right to impose severance taxes on companies taking oil and natural gas from the reservation. "The power to tax is an essential attribute of Indian sovereignty," the Court ruled. CERT also assisted in the training of Indian professionals to become full-fledged independent producers. Some tribes established partnerships with existing energy corporations while others formed their own tribally controlled energy-development companies.

This new burst of economic activity did not come without controversy. Many residents of the reservations objected to the environmental damage being caused by accelerated economic development. They argued that such development was leaving reservation lands forever despoiled, the air polluted, and scarce water supplies seriously depleted. Spiritual leaders and traditionalists warned that the wholesale development of energy resources was destroying sacred sites and imperiling the survival of traditional culture. The massive extraction of coal and other resources from the depths of the earth was the way of the white man, some said, not the Indian way. One Hopi traditionalist put it this way:

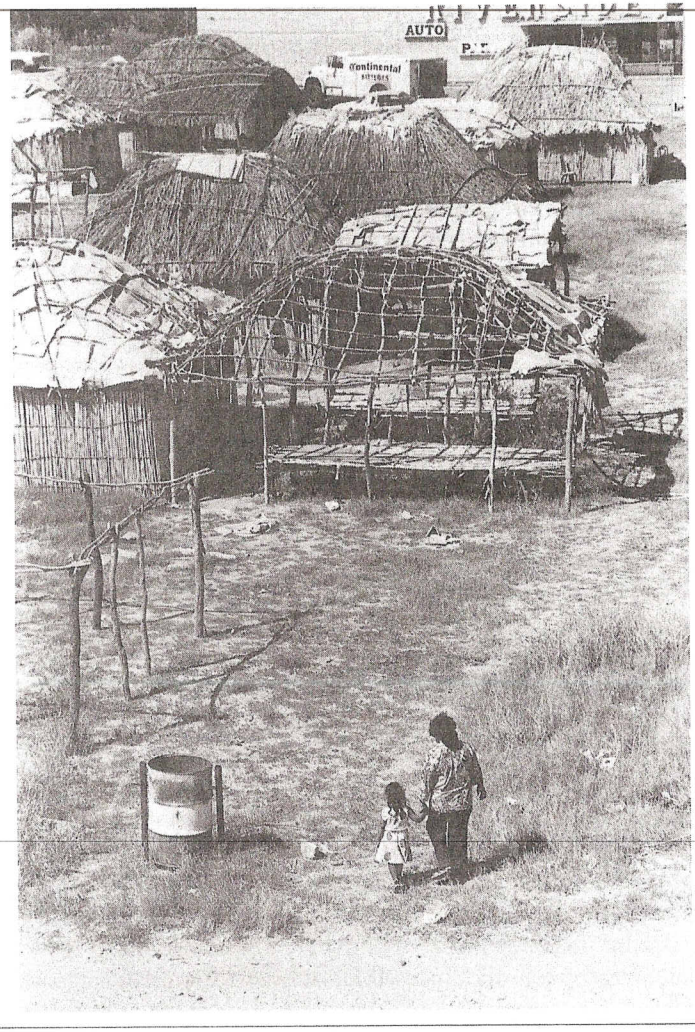
> The white man's desire for material possessions and power has blinded him to the pain he has caused Mother Earth by his quest for what he calls natural resources. And the path of the Great Spirit has become difficult to see by almost all men, even by many Indians who have chosen instead to follow the path of the white man.

The controversy was intense in the area known as the Four Corners region where the states of Arizona, New Mexico, Colorado, and Utah meet. Here was Black Mesa, beneath which lay the nation's richest vein of high-grade, low-sulphur coal. Here, too, was the nation's largest concentration of Native Americans. Both the Navajo and Hopi tribal councils had signed leasing agreements with corporations for the strip-mining of coal on Black Mesa. They also had agreed to the construction of huge coal-fired power plants that generated electricity for the far away cities of Los Angeles, Las Vegas, Phoenix, and Tucson. The leases produced millions of dollars of revenue for the tribes, but also caused significant environmental damage. Strip-mining meant the removal of multiple layers of earth; once the coal was removed, a huge open pit remained. The refining and transporting of the coal required enormous quantities of water, and the burning of the refined coal polluted the air. The environmental damage caused to the area led the federal government to suggest that the Four Corners region be designated a "National Sacrifice Area." Navajo traditionalists and others vehemently objected to the sacrifice of their homeland. Black Mesa, to them, was sacred. "I don't know the white man's ways," said one Navajo elder, "but to us the Mesa, the air, the water, are Holy Elements. We pray to these Holy Elements in order for our people to flourish and perpetuate the well-being of each generation."

The power plants in the Four Corners region produced a pall of yellow-gray haze that covered more than 10,000 square miles. Residents of this vast area were doomed to breathe air laden with a mixture of lead, mercury, sulfuric acid, and other toxic chemicals. Hopi traditionalists complained that their view of the mountains of the *Kachinas*, the San Francisco Peaks north of Flagstaff, was "entirely smudged out." The Sun Watcher at the village of Shongopovi could no longer observe the exact moment of sunrise by which he set the dates for seasonal religious ceremonies. Traditionalists on the Hopi reservation in 1974 challenged the legality of contracts signed by their tribal council for the strip-mining of Black Mesa. Three years later, the Council of Energy Resource Tribes offered legal assistance to the Northern Cheyennes to halt construction of a coal-fired power plant on their reservation in Montana. The Northern Cheyennes were convinced that the plant would cause a significant deterioration in air quality and change their homeland forever. CERT agreed, maintaining that economic development should be balanced by concern for the environment and must be "compatible with tribal cultural values."

The depletion of water supplies was also a serious concern for residents of the Four Corners region. Beginning in the early 1970s, the Peabody Coal Company started pumping more than a billion gallons of water each year from underground aquifers on the Hopi and Navajo reservations. The water was used to transport pulverized coal along a 270-mile slurry line to a power plant in southern Nevada. By the early 1990s, more than twenty billion gallons of underground water had been removed. Hopi and Navajo farmers complained that the groundwater pumping had dried up springs and wells throughout the region, threatening their survival. "The issue here is a culture—the survival of a culture," said Hopi tribal chairman Vernon Massayesva in 1993. "We have no other source of drinking water, and any significant depletion of our groundwater could spell doom for our tribe." The following year, the Peabody Coal Company announced that it would consider using "economically feasible" alternative sources for its slurry operations.

EVEN AS ISSUES OF ECONOMIC DEVELOPMENT AND ENVIRONMENTAL PROTECTION DOMINATED INDIAN AFFAIRS DURING THE LATE 1970S, MANY NATIVE PEOPLE REMAINED IN POVERTY. SHOWN HERE IS A MAKESHIFT VILLAGE OF THE TRADITIONAL KICKAPOO TRIBE ON AN ACRE OF BARREN GROUND NEAR EAGLE PASS, TEXAS, IN NOVEMBER 1980. THE TEMPORARY SHELTERS WERE MADE OF CANE, RIVER REED, AND CARDBOARD. TRIBAL LEADERS SOUGHT FEDERAL RECOGNITION AND LAND FOR A PERMANENT SETTLEMENT.



Similar conflicts over water occurred throughout the western states in the last quarter of the twentieth century. Energy corporations and agribusiness interests often found themselves in conflict with Native Americans over access to the region's scarce water resources. The importance of the issue was underscored in 1978 by Frank Tenorio, Governor of the San Felipe Pueblo:

> There has been a lot said about the sacredness of our land which is our body; and the values of our culture which is our soul; but water is the blood of our tribes, and if its life-giving flow is stopped, or it is polluted, all else will die and the many thousands of years of our communal existence will come to an end.

Dozens of tribes—including the Arapahos, Zunis, Osages, Utes, and Pawnees—battled to regain or preserve tribal water rights. The tribes filed over fifty lawsuits in state and federal courts during the 1970s and 1980s, challenging the water diversions of cities, farmers, and energy corporations. At issue was the interpretation and application of a fundamental principle, established in the landmark case of *Winters v. United States* (1908), that Indian tribes had a "prior and paramount right" to adequate water resources to satisfy the present and future needs of their reservations. One of the most protracted struggles pitted the Paiute tribe of western Nevada against the Newlands Reclamation Project and its diversions of water from the Truckee River. The diversions caused Pyramid Lake to shrink dramatically, thus reducing the fish population upon which the Paiutes depended for their livelihood. In 1981, after years of litigation, a federal court upheld the tribe's right to sufficient water for the maintenance of its fisheries. Ten years later the Paiutes were engaged in a similar struggle over the shrinking waters of nearby Walker Lake.

The conflict between economic development and environmental protection was especially intense in areas rich in uranium. The Black Hills region—extending over parts of Montana, Wyoming, and North and South Dakota—had enormous uranium resources. The region also was the home of the nation's second-largest concentration of Native Americans, including the Sioux, Shoshones, Arapahos, Crows, and Northern Cheyennes. By the late 1970s, the extraction of uranium by dozens of energy companies had left portions of the Black Hills region contaminated with high levels of radiation and littered with tailings from open-pit mines. The Department of the Interior reported in 1979 that contamination in some areas was "well beyond