



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #PSP-09-013

### TITLE: Supporting Similar Environmental Requirements for Foreign Hydro Power under Federal Renewable Energy Standard (RES)

#### EXECUTIVE COMMITTEE

##### PRESIDENT

Joe A. Garcia  
*Ohkay Ovingeh*  
*(Pueblo of San Juan)*

##### FIRST VICE-PRESIDENT

Jefferson Keel  
*Chickasaw Nation*

##### RECORDING SECRETARY

W. Ron Allen  
*Jameson S'Kalliam Tribe*

##### TREASURER

galashkibos  
*Lac Court Oreilles Band of Lake  
Superior Chippewa Indians*

#### REGIONAL VICE-PRESIDENTS

##### ALASKA

Mike Williams  
*Akiak Native Community*

##### EASTERN OKLAHOMA

Joe Grayson, Jr.  
*Cherokee Nation*

##### GREAT PLAINS

Ron His Horse Is Thunder  
*Standing Rock Sioux Tribe*

##### MIDWEST

Robert Chicks  
*Stockbridge-Munsee*

##### NORTHEAST

Randy Noka  
*Narragansett Tribe*

##### NORTHWEST

Brian Cladoosby  
*Svinnomish Tribe*

##### PACIFIC

Juana Majel  
*Pauma Band - Mission Indians*

##### ROCKY MOUNTAIN

Scott Russell  
*Crow Tribe*

##### SOUTHEAST

Archie Lynch  
*Haliwa-Saponi*

##### SOUTHERN PLAINS

Darrell Flyingman  
*Cheyenne-Arapaho Tribes*

##### SOUTHWEST

Derek Valdo  
*Pueblo of Acoma*

##### WESTERN

Alvin Moyle  
*Fallon Paiute-Shoshone*

#### EXECUTIVE DIRECTOR

Jacqueline Johnson Pata  
*Tlingit*

#### NCAI HEADQUARTERS

1516 P Street, N.W.  
Washington, DC 20005  
202.466.7767  
202.466.7797 fax  
www.ncai.org

**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**, as stewards of the environment, American Indian and Alaska Native tribal governments have taken a strong interest in reducing the impacts of climate change; and

**WHEREAS**, the federal government is beginning to combat the impacts of climate change by considering legislative proposals that would increase the amount of renewable energy currently being used; and

**WHEREAS**, the energy resources covered by a federal renewable energy standard (RES) will receive significant marketing advantages because utilities will be required to use increasing percentages of these resources; and

**WHEREAS**, it has been proven that large hydro power projects have caused severe devastation and long lasting negative impacts on the culture and environment of Native peoples in both the United States and Canada; and

**WHEREAS**, Manitoba Hydro has constructed massive diversions and augmentations without final licensing, without adequate environmental assessment, and without the consent, consultation, mitigation or compensation of certain impacted First Nations in Canada; and

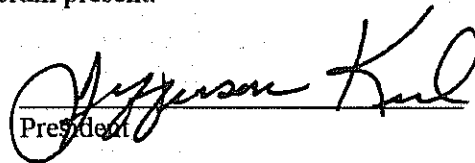
**WHEREAS**, these projects continue to cause adverse cultural and socio-economic impacts on the First Nations, including the flooding of hundreds of thousands of acres, massive shoreline erosion, the destruction of fisheries, mercury contamination, the destruction of burial grounds and sacred sites, community dislocations, and severe poverty.

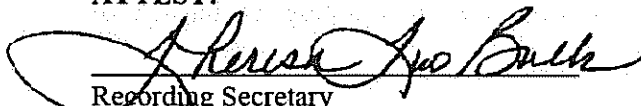
**NOW THEREFORE BE IT RESOLVED**, that the NCAI does hereby call on the Congress of the United States to not benefit large foreign hydro projects under a federal RES, either by including them as "qualified hydro power" or allowing utilities to exclude their energy from their "base amount" unless , at a minimum, the equivalent of a review pursuant to the National Environmental Policy Act has been conducted with respect to the dams, generators and underlying water diversions associated with such hydropower, and the dams, generators and underlying water diversions have received final approvals from the relevant host jurisdictions containing terms and conditions to minimize and mitigate environmental impacts; 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 2009 Annual Session of the National Congress of American Indians, held at the Palm Springs Convention Center in Palm Springs, California on October 11-16, 2009, with a quorum present.

  
\_\_\_\_\_  
President

**ATTEST:**  
  
\_\_\_\_\_  
Recording Secretary