



# UPPER SNAKE RIVER TRIBES FOUNDATION, INC.

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## Upper Snake River Tribes Foundation November 2018 Commission Meeting Boise, Idaho

### RESOLUTION #18 – 01

#### **“RESOLUTION TO PROTECT CULTURAL AND NATURAL RESOURCES ON THE MINIDOKA NATIONAL WILDLIFE REFUGE, IN OPPOSITION OF THE DEPARTMENT OF INTERIOR’S EXECUTIVE ORDERS #3366 AND #3356 TO INCREASE BOAT AND ROAD ACCESS ONTO THE REFUGE FOR RECREATIONAL PURPOSES.”**

#### **PREAMBLE**

We, the members of the Upper Snake River Tribes (USRT) Foundation, invoking the divine blessing of the Creator upon our efforts and purposes, do hereby establish and submit the following resolution:

**WHEREAS**, the USRT was formally established in 2007 and is comprised of four tribes of the Snake River region in Idaho, Nevada, and Oregon; including the Burns Paiute Tribe, Fort McDermitt Paiute-Shoshone Tribe, Shoshone-Paiute Tribes of the Duck Valley Reservation, and the Shoshone-Bannock Tribes (SBT) of the Fort Hall Reservation; and

**WHEREAS**, it is the vested interest of the four tribes to protect rights reserved through the U.S. Constitution, federal treaties, executive orders, inherent rights, and aboriginal title to the land that remains unextinguished by USRT member tribes; and

**WHEREAS**, USRT works to ensure the protection, enhancement, and preservation of the tribes’ rights, resources, cultural properties, and practices of the USRT member tribes; and

**WHEREAS**, in a multi-agency effort, the SBT has been working with the Bureau of Land Management (BLM) (Burley Field Office), the Bureau of Reclamation (BOR), Snake River Office (Heyburn Office), and the US Fish & Wildlife Service (USFWS) (Southeast Idaho Refuge Complex), to identify and protect cultural resources located along the mid-Snake River, downriver of the SBT Fort Hall Reservation. In the 1990’s, the BOR and BLM approved the establishment of the American Falls Archeological District (AFAD), along with the Cedar Fields Traditional Cultural Property (TCP), but at the request of the SBT, withdrew that TCP designation; and

**WHEREAS**, in 2016, the SBT requested that the AFAD be expanded to included portion of the USFWS Minidoka National Wildlife Refuge (MNWR) because of the high numbers of archeological sites that are similar to the sites on the existing AFAD, and the fact that the existing western boundary of the AFAD abuts the Minidoka’s eastern boundary; and

**WHEREAS**, the SBT determined it is in the best interest of the Tribes cultural, spiritual, and traditional interests to expand the AFAD to include the USFWS lands of the MNWR, under Criterion C, Native American Traditions; and

**WHEREAS**, the U.S. Department of Interior (DOI) has issued Order No. 3356, Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes and Territories; Order 3366, Increasing Recreational Opportunities on Lands and Waters Managed by the DOI.

**WHEREAS**, the USRT reminds the three federal land management agencies (BLM, BOR, USFWS) of their federal obligation to Indian tribes to protect, and support the tribes' treaty reserved and inherent rights under the American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, National Historic Preservation Act, Archeological and Historic Preservation Act, Executive Order 13007: Indian Sacred Sites, and ratified and unratified treaties; and

**NOW THEREFORE BE IT RESOLVED**, in accordance with the Mission Statement of the USRT to ensure the protection of culture resources, the leaders of USRT urge the USFWS, BLM, and BOR to work together to protect the cultural resources along the Snake River and to restrict boat and road access onto the MNWR; and

**BE IT FURTHER RESOLVED**, the leadership of URST urges the DOI to reconsider the executive orders No. 3356 and 3366 that direct increased access onto federal lands for recreational purposes unless official meaningful consultation efforts are conducted with affected tribes.

### **CERTIFICATION**

The foregoing resolution was adopted at the USRT November 2018 Commission Meeting, held by conference line on November 15, 2018, with a quorum present.



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Chester "Dean" Adams, USRT Chairman