energy projects. He listed transmission and marketing, financing and ownership, plus federal reviews and permit delays.

"Tribes can't use tax incentives," he said.

The best approach is integrating wind generation with hydroelectric power, Gough said, because hydro is the most reliable while wind is the least reliable.

Developing generating capacity can solve a number of tribal problems, he said, such as energy issues, housing needs and employment. The average age among tribal cultures is lower while unemployment generally is higher.

Jim Manion, general manager of Warm Springs Power and Water Enterprises, described how the team concept helped the Confederated Tribes of Warm Springs develop its system, which includes hydro, wind, geothermal and biomass projects. Support from the tribal council is vital, he said, but also important are community support, good legal support, engineering and financing.

It's important that tribes develop generating capacity if they have the renewable resources, Manion said, because energy demand in the United States is projected to increase 30 percent by 2030 to 52 trillion kilowatt hours.

He called renewable energy a sustainable trifecta, or like a three-legged stool. The legs are economic, environmental and social benefits while the seat is employment for tribal members.

"We're managing for future generations here," Manion said. "We don't want to leave a mess for them."

John L. Williams, a Tulsa, Okla., attorney, discussed corporate-tribal partnership and how each party finds a good fit. He mentioned being involved with the mothballed Wanapa project, which would have involved the Confederated Tribes of the Umatilla Indian Reservation building a gas-fired generating plant at the Port of Umatilla in partnership with Williams, a gas pipeline company, and the Eugene Water and Electric Board.

Tribal members, he said, should look for a corporate partner that is financially strong, has expertise in the joint venture, is a good fit with tribal resources and has "some understanding of Indian Country, or at least an open mind."

At the same time, he said, corporations looking for a tribal partner should consider efficiency, predictability and enforceability.

The tribal business structure needs some insulation from tribal politics, John Williams said. Corporate officers also should look at how other tribal deals have worked out.

It's important the partners understand each other.

"Corporate cultures and tribal cultures vary," he said. "Public companies are short-term focused, return-driven. Tribes are long-term focused, considering jobs and development in the tribes' backyard."

Another tribal attorney, J.D. Williams of Portland, said corporations looking for a tribal partner shouldn't think they'll be dealing with neophytes.

"Tribes have more energy expertise than you might think," he said.

Williams, who once worked as a CTUIR attorney, suggested corporate officers start with the U.S. Department of Energy's Tribal Energy Program.

He also suggested tribal bonding capacity is underused and that corporations are wise to employ Indian attorneys for tribal projects.