



## UNITED SOUTH AND EASTERN TRIBES, INC.

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### USET Resolution No. 2002:062

#### URGING US ARMY CORPS OF ENGINEERS TO PRIORITIZE THE RE-ALLOCATION OF FUNDING IN FY 2003 TO ELEVATE THE SENECA NATION'S CONCERNS REGARDING KINZUA DAM WATER LEVELS

- WHEREAS,** United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprised of twenty-four (24) 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 is comprised of delegates from the member tribes' leadership; and
- WHEREAS,** the Seneca Nation of Indians of western New York State, (a USET member tribe,) lost 10,369 acres of the Allegany Reservation in 1966 due to the construction of Kinzua Dam, resulting in the forced relocation of the majority of Seneca families from the richest portions of the reservation's fertile lands; and
- WHEREAS,** Kinzua Dam was erected as a result of the "Flood Control Act of 1938," ("Act,") following aggressive lobbying by major business interests in Pennsylvania, to eliminate the annual flooding at the confluence of the Ohio, Monongahela and Allegany Rivers in Pittsburgh, Pa.; and
- WHEREAS,** when survey and construction of the Dam began in the 1950's, the Administration of the United States was in the middle of the aggressive termination movement against American Indian people, and the Seneca Nation also lacked the necessary resources to adequately fight the ultimate completion of the Dam; and
- WHEREAS,** lands lost as a result of the construction of the Dam were never replaced for the Seneca Nation; and
- WHEREAS,** beyond the traumatic impact upon the Seneca Nation community and culture, the subsequent actions of the Army Corps of Engineers in drawing down water levels, (primarily to benefit recreational and hydroelectric power needs of Pennsylvania residents,) have resulted in health and safety issues for Seneca residents, progressive erosion near key Seneca Nation enterprises, exposure of human remains from non-relocated cemeteries in the flood area, and erosion near the historic Cornplanter cemetery with potential to expose additional human remains; and
- WHEREAS,** the hydro-electric power component of the Dam was initiated as a result of Pennsylvania interests following the completion of the Dam, and changes in the water levels were initiated as a later "add on" to the Act, based on additional Pennsylvania interests and aggressive lobbying efforts, none of which considered the interests of or potential consequences to the Seneca people; and
- WHEREAS,** the Seneca Nation has expressed these concerns to the Corps both in writing and in face-to-face meetings held at various intervals over the past seven (7) years with no action or remedies being provided; and
- WHEREAS,** at a meeting held in January of 2002, the Seneca Nation was informed that, in order to address these issues and compel the Army Corps of Engineers to prioritize the issues of the Seneca Nation resulting from the fluctuating water levels and draw downs, significant pressure would have to come from enough *other* interested parties than the Seneca Nation; and

*"Because there is strength in Unity"*

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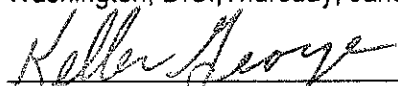
**WHEREAS**, if there was significant pressure brought to bear from these other "interested parties," the Seneca concerns regarding the Kinzua Dam would be prioritized by the Corps, and money could be re-allocated for FY 2003 to conduct a water level study and good-faith effort to remedy the situation and address the concerns of the Seneca Nation; therefore, be it

**RESOLVED** that the USET Board of Directors strongly urges the United States Army Corps of Engineers to elevate the health, safety and erosion concerns of the Seneca Nation of Indians, regarding the fluctuating water levels of the Kinzua Dam, to the highest priority in the ranking of Corps' projects; prompting the re-allocation of FY 2003 funding at its Pittsburgh area headquarters to initiate an immediate water level study, and subsequent action to address these concerns; and, be it further

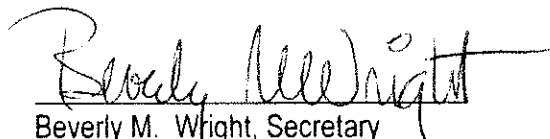
**RESOLVED** that the USET Board of Directors further advocate that the overall interests of the Seneca Nation and other Indian tribes not be compromised in the development of the Energy Policy Act of 2002, which may potentially impact projects of concern such as this.

**CERTIFICATION**

This resolution was duly passed at the USET Impact Week Meeting, at which a quorum was present in Washington, D.C., Thursday, January 31, 2002.



Keller George, President  
United South and Eastern Tribes, Inc.



Beverly M. Wright, Secretary  
United South and Eastern Tribes, Inc.