



## United South and Eastern Tribes, Inc.

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### **USET SPF Resolution No. 2016:020**

## **CALLING FOR FEDERAL ENERGY REGULATORY COMMISSION TO HONOR ITS TRUST RESPONSIBILITIES UNDER SECTION 106 TO IMPLEMENT AVOIDANCE PLANNING FOR CEREMONIAL STONE LANDSCAPES**

- WHEREAS,** USET Sovereignty Protection Fund (USET SPF) is an intertribal organization comprised of twenty-six (26) federally recognized Tribal Nations; and
- WHEREAS,** the actions taken by the USET SPF Board of Directors officially represent the intentions of each member Tribal Nation, as the Board of Directors comprises delegates from the member Tribal Nation's leadership; and
- WHEREAS,** the Federal Energy Regulatory Commission (FERC) is the lead federal agency responsible for authorizing planned gas line expansion through New York, Connecticut, Rhode Island, and Massachusetts; and
- WHEREAS,** FERC should consult with Tribal Nations to fulfill its federal trust responsibility pursuant to the National Historic Preservation Act, and other relevant authorities with regard to the planned gas line expansions; and
- WHEREAS,** FERC has a trust responsibility that carries the fiduciary obligation to act in the best interest of the Tribal Nations; and
- WHEREAS,** extensive regions of ceremonial stone landscapes (CSL) and other significant Tribal cultural resources are in planned pipe line corridors, which exposes CSL to risk of destruction if meaningful consultations with Tribal Nations are not initiated to prompt avoidance planning; and
- WHEREAS,** relations with FERC have improved, with respect to the Section 106 process, since the issuance of USET Resolution No. 2014:056, in June 2014, which requested FERC to initiate formal consultation with Tribal nations and to promote the development of pro-active avoidance plans; and
- WHEREAS,** regardless of earlier efforts by FERC to engage in consultations with Tribal Nations, concerns remain that CSLs are still being threatened or are at risk of destruction from gas line expansions; and
- WHEREAS,** there is particular concern that certain high concentrations of pristine ceremonial stone groupings in and around the Pennsylvania town of Dallas, the Massachusetts towns of Plainfield, Northfield, and the area of Upton-Grafton-Franklin-Milford will require heightened due diligence, vigilance and advanced avoidance planning; 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), who’s provisions and principles support and promote the purposes of this resolution; therefore, be it

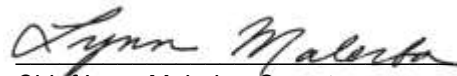
**RESOLVED** USET SPF requests Federal Energy Regulatory Commission engage in meaningful consultation with Tribal Nations to develop effective avoidance plans, which will guarantee the preservation and protection of ancestral lands, ceremonial stone landscapes, and existing reservations from potentially harmful and destructive effects of gas line construction activities.

**CERTIFICATION**

This resolution was duly passed at the USET SPF Impact Week Meeting, at which a quorum was present, in Arlington, VA, February 11, 2016.



Brian Patterson, President  
USET Sovereignty Protection Fund



Chief Lynn Malerba, Secretary  
USET Sovereignty Protection Fund

*“Because there is strength in Unity”*