States and Tribes: Building New Traditions

Sustainable Development
State and Tribal Initiatives
The National Conference of State Legislatures is the bipartisan organization that serves the legislators and staffs of the states, commonwealths and territories.

NCSL provides research, technical assistance and opportunities for policymakers to exchange ideas on the most pressing state issues and is an effective and respected advocate for the interests of the states in the American federal system. Its objectives are:

- To improve the quality and effectiveness of state legislatures.
- To promote policy innovation and communication among state legislatures.
- To ensure state legislatures a strong, cohesive voice in the federal system.

The Conference operates from offices in Denver, Colorado, and Washington, D.C.
Sustainable Development

By Sia Davis

Introduction

For generations, indigenous people worldwide have believed that any decisions they make should take into consideration the effects on future descendants—the next seven generations. This “seventh generation” philosophy currently is garnering more attention in regard to sustainable development. Societies worldwide are addressing issues such as deterioration of the environment, diminishing natural resources, energy shortages, pollution, growing populations and traffic congestion, among others.

In 1987, a United Nations commission studied the effects of development on populations worldwide and provided its definition of sustainability, which has become the most commonly used definition and wholly reflects the seventh generation philosophy that many American Indian and Alaska Natives have held for centuries:

A sustainable society meets the needs of the present without sacrificing the ability of future generations to meet their own needs.
—The World Commission on Environment and Development

Concern about the lifestyle future generations will face has prompted the need to develop sustainability planning and development in communities nationwide. Sustainable development—sometimes considered to pertain only to the environment—also includes societal and economic factors. In addressing sustainability, obvious issues come to mind—climate change, water conservation, waste management and land use. Less obvious, yet relevant, issues to consider that affect everyday life include poverty, transportation, consumerism, human health, agriculture, housing and education.

Because only 5 percent of the earth’s population reside in the United States—yet consumes enormous amounts of energy—and because the population is forecast to continue increasing, a handful of states and American Indian tribes have experimented with implementing sustainable development practices to ensure a future for their citizens.

National Sustainability Initiatives

In the early 1990s, the United States developed recommendations for a national, sustainable development strategy through the President’s Council for Sustainable Development under President Bill Clinton. The council published several reports detailing a strategic plan to address climate change, environmental management and sustainable community development. The reports concluded that, to meet the needs of the present and to ensure that future generations have the same opportunities, the nation would need to change from a state of conflict to one
of collaboration and to adopt the principles of stewardship and individual responsibility. In addition, for the country to achieve full sustainable development, there would need to be an increase in jobs, productivity, wages, savings and education. Conversely, there would need to be a decrease in pollution, waste and poverty. The recommendations in the reports were aimed not only at government, but also at the private sector and citizens.

The goals and vision of the national plan, listed in one of the reports, included:

- Healthy Environment
- Economic Prosperity
- Equity
- Conservation of Nature
- Stewardship
- Sustainable Communities
- Civic Engagement
- Population Stabilization
- International Responsibility
- Education

*Our vision is of a life-sustaining Earth. We are committed to the achievement of a dignified, peaceful and equitable existence. A sustainable United States will have a growing economy that provides equitable opportunities for satisfying livelihoods and a safe, healthy, high quality of life for current and future generations. Our nation will protect its environment, its natural resource base, and the functions and viability of natural systems on which all life depends.*

—The President’s Council on Sustainable Development, 1996

Since these initial reports were issued, little activity has taken place to actually implement a national sustainability plan, although the U.S. delegation to the United Nations’ Commission on Sustainable Development continues and reports intermittently. State-level activity, however, has occurred across the country—most notably in Oregon, Hawaii, Washington and Minnesota.

**Oregon**

Oregon currently leads the nation in sustainability planning. The state has long spearheaded environmental issues, beginning in the 1960s with the enactment of one of the nation’s most progressive land-use laws that helped control urban expansion and conserve land. At the same time, the Land Conservation and Development Commission, was established to supervise growth and development within the state. Oregon’s Legislature reached another environmental milestone in 1971 with passage of the “bottle bill”—the nation’s first mandatory bottle deposit law—aimed at reducing litter. In addition to the innovative legislation on land-use and solid waste recycling, the state also addressed wetlands protection and transportation. By the late 1990s, implementation of Oregon’s sustainability plan was under way and an Environmental Stewardship Plan Committee was formed to build upon the existing success.
The Oregon Sustainability Act

In 2001 the state’s overall sustainability policy was adopted with the goal of reaching sustainability by 2025. Oregon Governor John Kitzhaber signed an executive order that called for development and implementation of sustainability policies within all state government offices. The underlying premise was for state agencies to lead by example to address and improve its internal operations as a step toward sustainability and, subsequently, Oregon citizens would begin to participate. The order included its own sustainability definition:

*Sustainability means using, developing and protecting resources at a rate and in a manner that enables people to meet their current needs and also provides that future generations can meet their own needs. Sustainability requires simultaneously meeting environmental, economic and community needs.*

Several objectives and procedures were outlined in the order, including:

- Employing the knowledge, expertise and creativity of Oregon’s citizens in developing solutions;
- Increasing the efficiency with which energy, water, material resources and land are used;
- Reducing the release of harmful substances into the air, water and land and reducing adverse impacts on natural habitats and species;
- Building upon existing efforts throughout the state to ensure efficient and complementary results;
- Collaborating and cooperating to remove barriers and find solutions;
- Developing voluntary, incentive-based and performance-oriented systems to supplement traditional regulatory approaches;
- Understanding the full costs and benefits of possible actions to ensure that decisions are fully informed; and
- Establishing clear, measurable goals and targets.

In 2003, an executive order, executed by current Governor Ted Kulongoski continued Oregon’s commitment to sustainability. The previously established Oregon Sustainability Board would continue to serve within the governor’s office, and the Department of Higher Education was instructed to develop a sustainability plan for Oregon’s university system. The board also issued its report, *A Sustainable Oregon for the 21st Century*, which instructed state agencies to identify three sustainability-related actions to undertake and provided guidance on how to develop the plans, as well as training, support and review.

**State Agency Programs**

In its 2005 report to the Legislature, the sustainability board outlined several successful sustainability projects.
• The Oregon Department of Energy and the Department of Administrative Services implemented a program that reduced the use of electricity and gas in their buildings by 17 percent between 2000 and 2003, saving approximately $1 million.

• By implementing the electronic filing of returns, the Department of Revenue has reduced paper use by 6 tons. In addition, their use of electronic fund transfers instead of paper checks has resulted in a 37 percent savings in paper and in postage since 2002.

• Renewable energy sources are in use within the Department of Corrections. Solar heating panels were installed at an eastern Oregon correctional facility to heat water, and a similar system is planned for the Snake River Correctional Institution. Savings are estimated at $10,000 per year. Other facilities are heating water with geothermal energy systems instead of propane water heaters, saving approximately $70,000 a year.

Twenty of the state’s largest agencies (including Corrections, Energy, Housing, Human Services, Parks and Recreation, and Public Utilities and Transportation) have sustainability plans that include performance measures. All Oregon state agency sustainability plans can be viewed at www.sustainableoregon.net/agency. Other statewide initiatives include the following.

• **G-Rated.** Green-Rated is a company that offers assistance to the development and building community (including homeowners) to promote “green” building practices. Technical assistance and grants are available to implement resource-efficient building and sustainable site design practices.

• **Salmon Habitat Recovery Plan.** A committee consisting of members of the Nez Perce tribe, Wallowa County citizens and agency personnel was established in 1992 to restore and maintain the habitat of the Chinook salmon and improve watershed conditions. Current projects include wetlands restoration, pollution reduction and erosion control.

• **The Bicycle Transportation Alliance (BTA).** Formed in 1990, the alliance creates healthy, sustainable communities by making bicycling safer, convenient and accessible. By involving local businesses, community groups and government agencies, communities are created where people can meet their daily transportation needs on a bike. The BTA works to improve bicycling conditions in Oregon and southwestern Washington.

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**Higher Education Takes on Sustainability**

To comply with the state’s executive orders, the University of Oregon has vowed to maintain its campus while preserving the rights of future generations. The university’s faculty and employees take environmental responsibility into account when making decisions that involve university practices. Students also are involved and receive education about environmental policy. Policies that have been implemented include a recycling program (that won a national Outstanding School Recycling Program award) and telecommuting for university employees. The university also maintains a sustainability database that outlines more than 50 programs that currently are in effect to help ensure a sustainable future for the campus and the surrounding community.
Sustainable Communities Northwest (SCNW). With a mission to promote affordable housing that is both economical and environmentally friendly, SCNW constructs or renovates using energy- and water-saving products and “green” building materials. Operating under the belief that a sustainable community is a self-reliant community, SCNW projects can instill tenants with a strong feeling of community.

Oregon’s success in sustainability planning is extensive and diverse, and businesses are taking notice as evidenced by rapid growth and development in the state. Three of Oregon’s largest employers—Hewlett Packard, Intel and Nike—are listed among the 100 most sustainable corporations in the world. In addition, the city of Portland ranks extremely high in urban sustainability compared to the 50 largest cities. Fundamental to the state’s success to date has been the support of its citizens. An opinion poll conducted in 2000 revealed that a majority of the population, regardless of their political affiliation, supported the sustainable development efforts.

Oregon’s experience and expertise in sustainability planning currently are being shared with other states. The Oregon Sustainability Board met with Washington officials to discuss its newly adopted sustainability program and to identify projects of mutual interest. The current Washington plan, Establishing Sustainability and Efficiency Goals for State Operations, will be continued under Governor Christine Gregoire.

Hawaii

In 2005, the Hawaii Legislature created the 2050 Sustainability Task Force to review the state’s existing sustainability plan that originated in the 1970s but that no longer meets the state’s current needs. The state has pressing sustainability issues it must address, including population growth, lack of affordable housing, an economy heavily dependent upon tourism, construction and military spending, a deteriorating public infrastructure, heavy reliance on imported food and fuel, inadequate public education and threats to its fragile ecosystem.

The Hawaii 2050 Sustainability Plan

To address Hawaii’s long-term sustainable future, the task force submitted an interim report that outlined recommendations on creating the Hawaii 2050 Sustainability Plan. The report included the concept, vision, goals, objectives, implementation and public accountability of a sustainability plan, as well as testimony from a variety of experts, scholars and practitioners in the field. The task force noted specific concepts the plan should embody:

Stahlbush Island Farms Inc.—Sustainable Agriculture at Work

This farm and food processing business established in 1985, is recognized as a leader in sustainable agriculture. The abundant, rich soil on this Oregon farm has produced a myriad of crops all grown virtually chemical free, and the farm’s owners make it a priority to conserve and protect the health of the soil and water. Using various methods—such as crop rotation, planting cover crops (that protect the soil during winter), harvesting crops (such as legumes) that produce nitrogen for the soil, using mechanical means of pest control in place of chemicals and regularly testing the soil—Stahlbush has successfully protected the environment. The farm currently provides sustainable grown produce to 40 states and 14 countries.
• The unique values of the island community;
• A futures approach to long-range planning; and
• Integration of sound planning principles, including fostering an open, transparent, citizen-based, collaborative and fact-based decision-making process.

The foundation of the plan will be a balanced “triple bottom line” that incorporates the economy, society and the environment. These three areas will be key in creating a preferred future for Hawaii.

To avoid the shortcomings discovered in the state government’s previous long-range planning documents, the task force decided to conduct thorough research on several subjects, including population, water, land use and environmental quality, among others. Research results will be used to provide the necessary information to forecast and plan for future sustainability policies. The research also will ensure that private and public decisions are based on reliable data and scientific facts.

The task force also recommended incorporating benchmarks into the plan and underscored the need for accountability and inclusion of a monitoring, evaluation and measurement system to assess plan goals and objectives. The plan will be reviewed and updated regularly so that future generations can tailor it to their needs.

As in Oregon, Hawaii realized the importance of engaging its citizens in the grassroots planning for state sustainability. Through marketing campaigns, public school education, informational publications and numerous community meetings held on all the islands, the public has the opportunity to become aware of, and involved in, the state’s sustainability vision. Most recently, informational tool kits were distributed during community meetings and a statewide telephone survey is under way.

The task force will submit its final sustainability plan to the Legislature in 2008. To find out more about Hawaii 2050, visit www.hawaii2050.org.

**Washington**

During the last two decades, Washington has experienced dramatic increases in population, traffic congestion, and both air and water pollution, while the amount of open space has been shrinking. The state’s sustainability plan seeks to benefit its triple bottom line—“planet, profit and people.”
For the state to achieve a vibrant economy, healthy environment and strong communities, Governor Gary Locke issued separate executive orders that required sustainable practices be carried out within state agencies. Objectives of the first executive order in 2002 were to:

- Institutionalize sustainability as an agency value;
- Raise employee awareness of sustainable practices in the workplace;
- Minimize energy and water use;
- Shift to clean energy for both facilities and vehicles;
- Reduce waste and shift to the use of recyclables; and
- Expand markets for environmentally preferable products and services.

In addition to the original sustainability objectives, the second executive order—issued in 2005—required that state agencies:

- Incorporate “green” building practices in all new construction and major renovation projects;
- Work to achieve a 20 percent reduction in petroleum use in the operation of state vehicles and personal vehicles used for business by September 2009;
- Recycle 100 percent of used office paper; and
- Employ energy efficiency programs and renewable energy sources to reduce energy purchases by 10 percent by September 2009.

Examples of other statewide initiatives include the following.

- Lake Wenatchee State Park uses energy efficient lighting, timers and motion sensors in restrooms, the park office and staff housing. Additional sustainability measures used in the public restrooms include hand dryers, recycled toilet paper, low flow toilets and waterless urinals. A 10,000-watt wind turbine provides power for public restrooms in Grayland Beach State Park.

- The Office of Financial Management’s printers are defaulted to two-sided printing, which reduced paper usage by 14 percent in 2004.

- More than 400 hybrid gas/electric vehicles have been added to the state fleet, and more than 100 biodiesel delivery trucks also are in use.

Washington also became the first state to adopt mandatory green building standards for all new public buildings, which benefits the environment and lowers energy costs.

**State Renewable Standards**

A renewable standard is a state policy that requires electricity providers to obtain a certain minimum percentage of their power from renewable energy resources by a certain date. There are approximately 20 states with renewable standards in place.

**Tribe’s Forestry Plan Wins Certification**

In 2003, the Confederated Tribes of the Warm Springs, located in central Oregon, were recognized for their sustainable approach to forest management when they received the SmartWood certification from the Rainforest Alliance. With close to two-thirds of the reservation covered in pine and other various evergreens, forestry has been an important environmental and economic aspect for the tribe. The tribe’s forest management plan met the ecological, economic and social sustainability requirements put forth by the Forest Stewardship Council. With the certification, the tribe’s lumber company now will appeal not only to consumers who are concerned about the environment, but also to builders, retailers and home centers who demand SmartWood lumber products.
The buildings are required to meet energy efficiency, water conservation and several other environmental protection standards.

**Minnesota**

A key to Minnesota’s early sustainability efforts was its examination of how the environment, the economy and the population are interrelated. Securing broad participation was necessary to make sustainable development a reality. Emphasis was on a shared vision, clear goals and consistent measurement of results that would lead to a sustainable future for Minnesota. By distributing written materials, holding public meetings and extensive use of the media, public awareness and involvement were garnered.

With this public involvement, former Governor Arne Carlson launched one of the state’s first sustainability plans, Minnesota Milestones, in the 1990s. The plan illustrated long-term goals for the state in specific areas—the economy, the environment, community life, children and families, education, health and quality of government. The plan included periodic measurements of the state’s progress toward each goal and long-term accountability. Once finalized, the plan identified major goals and ways to measure progress toward those goals. The regular assessment of goals allowed state agencies, local communities and other groups to use the information to focus their priorities.

Also launched in the 1990s, but no longer in existence, was the Minnesota Sustainable Development Initiative, a collaborative of business, government and civic interests that promoted policies and actions to ensure Minnesota’s long-term environmental, economic and societal well-being. The state continues to follow sustainability principles and strategies formed under this Initiative, including:

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**Alternative Energy in the Shakopee Mdewakanton Sioux Community**

Located near Prior Lake, Minnesota, this tribe of Dakota Indians is incorporating biomass technology to generate electricity. Through a partnership with Rahr Malting, the Koda Energy company was established to generate renewable and thermal energy by using agricultural materials left over from malting (of barley) and food processing. The tribe hopes to provide enough energy for all its citizens, with some left to sell. The facilities’ groundbreaking is expected in December 2007. The project will help reach renewable energy goals for the state and will help satisfy the high demand for electricity.

The community also is involved in water reclamation and land preservation. In the past year, the tribe has won several awards for its state-of-the-art wastewater treatment facility, including the Minnesota Governor’s Award for Excellence in Waste and Pollution Prevention and the Minnesota Society of Professional Engineers 2007 Seven Wonders of Engineering Award. Planning for its seventh generation, the tribe’s priority is to ensure that there will be trees, open space, traditional foods and medicines, and cultural resources for coming generations to survive and prosper.
• Raising awareness of and understanding about sustainable development among the public and private sectors, within school curriculums and among consumers.
• Measuring progress toward sustainable development by instituting measurable goals and reporting progress clearly to Minnesotans.
• Supporting sustainable communities by encouraging joint ventures between businesses, communities and state agencies to develop sustainable community partnerships.

Conclusion

The American Indian tribes, states, cities and organizations nationwide that have undertaken sustainability development plans—with no national initiative—can be considered examples for others to follow. Numerous other sustainable development initiatives are taking place across the country to address sustainability in economics, forestry, architecture, business, fisheries and housing.

Implementing strategies that address the many issues that fall under the scope of sustainability will require governments, businesses, scientists and public citizens (of all socioeconomic levels) to collaborate and communicate. The public’s involvement and support/participation will be instrumental to success.

New Jersey Sustainable State Institute

The New Jersey Sustainable State Institute (NJSSI) is the result of a sustainability project launched in 1995 by New Jersey Future, a nongovernmental organization. In subsequent years, a broad group of stakeholders developed a set of sustainability goals and indicators for the state. Forty-one indicators were selected to measure specific progress toward sustainability, and the institute published several reports outlining the state’s progress. Although the institute realizes that most sustainability issues are technical, complex and difficult for the average person to understand, its mission is to provide decision makers and New Jersey citizens with a clear picture of where they are, where they’re headed and what they need to achieve to become sustainable.

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The State-Tribal Relations Project

This publication is a product of the State-Tribal Relations Project, a partnership between the National Conference of State Legislatures and the National Congress of American Indians. The project is designed to promote intergovernmental cooperation between the states and tribes, assist them in identifying policy issues that are ripe for collaboration, and to develop mutually beneficial solutions for each population. The NCSL State-Tribal Relations Project policy series is designed to help legislators and tribal leaders gain a greater understanding of the issues affecting each constituency and to identify methods for cooperative policymaking in an issue-specific context.

As tribal governments exercise their self-governing powers and take more control over program administration and the provision of services within their communities, there is an increasing need for policymakers to learn to interact with tribes as sovereign governments, instead of viewing them as special interest or minority groups contained within a few states. Tribal communities exist in many states. There are more than 561 federally recognized tribes within the United States. Although a significant number are found in Alaska (227), the remaining tribes are located within the boundaries of an additional 36 states, according to a report by the W.K. Kellogg Foundation, Native Americans: Tribal Sovereignty, Devolution and Welfare Reform. The development of a collaborative government-to-government relationship between the states and tribes is necessary. Welfare reform, economic development and trust land issues are just a few of the many policy areas this project will focus on in which government-to-government cooperation can be beneficial.