



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #PHX-16-010

TITLE: Urge the Administration to Develop a Common Position with Tribal Nations before Adopting a Proposed Drought Contingency Plan for Lake Mead

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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, 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, climate change is one of the greatest threats facing the peoples of the world today; and

WHEREAS, the U.S. Department of the Interior Bureau of Reclamation's 2012 Colorado River Basin and Water Supply and Demand Study reiterated concerns regarding the over-allocation of the Colorado River, increased demands on the Colorado River system, and projections of reduced supply due to climate change; and

WHEREAS, tribal nations have rights to approximately 20 percent of the Colorado River flow and this share is likely to increase as more tribal nations will continue to confirm their water rights by settling their claims with federal and state governments in the future; and

WHEREAS, the Colorado River Basin is experiencing drought and declining elevations at Lake Mead, a reservoir that stores Colorado River for the Lower Colorado River Basin, which presents concern to millions of water users in the Lower Basin, including many Tribal Nations with Colorado River rights; and

WHEREAS, in 2015 Arizona, California, Nevada, and U.S. Department of the Interior Bureau of Reclamation began meeting to discuss whether they can agree on additional reductions in Colorado River water use to address elevation declines in Lake Mead; and

WHEREAS, the additional reductions each state would make under this proposal are unofficially referred to as the Drought Contingency Plan; and

WHEREAS, in its current form, the Drought Contingency Plan would substantially reduce the water supply of some tribal nations without any plan to mitigate these impacts; and

WHEREAS, the United States has a federal trust responsibility to tribal nations and has an important role in advocating for tribal trust resources like tribal nations' water rights; and

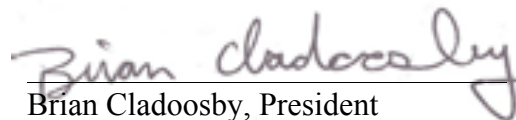
WHEREAS, preservation and protection of tribal nations' water rights should be the highest priority of the United States.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians strongly urges the Administration to develop a common position through true government-to-government consultation and in partnership with the impacted tribal nations before agreeing to adopt any proposed Drought Contingency Plan to address falling elevations in Lake Mead to ensure the preservation and protection of tribal water rights; 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 2016 Annual Convention of the National Congress of American Indians, held at the Phoenix Convention Center, October 9 to October 14, 2016, with a quorum present.


Brian Cladoosby, President

ATTEST:


Aaron Payment, Recording Secretary