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Greenwashing colonialism: Indigenous voices in green energy development

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Greenwashing colonialism: Indigenous voices in green energy development

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List of acronyms.....	3
Introduction.....	4
Methods and Data.....	10
1. Exploitation and Indigenous Land Rights in the United States.....	13
1.1 Indigenous People in Present-Day Southwestern United States.....	15
1.2 Green Colonialism.....	17
2. Implications and Responses to SunZia Wind and Transmission.....	22
2.1 Environmental and Cultural Concerns.....	24
2.2 Responses and Legal Action.....	29
3. Indigenous Voices in Green Energy Development Discourse.....	33
3.1 Corporate Rhetoric of Greenwashing Colonialism.....	34
3.2 The Role of the Media in Green Energy Discourse.....	39
Conclusion.....	45
Bibliography.....	52

List of acronyms

ACC - Arizona Corporations Commission

BLM - US Department of Interior's Bureau of Land Management

CEC - Certificate of Environmental Compatibility

ESA - Endangered Species Act

FPIC - Free, Prior, and Informed Consent

HCDV - High Current Direct Voltage

HPTP - Historic Properties Treatment Plan

UNPFII - United Nations Permanent Forum on Indigenous Issues

TEK - Traditional Ecological Knowledge

Introduction

Keywords: Indigenuity, decoloniality, green colonialism, environmental justice, settler colonialism, borderlands, green energy production, extractivism

“In the endless pursuit of energy, once again, Native people are in the eye of the storm.” With these words, Indigenous environmental activist Winona LaDuke captures the political climate of green energy development in the United States.¹ Indigenous People in the United States are more often perceived and portrayed as a part of history rather than the present. Philip J. Deloria, a renowned Indigenous author and professor, argues that this deliberate portrayal of Indigenous People as a part of history contributes to the erasure of modern Indigeneity.² The exploitation of Indigenous lands and what the Western understanding views as resources is made easier with the perception of the lack of modern Indigeneity.³ The erasure of real Indigeneity is an integral part of the self-indigenization of the settler and requires the perceived absence of the actual Indigenous.⁴ This self-indigenization of the settler helps legitimize settler colonial actions through authority that relies on the crafted concept of Indigeneity. While the contemporary Indigenous existence is actively being erased, the hunt for greener energy forms to secure a future for the planet is being executed on Indigenous lands. Green energy production in the United States largely relies on the structures of settler colonialism that allow land and resource exploitation on Indigenous lands, and the perceived inexistence of modern Indigeneity is central to this.

Furthermore, green energy production on Indigenous lands simultaneously utilizes and upholds the colonial structure while legitimizing the exploitation with climate concerns. Concerns of cultural and environmental preservation, voiced by Indigenous People and advocates, are dismissed in green energy development projects that take place on Indigenous lands. The lack of engagement with communities directly affected by the green project leads to an imagined conflict of interest, where climate action and Indigenous rights are perceived as incompatible, as resistance to the settler colonial structure is viewed as opposition to green energy development. This research project focuses on the exploitation, extractivism, and cultural erasure that are being executed on Indigenous lands in the United States in the name

¹ Maxine, Joselow. “On stolen land”: Tribes fight clean-energy projects backed by Biden. *The Washington Post*. March 4, 2024.

² Philip J., Deloria *Playing Indian*. (Yale University Press, 1999).

³ Indigenous People, as referred to in this thesis, share a view of the environment and nature that differs drastically from the Western exploitation-centric way of viewing nature as a resource.

⁴ Stephen, Pearson, “The Last Bastion of Colonialism”: Appalachian Settler Colonialism and Self-Indigenization. *American Indian Culture and Research Journal*, 37(2). (2013). doi: <https://escholarship.org/uc/item/0wd9z381>

of climate action. Green colonialism and Indigenous voices in green energy development will be examined through a case study of contemporary exploitation, to ultimately explore answers to the question of how to work towards reaching climate goals while respecting Indigenous sovereignty.

Scholars of settler colonial theory have moved from perceiving settler colonialism as a historical event to understanding it as an ongoing structure of displacement of Indigenous people and land dispossession.⁵ Patrick Wolfe, a renowned settler colonial theorist, described it, “invasion is a structure, not an event.”⁶ Still, this structure of settler colonialism is upheld by events and processes.⁷ Wolfe describes settler colonialism in simple terms as the destruction of the existing to replace it with settlers.⁸ Similarly, Evelyn Nakano Glenn explains settler colonialism as a replacement of Indigeneity with settlers.⁹ Lorenzo Veracini defines settler colonialism primarily through distinctions to colonialism, also emphasizing the salience of the erasure and removal of Indigeneity to the settler colonial project.¹⁰ In the context of the United States, settler colonialism has been the defining structure of the displacement of Indigenous people and the dispossession of their lands. The remaining reservation systems, disregard for treaty-protected rights, and land exploitation and extractivism are contemporary exhibitions that settler colonialism is a structure that Indigenous communities have been subjected to, and that the structure and its inequalities persist. In the contemporary context of settler colonialism, Lang et al. tie green colonialism into the discourse, arguing that green colonialism is the continuum of settler colonial structure combined with capitalist expansion’s need for endless resources.¹¹ They explain that green colonialism is a tool for finding “a new social legitimization” for upholding the colonial structure.¹² Lang et al. theorize through global examples that green energy development utilizes structures of colonialism with environmental justification, and the same phenomenon can be seen in the pursuit of green energy in the United States, where it relies on the structure of settler colonialism.

⁵ Patrick Wolfe. “*Settler Colonialism and the Elimination of the Native.*” *Journal of Genocide Research* 8, no. 4 (2006): 387–409, whose theories other scholars have aligned with

⁶ Jeffrey Ostler. “*Settler Colonialism.*” in *The Cambridge History of America and the World*, vol. 2, Kristin L. Hoganson and Jay Sexton, eds. (Cambridge: Cambridge University Press, 2021), 80–100. p.94

⁷ From discussions of dispossession and Indigeneity with scholars Loubna Alzaroo and Laura de Vos at A Water’s history in the United States conference at RIAS, Middelburg.

⁸ Wolfe. “*Settler Colonialism and the Elimination of the Native.*”

⁹ Evelyn Nakano Glenn. “Settler Colonialism as Structure: A Framework for Comparative Studies of U.S. Race and Gender Formation.” *Sociology of Race and Ethnicity* (Thousand Oaks, Calif.) 1, no. 1 (2015): 52–72. doi:10.1177/2332649214560440.

¹⁰ Lorenzo Veracini. “*Introducing: Settler Colonial Studies.*” *Settler Colonial Studies* 1, no. 1 (2011): 1–12. doi:10.1080/2201473X.2011.10648799. For the discourse, see i.e. Wolfe (2006) and Roxanne Dunbar-Ortiz, *An Indigenous Peoples’ History of the United States* (Beacon Press, 2014).

¹¹ Lang, Miriam, Mary Ann Manahan, and Breno Bringel. *The Geopolitics of Green Colonialism : Global Justice and Ecosocial Transitions*. 1st ed. (London: Pluto Press, 2024). p.9

¹² Lang et al., *The Geopolitics of Green Colonialism* p.9

Settler colonial justifications in the United States have included claims that Indigenous people do not use land properly and are therefore only entitled to the right of occupancy rather than ownership.¹³ The notion that Indigenous peoples' land is free to be acquired as they are not utilizing and extracting resources to the fullest potential, according to the Western view, is a direct continuum of settler colonialism and continues to be utilized as a legitimization for exploitation. In addition to the perception of inefficient use, Indigenous peoples' lands are often viewed as "empty spaces," and the Western approach to nature spaces regards empty to be synonymous with idle and open for extractivism.¹⁴ This perception in practice leads to sacrificing green spaces, historical and cultural landscapes, and the environment for green energy production. Indigenous lands in the context of North America have historically been acquired for expansionist ideals and extractivism, with the justification that the lands are seemingly unused and waiting to be capitalized on.¹⁵ The structure of settler colonialism has relied on the curated belief that settling Indigenous lands is a noble mission, whether for bringing education, religion, or efficient resource extraction as a way of "civilizing", when in reality the mission is the erasure of Indigeneity.¹⁶ The settler colonial project of land exploitation has been consistent throughout the history of the United States as a foundational tactic for territorial expansion, but it is not solely a thing of the past. These said structures are the very same ones that the transition to green energy relies on in terms of land acquisition. As long as this persisting structure of settler colonialism is not dismantled, it continues to benefit the settler and disadvantage Indigenous Peoples.

The transition from fossil fuels to renewable energy is argued to be and positioned as a mandatory step towards a more sustainable future.¹⁷ While green energy is sourced from mostly renewable origins and is argued to be less detrimental to the environment from the perspective of emissions, these forms of energy are not disconnected from the use of nature and natural resources.¹⁸ In general, green energy projects such as wind, hydro, and solar power require significantly larger land areas compared to their nonrenewable counterparts.¹⁹ The hunt for land suitable for green energy projects has led companies to Indigenous lands all around the world.²⁰ Along with the emphasized structural inequality created by settler colonialism, there are a multitude of reasons why Indigenous lands are especially susceptible

¹³ Jeffrey Ostler, "Settler Colonialism," p.81

¹⁴ Lang et al., *The Geopolitics of Green Colonialism*. p.31

¹⁵ Whyte, Kyle. "Settler Colonialism, Ecology, and Environmental Injustice." In *Indigenous Resurgence: Decolonization and Movements for Environmental Justice*, edited by Jaskiran Dhillon, 2022.

¹⁶ Wolfe, "Settler Colonialism and the Elimination of the Native," p.390

¹⁷ Yu, Xugang., Tettamanti, Mario., Rizzi, Cristiano. *World's Transition Toward A Green Economy: Achieving The United Nations' Sustainable Development Goals And Promoting The Role Of Green Finance.* (Singapore: World Scientific Publishing Company, 2023).

¹⁸ Lang et al., *The Geopolitics of Green Colonialism*. p.31

¹⁹ T.J. Dijkman, R.M.J. Benders, Comparison of renewable fuels based on their land use using energy densities, *Renewable and Sustainable Energy Reviews*, Volume 14, Issue 9, 2010

²⁰ Lang et al., *The Geopolitics of Green Colonialism*. p.4-5

and vulnerable to acquisition for green energy developments. Indigenous lands within the United States are viewed as more suitable due to lower population density, rural location, and the abundance of natural resources necessary for energy production. Indigenous lands have historically often been located in windy valleys, sunny plains, or close to a river flow, as these have been a requirement for establishing flourishing communities.²¹ Although the settler colonial project has displaced communities from such areas, the connection to their ancestral homelands remains. These climates coincidentally provide the best conditions for green energy production. Indigenous lands have also proven to be economically easier to acquire based on lower population density compared to more densely populated areas with more land owners, where land acquisition requires far more purchases and deals to be made. Historically, Indigenous people have also been coerced to sell their lands for unprofitable prices and often under false pretenses. The persisting structures of historical inequality between Indigenous and non-Indigenous land ownership and the displacement of Indigenous people that have not been dismantled have implications that reach contemporary land sales.²² The lack of sovereignty and ownership of ancestral lands diminishes the jurisdiction of Indigenous Peoples in questions of land sales and land exploitation. With this, the burden associated with green energy development often falls on Indigenous communities, carrying the legacy of colonialism in a green form. Green energy projects are being constructed on Indigenous lands in the name of saving the environment and at the expense of the communities that inhabit them. The people affected by the projects on their lands are also excluded from the decision-making processes, which amplifies the environmental injustice the communities face.²³ As explained by the aforementioned examples of perceived lucrateness, it is no coincidence that these projects specifically target Indigenous lands. The phenomenon of green colonialism, in the form of green energy production that relies on colonial structures, is a direct continuum of the land dispossession, displacement, and cultural genocide Indigenous Peoples have faced.

In the Southwestern United States, Pattern Energy Group LP is constructing an over \$16B wind energy project, SunZia Wind and Transmission. The name the project carries refers to the Zia sun, a religious symbol of the Indigenous Zia Pueblo people.²⁴ The symbol has been

²¹ On the location selection for Indigenous communities, see Kat M. Anderson, *Tending the Wild: Native American Knowledge and the Management of California's Natural Resources*. 1st ed. (University of California Press, 2005.)

²² On the historical inequalities, see Cook, "A Colossal Land Scheme in the Papagueria."

²³ On the exclusion, see Whyte, *Settler Colonialism, Ecology, and Environmental Injustice*, SunZia Wind and Transmission, and Fosen Wind for case studies. On the the multifaceted nature of environmental racism, see Bullard, Robert D. "The Threat of Environmental Racism." *Natural Resources & Environment* 7, no. 3 (1993): 23–56. <http://www.jstor.org/stable/40923229>. and Dhillon, Jaskiran. "INTRODUCTION: Indigenous Resurgence, Decolonization, and Movements for Environmental Justice." In *Indigenous Resurgence: Decolonialization and Movements for Environmental Justice*, edited by Jaskiran Dhillon, NED-New edition, 1., 1–8. Berghahn Books, 2022. <http://www.jstor.org/stable/jj.15213782.3>.

²⁴ Catharine Saez, *Indigenous Knowledge Misappropriation: The Case Of The Zia Sun Symbol Explained At WIPO*. Intellectual Property Watch, November 11, 2018.

appropriated by the state of New Mexico, in the state flag and license plates, and now it is being utilized as a name for a project which is sidelining Indigenous People from stewardship of their lands.²⁵ The finished SunZia project will bring over 900 wind turbines to the Estancia Valley in New Mexico, along with a transmission line running through multiple counties in New Mexico and Arizona.²⁶ The SunZia Wind and Transmission project consists of two major developments, a wind turbine park, SunZia Wind, located in central New Mexico in Torrance, Lincoln, and San Miguel Counties with related facilities in Lincoln County in New Mexico, as well as a high-voltage direct current (HVDC) transmission line, SunZia Transmission, running through Graham, Greenlee, Cochise, Pinal, and Pima Counties in south-central Arizona.²⁷ The project is characterized by its developer, Pattern Energy Group, as “the largest clean energy infrastructure project in the United States history”.²⁸ The current developer of the SunZia Wind and Transmissions Project, Pattern Energy Group, is a private Canadian-owned company specializing in the production of wind and solar power, with over 30 operational projects and over 20 others in the development stage in the United States, Canada, and Mexico.²⁹ As Pattern Energy Group presents the project on their website, they characterize that the project has been developed to address the growing energy demand in the American West as well as the need for reliable energy sources.³⁰ SunZia has been in the making since 2006 and is currently planned to be commercially operational in 2026.³¹

Originally, Southwestern Power Group introduced the SunZia project in the early 2000s. Fourteen years later, in July 2022, the current developer, Pattern Energy Group, bought the project.³² The SunZia Wind and Transmission project is a private venture financed by multiple global investment banks.³³ Through this arrangement, Pattern Energy secured \$8.8 *billion* of the financing as green loans and another \$2.25 *billion* of the financing from a tax equity term loan facility.³⁴ In short, financially, the project is using a structured dispersing in the form of bank loans, tax-related financing, and company contributions to finance the project. The finished project is expected to generate \$20.5 *billion* in total economic benefits through direct and indirect economic benefits and fiscal impact.³⁵ Furthermore, in their

²⁵ Saez, *Indigenous Knowledge Misappropriation*.

²⁶ Power, Finance and Risk. “18 years in the making: SunZia Wind and Transmission.. February 29, 2024 Thursday. <https://advance.lexis.com/api/document?collection=news&id=urn%3acontentItem%3a6BK7-C0V1-JD35-X18J-00000-00&context=1519360&identityprofileid=N377GW56940> . (Accessed 17.2.2025)

²⁷ Pattern Energy Group, Pattern Energy Closes \$11 Billion Financing of Largest Clean Energy Infrastructure Project in U.S. History. December 27, 2023. <https://patternenergy.com/pattern-energy-closes-11-billion-financing-of-largest-clean-energy-infrastructure-project-in-u-s-history/>

²⁸ Pattern Energy Group, SunZia Wind and Transmission project description. <https://patternenergy.com/projects/sunzia/>

²⁹ Pattern Energy Group, Portfolio. <https://patternenergy.com/portfolio/>

³⁰ Pattern Energy Group, SunZia Wind and Transmission project description.

³¹ Robinson Meyer. The Long, Strange Success Story of America’s Biggest Clean Energy Project. Heatmap, June 18, 2024 and SunZia Wind and Transmission project description, Pattern Energy Group. <https://heatmap.news/economy/sunzia>

³² Application - Formal Complaint. Arizona Corporation Commission Docket LO-00000YY-24-0042 p.4 <https://docket.images.azcc.gov/0000210611.pdf?i=1741615684804>

³³ Pattern Energy Group, Pattern Energy Closes \$11 Billion Financing of Largest Clean Energy Infrastructure Project in U.S. History. December 27, 2023.

³⁴ Gail Rajgor. Pattern closes ‘groundbreaking’ \$11bn financing deal for SunZia. *Wind Power Monthly*, January 11, 2024.

<https://www.windpowermonthly.com/article/1857069/pattern-closes-groundbreaking-11bn-financing-deal-sunzia>

³⁵ Pattern Energy Group, SunZia Wind and Transmission project description.

SunZia project description page, Pattern Energy states that the project will provide over 2000 construction jobs and over 100 permanent jobs.³⁶ As for the finished project, SunZia is estimated to supply 1 million American homes with clean energy annually.³⁷ As highlighted by Pattern Energy Group's statements on SunZia, the project is developed to respond to the growing energy demand in the Western United States. This, in practice, means producing energy in New Mexico to deliver it via an HVDC line to Arizona and California.³⁸

During the almost two decades since the conception of SunZia Wind and Transmission, the project has received praise for its green nature and its ambitious scale. Despite the praise, it has simultaneously been framed as a case study of the slowness of decision-making in the green transition. Moreover, SunZia has faced resistance from environmental groups, Indigenous communities, and locals alike. The main concerns regarding the project have to do with the location of the HCDV transmission lines. For the Tohono O'odham and San Carlos Apache tribes, as well as other Indigenous Nations of the region, the transmission line running through the San Pedro Valley would harm their cultural and religious sites.³⁹ As Tohono O'odham and San Carlos Apache have given a voice to the Indigenous opposition of the project, their arguments and actions against the SunZia Wind and Transmission are the ones this research focuses on. Locals in opposition argue for the unique intactness of the San Pedro Valley and have pleaded for the protection of the pristine landscape, and environmental groups on their part have focused on the transmission lines' implications for migrating birds, wildlife, and the landscape.

Furthermore, local and environmental organizations involved have strongly sided with the Indigenous communities, arguing for the protection of their cultural and historical heritage. While the discourse and actions of the opposition around the SunZia Transmission project are happening mainly in Arizona, through the Arizona Corporation Commission (ACC), the issue of green colonialism and exploitation, and extractivism on Indigenous lands is not only a state or federal-level dispute but a show of the global continuum of colonial structures. Contemporary projects under construction, like the SunZia Wind and Transmission line, as well as projects that have already been completed, such as the Fosen wind farm in Norway, set a precedent for future action on Indigenous lands. Both aforementioned projects have

³⁶ Pattern Energy Group, SunZia Wind and Transmission project description.

³⁷ Pattern Energy Group, SunZia Wind and Transmission project description.

³⁸ Stephen Robert Miller, "Can We Avoid The Pitfalls Of Going Green?" *Noema Magazine*. January 30, 2024.

<https://www.noemamag.com/tradeoffs-on-the-precipice-of-the-green-transition/>

³⁹ Power, Finance and Risk. "Pattern's \$10bn grid project halted over Native American historic site concerns." November 15, 2023, Wednesday.

<https://advance.lexis.com/api/document?collection=news&id=urn%3acontentItem%3a69SV-K9X1-F0J7-M00N-00000-00&context=1519360&identityprofileid=N377GW56940>
(Accessed 17.2.2025)

received heavy criticism, the latter being currently operational despite rulings over its legality confirming that the project violates Indigenous people's human rights.⁴⁰ Until Indigenous communities are included more than nominally in the decision-making of all projects executed on their lands, investigating the legality and accountability, and advocating for the people not included within the decision-making is particularly important. As the need for alternatives to non-renewable energy forms is inevitable for the current pattern of growth and consumption, it is crucial to discuss how energy is produced sustainably for the environment and the people moving forward.

Methods and Data

The goal of this research is to examine the rhetoric of media and corporate discourse on green energy development with SunZia as the case study, to explore the presence of Indigenous voices, and gain an understanding of the contemporary issues of green colonialism and environmental injustice to find potential solutions for a sustainable future. Indigenous voices in this context will consist of Tohono O'odham and San Carlos Apache tribes, their spokespersons, along with non-profit organizations speaking for Indigenous stewardship. As larger, structured organizations advocating for Indigenous Peoples have a higher probability of getting through to decision-makers and corporations, their appeals and statements in defence of Indigenous rights will be analyzed. Although the ultimate goal is to center Indigenous voices directly, the ongoing process of decolonization remains incomplete. In the absence of meaningful consultation and collaboration, structured organizations that advocate for Indigenous Peoples play a crucial role in amplifying their perspectives. This discourse analysis of the rhetoric of green colonialism and the exploration for methods of concurrent implementation of climate action and Indigenous survivance and resurgence is an attempt to contribute to the deconstruction of coloniality.

Databases provided by organizations such as the Arizona Corporations Commission (ACC) and the U.S. Department of Interior's Bureau of Land Management (BLM) will be used to get a thorough overview of the laws and regulations, policies, as well as formal complaints

⁴⁰ Business & Human Rights Resource Center. "Fosen Vind and others lawsuit (re wind farm impact on Sámi People, Norway)". January 1, 2018. <https://www.business-humanrights.org/en/latest-news/fosen-vind-stadtwerke-m%C3%BCnchen-and-aneo-lawsuit-re-wind-farm-norway/> (Accessed 17.2.2025)

and responses to the project. Arizona Corporation Commission (ACC) provides a non-restricted access database with E-Dockets of the filings related to the SunZia Wind and Transmission project, dating back to 2015. These documents of applications, notices, complaints, comments, and correspondence will function as primary material for examining the actions of all parties involved from a legality and policy perspective. Although these E-dockets, which contain communications to and from SunZia, are publicly available online, relying solely on complex legal documents to inform the public about billion-dollar projects is not an effective or accessible approach. This is why I will additionally focus on the reporting of the projects and counteractions, comparing the claims in the media with ongoing correspondence and action. Reporting from various media outlets, such as Heatmap, AZ Luminaria, Arizona Republic, Tucson Sentinel, and Inside Climate News, reporting on the proceedings of SunZia will be used as primary sources alongside the ACC E-dockets. These publications' articles will provide insight into the reception of SunZia and the discourse around it, as the documents filed for ACC only provide insight into the opinions and arguments of those who have pursued official action in the case in the form of correspondence, complaints, or requests. While these dockets offer valuable insight into the perceptions of the actors in legal engagement with ACC, BLM, and Pattern Energy Group regarding SunZia, opinions voiced outside of legal paperwork, for example, through media outlets, are helpful for gaining a broader understanding of the variety of views regarding the project. Examining media together with the documentation of the legal processes allows a comprehensive scrutiny of the discourse.

Through the use of media coverage as a primary source, I aim to examine whether the media partakes in the erasure of Indigenous sovereignty and Indigenous voices or if they highlight the injustices and give a platform to Indigenous voices. Examining the presence of Indigenous voices is a key aspect in assessing the broader issue of environmental injustice that green energy development on Indigenous ancestral lands poses. The responses to the SunZia wind and transmission project in media, both mainstream and Indigenous, as well as Pattern Energy Group's statements focusing specifically on Indigenous resistance and attitudes toward the project, will be examined to get an understanding of the green energy development discourse and its contradictions. The analysis of these sources will be conducted through the use of news media sources to get a variety of perspectives. The official documentation of Indigenous communities' actions in response to the SunZia project will be comparatively analyzed against the reporting of Indigenous responses in non-Indigenous

media to reveal whether media truthfully portrays Indigenous voices or contributes to silencing or misrepresenting them. Comparative approach is a crucial tool in analyzing how media discourse differs based on the media outlets' focal point, and using this method will allow the examination of the differences between climate-focused media and outlets focusing more broadly on environmental justice.⁴¹

Source materials for media analysis will be analyzed through a mixed-method approach of qualitative content analysis and discourse analysis.⁴² Using qualitative content analysis allows the examination of whether Indigenous voices are present in the E-dockets and media publications relating to SunZia Wind and Transmission. Discourse analysis is a helpful tool in analysing the language, tone, and rhetoric of the contents, as language and framing are at least equally as important as visibility and awareness. Language is both a crucial tool of reflecting and shaping power structures, so in the examination of power structures between corporations, US institutions, and Indigenous Peoples, scrutinizing the language is vital.⁴³ The foundation of discourse analysis lies in examining the linguistic features of the text itself, the circulation and reach of the publication, and the broader socio-political context in which the discourse takes place.⁴⁴ A mixed-method approach to Indigenous voices in green energy discourse is instrumental, as how these issues are being framed and portrayed is equally important to whether they are being portrayed at all. The combination of the methods of qualitative content analysis and comparative discourse analysis allows for the assessment of both. The rhetoric of green colonialism, greenwashing the exploitation of Indigenous lands and resources, and silencing Indigenous voices will be analyzed using a decolonial framework. Decolonial theory as a framework is invaluable in placing the phenomena of green colonialism in the broader context of environmental injustice and how (settler) colonialism continues to shape the global order. Furthermore, decolonial theory is crucial in the process of finding ways to move forward with detaching from coloniality and centering Indigenous voices.⁴⁵ Lang et al., like most scholars in the field, approach the topic of green colonialism and its implications for Indigenous people through a decolonial lens, calling out injustices and aiming to find an alternative solution for the green energy transition. Larger

⁴¹ On the principles of comparative discourse analysis (CDA), see Norman Fairclough. *Discourse and Social Change*. (Cambridge: Polity Press, 1992).

⁴² For more on chosen methods, see van Dijk, Teun A. "Principles of Critical Discourse Analysis." *Discourse & Society* 4, no. 2 (1993): 249–83 and Krippendorff, Klaus. *Content Analysis: An Introduction to Its Methodology*. Fourth edition. Thousand Oaks: SAGE Publications, Incorporated, (2019).

⁴³ On the role of language for the colonial project, see Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples*. Third edition. (London: Bloomsbury Publishing Plc, 2021). doi:10.5040/9781350225282., for understanding of language in media discourse and the power dynamics it fosters, see Teun A. van Dijk, "Principles of Critical Discourse Analysis." *Discourse & Society* 4, no. 2 (1993): 249–83. doi:10.1177/0957926593004002006. and Norman Fairclough. *Discourse and Social Change*. (Cambridge Polity Press, 1992.)

⁴⁴ Fairclough, *Discourse and Social Change*.

⁴⁵ Oxfam International. "Decolonize! What does it mean?" July 2022.

<https://oxfamlibrary.openrepository.com/bitstream/handle/10546/621456/tr-decolonize-what-does-it-mean-151222-en.pdf?jsessionid=B905575F7D200EE9F1F1E7103F8FDE5D?sequence=1> (Accessed 2.4.2025) p.3

differences appear mostly in the discourse of whether capitalism and its growing need should be supported at all, meaning whether we should look for alternative ways of energy production to fill our need, or rather find ways to decrease consumption as a whole.

The first chapter will be dedicated to presenting the two Indigenous Nations directly affected by the SunZia project and therefore embarking on legal opposition, the Tohono O'odham and San Carlos Apache. The history of these Nations' land rights will be examined to gain a thorough understanding of the structures enabling present-day exploitation. Further background on Indigenous land rights and exploitation will be presented through the exploration of treaties and doctrines around Indigenous land rights. Chapter one will additionally exhibit the rhetoric of legitimization of green colonialism to lay a foundation for the scrutiny of the contemporary discourse. The second chapter will focus on the cultural and environmental implications of the SunZia project. The main concerns that the opposition to the project stems from revolve around these implications, so establishing and presenting them is vital to understanding the resistance. This will be followed by an exploration of the responses to the project, as well as legal action that is based on the concerns presented. The third chapter is dedicated to the analysis of green energy development discourse through the case study of SunZia Wind and Transmission to gain insight into which perspectives are platformed in the discourse and how the resistance is framed. The analysis will include methods of discourse analysis and qualitative content analysis of the corporate rhetoric around compliance and consultation with Indigenous People, to gain an understanding of whether companies like Pattern Energy Group are making genuine efforts to collaborate with Indigenous voices or whether they are complicit in greenwashing colonialism. Lastly, I will conclude my findings along with exploring possible ways to better the future of green energy development and Indigenous stewardship as coexisting rather than mutually exclusive.

1. Exploitation and Indigenous Land Rights in the United States

Understanding green colonialism requires understanding the colonial structures that enable the contemporary exploitation of Indigenous lands. In the United States, the colonial structure that has been deployed for the Westward expansion and the simultaneous displacement of Indigenous people has been defined as settler colonialism. As a form of colonialism, the settler colonialist project aims to colonize an area through permanent settlement and replace

the Indigenous with the settler.⁴⁶ Settler colonialism builds on the removal of Indigeneity through tactics of assimilation, genocide, or displacement. Scholars describe the settler colonial project in the United States as an ongoing structure that continues to benefit the settler.⁴⁷ The reservation system, systemic inequalities, and the erasure of modern Indigeneity from the peoples' consciousness are all contributions of settler colonialism that continue to uphold and reinforce the structure. As long as the continuum of settler colonialism continues to go unacknowledged, Indigenous lands remain vulnerable to exploitation and extractivism as treaties, doctrines, and sovereignty are disregarded.

Treaty-making between the United States and Native Nations began in the late 1700s as the thirteen colonies formed into states and the aspiration of westward expansion began, following the "model of diplomacy" of the French and English.⁴⁸ The expansionist aspirations of "settling the West" required land that had already been granted to Native Nations through treaties. David DeJong in *American Indian Treaties: A Guide to Ratified and Unratified Colonial, United States, State, Foreign, and Intertribal Treaties and Agreements* explains how, from the inception, there was a key difference in ideologies regarding treaty-making. While Native nations would have viewed the treaties they signed as "sacred pledges," expecting respect for their rights, as the French and the English before, the US considered treaties to be a transactional business subject to change if necessary.⁴⁹ Along with blatant disregard for treaties, new landmark cases and doctrines would be created to overrule Indigenous sovereignty.⁵⁰ In multiple instances in the country's history, Indigenous people have been granted rights over land that have been retracted at the finding of exploitable natural resources. Whether in Oklahoma with its oil resources or the Black Hills with their gold deposits, Indigenous Peoples have repeatedly faced forced relocation and displacement based on vague suspicions or the discovery of valuable resources. This reflects a long-standing pattern: Indigenous presence is tolerated only in areas deemed worthless by the settler.

⁴⁶ See Wolfe, "Settler Colonialism and the Elimination of the Native." and Glenn, "Settler Colonialism as Structure: A Framework for Comparative Studies of U.S. Race and Gender Formation."

⁴⁷ Ostler, "Settler Colonialism"

⁴⁸ David H. DeJong, *American Indian Treaties: A Guide to Ratified and Unratified Colonial, United States, State, Foreign, and Intertribal Treaties and Agreements, 1607–1911*. (Salt Lake City: University of Utah Press, 2015) p.4

⁴⁹ DeJong *American Indian Treaties* p.4

⁵⁰ DeJong, *American Indian Treaties*

1.1 Indigenous People in Present-Day Southwestern United States

As the last continental purchase by the United States, the Gadsden purchase of 1853-1854 created the current Southern border of the United States.⁵¹ The Gadsden purchase, along with the treaty of Guadalupe Hidalgo in 1848, simultaneously divided the Tohono O'odham lands with an international border.⁵² The creation of the international border placed the Tohono O'odham Nation in a borderland position, which plays a crucial role in the challenges they face today. The exploitation of the Tohono O'odham land rights in the land distribution discourse circles back to the notion that Indigenous people do not utilize the land according to Western expectations and are therefore viewed as less sovereign and less entitled to owning land.⁵³ The Tohono O'odham were, as of 1854, under the jurisdiction of the United States and Mexico, depending on their geographical location within the Nation. Although the Tohono O'odham presence in the area could be traced back to at least the 17th century through archeological findings, the United States viewed the traditional moving patterns and lack of the concept of ownership within the community as grounds for seeing the Tohono O'odham ancestral lands as public lands.⁵⁴ Similarly, due to their traditional ways of movement, the Mexican side did not view the Tohono O'odham as civilized and thus deserving of land rights either.⁵⁵ The legacy of dismissing and purposefully diminishing Indigenous land rights continues to uphold the vulnerability through current land rights that overrule Indigenous sovereignty, but also sets a precedent for land acquisition in the American consciousness. As long as these consequences of settler colonialism and land acquisition, and with that the precedent of exploitation, have not been dismantled, the exploitation continues.

The US settler desires and the Tohono O'odham ancestral lands that McIntire et al. describe as “roughly everything in southern Arizona south of the Gila River and west from The Santa Cruz River valley, extending well into what is now Sonora, Mexico” rarely intersected before 1880 as their lands were seen as arid desert lands not worth exploiting.⁵⁶ Along with the current Tohono O'odham reservation and San Xavier reservation (of the

⁵¹ Kevin, Brady. “Gadsden Purchase.” *The Encyclopedia of the Mexican-American War: A Political, Social, and Military History*, 2013.

⁵² Elliot McIntire, H. H. Williams, and W. H. Rozier. “NATIVE AMERICAN LAND RIGHTS IN SOUTHERN ARIZONA.” *Aboriginal History* 19, no. 1/2 (1995): 126–40. p.127

⁵³ For the notion of Indigenous land use, see Ostler. “*Settler Colonialism*,” p.81 and Lang, Miriam, Mary Ann Manahan, and Breno Bringel. *The Geopolitics of Green Colonialism* p.31

⁵⁴ See Joselow, “On stolen land”: Tribes fight clean-energy projects backed by Biden”, on the Nations historical presence, and McIntire et al. “NATIVE AMERICAN LAND RIGHTS IN SOUTHERN ARIZONA.” p.127 on the US’s perception of the Nations land rights

⁵⁵ McIntire et al. “NATIVE AMERICAN LAND RIGHTS IN SOUTHERN ARIZONA.” p.127

⁵⁶ On the location of Tohono O'odham lands, see McIntire et al., “NATIVE AMERICAN LAND RIGHTS IN SOUTHERN ARIZONA.” p.127-128

Tohono O’odham Nation), the ancestral lands and Indigenous historical sites of the Tohono O’odham Nation expand over a larger area than what is recognized as the reservation lands, as characterized by McIntire’s quote. This is verified through archeological findings in the region.⁵⁷ From the late 1800s up until the 1930s, a considerable interest in Tohono O’odham lands arose, for exploiting natural resources as well as for setting up a black farmer colony.⁵⁸ In the 1930s, after complaints of mining's effects on Tohono O'odham's livestock, their lands were withdrawn from mineral entries, and their lands were briefly left relatively undisturbed.⁵⁹ In the 21st century, Tohono O’odham lands have been harnessed by the United States for surveillance and security at the international border, relating to drug trafficking and illegal border crossing.⁶⁰ In addition to the already existing border crisis that deeply affects Tohono O’odham, their lands are facing the threat of development interests in green energy production, which is enabled by settler colonial structures of land exploitation. The San Carlos Apache lands in the Southwestern United States have similarly been subject to US territorial expansion and resource exploitation from the mid-1800s.⁶¹ San Carlos Apache tribe's reservation lands in eastern Arizona in the counties of Pinal, Gila, and Graham are only a fraction of their ancestral lands, similar to the situation of Tohono O’odham.⁶² The region of San Pedro Valley also holds cultural, historical, and religious significance to the San Carlos Apache.⁶³ The San Carlos Apache have inhabited what is now considered Arizona from the 1500s and have, similarly to the Tohono O’odham, been subjects of both Spanish and American exploitation. The tribe was forced to reservation lands in the 19th and 20th centuries, establishing the San Carlos reservation, where the conditions were seen as the least lucrative of the Apache lands in the region.⁶⁴

The positionality of borderlands, created by the settler colonial project, has developed into the central issues for the Indigenous People of the region as the international border, border wall, and surveillance and energy development structures divide and dissect their lands further.⁶⁵ The Sonoran desert in Arizona, bordering the Tohono O’odham reservation, has been examined as a key example of borderlands and the issues the position raises.⁶⁶ The

⁵⁷ Miller, “Can We Avoid The Pitfalls Of Going Green?”

⁵⁸ Tohono O’odham lands were marketed as rich in resources for black farmers to establish colonies, after the Hunter claims. For more on this, see Charles A. Cook, “A Colossal Land Scheme in the Papagueria,” *Arizona and the West* 15, no. 3 (1973)

⁵⁹ Cook, “A Colossal Land Scheme in the Papagueria.”

⁶⁰ For Surveillance on Tohono O’odham lands, see, Jackson, “Border Nation”. *Emergence Magazine*, 18.12.2020., Todd Miller.” How Border Patrol Occupied the Tohono O’odham Nation”. *In these Times*, June 12, 2019., and Caitlin Blanchfield and Nina Valerie Kolowratnik. “Persistent Surveillance”: Militarized Infrastructure on the Tohono O’odham Nation. *The Avery Review*, n.d. For issues of drug trafficking on Tohono O’odham lands, see U.S. Immigration and Customs Enforcement. Ring leader, 20 others sentenced for drug smuggling on Tohono O’odham Nation. August 19, 2012. and Bennet Watts and Wilson Beaver. “Drug Cartels ‘Are Winning’: Border Crisis Ravaging Arizona, Montana Indian Reservations.” *The Daily Signal*, October 31, 2024.

⁶¹ Richard John Perry. *Apache Reservation : Indigenous Peoples and the American State*. 1st ed. (Austin, Texas: University of Texas Press, 1993). p.25

⁶² Arizona Corporation Commission Docket LO-00000YY-24-0042 Application - Formal Complaint p.3

⁶³ Arizona Corporation Commission Docket LO-00000YY-24-0042 Application - Formal Complaint p.3

⁶⁴ Perry, *Apache Reservation* p.120

⁶⁵ Brunet-Jailly, Emmanuel. *Borderlands*. s.l: University of Ottawa Press / Les Presses de l’Université d’Ottawa, 2007. p.42

⁶⁶ Brunet-Jailly, *Borderlands*.

tightening border control as a consequence of 9/11 and cross-border drug trafficking has physically restricted the Tohono O’odham the access to their communities and ceremonial sites.⁶⁷ Control measures on the border have also manifested as physical surveillance with integrated fixed towers overlooking the communities.⁶⁸ Ofelia Rivas, a Tohono O’odham member, describes the continuing developments of security infrastructure and exploitation of Tohono O’odham lands, stating that “they’re trying to protect the American way of life, and you know, destroying our way of life.”⁶⁹ Green energy development on their lands is yet another step in the continuum of disregarding sovereignty and exploitation for the benefit of the “American way of life” that excludes the ones who were there before. With a new, environmental legitimization, the exploitation of Indigenous lands continues, and the rhetoric makes the discourse increasingly challenging for Indigenous People who are not opposed to green energy, but to the exploitation that it necessitates.

1.2 Green Colonialism

Throughout the history of the United States, Indigenous lands and the natural resources within have been sought after. As the capitalist expansion continues over the limits of what the earth can tolerate, the search for green energy forms is ongoing. Green energy, also referred to as clean or renewable energy, is energy produced through forms such as wind, solar, hydro, geothermal, ocean, and bioenergy.⁷⁰ While these forms of energy production have been deemed as environmentally better than their non-renewable counterparts, as they do not contribute to carbon emissions, these too come with some disadvantages or challenges. Wind energy, the focus of this research, requires a large land mass for the wind turbines as well as structures to transmit the energy to the final recipients. Furthermore, the discussion of the effects of wind energy harnessing on wildlife, nature, and humans is often overruled by environmental praise for the low-cost, abundant, clean energy source. The turbines harnessing wind power have been proven to be disruptive as they produce noise, lights, and shadow flickers that disturb both human and animal life.⁷¹ These faults, along with the obvious visual discomfort, explain why nobody is especially eager to host these projects on their lands. As green energy developers are looking for lands for their projects, Indigenous

⁶⁷ Jaacks, Jackson. *Border Nation*. Emergence Magazine, 18.12.2020.

⁶⁸ Jaacks, *Border Nation*.

⁶⁹ Jaacks, *Border Nation*. 11:35-11:42

⁷⁰ United Nations, Climate change. “What is renewable energy?” <https://www.un.org/en/climatechange/what-is-renewable-energy> (Accessed 12.3.2025)

⁷¹ National Academies Press. *Environmental Impacts of Wind-Energy Projects*. 1st ed. Washington, D.C: National Academies Press, 2007.

lands are especially vulnerable, as the legacy of exploitation has set a precedent and continues to enable the utilization of their lands. Furthermore, building the required facilities for renewable energy production is lucrative in more sparsely inhabited areas, where the combination of the history of weakened land rights and the abundance of natural resources serves the corporations embarking on green energy development projects.

In contemporary discourse, the environmental justification of preserving the existence of the (settler) colonial model is referred to as green colonialism. Additionally, relating concepts such as green imperialism helps to understand the connection between green energy production and the exploitation of Indigenous lands. In *Imperialism, Ecological Imperialism, and Green Imperialism: An Overview*, Alejandro Pedregal and Nemanja Lukić state that “green imperialism uses methods of legitimization based on the justification and promotion of supposedly environmentally beneficial policies.”⁷² The policies and projects can truly be environmentally beneficial from the aspect that they do not produce greenhouse gas emissions in the same way as the non-renewable counterparts would, but there are multiple other aspects to a project's environmental benefits. Comprehensive environmental beneficiality encompasses preservation and protection beyond decreasing carbon emissions. Tactics of green imperialism overwrite broader environmental concerns of the project with a narrow focus as the legitimization. Lang et al. define the concept of green colonialism as a continuation of the (settler) colonial structure that enables the exploitation and extraction of natural resources on Indigenous lands.⁷³ Both definitions emphasize the environmental justification of exploitation while exploring it through different models of asserting power over people and land, one through imperialism and the other through colonialism. Scholars like Patrick Wolfe have recognized that the treatment of Indigenous Nations within what is now the United States aligns with the definition of settler colonialism. In this context, the term green colonialism, rather than green imperialism, more accurately captures the modern struggle against the exploitation of Indigenous lands under the guise of environmentalism. While the complete elimination and replacement of Indigenous Peoples by settlers was not fully realized, the treatment of Indigenous Peoples in the United States can nonetheless be characterized as settler colonialism, based on the underlying intentions and methods employed. Although the focus is on settler colonialism, the theories developed by scholars of green imperialism remain valuable for understanding how environmental justifications are

⁷² Pedregal, Alejandro, and Lukić, Nemanja. “Imperialism, Ecological Imperialism, and Green Imperialism: An Overview.” p. 122

⁷³ Lang et al., *The Geopolitics of Green Colonialism*. p.9

used to legitimize exploitation. Regarding the power structures that enable the exploitation, Lang et al. theorize that green colonialism reflects the dynamics between the Global North and the Global South, emphasizing that these concepts should be understood “not as static geographical categories, but as dynamic geopolitical and epistemic constructions situated in both historical and contemporary configurations of power.”⁷⁴ In this definition, Indigenous lands, and especially reservations, fit the concept of the Global South, which emphasizes the imbalance and power structure in the dynamic with the Global North, in this case, the United States. Understanding the relation of Indigenous people and the State through the juxtaposing concepts of the Global North and South, as center and periphery, helps to contextualize the systems of inequalities contributing to environmental injustices and green colonialism.⁷⁵ Lang et al. summarize green colonialism to consist of two main objectives: the goal of accumulating capital rather than true environmental protection, and the understanding that some populations are expected to be in service to others.⁷⁶ This theorization fits the reality where Indigenous Peoples are expected to sacrifice their lands and cultural preservation to facilitate the needs of Western energy production for the accumulation of capital.

For the Tohono O’odham and San Carlos Apache, the legacy of settler colonialism in concrete terms manifests as the recognition of only reservation lands as theirs and dismissing claims of sites with ancestral significance outside of the reservations.⁷⁷ The contemporary corporate interest in their lands investigated in this research lies in wind energy production and transmission structure development in the form of the SunZia Wind and Transmission project. Matthew Zeitlin, an environmental journalist, explains in a Heatmap Media article that the windiness of the Great Plains and the sunniness of the Southwest place Indigenous lands at the center of the green energy transition, a perspective that aligns with Kat Anderson’s theories of location selection for Indigenous communities.⁷⁸ Despite their lands being central to the developments, Indigenous voices are rarely, if ever, centralized in the discourse. Indigenous People are treated as stakeholders among others at most, while the exploitation of their lands is vital for the success of the developments. As Heatmap News is a climate-focused publication dedicated to reporting on the current climate of green energy development and continues to center SunZia Wind and Transmission in its publications, it has been selected as one of the key media platforms for scrutiny in this thesis.

⁷⁴ Lang et al., *The Geopolitics of Green Colonialism* p.13

⁷⁵ On the juxtaposing concepts see Leften Stavros Stavrianos, *Global Rift: The Third World Comes of Age*. William Morrow & Co, 1981.

⁷⁶ Lang et al., *The Geopolitics of Green Colonialism* p.2

⁷⁷ Miller, “Can We Avoid The Pitfalls Of Going Green?”

⁷⁸ Anderson, *Tending the Wild* and Matthew Zeitlin, “Why Clean Energy Projects Are Stalling Out on Native Lands”. *Heatmap*, February 21, 2024.

Another Heatmap article, by Robinson Meyer, portrays a common conception of the necessity of green energy production, stating that *“to decarbonize America, that energy must be harvested and transported from these largely unpopulated areas to the dense urban centers where people actually live.”*⁷⁹ While the ancestral lands of Tohono O’odham and San Carlos Apache are less densely populated than the urban centers in Arizona and California, where the produced energy will be transmitted to, this statement highlights the bias for urban development through the perceived necessity of supplying urban centres at the cost of Indigenous homelands. The phrasing “where people actually live” highlights the bias for urban inhabitants in tight population centers and contributes to Indigenous erasure, as the statement implies that people do not actually live in these areas. Continuing with the legitimization for the exploitation of Indigenous lands, Emma Peterson, in her article for Inside Climate News, quotes Jonathan Hayes, the vice president and executive director of Audubon Southwest, the conservationist organization working with Pattern Energy Group on the environmental implications of the project. Hayes states regarding the environmental arguments against SunZia that “we know that over 60 percent of our bird species in North America are likely to be at risk of extinction by the end of this century if we don’t do something about climate change”, and that “it’s an existential threat to birds and life on the planet.”⁸⁰ Hayes’ rhetoric of putting environmental preservation through climate action at the forefront argues essentially that if there is not an urgency with green energy development, there are no species to preserve. On the contrary, this rhetoric raises a critical question: if green energy development is pursued at any cost, including the destruction of environmental and cultural landscapes, then what exactly is climate action trying to save? Saving life on the planet by sacrificing life on the plant is both counterintuitive and self-defeating. Clean energy transition is arguably necessary to preserve life on earth if there is not a significant decrease in consumption, but the development can not be pushed through without comprehensive measures to ensure the viability of the environment and life that climate action is ultimately trying to save. The question the SunZia Wind and Transmission project once again raises is at whose expense should climate action be executed.

To address concerns over cultural preservation and Indigenous rights, Pattern Energy Group has a human rights statement on their project's website, entailing sections on Indigenous

⁷⁹ Meyer, “The Long, Strange Success Story of America’s Biggest Clean Energy Project”. *Heatmap*, June 18, 2024.

⁸⁰ Emma Peterson. “SunZia Southwest Transmission Project Receives Final Federal Approval”. *Inside Climate News*, May 29, 2023.

Peoples and land rights. Pattern Energy Group states in its human rights statement that it has had meaningful consultation with Indigenous Peoples affected by the project and has followed due diligence in the purchase of the lands. “We comply with laws and regulations as our minimum standard and implement best practices where local rules are not as stringent. We aim to be industry leaders who take steps to preserve environmental and cultural resources in and around our sites. We are privileged to have built close relationships with Indigenous Peoples, strengthening our ability to meet these commitments”, Pattern Energy Group states. This statement insinuates that the company not only follows the legal obligations, but that it would go beyond them to ensure cultural preservation in collaboration with the communities affected. In reality, the opposition of SunZia Wind and Transmission argues that required measures of conducting a cultural landscape study and an HPTP have not been fulfilled, and therefore, even the minimum standards haven’t been reached. Beyond that, the strong opposition to the project, specifically from Indigenous People and their advocates, implies that the claims of close relationships and consultation are not a reflection of reality. In that light, these statements and acknowledgments of Indigenous presence come across as a part of a crafted image of accountability and compliance toward the people who are affected as the consensus seen through both mainstream and Indigenous media, as well as legal actions taken by the Tohono O’odham and San Carlos Apache, is a strong sense of disapproval and resistance. This poses multiple questions regarding projects like SunZia, where the projects are both painted as noble through their “green” nature as well as compliant through crafting an image of Indigenous approval and even cooperation. For Indigenous People, the opposition is not about green energy production itself but the exploitation of their lands and the lack of consultation in projects. Green energy production so often utilizes the talking points of environmental preservation and climate action to justify the same colonial structures Indigenous communities are speaking up against, making Indigenous communities seem opposed to the green transition.

Through the dismissal of claims of ancestral lands and the lack of consultation with Indigenous Peoples, the story of SunZia functions as yet another example of how Indigenous lands are at a heightened risk for exploitation in the search for ways of green energy production. The legacy of intentionally diminished and dismissed land rights facilitates the continuation of the exploitation. The green nature of the newest form of exploitation functions as a legitimization for the corporations and institutions driving the developments to uphold the settler colonial structures. This green legitimization creates a complicated setting

where resistance to green energy development on Indigenous lands is seen as resistance to green energy rather than settler colonialism and exploitation, and through that, as the resistance is portrayed as unwillingness to participate in climate action. The use of the argument of the necessity to prioritize the green transition, as well as the crafted image of compliance, seeks to delegitimize Indigenous resistance and resurgence. Claims of meaningful consultation with Indigenous People, while there is a widely publicized opposition against the project, highlight the lack of Indigenous representation and genuine effort for meaningful consultation. True, intersectional sustainability encompasses more than just the development of renewable energy at the cost of communities, culture, and wildlife, but rather helps to understand that environmental concerns and race and class are inherently linked. The concern over who carries the consequences of climate mitigation is a direct question of environmental justice. Inclusive, intersectional sustainability that the future of energy development should also strive for would treat climate action and Indigenous rights as non-negotiables that can both be fulfilled. The following chapter will examine the implications of a case study of a green colonialist project and the responses to it.

2. Implications and Responses to SunZia Wind and Transmission

The SunZia Wind and Transmission project has received both praise and critique during the nearly two decades it has been in the making. The need for renewable, reliable energy sources is undeniable, and the project has gotten recognition for its ambitious scale. A sizable development like the SunZia Wind and Transmission project naturally raises questions about the effects on nature and the environment. To respond to some of these concerns, Pattern Energy Group has collaborated with Audubon Southwest, a conservationist organization, to understand the migration patterns of birds that could be affected by the turbines and transmission lines, to develop the project in a manner that least affects the natural habitat of the species.⁸¹ Given Audubon Southwest's expertise in birds, their collaboration with Pattern Energy Group on SunZia is beneficial for the knowledge of birds' migration patterns and habitat to mitigate harm.⁸² Simultaneously, exactly because of their restricted focus, the collaboration can not be viewed as a sign of full environmental compliance. This

⁸¹ Audubon Southwest: "Why We Support SunZia." <https://southwest.audubon.org/news/why-we-support-sunzia>

⁸² For more on Audubon Southwest, see "About", Audubon Southwest. <https://southwest.audubon.org/about-us>

collaboration could either be seen as an effort to alleviate some of the environmental concerns and implications, but also as a handy tool to fortify the image of an environmentally conscious project despite the resistance from organizations focusing on more comprehensive environmentalism. According to requirements and regulations, SunZia has applied for a certificate of environmental compatibility (CEC) that obligates them to conduct a cultural landscape study as well as a historic properties treatment plan (HPTP). The Center for Biological Diversity as well as Archeology Southwest have advocated against the SunZia Wind and Transmission project, arguing that the Bureau of Land Management has failed to protect the ecologically, culturally, and historically significant San Pedro Valley from the transmission lines harm as the construction has commenced before the completion of the aforementioned assessments.⁸³ Along with the unique, ecologically diverse region being the home to many species possibly endangered by the project, the region is also home to many Indigenous Nations and holds cultural and historical significance.

The Indigenous Nations of Tohono O’odham and San Carlos Apache, alongside Zuni and Hopi Nations, identify the region where SunZia Wind and Transmission is being developed as their ancestral homeland, maintaining profound cultural and historical connections to the area. The Tohono O’odham Nation and San Carlos Apache tribe specifically have been presented in detail in chapter one as their ancestral lands are the foundation that SunZia is being built on, and they, together with the non-profit organizations, are in pursuit of legal action against the project. The plaintiffs have been clear in stating that their opposition is not to green energy but to the disregard of cultural, historical, and environmental concerns of the region. They argue that climate action through green energy development does not have to be executed at the expense of biodiversity or Indigenous rights.

This chapter will present the concerns regarding the effects of the SunZia Wind and Transmission project on the culturally, historically, and environmentally significant landscapes in the Southwestern United States. Understanding these concerns is essential for effectively examining and analyzing the actions of the opposition, as these issues form the basis of their resistance. The responses and legal action in resistance will be explored in this chapter to analyse how Indigenous People and non-profit organizations have been trying to communicate their concerns and the response to which they have been met.

⁸³ Archeology Southwest, Press releases/Announcements. “Tribes and Archaeology Southwest Sue USBLM over SunZia Transmission Line Route”. January 22, 2024. <https://www.archaeologysouthwest.org/2024/01/22/tribes-and-archaeology-southwest-sue-usblm-over-sunzia-transmission-line-route/> (Accessed 24.3.2025)

2.1 Environmental and Cultural Concerns

Indigenous People and non-profit organizations' opposition to the SunZia Wind and Transmission project stems from the concerns over environmental and cultural protection rather than from the opposition to green energy itself. Pattern Energy Group justifies the specific choice of location for SunZia Wind, stating that “New Mexico boasts some of the most abundant, constant wind energy resource in the United States”.⁸⁴ The HCDV transmission line, i.e., SunZia Transmission, has been subject to multiple reroutings to avoid private lands, environmental concerns, and the Department of Defense's properties.⁸⁵ After almost two decades of the project, the transmission lines are being set up in the San Pedro Valley. Due to the chosen location of San Pedro Valley, the HCDV transmission line has been highly contested. San Pedro Valley is described as being one of a kind, as the last ecologically untouched landscape in southern Arizona, that holds historical value along with the importance to Indigenous people.⁸⁶ Pattern Energy representatives describe the chosen route for the transmission line as “the most environmentally compatible”.⁸⁷ This statement, though, does not detail the clear difference between the most environmentally friendly and most environmentally compatible options, as the latter only regards environmentality in the frame of profitability and lucrativeness. The compatibility is measured together with profitability, whereas the most environmentally friendly option would prioritize the environment before profit.

The chosen route, as explained by Indigenous People affected as well as environmental experts and locals involved, is not the most environmentally or culturally sensible option. Evans, in her article for the Arizona Republic, describes how the conservationists involved believe that the route through San Pedro Valley was chosen for its cost-effective nature compared to other alternatives.⁸⁸ The transmission line, running through the rare ecologically intact San Pedro Valley, poses an environmental harm to multiple species inhabiting the area as well as migrating through it. The valley is described as a biologically rich watershed that

⁸⁴ Pattern Energy Group, SunZia Wind and Transmission project description.

⁸⁵ Peterson, “SunZia Southwest Transmission Project Receives Final Federal Approval”.

⁸⁶ See Taylor Dawn Stagner, “ Tribes turn to the U.N. for help intervening in gigantic Arizona wind project”. *High Country News*, April 23, 2024. and Miller, “Can We Avoid The Pitfalls Of Going Green?”

⁸⁷ Peterson, “SunZia Southwest Transmission Project Receives Final Federal Approval.”

⁸⁸ Hayleigh Evans. “Tribes say SunZia power line threatens San Pedro River, sue to stop construction”. *Arizona Republic*, 24.1.2024.

has gone undisturbed until the SunZia transmission development.⁸⁹ John Welch, the landscape and site preservation program director for Archaeology Southwest, in an Arizona Republic interview, poses the question “Why would we sacrifice one of America’s last great places for a power line when we don’t have to do it? It’s not the only way”.⁹⁰

SunZia’s CEC application details the possible harms to the watershed as follows: “Direct impacts to perennial surface water features could include sedimentation from fugitive dust deposition or access road construction, removal of riparian vegetation, bank alteration, accidental contamination associated with spills of environmentally harmful material, damage to wetlands, or the introduction of invasive species.”⁹¹ Continuing with the possible harms, the application also states that groundwater resources could be subject to accidental contamination.⁹² While these examinations conclude with the statement that preventive actions would successfully reduce the damage to the water resources, there is the potential for possible harm to the biologically rich watershed. SunZia Transmission, with the finalized route for transmission lines, is estimated to affect multiple birds’ migration patterns, wildlife habitats, and the cultural and historical landscape of the region.⁹³ The CEC application details possible risks for various birds through collision with the power lines, habitat loss, or impacts on the Sonoran Desert Tortoise and Tucson Shovel-nosed Snake.⁹⁴ The project could also negatively affect the Lesser Long-nosed Bat, Yellow-billed Cuckoo, and Southwestern Willow Flycatcher, all listed under the ESA as endangered species.⁹⁵ The construction and operation could harm their natural nesting habitat and their ability to forage.⁹⁶ Environmental organizations claim that since the start of the construction in 2023, Pattern Energy has already caused extensive erosion in the region as they have not implemented controlling measures.⁹⁷

Along with the environmental concerns regarding the SunZia Transmission line, a large part of the apprehension towards the project stems from concerns over cultural preservation. The Tohono O’odham Nation, the San Carlos Apache tribe, along with the Zuni and Hopi Nations, have deep ancestral ties to the region. Physical evidence of ancestral presence functions as a foundation for the claims from the Indigenous People involved, but the justifications for their concerns reach beyond that. They argue that transmission lines running

⁸⁹ Lower San Pedro Watershed Alliance. Protecting An Ecological Treasure of International Importance. <https://www.lowersanpedro.org/>

⁹⁰ Evans, “Tribes say SunZia power line threatens San Pedro River, sue to stop construction”.

⁹¹ Application - Line Siting Part I of II - For Part II see Barcode 0000166025 p.43

⁹² Application - Line Siting Part I of II - For Part II see Barcode 0000166025 p.43

⁹³ Application - Line Siting Part I of II - For Part II see Barcode 0000166025 Exhibit B p.40-54

⁹⁴ Application - Line Siting Part I of II - For Part II see Barcode 0000166025. p.44

⁹⁵ Application - Line Siting Part I of II - For Part II see Barcode 0000166025. p.44

⁹⁶ Application - Line Siting Part I of II - For Part II see Barcode 0000166025. p.44

⁹⁷ Paul Ingram, “Enviros: Erosion from SunZia powerline construction damaging watershed”. *Tucson Sentinel*, August 14, 2024.

through the valley also seriously alter the culturally and historically significant landscape. Indigenous Nations and environmentalists have pointed out in their formal complaint that Pattern Energy group has not fulfilled the requirements of the CEC by conducting the cultural landscape study and the HPTP to assess the consequences of the project from this perspective.⁹⁸ The CEC specifically states that an HPTP is necessary in culturally sensitive areas, before construction.⁹⁹ Areas of cultural significance to the Nations include ancient burial sites, religious sites, ancestral habitation, belongings, and trails.¹⁰⁰ Outside of this, the landscape of San Pedro Valley in itself is a cultural landscape for the Nations. The Environmental Impacts of Wind-Energy Projects, book by National Research Council (U.S.). Committee on Environmental Impacts of Wind-Energy Projects.; National Academies Press examines the challenges that wind energy production could possibly pose and the solutions. A key sentiment the work highlights regarding the issue of cultural harm is that “The project’s potential for negative impacts as well as benefits, and the fact that different people have different values as well as different levels of sensitivity, are important aspects of impact assessment.”¹⁰¹ This work further details that “Historic, sacred, and archeological sites and settings must be regarded as sensitive sites” and emphasizes that assessing the impact on these sites is particularly important. The National Research Council’s Committee on Environmental Impacts of Wind-Energy Projects’ assessment on how to approach the mitigation of wind energy projects aligns with the SunZia opponents’ calls for the cultural landscape study and HPTP. The consequences of SunZia for the local people stretch from possible harm to cultural landscapes and ecosystems to the sacrifice of an ecologically diverse region. The SunZia Wind and Transmission project is yet another example of the values where existing wildlife, pristine landscapes, and communities are sacrificed to guarantee an ecologically friendly extension for capitalism. As Leif Abrell, a local affected by SunZia, characterizes for AZ Luminaria news outlet, green spaces are sacrificed for green energy.¹⁰² Fundamentally, this reflects the principle that opposition to SunZia stems from a demand to be heard; preserving green spaces, ecosystems, and Indigenous sovereignty can align with climate action rather than oppose it.

As proposed in chapter 1.2, exploring the relationship between the United States and the Native Nations through the framework of the Global North and South divide can be a helpful tool in unpacking the dynamics and their implications. Perceiving Indigenous lands through

⁹⁸ Arizona Corporation Commission Docket LO-00000YY-24-0042 Application - Formal Complaint p.2

⁹⁹ Application - Line Siting Part I of II - For Part II see Barcode 0000166025. 46

¹⁰⁰ Archeology Southwest, Press releases/Announcements. “Tribes and Archaeology Southwest Sue USBLM over SunZia Transmission Line Route”.

¹⁰¹ National Academies Press. “Environmental Impacts of Wind-Energy Projects.” p.140

¹⁰² Leif Abrell, quoted in an *AZ Luminaria* article by Wyatt Myskow, “The largest clean-energy project in US history cuts through the pristine San Pedro Valley. Tribes and residents are trying to reroute it”. April 10, 2024.

the concept of the Global South sets the exploitation of lands and natural resources, the mission of “civilizing” Indigenous People, and the undermining of sovereignty into a global context. Setting the environmental colonialism global context is beneficial in understanding the processes, structures behind it, possible implications, and the forms it can take. Toxic colonialism is usually characterized as the waste disposal from the Global North to South as well as the use of risky technologies in the Global South, in the form of, e.g., Uranium mining on Indigenous lands that can lead to groundwater contamination and radiation hazards.¹⁰³ Despite its harmful nature, Uranium is a key ingredient in the production of nuclear energy, a form of green energy. While harnessing wind energy and transmitting it through an HCDV transmission line does not directly pose a similar risk to the environment as the sourcing of materials for nuclear energy, it still contributes to environmental degradation, violations of sovereignty under the green legitimization, and alters culturally and historically significant landscapes. Through this, the concepts of toxic colonialism and green colonialism become inherently intertwined, fitting into the larger notion where Indigenous lands and the environment are sacrificed for the green energy transition. This notion fits into the larger pattern where the Global South, including Indigenous lands, has been positioned as exploitable and extractable, creating sacrifice zones. Ryan Holifield and Mick Days in their article explain that the concept of sacrifice zones has extended from its initial meaning of direct environmental damage to entail the larger phenomenon of sacrificing land of minorities for the “greater good”.¹⁰⁴ Marcelo Lopes De Souza describes sacrifice zones as “segregated” and “stigmatized” where “the physical and mental health and the quality of life of human beings are compromised in the name of ‘economic development’ or ‘progress’ – but ultimately for the sake of capitalist interests.”¹⁰⁵ De Souza characterizes these sacrifice zones as often being situated in the peripheries, connecting the issue of environmental exploitation and degradation to the location of borderlands. This framework is applicable to the SunZia Wind and Transmission project, where Indigenous lands are exploited to meet green energy demands, and Indigenous objections are frequently dismissed by invoking rhetoric that frames such impacts as necessary sacrifices for the greater good. While sacrifice is often framed as necessary within climate action, environmental injustice emerges when the burdens of such sacrifice disproportionately impact marginalized communities, thereby perpetuating the settler colonial hierarchy.

¹⁰³ United States Environmental Protection Agency (EPA). “Radioactive Waste From Uranium Mining and Milling.” <https://www.epa.gov/radtown/radioactive-waste-uranium-mining-and-milling> (Accessed 1.4.2025)

and Bullard, D. *Confronting Environmental Racism: Voices from the Grassroots*. South End Press, 1999.

¹⁰⁴ Holifield, Ryan, and Mick Day. “A Framework for a Critical Physical Geography of ‘Sacrifice Zones’: Physical Landscapes and Discursive Spaces of Frac Sand Mining in Western Wisconsin.” *Geoforum* 85 (2017): 269–79. p.269

¹⁰⁵ Marcelo Lopes de Souza, “‘Sacrifice Zone’: The Environment–Territory–Place of Disposable Lives.” p.220

From the aspect of cultural concerns, the “landscape of sacrifice” continues to apply, as the Indigenous People of Tohono O’odham and San Carlos Apache argue that a large, visually disruptive project like SunZia Wind and Transmission line severely alters their cultural landscape of the San Pedro Valley. Taking the history of displacement and disregard of claims of ancestral sites within the region, altering the cultural landscape is another act in the continuum of neglect for cultural heritage. Furthermore, displacement of Indigenous people to small, more ecologically unpredictable and vulnerable areas creates what Whyte characterizes as “insidious loops”, where Indigenous people continue to carry graver consequences of environmental issues as a consequence of settler colonialism.¹⁰⁶ Terry Rambler, the San Carlos Apache chairman voiced the dissatisfaction regarding the disregard for the culturally sensitive area for a Arizona republic article, stating that “For more than a decade, the San Carlos Apache Tribe and others have been raising alarms about the need to protect the cultural resources in the San Pedro Valley from impacts of the SunZia project”.¹⁰⁷ Similarly, the Tohono O’odham chairman Verlon Jose stated in the same article that “They must change course, immediately stop all ground-clearing activity and work with us to protect these sites as required by federal law”.¹⁰⁸ The two Indigenous Nations, along with non-profit organizations advocating alongside them, believe that the concerns over cultural preservation they have voiced and required action for have not been addressed. The Nations believe the SunZia Transmission project to alter the cultural landscape in San Pedro Valley, as well as passing through sites of cultural significance, such as ancestral habitation. John Welch, the landscape and site preservation program director of Archaeology Southwest described their understanding of the process to explore the cultural implications of SunZia for Arizona Republic describing the process as feeling like “The BLM got a group of archaeologists to walk down the right-of-way and look for artifacts instead of doing what they’re supposed to do, to take into consideration the broad context of the place’s history and the ongoing connections to living communities”.¹⁰⁹ This reflects the prevailing sentiment within the Indigenous side of the discourse, that their environmental and cultural concerns have been dismissed to move forward with the project.

2.2 Responses and Legal Action

¹⁰⁶ Whyte, “*Settler Colonialism, Ecology, and Environmental Injustice*.” p.142

¹⁰⁷ Evans, “Tribes say SunZia power line threatens San Pedro River, sue to stop construction”.

¹⁰⁸ Evans, “Tribes say SunZia power line threatens San Pedro River, sue to stop construction”.

¹⁰⁹ Evans, “Tribes say SunZia power line threatens San Pedro River, sue to stop construction” .

For SunZia, the resistance is as old as the project. In September 2015, the Arizona Corporation Commission (ACC) received an application for Certificate of Environmental Compatibility (CEC) for the SunZia transmission project.¹¹⁰ Within weeks, environmental organizations, the Center for Biological Diversity, the Sierra Club, and Friends of the Aravaipa Region have filed their appeal to permit non-profit organizations to be represented by a designated individual without compulsory presence of an attorney.¹¹¹ The goal of this request is to lower the threshold of non-profit organizations' possibility to participate and intervene, demonstrating that these organizations have an opinion on the process. The Commission's staff's response to procedural order concluded that "Staff believes that a non-attorney member of a Domestic nonprofit corporation satisfying the requirements of A.R.S. 40-360.05(A)(3) may represent the entity before the Siting Committee. Further, Staff would not object to the participation of such entities through the representation of an authorized member."¹¹² This, in short, grants the non-profit organizations accessibility in partaking. A month later, Peter Else filed a Notice of Intent to intervene as an individual, to the Arizona Power Plant and Transmission Line Siting Committee.¹¹³ These motions were the start of the ongoing, almost two-decade-long legal back-and-forth.

These filings reveal the prompt reactions and sustained correspondence from individuals such as Peter Else, as well as from non-profit organizations, indicating their continuous involvement in the development process of the SunZia Wind and Transmission project from its inception.¹¹⁴ Despite these pleas, accompanied by several other appeals, Pattern Energy Group commenced the construction of SunZia Wind and Transmission in 2023. As a response to the operation commencing, the Indigenous Tohono O'odham Nation and San Carlos Apache tribe, along with the Center for Biological Diversity, Archaeology Southwest, and Peter Else, filed a formal complaint to the ACC on February 12, 2024. This formal complaint filed for the ACC details claims that Pattern Energy Group has not fulfilled the requirements of the CEC, a cultural landscape study, and a historic properties treatment plan (HPTP), stating that "SunZia has submitted an incomplete historic properties treatment plan and has not conducted a cultural landscape study".¹¹⁵ The SunZia Transmission LLC details in their

¹¹⁰ Arizona Corporation Commission Docket L-00000YY-15-03 18-00171 Application - Line Siting Part I of II - For Part II see Barcode 0000166025

¹¹¹ Miscellaneous Comments - Sierra Club- Grand Canyon Chapter, Center for Biological Diversity, Friends of the Aravaipa Region. Arizona Corporation Commission Docket L-00000YY-15-0318-00171 9/16/2015

¹¹² Response/Reply to a Procedural Order, filed by Charles Hains, Atty. - Legal Division, A.C.C., Arizona Corporation Commission Docket L-00000YY-15-0318-00171, 9/18/2015.

¹¹³ Notice of Intent, Peter Else. Arizona Power Plant and Transmission Line Siting Committee. Arizona Corporation Commission Docket L-00000YY-15-03 18-001 7 1

¹¹⁴ See e.g. ACC E-Dockets filings Request for Review, Peter T. Else 12/08/2015, Exceptions to/Comments on/Responses to Proposed Order/Recommended Order/Recommended Opinion and Order, Peter T. Else 11/06/2018, Response, Peter T. Else 05/23/2022, and Correspondence - Miscellaneous, Sandy Bahr for Sierra Club - Grand Canyon Chapter 02/01/2016

¹¹⁵ Arizona Corporation Commission Docket L-00000YY-15-0318-00171 Application - Formal Complaint

CEC application's *Exhibit E - Historic sites and structures and archaeological sites*, the places of historical and archaeological significance, including locations of Indigenous artefacts or inhabitation. The application concludes that "however, since only 16 percent of the review area has been surveyed for cultural resources, it is likely that a complete inventory would identify many additional historic sites, structures, and archaeological sites."¹¹⁶ This planned route received a multitude of complaints from private persons as well as organizations.¹¹⁷ The plaintiffs of the formal complaint filed in 2024 argue that the responsibility of conducting a cultural landscape study and a historic properties treatment plan (HPTP) before commencing construction has not been fulfilled, despite this being stated as a requirement for the approval according to Condition 12 of the CEC.¹¹⁸ Furthermore, the widely held notion among the opposers is that the routing for the project has changed so drastically from its approved version in the decade since that the approval should not apply to the current route.¹¹⁹

The main voices of opposition to the SunZia project that are still actively involved are two non-profit organizations, the Center for Biological Diversity and Archaeology Southwest, along with the Tohono O'odham Nation, San Carlos Apache tribe, and Peter Else. The Center for Biological Diversity is a non-profit organization based in Tucson, AZ, with the mission of "saving life on earth" through wildlife and nature preservation.¹²⁰ Similarly, Archaeology Southwest is also a Tucson-based non-profit organization, focusing on preservation archaeology.¹²¹ In practice, Archaeology SW describes this to mean "protecting heritage places while honoring their diverse values".¹²² Fighting alongside the Tohono O'odham Nation, San Carlos Apache Tribe, and non-profit organizations is also Peter Else, a private landowner in the San Pedro Valley. Else, by all characterizations is an environmentalist, living from renewable energy and his organic garden, but even he is opposing the SunZia Wind and Transmission Project, to the degree that he is the only private person appearing alongside whole tribes, Nations, and organizations in the formal complaint and following actions in opposition to SunZia.¹²³ Else has been involved, opposing the SunZia process from at least 2015, according to the ACC E-Dockets. While the justifications for the opposition

¹¹⁶ Application - Line Siting Part II of II - For Part I see Barcode 0000166024. Arizona Corporation Commission Docket L-00000YY-15-0318-00171 p.17

¹¹⁷ For other complaints, see Docket L-00000YY-15-0318-00171 Consumer Comments/in Opposition filed by Ralph Walcott 09/23/15, Jon C. Sjogren 09/22/15, Lon Brehmer 10/05/15, and Correspondence/Miscellaneous comments filed by The Wilderness Society 10/13/15

¹¹⁸ Wyatt Myskow. "The largest clean-energy project in US history cuts through the pristine San Pedro Valley. Tribes and residents are trying to reroute it." *AZ Luminaria*, April 10, 2024. For CEC requirements, see ACC Docket No. L-00000YY-15-0318-00171, filed by Verlon Jose 12/15/23 and Application - Line Siting Part I of II - For Part II see Barcode 0000166025. Arizona Corporation Commission Docket L-00000YY-15-0318-00171, b10

¹¹⁹ Myskow, "The largest clean-energy project in US history cuts through the pristine San Pedro Valley. Tribes and residents are trying to reroute it."

¹²⁰ About, Center for Biological Diversity.

¹²¹ About, Archaeology Southwest

¹²² About, Archaeology Southwest

¹²³ Miller, "Can We Avoid The Pitfalls Of Going Green?"

have varying reasons for the parties, the non-profit organizations are standing behind the claims of the Indigenous Nations on cultural and historical preservation.

While it has to be noted that neither the planned SunZia wind turbine park nor the transmission line physically overstep the current reservation borders of the Tohono O’Odham Nation, there are multiple contributing factors to the Nation's dissatisfaction with the project. As previously noted, the current reservation boundaries do not encompass the full extent of the Nation's ancestral lands. Therefore, justifying Pattern Energy’s claim to the land based on settler colonial borders relies on systemic structures that have historically undermined the legitimacy of Indigenous land rights. The Tohono O’odham contend that, in addition to these concerns, the transmission lines are located on sites of tribal significance and disrupt a landscape that is central to their cultural identity and way of life. The neighboring Nation of San Carlos Apache has joined the Tohono O’odham in their resistance to energy production on the ancestral Indigenous lands in New Mexico and Arizona.

After formal complaints and multiple pleas through ACC, Tohono O’odham, San Carlos Apache, Center for Biological Diversity, and Archaeology Southwest sued in January 2024, stating that BLM has chosen to disregard the cultural significance of the San Pedro Valley and granted permission for the SunZia route.¹²⁴ In conjunction, they pleaded for the halting of the project for the processing time of their suit. A U.S District Judge Jennifer Zipp dismissed the claims against SunZia in the spring of 2024, stating that the plaintiffs had brought their challenge too late.¹²⁵ As the route was approved in 2015 and the statute of limitations being six years, the tribes should have sued by 2021, according to Judge Zipp.¹²⁶ Archaeology Southwest representatives argue that National Historic Preservation Act consultation could have resulted in an alternative route, and it was implied that the route would not be finalized before the consultation had been conducted; the plaintiffs awaited the results.¹²⁷ The suit has since been taken to the 9th Circuit Court of Appeals in March 2025. According to Archaeology Southwest’s reporting, the circuit court panel seemed sceptical about the legality of the approval process, with the lack of a cultural landscape study and an HPTP regarding the project. The arguments against the suit being untimely were quickly counteracted by U.S. Circuit Judge Susan P. Graber, stating that the plaintiff's suit was a timely response to a new

¹²⁴ Susan Montoya Bryan and Ritter, Ken. “Tribes, environmental groups ask US court to block \$10B energy transmission project in Arizona”. *AP News*, January 23, 2024.

¹²⁵ Montoya Bryan, “Judge dismisses Native American challenge to \$10B SunZia energy transmission project in Arizona”. *AP News*, June 7, 2024.

¹²⁶ Joe Duhownik, “Southwest tribes ask 9th Circuit to revive challenge to high voltage transmission line”. *Tucson Sentinel*, March 27, 2025.

¹²⁷ Duhownik, “Southwest tribes ask 9th Circuit to revive challenge to high voltage transmission line”.

decision, pointing to the 2023 approval for construction.¹²⁸ The fight against SunZia is mostly happening at the state level in Arizona, but the concern of green energy projects happening on Indigenous lands in the United States has reached global arenas, too. Tohono O’odham Amy Juan has taken the issue of SunZia and Indigenous voices to the United Nations Permanent Forum on Indigenous Issues (UNPFII) on the 23rd session in April 2024. Gaining both local and global awareness is extremely important when the voiced concerns are being dismissed.

The Tohono O’odham Nation and San Carlos Apache Tribe argue that the location of the SunZia Transmission line in San Pedro Valley seriously threatens the cultural landscape of their people.¹²⁹ The consensus among them is that their concerns for the altered landscapes are not being heard. A large area of their ancestral lands is not considered Indigenous lands due to the history of unjust land purchases and forced relocation to the reservations. The lack of recognition for the ancestral lands complicates the effort to gain legitimacy for the resistance. Legal cases have functioned as a way to activate and solicit an institutional response, and Tohono O’odham and San Carlos Apache representatives have continued to voice their dissatisfaction to media outlets. Through active participation in the discourse, the Indigenous People and non-profit organizations have gained institutional recognition throughout the project. Their voiced opinion and actions are still in contradiction with the rhetoric of corporations and institutions driving the developments that claim to have Indigenous Peoples and environmental organizations on their side. Chapter three will move to the analysis of the rhetoric employed by BLM and Pattern Energy Group. The media discourse and its role in highlighting or undermining Indigenous voices in the decision-making will be analyzed with qualitative content and discourse analysis tools with a decolonial framework.

3. Indigenous Voices in Green Energy Development Discourse

Through the exploration of the legal action and media reportage, it is clear that the SunZia Wind and Transmission project has provoked wide discourse around Indigenous rights and

¹²⁸ Duhownik, “Southwest tribes ask 9th Circuit to revive challenge to high voltage transmission line”.

¹²⁹ Evans, “Tribes say SunZia power line threatens San Pedro River, sue to stop construction”, Duhownik, “Southwest tribes ask 9th Circuit to revive challenge to high voltage transmission line” and Montoya Bryan, and Ritter, “Tribes, environmental groups ask US court to block \$10B energy transmission project in Arizona”.

environmental justice. The clear conclusion from examining the SunZia Wind and Transmission project is that Indigenous People are not heard or included in the decision-making process of green energy development despite the direct effects on their cultural landscape and ancestral lands. Indigenous people and non-profit organizations on their side have continuously voiced their dissatisfaction towards SunZia through any channels available. This has included speaking to the media outlets willing to broadcast their voices, taking legal action at the local level, and taking the grievances to the 9th Circuit District court and to the United Nations Permanent Forum on Indigenous Peoples. Despite visible counteraction, the developing corporation and BLM have been complicit in the efforts of crafting an image of sustainability and compliance, which includes claims of Indigenous approval. As the resistance front continues to argue that Indigenous rights and climate action do not have to be at odds, the developers seem to understand that expectations of sustainability are increasingly intersectional. Intersectionality in sustainability in practice means a broadened outlook that includes cultural preservation, environmental mitigation, and environmental justice in climate action through green energy. The response to this emerging expectation of intersectionality, however, seems, at least through the case study of SunZia Wind and Transmission project, to be performative rather than genuine, as the claims of the developers are at odds with what Indigenous Peoples and non-profit organizations are voicing. The following chapter will analyse the responses in corporate rhetoric and media to this rising requirement of intersectionality to gain insight into the discourse and the legitimacy of corporate claims, to examine whether green energy developers are striving for inclusion and consultation, or purely greenwashing the colonialism they are utilizing to execute the projects. Furthermore, the representation and discourse in media will be scrutinized to examine the media's role in either uplifting or silencing Indigenous voices, whether it be grievances or approval.

3.1 Corporate Rhetoric of Greenwashing Colonialism

“SunZia Transmission is setting a precedent with a gold standard in environmental mitigation projects developed hand-in-hand with the environmental community” is one of the taglines

on SunZia's project description page.¹³⁰ Throughout their output, Pattern Energy Group is deploying purposeful rhetoric to paint the company as a trailblazer in considering the broader implications of their projects. Therefore, comparing the statements put out by the developer against the opposition's arguments and the evidence presented by them is vital to gain an understanding of who is trying to guide the narrative and for what purpose.

Greenwashing is traditionally associated with corporations making their projects seem more environmentally conscious than they are to benefit from the image of sustainability without actually doing the effort. The SunZia Wind and Transmission project is green in its nature in the sense that the development is aimed at producing and transmitting wind energy, which is considered a green energy form. Due to the green nature of the project, Pattern Energy Group or BLM does not need to participate in greenwashing the product itself to make it appear more environmentally friendly. In the case of SunZia Wind and Transmission, greenwashing applies to the structures of settler colonialism that the project utilizes with a green legitimization. The greenwashing of colonialism, or more simply green colonialism, as in the environmental legitimization for colonialism, relies on the same tactics as the greenwashing of consumer products or services, as greenwashing of colonialism is the environmental legitimization for upholding and reinforcing settler colonialism. The tactic of greenwashing colonialism is crucial in gaining legitimacy for the necessary land claims to further green energy development on Indigenous lands. Furthermore, through green development on settled lands, the settler can gain legitimization for the settling and enforce the perceived legitimacy of settler stewardship.¹³¹ The projects developed might very well be green and beneficial for climate action, but their implementation relies on settler colonialism and further environmental injustice, which is why the talking points of environmentalism are used to justify and uphold the settling of the land. This structure demonstrates that green energy developments on settled lands both rely on the persistence of settler colonialism but simultaneously reinforce it. Hughes et al. explore this in *Greenwashing in Palestine/Israel: Settler Colonialism and Environmental Injustice in the Age of Climate Catastrophe* in the context of Israel's occupation of Palestine, explaining that green technologies developed on settled lands executed by the settlers are used as a tool of legitimizing the settler colonial project.¹³² With clear similarities in dynamics and positionality, the theories regarding borderlands, green legitimization, and political ecology of settler colonialism, the research of

¹³⁰ Pattern Energy Group, SunZia Wind and Transmission project description.

¹³¹ Sara Salazar Hughes, Stepha Velednitsky, and Amelia Arden Green. "Greenwashing in Palestine/Israel: Settler Colonialism and Environmental Injustice in the Age of Climate Catastrophe." *Environment and Planning, E, Nature and Space* (Print) 6, no. 1 (2023): 495–513. Introduction

¹³² Hughes et al., *Greenwashing in Palestine/Israel*.

Hughes et al. on the relation between green development and settler colonialism is a fitting foundation for examining the greenwashing of colonialism. The two concepts of green legitimization of colonialism and greenwashing colonialism refer to the same tactic, which is examined in this research project.

The company responsible for the development of the SunZia project, Pattern Energy Group, has worked to craft an image of itself as a company pioneering in environmental and cultural mitigation. This becomes evident from the project description, which details both the goals and statements of compliance. Pattern Energy Group, through its collaboration with the conservationist group Audubon Society, aims to paint its image as a conscious company dedicated to environmental protection. Additionally, they have formulated a human rights statement that includes a section on Indigenous people, expressing Pattern Energy Group's commitment to meaningful consultations and meaningful benefits to Indigenous communities.¹³³ To enforce the image of compliance, Pattern Energy Group states on the SunZia project page that "the SunZia Wind and Transmission projects have been developed with a deep commitment to environmental stewardship, following through on an extended engagement with local, regional, and national conservation stakeholders."¹³⁴ This statement implies engagement with other actors but is left vague enough to avoid detailing who the considered stakeholders are in question and whether the engagement entails hearing concerns or embarking on a legal back-and-forth, as engagement does not automatically imply that the aim is mutual understanding and benefit. Hannah Holleman in *The Dust bowls of Empire: Imperialism, Environmental politics, and the Injustice of "Green Capitalism"* describes the stakeholder model, saying that "decision makers within major environmental institutions tend to be economically privileged and therefore do not necessarily have the lived experience of oppression under capitalism informing their perspective" and that these decision makers tend to surround themselves with people from similar socioeconomic backgrounds which leads to decreased variety in perspective.¹³⁵ This understanding of the positionality of the stakeholders explains how consultation with other parties does not necessarily provide a wider lens if the stakeholders hold similar political views. Supporting this view, Holleman goes on to say that "Because of their backgrounds, they are also more likely to identify with political and economic elites and view them as primary partners in social change, rather than with oppressed communities struggling for more significant social change."¹³⁶ Involving

¹³³ For claims on consultations and compliance, see Pattern Energy Human Rights Statement 2023.

¹³⁴ Pattern Energy Group, SunZia Wind and Transmission project description.

¹³⁵ Hannah Holleman, *Dust bowls of Empire: Imperialism, Environmental Politics, and the Injustice of "Green Capitalism"*. p.159

¹³⁶ Holleman, *Dust bowls of Empire*. p.159

stakeholders in decision-making, therefore, does not necessarily serve the communities at risk, but rather further benefits the parties who are in the process for economic benefit. Furthermore, Indigenous People have not been included in the alleged engagement and have voiced their discontentment at being viewed at most as stakeholders, when the project is entirely dependent on the exploitation of their ancestral lands.

The human rights statement, the project description, or any other available source provided by Pattern Energy Group does not detail the consultation or other actions taken to ensure inclusion, but rather states that measures have been taken. Regarding environmental concerns and the previously hinted sense of pioneering intersectional sustainability, the quote from the SunZia project description, “SunZia Transmission is setting a precedent with a gold standard in environmental mitigation projects developed hand-in-hand with the environmental community,” also entails claims of collaboration.¹³⁷ The chosen expression of the environmental community is deliberately vague, as in the discourse on SunZia. In the discourse around SunZia, there is not a collective environmental community, as other groups are for and others against the project as it currently stands. In the resources of ACC, media reportage, and Pattern Energy Group’s output, there is proof of collaboration with a singular environmental organization, the Audubon Society Southwest. This collaboration cannot be viewed as comprehensive, as this environmental organization focuses strictly on birds and has been consulted on the effect on birds’ migration routes and nesting. The impacts on birds are an aspect that needs to be taken into consideration, but can not be labeled comprehensively as “environmental mitigation”. These two highlighted statements emphasize the tools of rhetoric that Pattern Energy Group is employing to portray itself as not only compliant but also as a pioneer in intersectional sustainability.

In Pattern Energy Group’s 2024 sustainability report, the company’s CEO, Hunter Armistead, states that, “Earning respect through transparency and accountability and creating benefits in the communities that host our facilities is foundational to who we are as a company.”¹³⁸ This statement illuminates how the company aims to paint an image of compliance through claims of transparency and accountability, while their projects are being challenged by the communities affected, whose pleas for actual accountability through a cultural landscape study or an HPTP are not being heard. Furthermore, the statements coming from the company

¹³⁷ Pattern Energy Group, SunZia Wind and Transmission project description.

¹³⁸ Pattern Energy Group, CEO Message, Sustainability. <https://patternenergy.com/sustainability/ceo-message/>

can be viewed as an active effort to erase the resistance through the continuous construction of the image of transparency. This statement holds a similar sentiment to the earlier example of “engagement with stakeholders”, as the actual partners or actions are not detailed, and no evidence is provided. Contrary to that, the exhibits available to the wider public are the statements of affected communities voicing dissatisfaction with the lack of engagement.

Under the title *Meaningful Partnerships* in the SunZia Wind and Transmission project’s factsheet, the company states that “We believe in acting as a good neighbor through long-term engagement and giving. Pattern Energy equally commits to listening to and respecting the landowners and communities that host our projects through relationship building, open communication, and the reception of feedback. We encourage you to call or email our team to start a conversation.” With this statement, Pattern Energy Group again enforces the crafted image of approval from the people affected by the project with the reference to “being a good neighbour” and “listening and respecting the landowners and communities”. Evidence retrieved from ACC shows resistance from numerous locals, which implies that this understanding of being a good neighbour is a perception held only on one side of the discourse. When it comes to “landowners and communities”, the statement follows the same vague script of claiming compliance without necessary details to counteract the dissatisfied voices of those who are perceived to be the possible “landowners and community” the statement refers to. Furthermore, as settler colonialism and the displacement of Indigenous People actively affect the understanding of what is considered Indigenous lands in present-day Arizona, Indigenous People with their ancestral or reservation lands are not likely considered the landowners that this statement refers to. The claim that Indigenous People are allegedly being listened to and respected would require factual evidence of compliance rather than just a statement that is contradictory to the evidence available. These statements show how Pattern Energy Group uses deliberately vague language emphasizing community engagement and intersectional sustainability to gain support, despite strong opposition from what should be considered the “community” the company engages with in the decision-making and development processes. Finally, in the latest highlighted statement, the option of reaching out is also proposed. Giving the option of reaching out to engage in discourse fits the image of transparency and accountability. In reality, the consumer comments in opposition, as well as other correspondence retrieved from ACC E-dockets, show that their concerns have been met with counterarguments of compliance rather than being truly heard and considered. The notion of collaboration and inclusion that Pattern

Energy Group continuously strives for through these statements is in direct contradiction with the statements and actions of the Indigenous People of Tohono O’odham Nation and San Carlos Apache Tribe, as well as the non-profit organizations in their support. The developer has systematically put out statements claiming collaboration and compliance, while the actors that should be at the forefront in collaborative action on this project are actively voicing their strong opposition to the project as it currently stands.

Statements put out by the company are a vital part of crafting an image of compliance that simultaneously works as a tool of Indigenous erasure by silencing Indigenous voices. Aside from the tactical use of ambiguous statements, the SunZia Wind and Transmission project has been criticized for failing to fulfill the responsibilities of conducting required clearings put in place to protect vulnerable communities, such as the HPTP and the cultural landscape study. In the CEC Application filed for ACC, SunZia Transmission LLC states that an environmental justice analysis has been conducted as required by Executive Order 12898 and that “The results of the analysis for this Project indicated that no significant impacts to environmental justice populations are expected as a result of the construction or operation of the Proposed Route.”¹³⁹ Documents from ACC and reporting on the issue reveal that the Indigenous People and non-profits involved have deemed the analysis to be inadequate. In The environmental justice analysis is a part of the environmental justice strategy detailed in Executive Order 12898 that should “at a minimum: (1) promote enforcement of all health and environmental statutes in areas with minority populations and low-income populations; (2) ensure greater public participation; (3) improve research and data collection relating to the health of and environment of minority populations and low-income populations; and (4) identify differential patterns of consumption of natural resources among minority populations and low-income populations.”¹⁴⁰ For the health and survival of Indigenous People, cultural protection is extremely important, and land protection directly correlates with it.¹⁴¹ Therefore, the destruction of sites of cultural significance directly contradicts the first requirement of the environmental justice strategy. Furthermore, the requirement of “greater public participation” has not been fulfilled to a degree where Indigenous people feel heard in the decision-making. The Executive Order 12898, in requiring greater participation in step 2, targets a core issue in the public understanding of environmental justice as purely the issue of disproportionate

¹³⁹ Application - Line Siting Part I of II - For Part II see Barcode 0000166025 Exhibit B p.53

¹⁴⁰ Executive Order 12898 of February 11, 1994, 1–103. Development of Agency Strategies.

¹⁴¹ Jaskiran Dhillon. “INTRODUCTION: Indigenous Resurgence, Decolonization, and Movements for Environmental Justice.” In *Indigenous Resurgence: Decolonization and Movements for Environmental Justice* p.3

consequences of environmental harm.¹⁴² The required actions, when fulfilled, would respond to the issue of lack of participation in environmental mitigation, an aspect of environmental injustice. Pattern Energy Group's apparent failure to meet the conditions of the environmental justice analysis directly demonstrates the environmental injustice inherent in the green colonialism that the company perpetuates.

The statements of Pattern Energy Group, in multiple different subsections detailing the SunZia Wind and Transmission project, are part of a project to carefully craft an image of intersectional sustainability where green energy is developed on Indigenous lands in collaboration with the communities affected. The language of the statements is kept purposefully vague as no proof of actual actions towards approval from Indigenous People is presented, but insinuations of a culturally sensitive approach polish the project's image in the settler colonial position. Pattern Energy Group's mission of curating compliance hampers Indigenous People's efforts in being actually heard in the process. Pattern Energy Group is not only exploiting Indigenous ancestral lands for economic benefit, but continues to do so by undermining grievances with false compliance.

3.2 The Role of the Media in Green Energy Discourse

The corporation developing the project is naturally at the forefront of the analysis of the crafted image of intersectional sustainability and compliance, as they ultimately carry the responsibility of the image they have crafted. In addition to corporate responsibility, the angle media reporting takes and the rhetoric used when covering the discourse are important in analysing whether Indigenous voices are being highlighted or silenced. Indigenous voices can be highlighted through interviews from Indigenous Peoples of the Nations directly affected, as well as consulting organizations that work in collaboration with Indigenous Peoples towards environmental justice and cultural preservation. On the contrary, silencing Indigenous voices entails the absence of their perspective in reporting as well as invalidating Indigenous People's claims with environmental counterarguments, as this again needlessly puts Indigenous rights and environmental action as rivaling opposites that cannot coexist. At worst, the media can serve as an instrument for corporate greenwashing initiatives by

¹⁴² For the understanding of environmental justice, see Holleman, *Dust Bowls of Empire*.

adopting and reinforcing corporate narratives through reporting. Additionally, the media can contribute to the erasure of Indigenous voices when reporting on issues affecting Indigenous communities, particularly when dismissive language and framing are employed, emphasizing external perceptions rather than centering actual perspectives and voices of Indigenous People themselves. To gain a perspective on how Indigenous voices regarding the SunZia Wind and Transmission project are framed in the media, a variety of different media outlets' reporting on the project was analyzed through a method of qualitative content analysis and media frame analysis. While the goal of this examination is to understand how Indigenous voices are being portrayed in the discourse, these excerpts of the opinions of the Tohono O'odham, San Carlos Apache, and the non-profits in their support, too, are part of media that is curated, edited, and paraphrased. Therefore, the exploration of Indigenous voices in green energy development discourse is an exploration of how Indigenous voices are being represented and framed by non-Indigenous media, as media that platforms Indigenous People directly is scarcely available. Emerge magazine's interview with Tohono O'odham Ofelia Rivas and arguments in legal documents from Indigenous People affected are used to gain insight into the experiences of the communities, to identify possible media biases.

The articles referred to in this chapter are written by journalists who do not publicly claim Indigenous heritage. Newspapers available that are focused on Indigenous People and communities, like the bi-weekly O'odham Action News, have a notably smaller circulation, and O'odham Action News, e.g., has minimal coverage on SunZia as the O'odham Nation is not only restricted to the Tohono O'odham who are affected by SunZia. Furthermore, O'odham Action News webpage details that "Editorials and articles are the sole responsibility of the authors, and do not necessarily reflect the opinion, attitude or philosophy of O'ODHAM ACTION", highlighting that even in this publication the opinion and voices are first and foremost of the journalists who report on issues affecting the Nation but are not necessarily members themselves.¹⁴³ The media discourse on both sides is largely dominated by non-Indigenous voices, but examples like Tohono O'odham member Ofelia Rivas' video interview for Emerge Magazine offer valuable insight into the first-hand experiences and perceptions of Indigenous People themselves. Although all forms of media examined in this thesis are subject to editing that can affect the message that reaches the recipient, video interviews enable us to examine non-paraphrased statements that portray the actual experiences of Tohono O'odham people.

¹⁴³ O'odham Action News. <https://oan.srpmic-nsn.gov/> (Accessed 9.5.2025)

In the SunZia Wind and Transmission project, the reporting has, for a large part, focused on the slowness of the development that has been in the making for almost two decades. Green energy development in the United States can be a slower process compared to non-renewable energy projects due to the permitting process that has been designed for non-renewable energy projects. The slowness is partially caused by the fragmented nature of needing approval on state, federal, and local levels, as well as the lack of previous infrastructure to rely on.¹⁴⁴ The slow pace of green energy development does hinder the process of reaching climate goals with renewable energy. The navigation of the complicated permitting processes and acquiring land rights is often highlighted in the discourse alongside the obstacle of local opposition to the projects. As the land acquisition for the projects rarely includes consultation with Indigenous Peoples, despite the direct impacts on the people, the slowness of the process gives time for the communities that are not being heard to take action. Robinson Meyer (Heatmap media) states regarding green energy development processes that “to build a transmission line, a developer has to secure permission from every state, county, city, and property owner along the route. If any of them denies the project, poison-pills it with endless requirements, or even sits on an application, then the entire project stalls.”¹⁴⁵ Although the requirements might feel endless, they are in place to protect the people affected. In the case of SunZia Wind and Transmission, which Meyer is also using as a case study, requirements like a cultural landscape study and an HPTP are necessary means that are put in place to protect culturally significant landscapes. The chosen language of “poison-pilling it with endless requirements” when describing requirements of assessing cultural and environmental harm shows a clear bias where the protection measures are seen as an obstruction rather than a necessary safety precaution.

In the discourse around SunZia Wind and Transmission, Indigenous People, as well as environmentalist and preservationist organizations, are often painted as the villains, standing in the way of climate action. This is amplified by the juxtaposition of Indigenous rights and environmental action as opposing forces that cannot coexist. Media rhetoric of counterarguing Indigenous grievances with environmental legitimization, arguing for the necessity of the green transition at the cost of Indigenous Peoples’ rights, further villainized them in their claims. In a Washington Post article on SunZia, Maxine Joselow is evaluating

¹⁴⁴ Rayan Sud and Sanjay Patnaik. “How does permitting for clean energy infrastructure work?” September 28, 2022, Brookings.

¹⁴⁵ Robinson Meyer. “The Long, Strange Success Story of America’s Biggest Clean Energy Project”. *Heatmap*, June 18, 2024.

the relation between Indigenous People and energy development nationwide, claiming that “now, instead of polluting fossil fuel infrastructure, tribes are targeting clean-energy projects needed to curb America’s planet-warming emissions.”¹⁴⁶ The way language is deployed in this claim to portray tribes *targeting* clean energy again villainizes Indigenous People as the perpetrators with a “target”. Stating that tribes are targeting projects rather than that these projects are targeting their lands is another building block in the rhetoric of delegitimizing their claims to their ancestral lands. Tribes are not *targeting* clean-energy projects; clean-energy projects are targeting tribal lands, and tribes are opposing that. This clear bias in the rhetoric fortifies settler colonial structures through the delegitimization of Indigenous land stewardship and coincidentally legitimizes settler colonialism.¹⁴⁷

In the Heatmap article, Meyer goes on to celebrate SunZia’s eventual commencement, stating that “Yet for all the hand wringing, SunZia is a success story. It has now fought off its most credible lawsuits, meaning that it is likely to get built.”¹⁴⁸ While successful wind energy development is worth celebrating, the lawsuits against the project are not unfounded, and the concerns presented in them have been left unanswered. Therefore, SunZia might be a success story for green energy development, but it definitely is not one for Indigenous people or environmentalists. Meyer portrays the same rhetoric of the urgency of climate action over Indigenous survivance or environmental preservation by quoting Podesta on SunZia “It’s a classic example of how we’ve gotten excellent at stopping things in America, and if we’re going to take the climate crisis seriously, we have to get excellent at building things in America.”¹⁴⁹ This statement from the Senior Advisor to the President for Clean Energy Innovation and Implementation also highlights the notion that climate goals can be reached only by further expansion and development. The endless loop where future capitalist expansion requires green energy and answering the green energy demand requires expansion for developments, for some of the opponents, seems to be the core of the issue.

A key issue that comes up in media discourse when looking at the SunZia discourse between Pattern Energy Group and BLM, and the Indigenous People and non-profits regarding the permitting process is the CEC application, entailing the cultural landscape study and an HPTP. Regarding this, Meyer explains that “while BLM had once suggested that it would do a cultural landscape study on the San Pedro Valley, it did not do so in a way that would

¹⁴⁶ Joselow, “‘On stolen land’: Tribes fight clean-energy projects backed by Biden”.

¹⁴⁷ For theories and practices of settler legitimization, see Hughes et al., *Greenwashing in Palestine/Israel*

¹⁴⁸ Meyer, “The Long, Strange Success Story of America’s Biggest Clean Energy Project”.

¹⁴⁹ Meyer, “The Long, Strange Success Story of America’s Biggest Clean Energy Project”.

change its obligation to the tribes, she ruled.”¹⁵⁰ Highlighting this notion of optionality undermines the promises of cultural preservation efforts that were made during the process. These suggestions of consideration have likely been proposed in a conscious effort to gain the approval of Indigenous People whose cultural landscape is at risk. The subsequent withdrawal of the suggestion enforces the conception that Pattern Energy Group’s and BLM’s acts of compliance are aiming for virtual endorsement rather than true inclusion. Group’s claims of meaningful consultations and collaboration with stakeholders can not be considered anything other than empty promises if the promised measures of investigating cultural harm are considered a suggestion. Contrary to this, Myskow Wyatt (AZ Luminaria), highlights the tribes’ claims and legitimacy, characterizing their behaviours stating that “they’ve also filed a complaint with the Arizona Corporation Commission, which regulates the state’s utilities and issued the project a Certificate of Environmental Compatibility, arguing developers failed to submit a cultural landscape study and a historic properties treatment plan as required as a condition of the project’s approval.”¹⁵¹ This statement emphasizes that a cultural landscape study and the HPTP were not suggestions that might be fulfilled, but conditions of the CEC. Highlighting the developer’s responsibilities is crucial in legitimizing the claims and complaints of Indigenous Peoples and the non-profit organizations. Meyer’s also characterizes the tribe’s formal complaint by saying that “they say that the BLM must do what’s called a ‘cultural landscape’ study, investigating not only discrete archeological sites along the route but the cultural value of the San Pedro Valley as a whole.”¹⁵² This frames the cultural landscape study as a demand from the Indigenous People, rather than a promise from the developer, and glosses over the fact that the SunZia Transmission LLC has not fulfilled the requirements of the CEC.¹⁵³ While both writers’ statements lay their foundation on legal work, one in a US Judge’s ruling and the other on a formal complaint made by Indigenous people and non-profit organizations, that bases on the conditions of the CEC, there is a crucial difference in which statement is highlighted and how the issue is framed. One statement emphasizes that the intention of conducting a cultural landscape study was stated in the CEC application, and the other discusses the cultural landscape study as a request from Indigenous People that Pattern Energy Group could decide the necessity of.

In the discourse on the legal pursuit against SunZia, Meyer for Heatmap characterizes the formal complaint from the opponents as “legally daring”, and goes on to describe that “The

¹⁵⁰ Meyer, “The Long, Strange Success Story of America’s Biggest Clean Energy Project”.

¹⁵¹ Myskow, “The largest clean-energy project in US history cuts through the pristine San Pedro Valley. Tribes and residents are trying to reroute it”.

¹⁵² Meyer, “The Long, Strange Success Story of America’s Biggest Clean Energy Project.”

¹⁵³ Condition 27 of the CEC, ACC Docket No. L-00000YY-15-0318-00171, filed by Verlon Jose 12/15/23

federal government approved SunZia's route through the San Pedro Valley under NEPA in 2015, meaning that the six-year statute of limitations for that decision had already expired."¹⁵⁴ Duhownik, reporting for the Tucson Sentinel on the same formal complaint, on the other hand, details how the plaintiffs were expecting a finalized decision only after an HPTP consultation and therefore only reacted to a new decision.¹⁵⁵ Duhownik supports this position by a statement from the 9th district court judge, quoting "'To be frank, I find your client's position to be completely puzzling,' U.S. Circuit Judge Susan P. Graber told BLM attorney Ezekiel Peterson. 'It's a new decision. How can you say that's untimely?'"¹⁵⁶ This reporting both seeks to understand the actions of the plaintiffs and highlights their justifications with the judges' support. The tribes and non-profits working with them are criticized for what has been perceived as late action, so explaining the motivations behind waiting for consultation before challenging the process through legal opposition legitimizes their "late" opposition. Evans, reporting for the Arizona Republic, emphasizes the longstanding opposition and involvement of the opponents as well as their benevolence in waiting for consultation through excerpts from Tohono O'odham chairman Verlon Jose, San Carlos Apache chairman Terry Rambler, and Archaeology Southwest landscape and site preservation program director John Welch.¹⁵⁷ The intentional inclusion of their statements in discussing the environmental implications of the routing of the SunZia Transmission line reflects the objective to platform the voices of opposition that Pattern Energy Group's statements and climate action-focused media attempts to silence with environmental arguments and claims of collaboration.

Tohono O'odham and San Carlos Apache, along with the non-profit organizations and locals, have argued for an alternative route, possibly one that could utilize the existing transmission structures. According to Heatmap reporting, the three most viable options BLM and SunZia had for the transmission project were through the San Pedro Valley, through Tohono O'odham reservation lands, or through low-income Latino neighborhoods.¹⁵⁸ Concerns of environmental injustice arose, as the very same communities have already had to facilitate energy structures, the reportage continues.¹⁵⁹ While it is crucial to focus on environmental justice and not subject vulnerable communities to disproportionate harm or leave them out of the processes of decision making, spreading environmental injustice equally across minority neighborhoods is also not a solution to environmental injustice. Using environmental

¹⁵⁴ Meyer, "The Long, Strange Success Story of America's Biggest Clean Energy Project".

¹⁵⁵ Duhownik, "Southwest tribes ask 9th Circuit to revive challenge to high voltage transmission line".

¹⁵⁶ Duhownik, "Southwest tribes ask 9th Circuit to revive challenge to high voltage transmission line".

¹⁵⁷ Evans, "Tribes say SunZia power line threatens San Pedro River, sue to stop construction".

¹⁵⁸ Meyer, "The Long, Strange Success Story of America's Biggest Clean Energy Project".

¹⁵⁹ Meyer, "The Long, Strange Success Story of America's Biggest Clean Energy Project".

injustice as an argument to gain compliance and approval from Indigenous communities to then inflict environmental injustice on them is not informed consent but coercion. The responsibility for finding an environmentally just and sustainable route lies with corporations, together with BLM, and minorities affected should not be expected to find solutions to earn environmental justice. The tone of reporting highlights the Indigenous communities' responsibility to carry the consequences of environmental degradation and facilitate capitalist expansion.

Ofelia Rivas describes how the exploitation of their lands in conjunction with being situated in borderlands has left the Tohono O'odham vulnerable and unheard. She explains how in the midst of the construction of the border wall and other surveillance structures, the Tohono O'odham have been left feeling insignificant, like they are just people that are there, without being included as the wall is being built across their ancestral lands. The increased surveillance, although not overtly targeted at the Indigenous communities, accelerates the settler colonial control over people. The connections and similarities in the settler colonial projects in Indigenous North America and in occupied Palestine become evidently clear as the United States and Israel collaborate in tactics such as the surveillance technology used on Tohono O'odham lands. Will Parrish reported for *The Intercept* in 2019 that the very same surveillance technology on Tohono O'odham lands is an Israeli military contractor's work and has been "tested" on Palestinians in Gaza and the West Bank.¹⁶⁰ Although the surveillance on Tohono O'odham lands is not directly related to green energy development, the enforcement of settler colonialism through surveillance portrays the long continuum of exploitation and enforces existing hierarchies.

Conclusion

Despite Pattern Energy Group's tireless efforts to polish a public image of an environmentally conscious company pioneering in intersectional sustainability, the Indigenous people and the non-profit organizations stay unwavering in their opposition to yet another enforcement of the continuation of the settler colonial legacy. The examination of climate-focused American

¹⁶⁰ Will Parrish, "The U.S. Border Patrol and an Israeli Military Contractor Are Putting a Native American Reservation Under 'Persistent Surveillance'." *The Intercept*, August 25, 2019.

media, publications local to the Southwestern United States, and larger-circulation American media revealed the salience of green energy discourse. News media coverage on SunZia Wind and Transmission and its opposition showed to align with the broader thematics of each publication; local magazines like *AZ Luminaria* and *Arizona Republic* emphasized the importance of indigenous survivance and ecological preservation, climate-focused publications like *Inside Climate News* and *Heatmap* focused on the prioritization of climate action. More widely circulated non-local news agencies like the *Washington Post* and *AP News* discussed SunZia and its opposition in a more nuanced language, whereas clear bias one way or the other was not evidently visible, but the articles nevertheless contained loaded language. The reporting from both climate-focused publications and nationwide publications showed to focus on the perceived necessity of green energy development. The focus on the salience of green energy development positions wind energy as an inherent good as it responds to the green energy demand. Although reporting on SunZia from all the examined sectors of media explored the opposition to the project, the preconceived notion of wind energy being inherently good naturally positioned opposition as being inherently negative. Local news media placed greater emphasis on the discrepancies between the promises made by Pattern Energy Group and the BLM and their actual practices; however, none of the media outlets critically examined the contradictions between Pattern Energy Group's carefully constructed public image and the reality of its actions. The gravity of corporate rhetoric on how the project has been perceived was left out of the picture by most news outlets, enforcing the understanding that their claims have been accepted rather than counterargued or challenged by the wider audience. Pattern Energy Group's rhetoric centered on environmental mitigation and engagement with communities affected, although the company's statements lacked an evidential foundation.

The two counteracting arguments that repeatedly came up in this research were that Indigenous People express that they do not feel seen or heard in the decision-making and development of SunZia, and that Pattern Energy Group claims they have had meaningful consultations with Indigenous People regarding the project. From the exploration of SunZia Wind and Transmission, two things have become evidently clear: the project is being developed, and Indigenous People are continuing to voice their dissatisfaction. Pattern Energy Group's statements are, possibly on purpose, extremely vague, in not defining what kind of consultation and with whom specifically, as Indigenous voices can not be represented as a monolith even if they're represented. Furthermore, they have not provided proof of the

consultation to verify who has awarded the company the authority to claim compliance. From the discourse, it is clear that Pattern Energy Group has not earned the respect of, consulted, or collaborated with the Indigenous People directly affected, which is directly contradictory to the carefully crafted image of an industry leader in intersectionally sustainable development. The findings of the qualitative content and comparative discourse analysis of legal documents and media reportage on the SunZia Wind and Transmission project's reception conclusively demonstrated that the statements of sustainable community involvement and compliance are at odds with the responses from the communities directly affected by the project. While media reportage has included coverage of the dissatisfaction of Indigenous People and the non-profit organizations, the grievances have been counteracted with statements emphasizing the urgency of climate action. This rhetoric pits the complaints and concerns of Indigenous People and the non-profit organizations against climate action, pushing the valid claims of cultural preservation and conservation of green spaces to the sidelines. Sideline voices that should be central in the discussion, as the SunZia project directly impacts Indigenous lands and People, creates an atmosphere where the legitimate concerns of Indigenous People are seen as opposition to the green transition.

Exploration of the discourse around SunZia Wind and Transmission through documents available at the ACC and media reporting from local outlets revealed the concerns and hidden costs of green energy development to the local communities who are, through purposeful media and corporate rhetoric, being sidelined. Even in the seemingly sustainable mission of green energy development, the legacy of dispossession and settler colonialism has led lands crucial to Indigenous survivance to turn into sacrifice zones.¹⁶¹ Similarly, the greed and expansionist ideals that motivated the dispossession of Indigenous lands in the first place are ultimately the same motivations behind the quest for ways to keep consuming and growing through green energy. While the preceding analysis has highlighted significant challenges, it also opens the door to envisioning alternative frameworks that prioritize collaboration, accountability, and Indigenous leadership in climate action.

This exploration has approached the land exploitation and extractivism on Indigenous lands from a secular perspective, understanding Indigenous peoples' spiritual and sacred practices helps to understand the scope of the harm comprehensively. This understanding can also be extremely beneficial for the future, where Indigenous survivance, flourishing nature, and the

¹⁶¹ In discourse on Indigenous People, survivance is a goal that includes thriving in addition to pure survival of Indigeneity

surviving planet can all exist without compromising one another, as for many Indigenous Nations, these aspects are rarely separate. Tohono O’odham member Ofelia Rivas in the Emerge Magazine interview describes the process of construction of the border wall, stating that “It sounded like Mother Earth was screaming when they were putting these metal things in her.”¹⁶² This statement highlights Rivas’ appreciation of the environment and reflects the relationship her community has with the earth. Rivas goes on to describe how the traumatizing construction affected their community, explaining that “For a whole year, every month, one of the elders were passing away”.¹⁶³ The National Research Council's Committee on Environmental Impacts of Wind-Energy Projects’ assessment aligns with Rivas’ claims on how detrimental the exploitation of Indigenous lands can be to the communities' survivance. Understanding the implications of the exploitation of Indigenous lands from the perspective of Indigenous People and not through a Western worldview is crucial in understanding the gravity of the issue. Viewing Indigenous lands through an Indigenous lens and applying the People’s traditional knowledge of the region they’ve inhabited for centuries is vital for finding environmentally just and sustainable solutions for climate action, environmental preservation, and Indigenous survivance. Understanding what the Western world views as natural resources to be living relatives rather than commodities brings an aspect that can drastically improve the process of sustainable development. Furthermore, the inclusion of Indigenous Peoples and their practices is a direct way to award environmental stewardship and mitigate issues of environmental injustice.

Concluding from the research of SunZia Wind and Transmission project as a case study, it is clear that Indigenous People and the non-profit organizations involved advocate for Indigenous environmental stewardship and inclusion in decision-making regarding green energy development. The actions, enforced by the rhetoric of false compliance and collaboration, have excluded Indigenous People completely from the decision-making process, and Pattern Energy Group and BLM have treated them as stakeholders among private landowners. The environmental consequences have been viewed purely as collateral damage in a remote, sparsely inhabited area, for the greater good of climate action. Without the actual involvement of Indigenous People affected, Pattern Energy Group and BLM have been, possibly intentionally, unaware of the broader implications of the exploitation of Indigenous ancestral lands and religious sites. The disregard for the intersectionality

¹⁶² Jaacks, “Border Nation”, 7:14-7:21

¹⁶³ Jaacks, “Border Nation”, 8:02-8:10

Indigeneity brings to the exploitation reduces the project's implications to "just a sacrifice of unused land".

Advocates for Indigenous sovereignty and stewardship have voiced that a multitude of methods of including external contributors in research and decision-making exist and can greatly benefit the efficiency, increase endorsement, and improve the projects of the green energy transition. Indigenous People and non-Indigenous advocates alike vouch for FPIC, Free, Prior, and Informed Consent. FPIC in practice means continuous consent from Indigenous people for projects happening on their lands to ensure the right to self-determination, which is a key aspect of Indigenous Peoples' rights according to the United Nations Declaration.¹⁶⁴ Receiving consent according to FPIC is crucial in decision-making on projects developed on Indigenous lands. A step further into collaboration, in addition to receiving permission, is including Indigenous People in the processes through concepts such as citizen science. Citizen science is a form of research involving the general public from non-scientific backgrounds to expand research.¹⁶⁵ Shrik and Bonney, in *Scientific impacts and innovations of citizen science*, explain the reasons and benefits for involving citizens in research, describing that "new scientific knowledge can be gained when citizen science puts research in the hands of people who have insights and concerns previously not addressed by academia, NGOs or government agencies."¹⁶⁶ Including Indigenous people in decision-making regarding the environment and their ancestral lands can be highly beneficial in both learning from their traditional ecological knowledge (TEK) on the region as well as strengthening sovereignty and Indigenous environmental stewardship.

In addition to the direct benefit of increased knowledge for projects striving for climate action, the implementation of these proposed methods would be beneficial in gaining approval and endorsement, which would contribute to reducing the lengthy processes through the reduction of resistance. Even this, however, returns to the question of whether we should seek to find ways of gaining approval for developing projects on Indigenous lands. As a broader, more comprehensive goal, the recognition of Indigenous sovereignty and environmental stewardship of their lands should be at the forefront when considering any

¹⁶⁴ Institute for Human Rights and Business. "What is Free, Prior and Informed Consent (FPIC)?" December 13, 2022.

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¹⁶⁵ Jennifer L. Shirk and Rick Bonney. "Scientific Impacts and Innovations of Citizen Science." In *Citizen Science: Innovation in Open Science, Society and Policy*, edited by Susanne Hecker, Muki Haklay, Anne Bowser, Zen Makuch, Johannes Vogel, and Aletta Bonn, 41–51. UCL Press, 2018. <http://www.jstor.org/stable/j.ctv550cf2.10>.

¹⁶⁶ Jennifer L. Shirk and Rick Bonney. "Scientific Impacts and Innovations of Citizen Science." In *Citizen Science: Innovation in Open Science, Society and Policy*, edited by Susanne Hecker, Muki Haklay, Anne Bowser, Zen Makuch, Johannes Vogel, and Aletta Bonn, 41–51. UCL Press, 2018. <http://www.jstor.org/stable/j.ctv550cf2.10>.

potential developments on Indigenous lands. Rather than utilizing the settler colonial structures to acquire land for the projects and contributing to the continuing legacy of settler colonial tactics, where approval is sought by false promises and illegitimate agreements, a decolonial framework should be implemented in green energy development to ensure environmental and cultural preservation instead of driving capitalist expansion under false pretenses.

The examination of the appeals from the Tohono O’odham and San Carlos Apache, along with the non-profit organizations, has shown that the key issue in the SunZia Wind and Transmission project is the lack of inclusion in environmental decision-making. The exclusion from democratic processes functions as a tool of enforcing colonialism, which in the case of SunZia has taken a green form. Sidelining Indigenous People who are directly affected by the green energy project, while legitimizing land use by environmental concerns, is a direct implementation of green colonialism. The green colonialism, Pattern Energy Group practices based on this examination of the rhetoric of greenwashing colonialism, excludes Indigenous People from the process and disperses the consequences and costs of climate action unequally, directly linking it to environmental injustice.¹⁶⁷ Green colonialism is a concrete example of environmental injustice as it operates through settler colonial structures and disproportionately exposes marginalized communities to harm in the name of serving the ‘greater good.’

Holleman describes that the contemporary understanding of environmental justice often focuses on the outcomes instead of the systems that drive environmental injustice.¹⁶⁸ The issues in democracy, revealed by the examination of the green energy development discourse through the case of SunZia Wind and Transmission, are a key component of the system that drives environmental injustice. The exclusion of Indigenous Peoples and their TEK from climate action processes, particularly those with direct implications for their survivance, is an element of green colonialism and exacerbates broader environmental injustice. Especially for Indigenous Peoples, the question of democracy is inextricably linked to colonialism, green or not. Therefore, while the inclusion and participation that Tohono O’odham Nation, San Carlos Apache Tribe, Archaeology Southwest and Center for Biological Diversity are advocating for in their statements and legal pursuit is the necessary first step, the larger vital

¹⁶⁷ Holleman, *Dust Bowls of Empire* p.9-10, 72

¹⁶⁸ Holleman, *Dust Bowls of Empire* p.9-10

project for comprehensive environmental and social justice, Indigenous sovereignty and sustainable climate action has to start from delinking coloniality. As Holleman puts it, “massive ecological change is impossible without massive social change”.¹⁶⁹ This encapsulates the understanding that has become evident through this research; the climate concerns the green shift attempts to address cannot be comprehensively fixed without decolonizing environmentalism and understanding the connection between environmental justice and climate goals. This thesis highlights how the silencing of Indigenous voices functions as a mechanism of environmental injustice intimately linked to green energy production. By foregrounding these dynamics, it contributes to the broader project of delinking coloniality and, ideally, in the long haul, capitalism from climate action. While the complete realization of this aim remains aspirational, this work emphasizes the contradictions inherent in current green energy development, ultimately arguing that, in its present form, it cannot be considered sustainable. The need to center Indigenous Peoples’ voices on issues affecting their lands has long been neglected. As part of a continuous commitment to delink coloniality from climate action discourse and centering Indigenous voices, this thesis will be shared with Indigenous scholars and legal professionals to support Indigenous-led dialogue and collaborative efforts.

¹⁶⁹ Holleman, *Dust Bowls of Empire* p.73

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