



THE HARVARD PROJECT ON AMERICAN INDIAN ECONOMIC DEVELOPMENT

John F. Kennedy School of Government • Harvard University

HONORING NATIONS: 1999 HONOREE

Cherokee Tribal Sanitation Program Tribal Utilities Department, Eastern Band of Cherokee

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In 1990, the Eastern Band of Cherokee came to a crossroads. For the previous 25 years, the Tribe had provided a trash pickup and disposal service for tribal members, which relied on a tribally owned landfill. New federal guidelines were in the pipeline, however, that would make the landfill unviable. The Tribe already lacked appropriate permits for current operations, and the site certainly would be unable to meet the impending, more stringent requirements. In other words, the Tribe was faced with a serious question of where its trash would go.

Seeking solutions, the Tribe's governing body asked the Executive Director of Tribal Utilities to report on options. First, he observed that local off-reservation disposal was unworkable, since the five surrounding counties were also unprepared to meet the new federal requirements. He further advised that, if the Tribe planned on staying in the landfill business, it should devote 50 acres to develop a "sub-title D" landfill—an undertaking that would cost \$300,000-\$400,000 per acre, but would unquestionably meet the federal government's environmental protection standards. Alternatively, he suggested that the Tribe could cover and close its current landfill and construct a waste transfer station, a facility that would receive and sort solid waste on the reservation and transport it off the reservation for appropriate disposal or sale.*

Based on this report, the Tribe opted for the waste transfer station. The decision has been an environmental and economic success.

Today, the reservation is remarkably trash-free, presenting a strong complement to the two national parks on its borders (the Great Smokey Mountains National Park and the Blue Ridge Parkway). In 1997, there were five small, open dumps on the reservation. Only one, which is privately owned, remains. The Tribe has supported this progress with a reservation-wide clean-up effort. It has posted signs prohibiting littering and emphasizing good environmental stewardship, launched roadside clean-up programs—in which tribal departments frequently participate—and invested in educating the public about recycling. The latter program has been particularly successful among the community's youth—the recycling supervisor who visits the schools is immensely popular and in high demand.

On the economic side, while continuing to provide pick-up and disposal services free-of-charge to tribal members, the Program has nonetheless increased revenue in every year since its inception. Income is generated through the sale of recyclables and compost and, significantly, by providing services to other jurisdictions. In 1999, the Sanitation Program was under contract to receive, sort, and transport solid waste from two nearby counties. The

Program also controls costs through sound management. For example, based on its strong track record in a foregoing two-year deal, the Executive Director of Tribal Utilities was able to negotiate a ten-year agreement with Waste Management, the firm that provides off-reservation trash disposal for the Tribe.

Continued economic success is likely. The relative scarcity of disposal and transfer alternatives in the region suggests that the surrounding counties will increasingly rely on tribally provided waste management services. Importantly, the Cherokee Sanitation Program is poised to effectively capitalize on its market niche. The transfer station handles 100 tons of waste daily, but it is equipped to handle 300 tons a day; engaging the additional staff and trucks necessary to shift the operation to full capacity would take only 30 days. The Tribe's casino, which opened in 1997 and relies on the transfer station to handle its food and solid waste, proves the ability of this business to both adapt and expand. Similarly, the Program's animal incineration business demonstrates its capacity to develop new, appropriate disposal services as needs arise.

A key ingredient in the Program's success is the tribal government's policy—which it upholds—of separating business from politics. This separation is achieved both structurally and through the commitment of government officials. Specifically, directors and managers of the Eastern Band of Cherokee's governmental programs are required to report to the executive directors of their departments, not to elected officials. Similarly, complaints against programs are initially directed to non-Council bodies. For example, complaints against the Sanitation Program are first reviewed by the Utilities Commission, which then forwards recommendations to the Tribal Council. Rarely has the Council rejected these recommendations. The effective separation from politics encourages program directors and managers to take real responsibility for their programs and to operate them in businesslike manner, results which ensure program sustainability and improve interactions between tribal programs and non-tribal entities.

In rural and tribal communities, pressing economic development concerns often take precedence over other community problems. But by viewing new federal regulations as an opportunity, not a problem, the Eastern Band of Cherokee re-thought their solid-waste disposal procedures and found a way to address both their environmental and economic concerns. Through its business relationships with outside jurisdictions, the Tribe's waste transfer station also improved the standing of the Tribal government and Indian community. The Cherokee Sanitation Program is an exemplary story of creative problem solving and successful self-determination.

** Transfer stations sort solid waste according to its appropriateness for recycling, compost, or landfill. Materials for recycling and compost are sold to the public, and remaining waste is transported to a certified "sub-title D" landfill.*