



All Pueblo Council of Governors

Officers:

Governor J. Michael Chavarria, Chairman

Governor Wilfred Herrera, Jr., Vice-Chair

Governor David M. Toledo, Secretary

RESOLUTION

ALL PUEBLO COUNCIL OF GOVERNORS RESOLUTION NO. APCG 2020-02

SUPPORT FOR FEDERAL LEGISLATION TO REFORM THE 1872 MINING LAW TO PROTECT PUEBLO LANDS, SACRED SITES, AND WATER RESOURCES

WHEREAS, the All Pueblo Council of Governors is comprised of the Pueblos of Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh, Picuris, Pojoaque, San Felipe, San Ildefonso, Sandia, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Zia and Zuni, and one pueblo in Texas, Ysleta Del Sur, each having the sovereign authority to govern their own affairs; and

WHEREAS, the purpose of the All Pueblo Council of Governors is to advocate, foster, protect, and encourage the social, cultural and traditional well-being of the Pueblo Nations; and

WHEREAS, through their inherent and sovereign rights, the All Pueblo Council of Governors will promote the language, health, economic and natural resources, and educational advancement of all Pueblo people; and

WHEREAS, the 20 Pueblos possess inherent government authority and sovereignty over their lands; and

WHEREAS, each All Pueblo Council of Governors member possesses its own cultural territory and sovereign right to protect its traditional cultural properties and sacred sites, whether or not they are located within each Pueblo's current exterior boundaries; and

WHEREAS, the protection of each Pueblo's traditional cultural properties and sacred sites is necessary to each Pueblo's cultural preservation now and into the future; and

WHEREAS, the 1872 Mining Law was enacted nearly 150 years ago, stands without amendment, and remains the principal charter governing hardrock mineral development on federal public lands; and

WHEREAS, the 1872 Mining Law establishes hardrock mining as the "highest and best use of" of public lands above all other land uses, effectively limiting the ability of the Department of Interior to balance mining with competing uses, including the preservation of sacred and cultural sites; and

Acoma

Cochiti

Isleta

Jemez

Laguna

Nambe

Ohkay Owingeh

Picuris

Pojoaque

Sandia

San Felipe

San Ildefonso

Santa Ana

Santa Clara

Santo Domingo

Taos

Tesuque

Ysleta del Sur

Zia

Zuni



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WHEREAS, hardrock mining and related infrastructure under the 1872 Mining Law have been known to negatively impact and harm Pueblo traditional cultural properties, sacred sites, natural resources, and impair the cultural landscapes that include these natural resources and traditional cultural properties; and

WHEREAS, the 1872 Mining Law contains insufficient environmental standards, including exemptions from portions of the Clean Water Act and the Resource Conservation and Recovery Act, that do not adequately protect water resources or fish and wildlife habitats; and

WHEREAS, according to the U.S. Environmental Protection Agency, hardrock mining, including the abandonment of hundreds of thousands mines, is the nation's leading source of toxic pollution, contaminating 40 percent of Western watersheds; and

WHEREAS, Representative Raul Grijalva introduced legislation during the 116th Congress, First Session, titled "H.R 2579 Hardrock Leasing and Reclamation Act" (H.R 2579); and

WHEREAS, H.R 2579 seeks to reform the 1872 Mining Law by establishing reclamation standards and bonding requirements, creating a fund to reclaim and restore abandoned mines and areas impacted by mining activities, requiring mining operators to report data on amount and value of minerals being extracted from public lands, and establishing a royalty on new mining operations, similar to oil and gas development; and

WHEREAS, H.R 2579 includes a requirement for meaningful tribal consultation prior to undertaking any mineral activities that may have substantial direct, or indirect, or cumulative impacts on the lands or interests of a tribal nation.

NOW THEREFORE BE IT RESOLVED, the All Pueblo Council of Governors supports HR 2579 Hardrock Leasing and Reclamation Act of 2019, to reform the 1872 Mining Law; and

NOW THEREFORE BE IT FINALLY RESOLVED, the All Pueblo Council of Governors requests the five members of the New Mexico's Congressional Delegation to take such actions as they reasonably can to ensure the passage of HR 2579.

Acoma

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CERTIFICATION

We, the undersigned officials of the All Pueblo Council of Governors hereby certify that the foregoing Resolution No. APCG 2020-02 was considered and adopted at a duly called council meeting held on 27th day of August 2020, and at which time a quorum was present and the same was approved by a vote of 12 in favor, 0 against, 0 abstain, and 8 absent.

ALL PUEBLO COUNCIL OF GOVERNORS

By:

J. Michael Chavarria, APCG Chairman

ATTEST:

Governor David M. Toledo, APCG Secretary

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