



United South and Eastern Tribes, Inc.

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USET Resolution No. 2014:056

REQUESTING THE FEDERAL ENERGY REGULATORY COMMISSION TO INITIATE TRIBAL CONSULTATION

- WHEREAS,** United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprised of twenty-six (26) federally recognized Tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member Tribe, as the Board of Directors comprises delegates from the member Tribes' leadership; and
- WHEREAS,** the Federal Energy Regulatory Commission (FERC) is the lead federal agency authorizing planned gas line expansion from New York State across to Connecticut, Rhode Island and Massachusetts; and
- WHEREAS,** ceremonial stone landscapes (CSLs) and other significant Tribal cultural resources are in danger of adverse impacts and destruction if meaningful consultation, in accord with the federal trust responsibility, and pursuant to the National Historic Preservation Act, and other relevant authorities with Indian Tribes is not initiated in a timely manner; and
- WHEREAS,** in addition to its statutory and regulatory obligations to federally recognized Indian Tribes, FERC has a trust responsibility that carries the fiduciary obligation to act in the best interest of the Tribes; and
- WHEREAS,** USET Resolutions 2003:022, 2007:037, 2008:009 have amply detailed the cultural and spiritual significance and preservation modalities for these cultural resources; and
- WHEREAS,** in recent years southern New England Tribes have culturally sensitized and collaborated with a team of ceremonial landscape researchers (Ceremonial Landscape Research LLC) on multiple successful New England Army Corps permitted utility line projects where using non-invasive techniques for impact avoidance has been the model for culturally sensitive treatment of resources; and
- WHEREAS,** although requested to do so, FERC has yet to initiate meaningful consultation to address CSL identification and avoidance in the path of this massive gas line expansion project; and
- WHEREAS,** Kinder-Morgan, Spectra, Texas Eastern, Algonquin, Tennessee Gas, Exxon-Mobil are among the several gas line companies that may be needed to participate in the consultation process in order to establish a pro-active CSL and cultural resource avoidance policy before right of way plans are destructively cast in stone; and

WHEREAS, in December 2010, the United States recognized the rights of its First Peoples through its support of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), whose provisions and principles support and promote the purposes of this resolution; therefore, be it

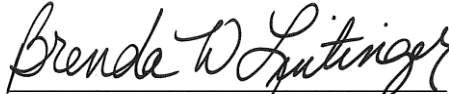
RESOLVED the USET Board of Directors supports the efforts of its member Tribes and requests the Federal Energy Regulatory Commission to initiate formal consultation to develop pro-active identification and avoidance plan for the gas line expansion project.

CERTIFICATION

This resolution was duly passed at the USET Semi-Annual Meeting, at which a quorum was present, in Bar Harbor, ME, June 4, 2014.



Brian Patterson, President
United South and Eastern Tribes, Inc.



Brenda Lintinger, Secretary
United South and Eastern Tribes, Inc.

“Because there is strength in Unity”