

Native Americans' Concerns of the Atlantic Coast Pipeline

By Karine Martel

The Cow Knob Salamander is an endangered species that makes its habitat in the rugged Appalachian Mountains in western Virginia. The Atlantic Coast Pipeline, a proposed 550-mile natural gas pipeline which would run through West Virginia to North Carolina, was set to cut through its natural habitat. In October of 2015, Dominion, the main owners of the pipeline, proposed a route change in order to protect the salamander and its habitat.

One state further south, Native American Tribes in North Carolina are beginning to review plans for the same pipeline proposed to cut straight through or near their communities. Much like the Cow Knob Salamander, these North Carolina Tribes' homelands are threatened by this pipeline. However, no one is expecting that Dominion will make any route alterations to protect these Indigenous Peoples' homelands.

For most Native Americans, being connected to their tribal lands constitutes a significant part of their identity as a Native person. Many assimilation efforts by the federal government in the past have focused on removing lands from Native Americans' possession, in order to break down their identity. Despite these efforts, Native Peoples have held on to significantly diminished pieces of their homelands, many of which are still at risk; this time from big business.

If approved by the Federal Energy Regulatory Commission (FERC), Dominion's Atlantic Coast Pipeline would run through counties that are home to 3 of the 8 state-recognized Tribes in North Carolina: The Haliwa-Saponi Indian Tribe, the Coharie Tribe and the Lumbee Tribe of North Carolina.

The pipeline would begin its course in North Carolina through Northampton County. It would then pass through the Halifax, Nash, Wilson, Johnson and Cumberland Counties before ending in Robeson County. The current route for the pipeline shows it running right near Haliwa-

Saponi Lands in Halifax County, as well as near Coharie territory in Sampson County. The pipeline's route is also set to run directly through Lumbee tribal lands in Robeson County, while also impacting many Lumbee tribal members living in Cumberland County.

“There are 100 counties in North Carolina, but 50% of the counties (4 out of 8) which the pipeline will go through have a large indigenous population,” said Ericka Faircloth, a Lumbee Indian who serves as the Water and Energy Justice Coordinator with Clean Water for NC. “It does seem like it is very disproportionate,” said Faircloth.

Impacts on Tribal Waters and Lands

By now, Native Americans are all too familiar with threats to their homelands. “We have had to ‘buy’ our land three times,” said Daniel Locklear, Chairman of newly-formed Environmental Justice Committee within the North Carolina Commission of Indian Affairs (NCCIA).

For Native Peoples, land loss can have greater implications beyond face value. “When your tribal identity is linked to specific and sacred lands and waters, you can only lose so much of those places before your tribal identity suffers so much loss,” said Dr. Ryan Emanuel, a Lumbee environmental scientist at North Carolina State University and a member of the Environmental Justice Committee of the Commission of Indian Affairs.

These ideas resonate with Phillip Bell, Coordinator of the Great Coharie River Initiative. “The Great Coharie River is the heartbeat of the Coharie”, said Bell. While the pipeline will not run directly through Coharie Lands, it risks still impacting the Coharie River.

“If you look at where the pipeline will run, it crosses streams that go into our river”, said Bell. “The construction of the pipeline makes these waterways more vulnerable to change, since it removes these streams’ canopies and buffers which serve as natural filters, preventing pollutants from entering the water”, explained Bell.

Similar concerns come up regarding the Lumber River, also known as the Lumbee River, an important river to the Lumbee People from which their name originates. “The pipeline is going to be within the Lumber River watershed, so all environmental impacts related to water within the watershed will make themselves to the Lumber river,” explained Emanuel. “The biggest concerns are the environmental impacts that will occur during construction,” he said.

Bodies of water within Lumbee territory are especially vulnerable to new changes. “The area in which the Lumbee live in is an area of considerable ‘lowlands’, which mean that the water table is not very deep below the surface,” explained Townsend. “Unless extraordinary precautions are adhered to, damages from erosion can impact the drinking water, wildlife, agriculture, and other environmental concerns of tribal members,” worries Townsend.

While Haliwa-Saponi lands may not directly be affected by the proposed pipeline, Tribal Officials are worried about protecting their traditional and historical lands. Haliwa-Saponi Tribal Administrator Archie Lynch is wondering whether the pipeline will impact traditional Haliwa-Saponi lands that are not directly located within Haliwa-Saponi territory. “One of our major concerns is whether this pipeline will run through historical burial grounds,” he said. “Our Tribe is in the process of determining if this will be the case.”

For the Lumbee, the pipeline is set to run directly within their community and end near Pembroke, NC. “Our biggest concerns are to keep our familial lands, because land is a major component of Indian Country,” said Locklear.

Larry Townsend, Lumbee Tribal Council Member, said the general consensus is that all tribes are concerned about the environmental impacts to land, water, and wildlife. “We have no choice but to protect Mother Earth,” he stated.

Jobs for Tribal Members

While preserving traditional homelands may be a priority to some Native Peoples, other interests also emerge. “Just because we are Indian, that doesn’t mean we do not have certain expectations and economic interests,” said Lynch.

In today’s society, tribal leaders face the difficult task of balancing the needs of their tribal members, as well as the preservation of their homelands. “I like the open space and the quiet. That’s why I came back home. But at the same time my job is to create jobs for the Haliwa-Saponi,” said Lynch.

Similar concerns have been brought up in the Coharie community. According to Bell, most Coharie tribal members are wondering whether they will be hired for construction. He says tribal members are also asking whether this pipeline will provide any economic benefits once it is in place, such as reducing natural gas prices. For often disadvantaged tribal members, this project is seen by many as an opportunity to increase their economic standing.

The construction of the pipeline will inevitably bring new jobs to the area, but most will be temporary construction jobs. Plus, this number might be skewed.

Dominion considers not just the direct jobs from construction positions, but jobs resulting from increased traffic during construction, many of which will be temporary, according to Faircloth. “They will bring a lot of people from out-of-state to do this kind of specialized construction work,” she adds.

While this pipeline may promise temporary construction jobs, these may not necessarily be healthy jobs. “People should consider whether these jobs are dangerous or not, and whether they can affect their long-term health,” said Faircloth. But for many tribal members in these communities, finding well-paying jobs may take precedence over considering long-term health impacts.

The most obvious health concerns however, are potential leaks and explosions from the pipeline. While natural gas leaks are only dangerous when they occur in enclosed spaces, these leaks can lead to explosions. On average, about 27 serious incidents, 45 injuries and 9 deaths are reported each year from natural gas, according to the Department of Transportation. “These pipelines are pretty safe, but they are carrying highly flammable materials,” said Emanuel.

As an environmental scientist Emanuel is mostly worried that continuing to invest in natural gas infrastructure will contribute to greater climate change. Natural gas has large amounts of methane, a significant contributor to global warming. When pipeline leaks occur, the methane released accumulates in the atmosphere, where it is about 30 times more potent at trapping heat than carbon dioxide.

“Natural gas was meant to act as a bridge fuel between coal and renewable energy,” said Emanuel. “It seems less genuine to put long-term investment in something short term.” There already exists 2.1 million miles of natural gas pipelines in the United States, and companies like Dominion are continuing to invest in more infrastructure.

Moving forward

For some, the pipeline is inevitable, but they hope to be as involved as possible to control its outcomes. “If Dominion is going to build the pipeline anyways, we might as well be close with them and make sure we have a say in how it is done, so that we get the best deal out of it,” said Lynch.

But in a world where money speaks, some feel disempowered. Daniel Locklear is concerned that money will buy a lot of the potential concerns coming from Native American Nations, especially considering the wealth of companies such as Dominion.

While the odds may be stacked against these Tribes, many remain hopeful. “Part of the reason why these companies place these pipelines in these communities is because they don’t expect

people to have the means to organize and fight back,” said Faircloth. She believes Tribes should view this as an opportunity to come out with strong positions on the pipeline.

While none of these three Tribal Governments have made any formal statements of support or opposition of the pipeline, there is an undeniable desire for the tribes to protect their tribal territories and the best interest of their tribal citizens. The biggest challenge to Tribal Nations however, may not be formulating a response to the pipeline, but their status as non-federally recognized Tribes. “Tribes that are not federally recognized are especially vulnerable to these issues, because they are limited in their ability to negotiate,” said Emanuel.

A consultation system exists between Native American Tribes and The Federal Energy Regulatory Commission (FERC), the federal department who ultimately approves energy projects such as the proposed Atlantic Coast Pipeline. The Tribal Liaison for the FERC, Elizabeth Molloy, conveys tribal concerns to the FERC while teaching Tribes how certain energy projects will affect them.

But because the FERC is a federal agency, and these three Tribes affected by the proposed pipeline are not federally recognized, they fall out of the mandate of the FERC’s Tribal Liaison.

As of now, the majority of tribal members are not aware of this pipeline or its potential impacts to their tribal lands. Tribal leaders are still looking at maps and determining how the pipeline will impact their communities and their lands. But with construction planned to begin in the Fall of 2016, if Tribes take too long it may be too late to voice their concerns.

For Native Americans who have fought to preserve their tribal lands for decades, this is not their first battle, and it likely won’t be the last. “We are defined by the land and the water, and when you start to break it up, change it, and transform it in major ways, a culture rooted in this place has nowhere to go,” said Emanuel. “This is yet another effort to get rid of us.”

To voice your opinion regarding the Atlantic Coast Pipeline, send a message to the FERC at:

Kimberly Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426