



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #LNK-12-036

TITLE: Opposing the Department of Interior Fast-track Policies of Renewable Energy Projects on Ancestral Homelands

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the Colorado River Indian Tribes (hereinafter "CRIT") is a federally recognized Indian Tribe consisting of members of Mohave, Chemehuevi, Navajo, and Hopi descent; and

WHEREAS, the Aha Macav or Mohave, people of Yuman decent and Patain Pre-Historic Man of the Colorado River Indian Tribes have called the deserts, mountains, and waters of Arizona and California that surround the current reservation lands their home since time immemorial and the Chemehuevi of the Colorado River Indian Tribes lived nomadically upon the land; and

WHEREAS, the Department of the Interior (DOI), in pursuit of "green" energy, is authorizing the development of utility-scale solar and wind renewable energy projects, many of which are sited on federal lands managed by the Bureau of Land Management (BLM); and

WHEREAS, over 40 proposed solar and wind renewable energy projects are to be undertaken within a 50-mile radius of the Colorado River Indian Reservation, which puts tens of thousands of acres of land within the ancestral territory homelands of CRIT, as well as our other Yuman Tribes, at further risk of destruction; and

WHEREAS, BLM, due to pressure from the current U.S. Administration, is reviewing and approving these projects on an arbitrarily-imposed fast-track process; and

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WHEREAS, BLM, as a result of its fast-track process, has failed to conduct meaningful consultation with Tribes, particularly with CRIT, and has taken actions that violate federal laws which include provisions designed to protect Tribes' sacred places and cultural resources, such as the National Historic Preservation Act, the National Environmental Policy Act, the Administrative Procedures Act, the Native American Graves Protection and Repatriation Act, and the Federal Land Policy and Management Act; and

WHEREAS, BLM is proposing this fast-track process as the normal approval process in the "Solar Energy Development Program for the Six Southwest States," which designates "Solar Energy Zones" across six states, many of which, if not all, encompass sacred places and areas that are of cultural and religious importance to Tribes; and

WHEREAS, these projects are destroying our cultural resources, desecrating our sacred places, impairing our abilities to practice our traditional and religious beliefs, and severing our physical and spiritual connections to lands that are fundamental to our cultural identities; and

WHEREAS, continuation of DOI's current policies has placed a tremendous burden on Tribes who will have to legally challenge and oppose such projects with insufficient and limited resources; and

WHEREAS, CRIT demands halting the use of the fast-track process for renewable energy project approvals, and demands BLM both to abide by the federal laws currently in place to protect Tribal lands, sacred places, and cultural resources and to consult meaningfully and in good faith with Tribal governments on a government-to-government basis regarding decisions related to renewable energy projects on sacred and cultural lands of significance to Tribes; and

WHEREAS, the Aha Macav Elders of CRIT reviewed, approved, and sanction this resolution.

NOW THEREFORE BE IT RESOLVED, that the NCAI calls upon BLM to conduct meaningful consultation with CRIT and other affected Tribes, reverse the policy for and implementation of the fast-track approvals process for renewable energy projects, and abide by applicable federal laws in order to preserve and continue protecting CRIT and other Tribes' sacred places and cultural resources that are located on federal lands managed by BLM; and

BE IT FURTHER RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2012 Mid-Year Session of the National Congress of American Indians, held at The Cornhusker Hotel from June 17-20, 2012 in Lincoln, Nebraska, with a quorum present.



President

ATTEST:



Recording Secretary