



## **2021 Virtual Annual Convention**

### **RESOLUTION #2021 – 38**

**“REQUEST THE US BUREAU OF LAND MANAGEMENT DEVELOP AN AREA OF CRITICAL ENVIRONMENTAL CONCERN REGULATION AS REQUIRED BY THE FEDERAL LAND POLICY MANAGEMENT ACT OF 1976”**

#### **PREAMBLE**

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution:

**WHEREAS**, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

**WHEREAS**, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

**WHEREAS**, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of ATNI; and

**WHEREAS**, The United States Congress enacted the Federal Land Policy Management Act (FLPMA) in 1976 to direct how the US Department of the Interior’s Bureau of Land Management (BLM) should manage land under its purview and to care for lands in its jurisdiction under a *multiple use* and *sustained yield* mandate, to serve present and future generations; and

**WHEREAS**, BLM is mandated to conduct land management planning and to prioritize the designation and protection of Areas of Critical Environmental Concern (ACEC) in these processes; and

**WHEREAS**, FLPMA directs BLM to give “special management attention...to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources or other natural systems or processes,”; and

**WHEREAS**, while Section 102 of FLPMA, directs BLM to “promptly develop” regulations, no regulations have ever been developed; and due to the lack of ACEC regulation guidance, the criteria for establishment of ACECs varies across the BLM and areas designated as ACECs have been given inconsistent management; and

**WHEREAS**, ACECs are intended to conserve values worthy of special protections, and BLM has the duty to collaborate directly with sovereign nations and communities in inclusive land management processes; and

**WHEREAS**, Tribes of Alaska are federally recognized Indian Tribes under federal law and these Tribes’ traditional territory includes lands managed by the BLM; and

**WHEREAS**, in Alaska, Federally Recognized Tribes submitted nominations for more than 14 million acres of ACECs in the two latest Resource Management Plans, but the most recent plans proposed to and eliminated all existing ACECs and rejected all ACECs nominated by Tribes; and

**WHEREAS**, the establishment of ACEC can be used to protect and enhance the inherent right to harvest and use tribal traditional and customary foods, and requires careful cultural stewardship and protection of Tribal traditional environmental and natural resources; and

**WHEREAS**, Tribal peoples’ longstanding care of the ancestral land, now managed by the Bureau of Land Management, has been in place for millennia and these lands not only provide Native people with food, but these lands are foundational to Tribes’ place-based histories, traditional ceremonies, and creation stories; and

**WHEREAS**, designated ACECs protect healthy watersheds which provide cold, clean water that has sustained Tribal ways of life since time immemorial and designated ACECs contain many sacred sites integral to Tribal spiritual, religious, and traditional practices; and

**WHEREAS**, ACECs conserve natural diversity and help ensure the continued protection of indigenous fish and wildlife habitat as it relates to our spiritual, social, nutritional, and ecological values; and

**WHEREAS**, to resolve uneven application and management of Areas of Critical Environmental Concern, an ACEC Rulemaking is needed to prioritize, define, identify, designate, conserve and provide durability for ACECs; now

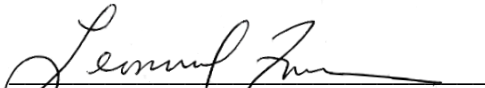
**THEREFORE BE IT RESOLVED**, the Tribes in customary and traditional use of BLM lands strongly support promulgation of ACEC Regulations that would provide updated guidance and improve how ACECs are established and managed by the agency for the benefit of future generations of Tribal nations with historical connections to traditional land now managed by the Bureau; and

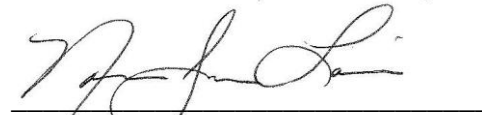
**BE IT FURTHER RESOLVED** that ATNI requests the Secretary of the Interior to initiate and complete a Rulemaking for US Bureau of Land Management Areas of Critical Environmental Concern inclusive of Department of Interior’s Government to Government consultation policy, and

**BE IT FINALLY RESOLVED**, that this resolution be forwarded to the National Congress of American Indians.

**CERTIFICATION**

The foregoing resolution was adopted at the 2021 Virtual Annual Convention of the Affiliated Tribes of Northwest Indians, Portland, Oregon, on September 27-30, 2021, with a quorum present.

  
Leonard Forsman, President

  
Norma Jean Louie, Secretary