

DOLORES RAGLIN
TRIBAL CHAIRMAN

CORINA LEGO
TRIBAL VICE-CHAIR

IDA RIGGINS
TRIBAL SECRETARY



PIT RIVER TRIBE
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ELEVEN AUTONOMOUS BANDS

ITSATAWI

HEWISEDAWI

RESOLUTION NO: 13-02-12
DATE: February, 15, 2013
SUBJECT: Medicine Lake Highlands Resolution

ASTARIWI

ILLMAWI

SUBJECT: Resolution strongly opposing geothermal development and *any* other industrial development activities in the sacred Medicine Lake Highlands, located in Northeastern California.

ATSUGEWI

KOSEALEKTE

WHEREAS, the Pit River Tribe of California (Includes the XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek and Roaring Creek Rancherias) is a federally recognized Indian tribe organized under Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), codified at 25 U.S.C. 476, et seq., as amended, by the Act of June 15, 1935 (49 Stat. 378); and

APORIGE

HAMMAWI

WHEREAS, the Pit River Tribe of California (“TRIBE”) is composed of eleven autonomous bands located in Northeastern California since time immemorial, they are as follows: 1) Atwamsini, 2) Atsugewi, 3) Astarawi, 4) Aporige, 5) Ajumawi, 6) Hewisedawi, 7) Illmawi, 8) Itsatawi, 9) Kosealekte, 10) Hammawi, and 11) Madesi; and

AJUMAWI

MADESI

WHEREAS, the TRIBE is represented and governed by the Pit River Tribal Council (“COUNCIL”), a body who is duly elected under the Constitution of the Pit River Tribe, adopted on Sunday, 16 August 1987, and approved by the Assistant Secretary of the Interior-Indian Affairs, on Thursday, 3 December 1987; and

ATWAMSINI

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- WHEREAS, the Calpine Energy Corporation is proposing a new utilization plan to develop up to five 100-Mega Watt Power Plants in the sacred Medicine Lake Highlands, and
- WHEREAS, the Bureau of Land Management (BLM), Modoc/Shasta/Trinity National Forest (NF), and the Klamath (NF), continue to approve geothermal projects in the sacred Medicine Lake Highlands in spite of the Pit River Tribe's strong opposition, and
- WHEREAS, geothermal development would ultimately threaten the underlying aquifer – which is California's largest pure spring system that flows into the Fall River joining the Pit River and winds into the Sacramento River before reaching the San Francisco Bay, and
- WHEREAS, the project would require injection and extraction of large amounts of toxins and toxic plumes exuding dangerous levels of arsenic, mercury and hydrogen sulfide that are known to cause cancer or birth defects, and
- WHEREAS, have devastating impacts on the habitats of animals and migration routes; on the trees and plants, and on the visual and air quality, and
- WHEREAS, this project would have irreversible negative impacts on the freedom of religion and the cultural practices of the Pit River tribe and other Indian Tribal Nations in the region for whom the Medicine Lake Highlands is of great spiritual, cultural and religious significance, and
- WHEREAS, environmental analysis has determined that the Medicine Lake Highlands are not developable and historic preservation documents state unequivocally that impacts of geothermal projects on Native American cultural values in the Medicine Lake Highlands would be significant and adverse, and
- WHEREAS, the COUNCIL is empowered by Articles VII of the Constitution to enact all ordinances and resolutions, which shall be necessary and proper for carrying into effect the tribal council's

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powers and responsibilities, contracting with federal, state and tribal agencies, private enterprises, individuals and organizations; and

WHEREAS, the area of the Medicine Lake Highlands is highly significant to the cultural and religious ways of the Tribe as a whole. The COUNCIL and its nation has deep ties to the Medicine Lake Highlands as a place of refuge, ceremony, healing, prayer, fasting and other sacred traditional uses, and

WHEREAS: the COUNCIL invokes the United States Government's Trust Responsibility to the Indian Peoples of this land, Executive Order 13007 on Indian Sacred Sites, Executive Order 12898 on Environmental Justice, the American Indian Freedom of Religion Act, the National Environmental Policy Act, the National Historic Preservation Act, the National Register Bulletin 38 on Traditional Cultural Properties, and the repeated promises of good will by the United States Government, and

WHEREAS: the COUNCIL unanimously adopted a resolution on March 29th, 2012 affirming the United Nations Declaration on the Rights of Indigenous Peoples adopted by the UN General Assembly in 2007 and also endorsed by the United States on December 16th, 2010

WHEREAS: the United Nations Declaration on the Rights of Indigenous Peoples is the minimum standard for the dignity, survival and well-being of Indigenous Peoples and recognizes the rights of Indigenous Peoples pertaining to cultural practices, (Article 11), access to and protection of sacred sites (Article 12), spiritual relationship with traditional lands and waters (Article 25), environmental protection (Article 29) and Free Prior and Informed Consent regarding development projects (Article 32) among a number of other relevant provisions;

WHEREAS: Internationally, the COUNCIL further invokes the legally binding international Covenants and Conventions, to which the United States is obligated including the International Covenant on Civil and Political Rights, and the International Convention on the Elimination of All Forms of Racial Discrimination, which also call upon State Parties to respect the cultural and religious rights as well as other relevant rights of Indigenous Peoples;

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NOW THEREFORE BE IT RESOLVED that the COUNCIL invoke these statutes, Declarations, Resolutions, decrees and Conventions and reaffirms its strong opposition to any and all geothermal industrial development projects in the sacred Medicine Lake Highlands and to know and understand that geothermal development is incompatible with existing long-standing spiritual and cultural uses of the area and its natural resources, and the human rights of Pit River and other Tribes.

BE IT FURTHER RESOLVED that the sacred responsibility to maintain the health and integrity of the Natural World for future generations is also a central element of Pit River Peoples' spirituality, traditional ceremonial practices, religious expressions and ceremonial practices, and

BE IT FURTHER RESOLVED that the COUNCIL respectfully request that the U.S. Congress, Department of Interior, the Bureau of Land Management and the National Forest to stop all proposed geothermal development in the sacred Medicine Lake Highlands.

C-E-R-T-I-F-I-C-A-T-I-O-N

I, the under-signed Tribal Chairperson, Dolores Raglin of the Pit River Tribe, do hereby certify the Pit River Tribal Council is composed of eleven autonomous bands of which 9 were present, constituting a quorum at a regular scheduled, noticed, convened and held meeting this 15 day of February 2013, and the resolution was adopted by a vote of 9 yes 0 no 0 abstaining, and that said resolution has not been rescinded in any way.

Dolores A. Raglin
Tribal Chairperson, Dolores Raglin

2-15-13
Date:

Ida Riggins
Tribal Secretary, Ida Riggins

2/15/2013
Date:

Tribal Council Member Signatures:

[Signature]

2-15-13
Date:

[Signature]

2-15-13

