

# Tribal environmental director: 'We are not equipped' for N.D. oil boom

 [america.aljazeera.com/watch/shows/america-tonight/articles/2015/5/16/tribal-environmental-director-we-are-not-equipped-for-nd-oil-boom.html](http://america.aljazeera.com/watch/shows/america-tonight/articles/2015/5/16/tribal-environmental-director-we-are-not-equipped-for-nd-oil-boom.html)

FORT BERTHOLD INDIAN RESERVATION, North Dakota – Be it crude oil, fracking fluids or human waste, Edmund Baker figures his small team responds to at least one spill a day.

"Sometimes, we'll have three in a day," said Baker, the environmental director for the Mandan, Hidatsa and Arikara tribes, also known as MHA Nation. "Sometimes, we'll have a major incident on the weekend."

Baker has only six field officers responsible for monitoring more than 1,300 oil wells scattered across more than [1,500 square miles](#) of reservation. Those wells pump out more than 386,000 barrels of oil every day, accounting for a third of all oil produced in North Dakota – the nation's No. 2 oil producer.

"I'll just come out and admit it: We can't handle it right now," he said. "We are not equipped. We are not staffed ... You need competent people, you need people who are not only scientifically equipped, you need people who know how to understand the law, and enforce the law and hold companies accountable."

With so few environmental regulators patrolling the rural reservation, the tribes are paying a high price for the oil boom – the threat of their land being poisoned by the oil industry.

Baker said MHA Nation has power over environmental regulations on the reservation, but that the previous tribal administration had been too conciliatory toward the oil industry. Six months into a new administration, environmental activists say serious problems persist.

## Big dreams, broken pipelines

MHA Nation's land used to be filled with cattle ranchers, but over the past seven years, the reservation has found itself at the heart of North Dakota's oil boom. Hydraulic fracturing, or fracking, has transformed the rolling hills of cattle country into what now looks like an industrial zone.

The mineral leases offered by the oil industry brought sudden wealth to some of the 14,000 members of MHA Nation. Since fracking took off in 2008, the tribes have collected hundreds of millions of dollars in oil money, but most of the wealth flowed to those who owned property with oil under it.

Life for many of the rest remains bleak. Poverty and health problems are rampant. Average life expectancy is below 60.

This boom took off too fast. We weren't prepared for it. The federal government wasn't prepared for it. The state wasn't prepared. The only entity that was ready was the oil industry. They knew exactly what they were going to do, exactly what they wanted and how they were going to do it.

Richard Crow's Heart Jr., who spent 12 years working in the oil industry and is now an environmental activist, resisted the temptation to sell his land for oil exploration.

"Working out in a well field, I had a good idea what it's going to cause just by me endorsing that piece of paper," said Crow's Heart, who added that many landowners had no idea what the oil industry could do to the land. "And I said, 'No, I can't do that.'"

The worst spill on the reservation happened in July around Bear Den Creek, when 1 million gallons of brine – a saltwater byproduct of fracking – poured from a broken pipeline.

"What I see is destruction to our environment, destruction to our life," he said. "All because of greed; a dollar bill. And to me, a dollar bill is not worth what I see here."

## **'A quick buck'**

North Dakota's fracking industry has grown up in and around the state's cattle country.  
America Tonight

The new chairman of MHA Nation worries this will be an ongoing problem.

"Some of these pipes were put into place too soon, too fast – prior to my administration," said Mark Fox. "The integrity is questionable in many areas."

Elected in November on a reformist platform, Fox says pipeline companies have little incentive to build high-quality structures.

"This boom took off too fast," Fox said. "We weren't prepared for it. The federal government wasn't prepared for it. The state wasn't prepared. The only entity that was ready was the oil industry. They knew exactly what they were going to do, exactly what they wanted and how they were going to do it."

Much of the oil development has taken place in Mandaree, a traditional community of 600, where Lisa and Walter Deville have lived their entire lives.

A cleanup crew works on remediating a brine spill in North Dakota.

"Why aren't our roads being fixed?" she said. "All these trucks drive on our roads. We have big, huge potholes. Nobody's doing anything about it. I have a family of four that got killed right out on [Route] 22 here, and they were crushed by a truck driver who fell asleep."

Around the clock, tractor-trailers can be spotted heading down the reservation's country roads. Residents say it's not just a traffic hazard, as some of the toxic waste meant for proper disposal fails to make it off the reservation.

"This morning, about 9 o'clock, I got a call from my chief compliance," he said, noting that the car-sized spill of black material looked like sludge from the bottom of a tank. "It's not making them any money to go all the way off the reservation to where the hazardous waste disposals are. It's easier just to dump it right here, where nobody's looking."

## **'Every day, there's a spill'**

Truckers know that environmental officers aren't patrolling on weekends or at night, so the odds of being caught are pretty low, he said.

Earlier this month, Walter Deville recorded a sanitation truck at a remote spot near Lake Sakakawea.

"When I saw the vehicle I was like, 'Why is he down there? What is he doing?'" he said. "He's obviously doing something that he's not supposed to be doing. He's dumping."

Walter Deville grabbed his phone and started recording video.

Edmund Baker, the environmental director for the MHA Nation, says he doesn't know the state

of the aquifers on the Fort Berthold Indian Reservation after the start of the fracking boom.  
America Tonight

"I asked him what he was doing, and he basically confessed to me that he was dumping," he said."

The company's owner told a local newspaper that he had permission to release wastewater there, but the landowner said her family had given no such permission.

Local activists say the oil industry is getting what amounts to a free pass from environmental regulation. Despite the daily spills and dumping incidents his team reacts to, Edmund Baker, MHA Nation's environmental director, says he has issued only two fines.

If his division had more staff with a better grasp of environmental regulations, he estimates that his office would issue at least one fine a week.

Fox, the new chairman of MHA Nation, said he told Edmund Baker that he can have whatever he needs to carry out more environmental regulation, but their efforts are just getting started.

Fox said the tribal government's structure limits how much influence he can have on environmental protection. He gets only one vote out of seven on the tribal council.

"We're restructuring, we're changing," Fox said of the tribal government. "The changes are not going to happen overnight. I've got to find personnel first."

Ironically, what may help efforts to bolster environmental enforcement is the drop in oil prices, which have fallen by nearly half over the past year. Lower demand for crude could give MHA Nation some breathing room to get control over the liquid wealth beneath its land.

"If we're going to sell this valuable oil out of the ground ... 30 years from now, our standard of living for our people should be greatly elevated, for all of our people," Fox said. "We should be doing things to eradicate poverty and crime and health disparities. That's what this oil should represent. And if we can't do that, then it's better off leaving it in the ground."

[Load More](#)