



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #MKE-17-008

### **TITLE: To Support Moratorium on Leasing and Permitting In Greater Chaco Region**

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**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 and the United Nations Declaration on the Rights of Indigenous Peoples, 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 protection of each tribe's traditional cultural properties and sacred sites is necessary to each tribe's cultural preservation now and into the future; and

**WHEREAS**, preserving the traditional cultural properties and sacred sites that exist in the Greater Chaco Region, including, but not limited to, the Great North Road, the West Road, and Pierre's Site, along with protection of the night skies, soundscapes, view shed and sight-lines within and surrounding Chaco Canyon is essential to the cultures and traditions of tribes in the region; and

**WHEREAS**, in 1907, President Theodore Roosevelt created the 36,000-acre Chaco Culture National Historical Park to protect significant ancient ruins for future generations but thousands of traditional cultural properties and sacred sites are located throughout the Greater Chaco Canyon Region and are unprotected; and

**WHEREAS**, the Greater Chaco Canyon Region was historically a center of tribal culture and economic life where Native people over thousands of years built great houses, astronomical observation sites, and ceremonial kivas, and these areas continue to be places of prayer, pilgrimage and living connections to their ancestors; and

**WHEREAS**, the Chaco Culture National Historical Park and other sites in the Greater Chaco Canyon Region, administered by the federal Bureau of Land Management (BLM) and the Bureau of Indian Affairs (BIA), have been designated a World Heritage Site by the United Nations Educational, Scientific and Cultural Organization (UNESCO); and

**WHEREAS**, it is the responsibility of a federal agency to make the determination of whether a traditional cultural property exists prior to taking federal action; and

**WHEREAS**, the BLM and BIA have not initiated any ethnographic work with tribes in the region to determine whether cultural landscapes in the Greater Chaco Region/San Juan Basin exist that qualify as a traditional cultural property, but are proposing leasing of lands and considering the issuance of permits for development at this time; and

**WHEREAS**, oil and gas drilling and related infrastructure in the Greater Chaco Canyon Region harm tribal traditional cultural properties and sacred sites and degrade and impair the cultural landscape(s) that include these traditional cultural properties and sacred sites; and

**WHEREAS**, the oil and gas industry has developed new extraction technologies by combining horizontal drilling with industrialized hydraulic fracturing (“fracking”), creating increased industry interest in the Mancos shale in the Greater Chaco Canyon Region; and

**WHEREAS**, the BLM and the BIA acknowledge that the agencies have not analyzed the impacts of fracking in the Greater Chaco Canyon Region and yet have approved over 400 fracking wells since 2013, which have already harmed the cultural landscape(s) in the region; and

**WHEREAS**, the BLM and the BIA are working jointly to amend the BLM’s 2003 Resource Management Plan to include consideration of the impacts of fracking in the Greater Chaco Canyon Region and further agreed to halt all leases within a 10-mile radius of Chaco Canyon until it finished amending its Resource Management Plan, which it expects to issue in late 2018, and until completion of tribal consultations and community outreach; and

**WHEREAS**, in January 2017, over the opposition of the tribes in the region, the BLM issued leases on 843 acres of public lands for fracking activities within 19 miles of Chaco Culture National Historical Park; and

**WHEREAS**, despite its previous agreement not to do so, and without completion of any ethnographic study to determine the existence of one, if not more, traditional cultural landscapes within the Greater Chaco Region, the BLM and BIA have been issuing permits and recently began a process to lease areas adjacent to the 10-mile radius of Chaco Canyon Culture National Historical Park, and in close proximity to known sites of importance on the Great North Road; and

**WHEREAS**, the continuation of permitting and leasing of public lands by the BLM and the BIA for fracking activities in increasingly closer proximity to Chaco Culture National Historical Park threatens irreparable harm to Chaco Canyon and traditional cultural properties and sacred sites, including existing traditional cultural landscapes in the Greater Chaco Region; and

**WHEREAS**, NCAI has in the past called for moratoria on development of lands that would threaten tribal interests in lands and cultural resources, including by passing Resolution #PHX-08-020, To Support Moratorium on Exploration for Oil and Gas Drilling in the Galisteo Basin of New Mexico.

**NOW THEREFORE BE IT RESOLVED**, that the National Congress of American Indians (NCAI) calls upon the Department of the Interior, acting through the BLM and the BIA, to immediately issue a moratorium on all oil and gas permitting and leasing in the Greater Chaco Canyon Region to protect traditional cultural properties and sacred sites in the region until the BLM and BIA initiate and complete an ethnographic study of cultural landscape(s) within the Greater Chaco Region and the Farmington Field Office Resource Management Plan Amendment and Environmental Impact Statement for the Mancos-Gallup Formations 2003 Regional Management Plan; and

**BE IT FURTHER RESOLVED**, that NCAI supports the creation of a protection zone around Chaco Canyon where the Department of the Interior will prioritize the protection of traditional cultural properties and sacred sites, including, but not limited to, the Great North Road, the West Road, and Pierre's Site; and

**BE IT FURTHER RESOLVED**, that NCAI calls upon the Department of the Interior, including the BLM, BIA, and the National Park Service, pursuant to their authorities and responsibilities under the National Historic Preservation Act, the Archeological Resources Protection Act, the Native American Graves Protection and Repatriation Act, the Federal Land Policy and Management Act, the National Environmental Policy Act, and Executive Orders 12898 and 13007, formally adopt and cooperate on the management of the aforesaid protection zone and conduct meaningful government-to-government consultations with the tribes in the region; and

**BE IT FINALLY 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 2017 Annual Session of the National Congress of American Indians, held at the Wisconsin Center in Milwaukee, WI, Oct 15, 2017 - Oct 20, 2017, with a quorum present.

  
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Jefferson Keel, President

ATTEST:

  
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Juana Majel Dixon, Recording Secretary