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# Indigenous Rights Briefed in US Nuclear Regulatory Commission Licensing of Cameco Inc.'s ISL Uranium Mine Expansion in Crawford, Nebraska

WASHINGTON, D.C. – Five Indigenous Petitioners, the Oglala Sioux Tribe and two environmental organizations, Clean Water Advocacy Project and Rock the Earth, filed indigenous rights briefs opposing a proposed license amendment requested by Crow Butte Resources, Inc., a subsidiary of Canadian multinational Cameco, Inc. [NYSE: CCJ] ([www.cameco.com](http://www.cameco.com)), which calls itself the largest uranium company in the World. The briefs explain the superior water rights of the Oglala Sioux Tribe and its members, including four of the Petitioners, under the Winters Doctrine. The briefs also explain the Petitioners' and the Tribe's rights under the Ft. Laramie Treaties of 1851 and 1868, Federal Indian law and environmental justice policies, the UN Declaration of the Rights of Indigenous People, and the International Covenant on Civil and Political Rights. During a January 16, 2008 hearing in Chadron, Nebraska, Chief Administrative Judge Ann M. Young requested briefing on the indigenous and water issues which are germane to the case because of proximity of the ISL mine to Pine Ridge Indian Reservation.

Lawyers working on behalf of the Indigenous Petitioners, the Oglala Sioux Tribe and the environmental groups pointed out substantial rights of Petitioners and the Tribe including the Winters right to a sufficient quantity and quality of water to make the Reservation "livable" and productive, the trust responsibility, hunting and fishing rights, as well as rights to meaningful and effective consultation concerning activities that may threaten the Tribe's water resources or the ability of the Lakota people to practice sacred ceremonies such as the "sweat lodge" using local, pristine water unadulterated by the ISL mining process.

The In Situ Leach (ISL) mining process involves injecting a bicarbonate solution into the water aquifer which releases uranium from sand particles in the aquifer and also stirs up and releases radioactive and toxic chemicals like Radon, Thorium, Radium and Arsenic into the environment. The uranium is removed from the water and a form of "geo-chemically changed" water is re-injected into the aquifer. No ISL uranium mine has ever returned the water in the mined aquifer to baseline levels and ISL mining may be responsible for elevated kidney and cancer problems and the closure of 98 wells to due arsenic contamination at Pine Ridge.

"Based on available science, we believe there is an inter-mixing between the radioactive and toxic releases in and around the mined aquifer and the Brule, Arikaree and High Plains Aquifers which are being used by the Petitioners, the Pine Ridge Indian Reservation and people in eight states from Nebraska down to Texas" says Bruce Ellison, Attorney for Oglala Petitioners Debra White Plume and Owe Aku. "The Oglala (Lakota) recognize a cultural and spiritual value of water which we call "*mni*" much greater than its use as a vital natural resource," said Mrs. White Plume. Supporting affidavits explaining the significance of continued access to local, pristine water for medicines and ceremonies were filed including those from several of the International Council of Thirteen Indigenous Grandmothers ([www.GrandmothersCouncil.org](http://www.GrandmothersCouncil.org)), and from Winona LaDuke of Honor the Earth ([www.HonorEarth.org](http://www.HonorEarth.org)).

Donations for this effort may be made to Plenty International, fiscal sponsor of the project ([www.thefarm.org](http://www.thefarm.org)), and earmarked for "Save Crow Butte": POB 394, Summertown, TN 38483; [www.savecrowbutte.org](http://www.savecrowbutte.org).

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*Aligning for Responsible Mining (ARM) is an indigenous-led non-profit organization dedicated to the application of the International Precautionary Principle to mining and opposition to “Abusive Mining” which is mining that fails to satisfy the Precautionary Principle. More information on the Crow Butte case may be found at [www.SaveCrowButte.org](http://www.SaveCrowButte.org) and information from ARM’s Uranium Advocacy Project may be found at [www.UraniumIsNotMyFriend.com](http://www.UraniumIsNotMyFriend.com).*