



INTER TRIBAL COUNCIL *of* ARIZONA

RESOLUTION 0709

MEMBER TRIBES
 AK-CHIN INDIAN COMMUNITY
 COCOPAH TRIBE
 COLORADO RIVER INDIAN TRIBES
 FORT McDOWELL YAVAPAI NATION
 FORT MOJAVE TRIBE
 GILA RIVER INDIAN COMMUNITY
 HAVASUPAI TRIBE
 HOPI TRIBE
 HUALAPAI TRIBE
 KAIBAB-PAIUTE TRIBE
 PASCUA YAQUI TRIBE
 PUEBLO OF ZUNI
 QUECHAN TRIBE
 SALT RIVER PIMA-MARICOPA
 INDIAN COMMUNITY
 SAN CARLOS APACHE TRIBE
 TOHONO O'ODHAM NATION
 TONTO APACHE TRIBE
 WHITE MOUNTAIN APACHE TRIBE
 YAVAPAI APACHE NATION
 YAVAPAI PRESCOTT INDIAN TRIBE

Supporting the Decision of the Ninth Circuit Court of Appeals to Protect the Sacred San Francisco Peaks

WHEREAS, the Inter Tribal Council of Arizona (ITCA), an organization of twenty tribal governments in Arizona, provides a forum to Tribal governments to advocate for national, regional and specific tribal concerns and to join in united action to address issues; and

WHEREAS, the member Tribes of the Inter Tribal Council of Arizona have the authority to act to further their collective interests as sovereign tribal governments; and

WHEREAS, the ITCA recognizes that the San Francisco Peaks have been held holy since time immemorial by more than thirteen American Indian Tribes, and that the sacred Peaks are integral for the traditional culture & religious practices of these Tribes; and

WHEREAS, the ITCA supports the recent decision by the Ninth Circuit Court of Appeals to protect the sacred San Francisco Peaks from Ski Area Expansion which would include snowmaking with treated sewage effluent; and

WHEREAS, the decision by the Ninth Circuit Court of Appeals affirms and upholds the fundamental right of American Indians to practice their traditional religions and that the sacred San Francisco Peaks must be further protected to ensure that such practice is not violated; and

WHEREAS, the decision further affirms that extreme desecration will occur if treated sewage effluent and Ski Area Expansion were to be allowed on the sacred Peaks thus, the Court denied the Ski Area Expansion and wastewater snowmaking based on the violation of the Religious Freedom Restoration Act, thereby rendering the Ski Area Expansion and wastewater snowmaking to be illegal; and

WHEREAS, the Forest Service was also found in violation of the National Environmental Policy Act by not adequately analyzing impacts of snowmaking from treated sewage effluent; and

WHEREAS, the U.S. Forest Service's Environmental Impact Statement recognized that "the spiritual purity of the Peaks would be violated" by the Ski Area Expansion and treated sewage effluent; and

WHEREAS, the Major and City Council of Flagstaff continue the religious and racial discrimination against Tribes and citizens by retaining their contract to sell wastewater to Arizona Snowbowl even though the expansion has been denied by the Court of Appeals.

NOW THEREFORE BE IT RESOLVED, that the Inter Tribal Council of Arizona hereby supports the decision of the Ninth Circuit Court of Appeals ruling to protect the sacred San Francisco Peaks from any proposed ski area expansion and snowmaking; and

BE IT FURTHER RESOLVED, that the ITCA calls upon the federal government and all responsible agencies such as the Department of Agriculture; Forest Service, Department of Justice, and Secretary of Interior to uphold the 9th Circuit Court decision to protect the sacred San Francisco Peaks from Ski Area Expansion and snowmaking from wastewater, and cease any efforts to appeal the decision; and

BE IT FINALLY RESOLVED, that this resolution be immediately transmitted upon its effective date to the U.S. Department of Agriculture; Forest Service, U.S. Secretary of the Interior, Arizona Congressional delegation, Governor of Arizona, the Coconino County Supervisors, and the Flagstaff City Council and Mayor.

CERTIFICATION

The foregoing resolution was presented and duly adopted at a meeting of the Inter Tribal Council of Arizona on Friday, April 13, 2007, with a quorum present.



Jamie Fullmer,
President, Inter Tribal Council of Arizona
Chairman, Yavapai Apache Nation