



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #ABQ-10-067

TITLE: Opposing the Southern Nevada Water Authority Groundwater Development Project and Groundwater Rights Applications

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 land and water compromising the aboriginal Indian lands in the Great Basin region have been central to the culture and religion of the Great Basin Tribes and have purposefully lived in harmony with the water, plants, and animals of our aboriginal lands in a delicate natural and spiritual balance; and

WHEREAS, the aboriginal lands continue to contain sites and natural features, especially wetland areas which include but are not limited to springs, seeps, marshes, wet meadows, streams, rivers, riparian areas, and all permanent and ephemeral water resources, of great spiritual and cultural importance of the Great Basin Tribes; and

WHEREAS, the arid lands within the Great Basin possess diverse water resources which are key to the natural integrity of those lands, key to the existence of life forms that they support, and key to the Great Basin Tribes cultural and spiritual persistence and economic survival; and

WHEREAS, the groundwater is almost the only, and by far the most essential, supply of water available to the Tribes, the farmers, hunters, ranchers, and all residents of the neighboring communities, and the plant and animal life within the Great Basin; and

WHEREAS, the Southern Nevada Water Authority (SNWA) has applied to the Nevada State Engineer for over 150 individual groundwater rights applications throughout eastern and southern Nevada, 87 of which were located in Spring and Snake Valleys, with the intention of pumping as much ground water from our aboriginal lands as possible and piping it to the greater Las Vegas, Nevada area to support continued urban and suburban growth in that area; and

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WHEREAS, the Confederated Tribes of the Goshute Reservation filed protests to the Nevada State Engineer to deny all of SNWA water appropriation applications (93) in Spring, Snake, Cave, Dry Lake, and Delamar Valleys that were filed on or following January 28, 2010; and

WHEREAS, the Great Basin Tribes opposed Stipulated Agreements between the SNWA and Department of the Interior agencies, including the Bureau of Indian Affairs (BIA), which were entered without Tribal consultation and provided that protests from those agencies would not be filed and submitted to the Nevada State Engineer; and

WHEREAS, the Great Basin Tribes were never contacted, consulted, or otherwise informed by the BIA, which are supposed to represent tribal interests, that the BIA would enter into Stipulated Agreements with the SNWA, which is in violation of the agencies' consultation obligation and trust responsibility to the Great Basin Tribes and in direct opposition with the Tribes' position regarding the SNWA groundwater project; and

WHEREAS, substantial scientific information invariably indicates that disrupting the hydrological and ecological system of the Great Basin Tribes' aboriginal lands, including Spring and Snake Valleys, will cause wide ranging groundwater problems and result in profoundly harmful and long lasting environmental, economic, cultural, and spiritual impacts on the people of the Great Basin and the surrounding communities in Nevada and Utah; and

WHEREAS, the people of the Great Basin know, from long-standing practical experience and supporting scientific information, that the SNWA's proposed groundwater pumping and export would: (1) significantly deplete groundwater supplies of the Great Basin Tribes' aboriginal lands, causing massive groundwater cones of depressions throughout the basins from which pumping occurs; (2) significantly alter the quality of groundwater in the entire flow system; (3) significantly alter the flow of groundwater in the entire groundwater flow system; (4) significantly alter the amount and quality of water available to down-gradient users of groundwater; (5) significantly reduce water output in seeps, springs, wells, streams, and other surface water features linked to groundwater, causing those natural systems to dry up and be eliminated from the region; (6) significantly and irreversibly harm the ecosystem and the plants, animals, and people that require those areas for persistence, causing reduced populations and extinctions for over 125 endemic species tied to those water resources and unique ecosystems; (8) significantly affecting the distributions of plants and animals that are of cultural significance to the Great Basin Tribes; (9) significantly degrade and eliminate cultural and spiritual resource sites of the Great Basin Tribes; and (10) significantly degrade and eliminate water resources that sustain our people and their future economic development opportunities.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby rescind Resolution REN-08-017 and does hereby express continued strong support the Tribes of the Great Basin in their endeavor to protect their water resources and aboriginal lands; and

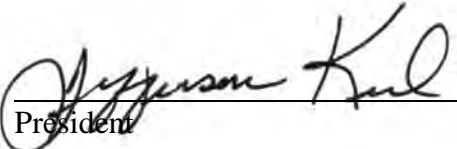
BE IT FURTHER RESOLVED, that the NCAI opposes the groundwater applications of the Southern Nevada Water Authority in Spring Valley, Snake Valley, and other areas within and surrounding the aboriginal lands and Great Basin; and

BE IT FURTHER RESOLVED, that the NCAI demands that the Nevada State Engineer respect the Great Basin Tribes' right to continued physical, economic, cultural, and spiritual survival, and that the Nevada State Water Engineer recognize that SNWA's groundwater export applications and proposal would drain the aboriginal land of the water necessary for their survival; and

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

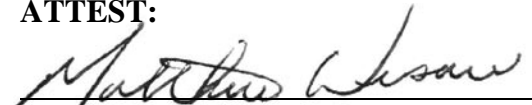
CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2010 Annual Convention of the National Congress of American Indians, held at the Albuquerque Convention Center in Albuquerque, NM on November 14-19, 2010, with a quorum present.



President

ATTEST:



Recording Secretary