

**Testimony of Sheldon King on Behalf of the Northern Cheyenne Tribe Before
the State of Washington Utilities and Transportation Commission**

Docket UE-161036

November 8, 2017

Thank you for this opportunity. My name is Sheldon King. I am an elected member of the Northern Cheyenne Tribal Council, which is the governing body of the Northern Cheyenne Tribe. The Tribe is federally-recognized with traditional territory that includes the Powder River and Tongue River Basins in Montana and Wyoming. The Northern Cheyenne Reservation is approximately 450,000 acres. It is located in southeast Montana along the Tongue River, approximately 14 miles south of the town of Colstrip, Montana.

I provide this testimony on behalf of myself and the Northern Cheyenne Tribal Council. As I will briefly explain today, in the event the Colstrip Power Plant is closed, **hundreds** of Tribal members would lose their jobs. For that reason, impact funding should be provided to the Tribe for economic development, retraining, and job placement. With this testimony, I submit a resolution from my Tribal Council expressing unanimous support for such funding.

In the 1970s and 1980s, the development of the Colstrip coal-fired power plant was a major concern for my Tribe. The Tribe was concerned that the facility would have significant adverse impacts on air quality and the natural environment on the Reservation and would interfere with the traditional way of life that the Tribe has fought to preserve for centuries. These concerns led NCT to become the first tribe in the United States to reclassify a reservation as a Class 1 air shed pursuant to the federal Clean Air Act.

These concerns also led to the establishment of an air quality monitoring program on the Reservation funded pursuant to a contract with the owners of the Colstrip facility. Currently, this funding is used to operate three air monitoring sites near the northern border of the Reservation. These facilities help the Tribe to implement and enforce air quality laws on the Reservation, and also provide skilled employment opportunities for Tribal members.

When the Colstrip facility was being developed, the Tribe's leaders were also concerned that the Reservation community would suffer from adverse socioeconomic consequences of energy development while being unable to capture

many of the economic benefits of energy development in the region. These concerns were addressed in part by the adoption of employment preferences at the Colstrip facility, which provide enhanced employment opportunities to Northern Cheyenne Tribal members. Today, approximately 51 employees at the Colstrip facility are Northern Cheyenne members, and about 65 Tribal members are employed at the Rosebud Mine adjacent to the Colstrip facility. Put another way, approximately **18% or about 1 in every 5 jobs of Northern Cheyenne Tribal members would be lost** if the Colstrip facility closes. Such a loss would be devastating to our underprivileged community.

Terrible economic conditions persist on our Reservation. Our Reservation is located in Rosebud and Bighorn Counties. Neither County has much wealth. However, it is much worse on the Reservation portions of those counties. For example, the average income per person and median household income on the Reservation are only about half of that in the non-Reservation portion of Rosebud County, Montana. The poverty rate on the Reservation is almost **35 percent** while the poverty rate in the non-Reservation portions of the County is only nine percent, and the unemployment rate on the Reservation is nearly **14 times** the unemployment rate in the off-Reservation portion of the County. These great disparities are in large part due to the lack of job opportunities on the Reservation. Despite an out of date housing stock, it is not uncommon for a dozen people to live in one household which depends on the earnings of one, primary breadwinner. As a result, for every Colstrip job lost, many people on our Reservation will suffer.

In sum, our difficult economic circumstances will be significantly magnified if the Colstrip facility is closed, Tribal members who have employment relating to that facility are displaced, and Tribal programs funded by the Colstrip owners are terminated.

To address this situation, the Tribe is currently developing an economic transition plan for the Reservation. For example, we are pursuing sustainable energy enterprises. According to maps validated by the National Renewable Energy Laboratory, or "NREL," the Reservation has a potential of about 4 GW of wind generation potential. Similarly, the NREL National Solar Radiation Database shows a strong solar energy potential throughout the Reservation. Forest management efforts that reduce wildfire risks and improve forest health on the Reservation and at the nearby Custer National Forest also generate wood waste biomass fuel that could support a biomass energy facility on the Reservation. The Reservation's proximity to the energy transmission infrastructure currently utilized

by the Colstrip facility makes it feasible to sell sustainable energy generated on the Reservation to markets throughout the west.

The Tribe is working to develop new workforce training programs on the Reservation, including a program to train Tribal members to conduct energy efficiency audits and install energy efficiency improvements and rooftop solar equipment on structures within the Reservation. This program would allow Tribal members who are currently employed at the Colstrip facility to develop new job skills while furthering the Tribe's goals of improving energy efficiency and reducing the high energy costs that are a significant economic burden to Tribal members. Our accredited community college, Chief Dull Knife College, has an existing vocation program it could expand to include energy-related vocational programs.

For the reasons detailed above, the Northern Cheyenne Tribal Council calls on the Washington State Utilities and Transportation Committee and the Colstrip owners to commit to a community transition plan that includes measures to support the Northern Cheyenne Tribe's efforts to provide for economic development on the Reservation and address lost Tribal jobs and programs that would result in the event of Colstrip's shutdown. This could include transitioning the Reservation economy to sustainable energy development. Additionally, the community transition plan must ensure that the Colstrip owners allocate sufficient funds to the remediation of pollution caused by Colstrip operations, including complete cleanup of the toxic coal ash waste sites and ponds and any contamination of groundwater and surface resources within the Tribe's traditional territories, and offer a proportional share of the cleanup jobs to Northern Cheyenne Tribal members.

Thank you.