

Committee: Rules Committee  
Date: 11-19-07 Committee Date: 11-29 -07

Author: T. Hembree / M. Knight  
Sponsor: Julia Coates

RESOLUTION NO. 111-07

**COUNCIL OF THE CHEROKEE NATION**

**A RESOLUTION SUPPORTING AN AMENDMENT TO THE NATIONAL HISTORIC PRESERVATION ACT OF 1966 AS WELL AS ANY OTHER POLICY CHANGES NECESSARY TO REQUIRE ENVIRONMENTAL PROTECTION AGENCY COMPLIANCE**

**WHEREAS**, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people;

**WHEREAS**, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America;

**WHEREAS**, the Cherokee Nation has a long history of supporting other Native American Tribes in their endeavors in protecting their history and culture;

**WHEREAS**, the Elem Band of Pomo Indians of Clear Lake California, has had years of extensive Mercury mining that has been devastating to their local environment;

**WHEREAS**, the mining site in Clear Lake California has been declared a "National Priority List" site by the United States Environmental Protection Agency;

**WHEREAS**, during the reclamation work done by the EPA, many items of culture and historical significance were destroyed;

**WHEREAS**, National Historic Preservation Act of 1966, was passed to prevent the destruction of artifacts of cultural and historical significance;


**WHEREAS**, such provisions of the National Historic Preservation Act have not appropriately protected the items of cultural and historical significance of the Elem Band;

**WHEREAS**, it would be beneficial to the Cherokee Nation, as well as all Native American Tribes to require inspections of archaeological and historical sites before environmental excavation.

**BE IT RESOLVED BY THE CHEROKEE NATION**, That the Cherokee Nation supports an amendment to the National Historic Preservation Act of 1966 and any other necessary policy changes to require inspections of archaeological and historical sites before environmental excavation or clean up is conducted in all non-emergency situations.

**CERTIFICATION**

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 17<sup>th</sup> day of December, 2007, having 17 members present, constituting a quorum, by the vote of 17 yea; 0 nay; 0 abstaining.

  
Meredith A. Frailey, Speaker  
Council of the Cherokee Nation

**ATTEST:**



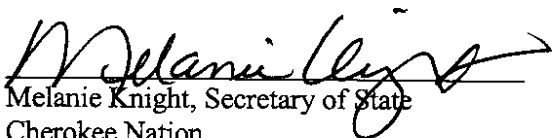
Don Garvin, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 27th day of December, 2007.



Chadwick Smith, Principal Chief  
Cherokee Nation

**ATTEST:**



Melanie Knight, Secretary of State  
Cherokee Nation