

Quality of Water v. Quality of Spiritual Life: The Topock Maze

Leo Leonhart
Hargis Associates, Inc.

ABSTRACT

A powerful sociocultural lesson is being learned on the terraces above the Colorado River south of Needles, California. Reminiscent of the Erin Brockovich story, the discovery of high concentrations of Cr(VI) in the alluvial aquifer adjacent to the River heightened concern over potential contamination of the source of drinking water source for some 22 million consumers in California, Arizona, and Mexico.

This prompted the State of California to require interim measures that would locally reverse ground water gradients away from the River. However, the required pumping necessitated treatment of Cr(VI)-contaminated ground water. To reduce the costs and risks of trucking contaminated water great distances for treatment, the agencies agreed to onsite treatment. Unfortunately the site selected for plant construction included part of a sacred geoglyph (earth drawing). Known as the Topock Mystic Maze, it is a sacred site to the Fort Mojave Indian Tribe and once covered over 50 acres. It has been on the National Register of Historic Places since 1978. The Tribe believes the Maze is a nexus into the spiritual world. Without it, they believe their spiritual passage is jeopardized or at least impaired. Indeed a situation that placed extreme stress on their society. Thus, the Tribe became engaged in a multi-year legal battle with the plant operator, State, and Metropolitan Water District of Southern California (MWD).

Now settled, the terms of the lawsuit necessitate an unprecedented level of cooperation with the sovereign nations of the Fort Mojave and other affected Tribes, requiring consultations with Tribal representatives at each stage of the on-going RCRA/CERCLA processes. All parties are therefore engaged in considering alternatives that better honor and protect sacred lands and values important to the Native American nations and the important considerations and obligations of other stakeholders with regard to the underlying remedial objectives.