

HEATHER J. TANANA
Assistant Professor of Law (Research) & Wallace Stegner Center Fellow
S.J. Quinney College of Law – University of Utah
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TEACHING INTERESTS

Federal Indian and Tribal Law, Environmental Law (Environmental Justice), Water Law (Human Right to Water), Health Law and Policy, Family Law (Child Welfare), Federal Courts

EDUCATION

Johns Hopkins University – Bloomberg School of Public Health, Baltimore, Maryland
Master of Public Health, May 2012

- Certificate in American Indian Health
- Delta Omega Public Health Honor Society

University of Utah – S.J. Quinney College of Law, Salt Lake City, Utah
Juris Doctor, High Honors, May 2010

- Certificate in Environmental and Natural Resources Law
- Journal of Energy, Natural Resources & Environmental Law, Articles Editor
- Quinney Fellow and Research Assistant, Professor Robert Adler

Dartmouth College, Hanover, New Hampshire
Bachelor of Arts – Biology modified with Psychology, June 2004

CLERKSHIP

Hon. David Nuffer, Chief Judge, United States District Court for the District of Utah
2018 – 2019

ACADEMIC EXPERIENCE

University of Utah – S.J. Quinney College of Law, Salt Lake City, Utah
Assistant Professor of Law (Research) & Wallace Stegner Center Fellow, June 2019 – Present

Johns Hopkins University – Bloomberg School of Public Health, Baltimore, Maryland
Associate Faculty, Center for American Indian Health, January 2015 – Present

- Courses taught: American Indian Health Policy (lead faculty), An Interdisciplinary Approach to Understanding the Health of American Indians (lecturer)

University of Utah, Salt Lake City, Utah
Institute for Clean & Secure Energy
Legal Research Fellow, September 2010 – October 2011

LEGAL EXPERIENCE

Richards Brandt Miller Nelson, Salt Lake City, Utah
Shareholder, June 2013 – May 2018

Mohrman & Schofield PC, Salt Lake City, Utah
Associate Attorney, April 2012 – May 2013

PROFESSIONAL LICENSES

Navajo Nation Bar, 2014

Utah State Bar, 2010

- Awards: Utah Minority Bar Association, Jimi Mitsunaga Excellence in the Law Award (2020); Energy, Natural Resources & Environmental Law Section Lawyer of the Year (2020)
- Led formation of Indian Law Section of the Utah State Bar in 2016 and served as Section Chair from 2016 – 2017.

U.S. District Court for the District of Utah, 2010

GRANT ACTIVITY

Water & Tribes Initiative – Universal Access to Clean Water & Indigenous Women’s Leadership Network

- Role: Principal Investigator/Coordinator
- Funders: Lincoln Institute of Land Policy, Bonneville Environmental Foundation, Walton Family Foundation, Planet Women, Catena Foundation

Native American Physician Workforce

- Role: Consultant
- Funder: Health Resources and Services Administration

Reproductive Scientist Development Program

- Role: Consultant
- Funder: University of Missouri-Columbia

Multi-Level Interventions for Increasing Tobacco Cessation at FQHCs

- Role: Co-Investigator
- Funder: Patient-Centered Outcomes Research Institute

Community-Academic Partnership to Address COVID-19 Among Utah Community Health Centers

- Role: Co-Investigator
- Funder: National Institute of Health

SERVICE

Planet Women

- Board member, 2022 – Present

Western Resource Advocates

- Board member, 2021 – Present

Association of American Law Schools

- Secretary, Section on Indian Nations and Indigenous Peoples, 2021 – Present

American Bar Association

- Member, Environmental Justice Task Force, 2022 – Present
- Co-Chair, Native American Resources Committee, Environment, Energy & Resources Section, 2021 – Present
- Awards: ABA SEER Distinguished Achievement in Environmental Law and Policy Award (2021)

Rocky Mountain Mineral Law Foundation

- Member, Diversity and Inclusion Committee, 2020 – Present

Utah Tribal Relief Foundation

- Founder and President, April 2020 – Present

University of Utah

- Native American Law Student Association Faculty Advisor, 2022
- Search committee member for Grant Development Specialist (Associate Director/Research Manager), 2021

Urban Indian Center of Salt Lake

- Board member, October 2019 – October 2022
- Chair, 2021

Robert Wood Johnson Foundation

- Invited reviewer for grant proposal, 2021

PUBLICATIONS

Book Chapters

- Heather Tanana, The Intersection of the Law and Health: Water (In)security in Indian Country, in *COVID-19 in Indian Country* (forthcoming 2024).
- Heather Tanana and Elisabeth Parker, Indigenous Peoples and the Environment, in *Comparative Environmental Law Research Handbook* (forthcoming 2023).
- Heather Tanana et al., Understanding the Indian Child Welfare Act and its Application to Practice, in Child Welfare League of America, *Child and Family-Serving Systems: A Compendium of Policy and Practice – Volume 1* (2022).

- Elizabeth Kronk Warner and Heather Tanana, Tribal §§ 24:26-24:30, in Environmental Law Institute, *Law of Environmental Protection* (2021).
- Dena Ned and Heather Tanana, Adoption, in *Contemporary Issues in Child Welfare: American Indian and Canadian Aboriginal Contexts* (2017).

Articles in Law Reviews and Journals

- Heather Tanana and Elisabeth Parker, *Indigenous Efforts to Advance the Human Right to a Healthy Environment*, ___ Pace Environmental Law Review ___ (forthcoming 2023)
- Heather Tanana, *Voices of the River: The Rise of Indigenous Women Leaders in the Colorado River Basin*, ___ Colorado Environmental Law Review ___ (forthcoming 2023).
- Heather Tanana, *Protecting Tribal Health from Climate Change Impacts*, 15 Northeastern Law Review 1 (forthcoming 2023).
- Heather Tanana and Elisabeth Parker, *The Unfulfilled Promise of Indian Water Rights Settlements*, 37 Natural Resources & Environment 12 (2022).
- Heather Tanana, *Securing a Permanent Homeland: The Federal Government's Responsibility to Provide Clean Water Access to Tribal Communities*, Federal Lawyer (Mar./Apr. 2022).
- Heather Tanana and John Ruple, *Synching Science and Policy to Address Climate Change in Tribal Communities*, 36 Natural Resources & Environment 2 (2021).
- Heather Tanana, Julie Combs, and Aila Hoss, *Water Is Life: Law, Systemic Racism, and Water Security in Indian Country*, 19 Health Security S1 (2021).
- Elizabeth Kronk Warner and Heather Tanana, *Indian Country Post-McGirt: Implications for Traditional Energy Development and Beyond*, 45 Harvard Envtl. Law Review 249 (2021).
- Heather Tanana and Aila Hoss, *Beyond the Pandemic: Historical Infrastructure, Funding, and Data Access Challenges in Indian Country*, Public Health Law Watch (2021).
- John Ruple and Heather Tanana, *NEPA at 50: An Empirical Analysis of NEPA in the Courts*, 66 Rocky Mnt. Min. L. Inst. 10 (2020).
- Heather Tanana, *Learning from the Past and the Pandemic to Address Mental Health in Tribal Communities*, Arizona State Law Online Journal (2020).
- Aila Hoss and Heather Tanana, *Upholding Tribal Sovereignty and Promoting Tribal Public Health Capacity During the COVID-19 Pandemic*, Public Health Law Watch (2020).
- John Ruple and Heather Tanana, *Debunking the Myths Behind the NEPA Process*, 35 Natural Resources & Environment 1 (2020).
- John Ruple and Heather Tanana, *Beyond the Antiquities Act: Can the BLM Reconcile Energy Dominance and National Monument Protection?* 34 Natural Resources & Environment 3 (2019).
- Heather Tanana and John Ruple, *Energy Development in Indian Country: Working Within the Realm of Indian Law and Moving Towards Collaboration*, 32 Utah Envtl. L. Rev. 1 (2012).

Reports

- Contributing author to Water Chapter in *Fifth National Climate Assessment*, U.S. Global Change Research Program (forthcoming 2024).
- Water & Tribes Initiative, *Universal Access to Clean Water for Tribes: Recommendations for Operational, Administrative, Policy, and Regulatory Reform* (lead author) (2021).
- Water & Tribes Initiative, *Universal Access to Clean Water for Tribes in the Colorado River Basin* (lead author) (2021).
- Robin Craig, John Ruple, Heather Tanana, and Connor Arrington, *Pakistan Water Management, The Legal and Institutional Framework: Lessons Learned and Opportunities for Improvement*. University of Utah (2020).

Miscellaneous Materials

- Heather Tanana and Ted Kowalski, *Tribal Water Resilience Relies on Water Management Resources, Training Support*, Salt Lake Tribune Op-Ed (Mar. 24, 2022).
- Elizabeth Warner Kronk and Heather Tanana, *Adaptation to Climate Change: Tribes Are Leading the Way (Part 2)* Environmental Law Institute, Vibrant Environment Blog (August 4, 2021).
- Elizabeth Warner Kronk and Heather Tanana, *Heating Up: Climate Change Impacts on Tribal Communities (Part 1)* Environmental Law Institute, Vibrant Environment Blog (August 2, 2021).
- Heather Tanana and Warigia Bowman, *Energizing Navajo Nation: How electrification can secure a sustainable future for Indian Country*, Brookings Institute, How We Rise Blog (July 14, 2021).
- Lincoln Davies, Kirsten Uchitel, John Ruple, and Heather Tanana, *Carbon Capture and Sequestration: A Regulatory Gap Assessment*. University of Utah (2012).
- Robert Keiter, John Ruple, Heather Tanana, and Michelle Kline, *Land and Resource Management Issues Relevant to Deploying In-Situ Thermal Technologies*. University of Utah (2011).

SELECTED PRESENTATIONS

Colorado River Basin Management

- Annual Colorado River Water Users Association Conference, Funding the Future of Water (panelist, Dec. 15, 2022).
- University of Arizona Symposium, Confluence: The Colorado River at the Compact's Centennial, Tribal water Rights in an Era of Climate Change (panelist, Dec. 6, 2022).
- CLE International Utah Water Law Conference, Colorado River Panel: State and Tribal Perspectives (with Amy Haas, Oct. 3, 2022).
- Western Resource Advocates webinar, Colorado River Basin Interim Guidelines Negotiations: A Historic Moment for the Colorado River (panelist, July 28, 2022).

- University of Utah – S.J. Quinney College of Law, Stegner Center Symposium, The Colorado River Compact: Navigating the Future, Envisioning the Next 100 Years (moderator, Mar. 18, 2022).

Tribal Water (in)Security

- CLE International Tribal Water Law Conference, Tribal Water Quality and Shortage Initiatives: Environmental Justice and Human Rights to Water (with Bidtah Becker Sept. 20, 2022)
- Law & Society Association Global Meeting, Securing Indigenous Futures (panelist, July 16, 2022).
- NorCal Environmental Justice Network for University Community Partnerships, Securing the Human Right to Water in Tribal Communities (with Bidtah Becker, May 11, 2022).
- American Association of Retired Persons and Water Education for Latino Leaders Water Symposium, Systemic Inequities and its impacts on Vulnerable Populations and the Environment (panelist, Apr. 27, 2022).
- Northeastern Law, Annual Health Law conference, Climate Change: Challenges for Health, Equity, and the Law (Apr. 14, 2022).
- University of Colorado – Boulder, 41st Annual Colorado Law Conference on Natural Resources, Equity in the Colorado River Basin: How to Sustainably Manage a Shrinking Resource, Universal Access to Clean Water on Tribal Lands (panelist, Sept. 30, 2021).
- Colorado Water Conservation Board, Equity in Water Conference & Workshop, (keynote, Sept. 30, 2021).
- Western States Water Council & Native American Rights Fund, Symposium on the Settlement of Indian Reserved Water Rights Claims, Colorado River Water & Tribes Initiative (with Bidtah Becker, Aug. 25, 2021).
- Colorado Water Congress, Universal Access to Clean Water (with Jaime Garcia, Aug. 24, 2021).
- American Planners Association, Tribal Access to Clean Water: Public Health Emergency (panelist, May 5, 2021).
- University of Denver – Sturm College of Law, Environmental Justice & Water (panelist, Mar. 5, 2021).

Tribal Public Health

- State of Utah, 16th Annual Governor's Native American Summit, Hearing the Voices of Native Mothers (with Michelle Debbink, July 28, 2022).
- Annual Health Law Professors Conference, Tribal Public Health Law (panelist, June 2, 2022).
- University of Utah, Symposium for Underserved, Rural, and Global Health Education, Culturally Informed Care: Addressing Native American Women's Health Issues (moderator, Apr. 29, 2022).
- Organization of American Historians, Historicizing COVID-19 in Navajo Nation (with Farina King, Mar. 31, 2022).
- Loyola University Chicago School of Law, Annual Annals of Health Law and Sciences Symposium (Nov. 5, 2021).

- Utah State Historical Society, Historicizing COVID-19 in Navajo Nation (with Farina King, Sept. 20, 2021).
- University of Maryland & Johns Hopkins University, Charm City Colloquium of Law and Bioethics (Sept. 9-10, 2021).
- University of Utah, Symposium for Underserved, Rural, and Global Health Education, Leaders in Rural & Native Health (panelist, Apr. 9, 2021).
- University of Utah – S.J. Quinney College of Law, COVID-19 and its Impacts in Indian Country (Sept. 24, 2020).
- State of Reform, COVID through a Health Equity Lens (panelist, Sept. 15, 2020)
- The Network for Public Health Law, COVID-19 in Indian Country: Past Policy, Current Responses, and Future Implications (panelist, Aug. 18, 2020).
- Arizona State University, Academy for Justice Symposium: COVID-19 and Vulnerable Populations (panelist, Dec. 14, 2020).
- University of Utah – S.J. Quinney College of Law, Law Review Symposium: The Law & Ethics of Medical Research, Medical Research as Public Health Initiative (panelist, Nov. 20, 2020).

Environmental and Natural Resources Law

- Pace Environmental Law Review Symposium, Environmental Constitutionalism, Environmental Rights: Development and Design (Oct. 28, 2022).
- Stanford University, Environmental Justice Visiting-Speakers Seminar (Nov. 4, 2021).
- American Bar Association, Environmental Law Conference, Wildfire and Other Disasters: Lessons and Opportunities from Tribal Resource Management (moderator, Apr. 29, 2021).
- Harvard Environmental Law Review Environmental Justice Symposium, Indian Country Post-McGirt: Implications for Traditional Energy Development and Beyond (with Elizabeth Kronk Warner, Apr. 15, 2021).
- Northeastern State University, Symposium of the American Indian, NEPA: What is it and why should I care? (Apr. 13, 2021).

Indian Child Welfare Act/Family Law

- Utah State Bar, Indian Law Section CLE, Domestic Violence in Native Communities (Nov. 18, 2019).
- Navajo Nation Bar Association, Bar Review Course, Domestic Relations and Indian Child Welfare Act (August 9, 2019).
- Utah State Bar, Special Considerations When Divorcing Tribal Members (panelist, Jan. 29, 2019).
- Navajo Nation Bar Association, Bar Review Course, Indian Child Welfare Act and Alchíni Bi Beehaz’áannii Act (Aug. 9, 2018).
- National Business Institute, Handling Divorce Cases from Start to Finish (Oct. 17, 2017).
- Navajo Nation Bar Association, Annual Conference, Indian Child Welfare Act: The New Regulations (June 8, 2017).
- National Business Institute, Advanced Issues in Family and Divorce Law (June 9-10, 2016).

- State of Utah, 4th Annual Indian Child Welfare Act Conference, ICWA & Private Adoptions (with Angilee Dakic, May 6, 2015).
- Richards Brandt Miller Nelson, Understanding the Indian Child Welfare Act (Oct. 8, 2015).

SELECTED MEDIA

Colorado River Basin Management

- Deseret News, “A 100-Year Tragedy” for Tribes in the Colorado River Basin (Dec. 19, 2022), <https://www.deseret.com/utah/2022/12/19/23471244/colorado-river-water-rights-navajo-nation-homes-without-water>.
- Bloomberg Law, Tribal Water Rights to Play Role in Colorado River's Dry Future (Dec. 15, 2022), <https://news.bloomberglaw.com/environment-and-energy/tribal-water-rights-to-play-role-in-colorado-rivers-dry-future>.
- NPR, The law dividing the Colorado River turns 100 years old (Nov. 28, 2022), <https://www.npr.org/2022/11/28/1139539768/the-law-dividing-the-colorado-river-turns-100-years-old>.
- NRDC, Colorado River Basin Tribes Address a Historic Drought—and Their Water Rights—Head-On (Nov. 14, 2022), <https://www.nrdc.org/stories/colorado-basin-tribes-address-historic-drought-and-their-water-rights-head>.
- NPR 1A, States missed a federal deadline for Colorado River cuts. What now? (Aug. 17, 2022), <https://the1a.org/segments/states-missed-a-federal-deadline-for-colorado-river-cuts-what-now/>.

Tribal Water (in)Security

- The Gazette, Ignored for decades, Colorado River tribes fight for their water rights (Aug. 19, 2022), https://gazette.com/premium/ignored-for-decades-colorado-river-tribes-fight-for-their-water-rights/article_f57f89fa-19df-11ed-bc84-03490e3bbe0c.html.
- USA Today, Taps have run dry in a major Mexico city for months. A similar water crisis looms in the US, experts say (Aug. 14, 2022), <https://www.usatoday.com/story/news/nation/2022/08/14/monterrey-mexico-water-crisis-warning-usa-experts-say/10136034002/?gnt-cfr=1>.
- Arizona Republic, Arizona tribes wait for water as settlements languish in courtrooms and bureaucracy (Aug. 8, 2022), <https://www.azcentral.com/in-depth/news/local/arizona/2022/08/08/arizona-tribal-water-settlements-stall-courtrooms-agency-offices/6942526002/>.
- Ripple Effect podcast, Water infrastructure for Indian Country (Nov. 26, 2021), <https://www.clydesnow.com/media/podcasts/ripple-effect-71-water-infrastructure-for-indian-country/>.
- Associated Press, Tribes welcome infusion of money in infrastructure bill (Nov. 18, 2021), <https://www.pbs.org/newshour/economy/tribes-welcome-infusion-of-money-ininfrastructure-bill>.
- Native American Calling, What do tribes get from the massive federal infrastructure bill? (Nov. 23, 2021),

- <https://www.nativeamericacalling.com/tuesday-november-23-2021-what-do-tribes-get-out-of-the-massive-federal-infrastructure-bill/>.
- E&E News, EPA unveils plan to address tribal water woes (Oct. 14, 2021), <https://www.eenews.net/articles/epa-unveils-plan-to-address-tribal-water-woes/>.
 - Academic Minute (September 30, 2021), <https://academicminute.org/2021/08/heather-tanana-university-of-utah-universal-access-to-clean-water-for-tribes-in-the-colorado-river-basin/>.
 - The Colorado Sun, As drought in the West worsens, the Ute Mountain Ute Tribe in Colorado faces a dwindling water supply (July 28, 2021), <https://coloradosun.com/2021/07/28/ute-mountain-ute-drought-dolores-river-four-corners/>.
 - Radio New Zealand, Indigenous communities suffer as Colorado River deteriorates (July 13, 2021), <https://www.rnz.co.nz/national/programmes/middayreport/audio/2018803771/indigenous-communities-suffer-as-colorado-river-deteriorates>.
 - Arizona Public Media, New report looks into water insecurity in tribal lands across Colorado River Basin (Apr. 30, 2021), <https://news.azpm.org/p/news-articles/2021/4/30/193923-new-report-looks-into-water-insecurity-in-tribal-lands-across-colorado-river-basin/>.
 - Albuquerque Journal, Clean water access urgent for Indigenous tribes (Apr. 29, 2021), <https://www.abqjournal.com/2385440/clean-water-access-urgent-for-indigenous-tribes-ex-limits-to-such-access-can-double-or-triple-covid-infection-rates.html>.
 - Inside Climate News, The pandemic exposed the severe water insecurity faced by southwestern tribes (Apr. 29, 2021), <https://insideclimatenews.org/news/29042021/the-pandemic-exposed-the-severe-water-insecurity-faced-by-southwestern-tribes/>.
 - Boulder Weekly, Tribal leaders engage Colorado Senator Bennet to ensure universal access to clean water on reservations (Jan. 14, 2021), <https://www.boulderweekly.com/news/tribal-leaders-engage-colorado-senator-bennet-to-ensure-universal-access-to-clean-water-on-reservations/>.

Tribal Public Health

- USA Today, Native Americans in Chicago have high opioid death rates. So why won't they get tribal settlement money? (May 7, 2022), <https://www.usatoday.com/story/news/politics/2022/03/07/opioids-native-americans-funding/9380063002/?gnt-cfr=1>.
- The Daily Utah Chronicle, Social Determinants of Health and COVID-19 Vaccine Hesitancy in Marginalized Groups (Dec. 8, 2021).
- KUER, MMIW task force hears from experts and advocates on the legal challenges in missing person cases (Nov. 22, 2021), <https://www.kuer.org/race-religion-socialjustice/2021-11-22/mmiw-task-force-hears-from-experts-and-advocates-on-the-legalchallenges-in-missing-person-cases>.
- ABC4 News, Dozens of Volunteer Pilots Help Deliver 19,000 lbs of Essential Supplies to Navajo Nation (June 3, 2020), <https://www.abc4.com/news/community-over-crisis/dozens-of-volunteer-pilots-help-deliver-19000-lbs-of-essential-supplies-to-navajo-nation/>.

- STAT News, As Covid-19 Tears through Navajo Nation, Young People Step Up to Protect Their Elders (May 26, 2020), <https://www.statnews.com/2020/05/26/navajo-nation-covid-19-youth-response-elders-health/>.
- Deseret News Utah Lawyers Rally Help for Hard-Hit Navajo Nation (May 17, 2020), <https://www.deseret.com/utah/2020/5/17/21258809/pandemic-coronavirus-covid-19-aid-navajo-nation-utah-reservations-lawyers>.

Environmental and Natural Resources Law

- Water Hub at Climate Nexus, Imagine a Day Without Water 2022, https://twitter.com/water_hub/status/1582397742118498304?s=20&t=5uepVoA8A8WraFV7-x_TOQ.
- NY Times, Biden to Bar New Drilling Around a Major Native American Cultural Site (Nov. 15, 2021), <https://www.nytimes.com/2021/11/15/climate/biden-bans-drilling-chacocanyon.html>.
- KUER NPR Utah, Bears Ears and Grand Staircase Management Plans Likely Illegal, Legal Researchers Say (Feb. 14, 2020), <https://www.kuer.org/post/bears-ears-and-grand-staircase-management-plans-likely-illegal-legal-researchers-say#stream/0>.

REFERENCES

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