

# **ATTACHMENT 3**

## **TRIBAL RESOLUTIONS**

**STRATHMORE MINERAL CORPORATION  
APRIL 26, 2007**

## Resolution of the Diné Hataalii Association

### Opposing Uranium Exploration, Mining and Processing on and around Tsoodzil (Mt. Taylor), and Requesting Consultation of the Affected Native American Communities

#### WHEREAS,

1. The Diné Hataalii Association is qualified to comment on matters of Navajo custom, it being regarded by the Navajo people as comprised of men and women who act and speak with authority and authenticity on matters of traditional healing and Navajo custom based on their possession of medicine bundles considered as sacred holdings; and
2. The Diné Hataalii Association is spiritually empowered by the holy deities and entities from the four sacred directions and mountains to protect, promote, perpetuate, and sustain, cultural integrity in terms of it's history, language, philosophy, sacred objects, cultural items, traditional healing ceremonies, and medicine bundles considered as sacred holdings; and
3. The *Diné Bi Beehaz'áanii Bitsé Silél*, the declaration of the foundation of *Diné* law, predates the formation and establishment of the U.S. Constitution; and
4. The *Diné bi beenahaz'áanii* (Law) embodies *Diyin bitsqáddéé beehaz'áanii* (Traditional Law), *Diyin Diné bitsqáddéé' beehaz'áanii* (Customary Law), *Nahashzáán doo Yádlilhil bitsqáddéé' beehaz'áanii* (Natural Law), and *Diyin Nohookáá Diné bi beehaz'áanii* (Common Law), which provide sanctuary for the *Diné* life and culture, our relationship with the world beyond the sacred mountains, and the balance we maintain with the natural world; and
5. These Fundamental Laws of the *Diné* have been codified in Title I of the Navajo Nation Code; and
6. *Tsoodzil* (Mt. Taylor) figures prominently in the origin, clan and ceremonial stories of the *Diné*; and
7. *Tsoodzil* is the holy mountain of the South and, together with 12 other mountains, peaks and physical features of the land, form the boundaries of the sacred *Diné* homeland; and
8. *Tsoodzil* is religiously and culturally significant to the *Diné* and other Indigenous People, including the people of the Pueblo of Acoma, because it contains:
  - i. homes of the Holy People;
  - ii. places that are significant in the histories and cultural practices of the *Diné* people;
  - iii. places for conducting sacred ceremonies and prayers;

- iv. places for gathering medicines, minerals and other materials for ceremonial and traditional uses, including turquoise, from which the mountain gains its name; and
  - v. locations with traditional stories attached to the land; and
9. *Tsoodzil* is the location where, according to the traditional stories, the Monster Slayer Twins, born to Changing Woman, slew one of the four monsters that plagued the People, and that the body and blood of the monster, *Yé'itsoh*, are said to be the mountain and the lava flows to its south, respectively; and
  10. The Navajo People and medicine people have not relinquished traditional spiritual ties to *Tsoodzil* and have inherited the historical knowledge, sacred religious beliefs, oral histories, and traditional use of *Tsoodzil* that predates Western Civilizations' arrival on the North American continent; and
  11. At least a dozen companies have applied for and/or obtained state and Federal permits to explore for and mine uranium on locations on and near *Tsoodzil* from the New Mexico Mining and Minerals Division ("NMMMD"), New Mexico Environment Department ("NMED"), State Land Office ("NMSLO"), U.S. Forest Service ("USFS"), U.S. Bureau of Land Management ("USBLM"), and the U.S. Nuclear Regulatory Commission ("USNRC"); and
  12. Such proposed uranium development will degrade the natural resources, traditional cultural uses and inherent spirituality of *Tsoodzil* for both the Navajo and Acoma people; and
  13. On December 12, 2006, Lupton Chapter of the Navajo Nation adopted a resolution opposing new uranium mining in Navajo Indian Country and recommending that steps be taken to protect *Tsoodzil* from such mining; and
  14. On March 3, 2007, the Eastern Navajo Agency Council adopted Resolution that read "Opposing uranium mining in and around *Tsoodzil*, and recommending consultation with the affected Native American tribes and communities before new uranium exploration, mining and processing further degrades *Tsoodzil*"; and
  15. On December 13, 2006, the Pueblo of Acoma Tribal Council adopted Resolution No. TC-NOV-22-06-Vb, that notes that Mt. Taylor lies within the Acoma Cultural Province, and that any and all activities such as uranium development "will impair. . .access to its traditional cultural activities. . .or sacred sites or cultural properties affiliated with the Acoma Cultural Province"; and
  16. On December 15, 2006, the All Indian Pueblo Council of New Mexico adopted Resolution No. 2006-19 that notes that "the issuance of uranium and coal exploration, development and processing permits within the Pueblos of Acoma and Laguna's cultural territory threatens irreparable degradation and impairment to the natural and cultural resources of the Pueblos. . ."; and

17. As noted in the resolutions of the Pueblo of Acoma and All Indian Pueblo Council, various Federal laws, including the National Historic Preservation Act and the Native American Graves and Repatriation Act, that are intended to protect Native American cultural and sacred sites and burial grounds, mandate government-to-government consultations with tribes on activities that may affect such sacred sites; and
18. Furthermore, Presidential Executive Order 13175, "Consultation and Coordination with Indian Tribes," directs federal agencies "to establish a process which facilitates meaningful participation throughout the regulatory policymaking process"; and
19. In addition, permitting and/or approval of uranium exploration, mining and milling permits by the Federal agencies may be in violation of the Religious Freedom Restoration Act of 1993 with regard to disrupting the spiritual, cultural and daily connections to Mt. Taylor; and
20. To the knowledge of the Diné Hataalii Association, such consultation and processes to facilitate meaningful participation have not been conducted or offered by the Federal agencies that are processing uranium mining permits in the Mt. Taylor area; and
21. To the knowledge of the Diné Hataalii Association, the state of New Mexico agencies that are processing such permits have not consulted with the affected tribes in contravention of Governor Richardson's Executive Order 2005-03 (dated February 1, 2005) establishing a "statewide tribal consultation policy on the protection of sacred places and repatriation."

**NOW, THEREFORE, BE IT RESOLVED:**

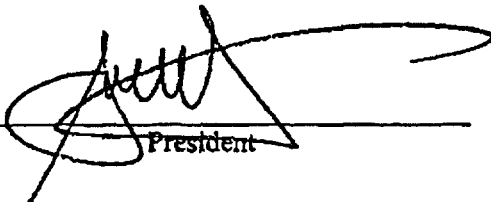
1. The Diné Hataalii Association opposes uranium exploration, mining and processing in and around *Tsoodzil* (Mt. Taylor).
2. The Diné Hataalii Association requests consultation with Federal agencies and the state of New Mexico, pursuant to applicable laws, regulations and policies, before any new uranium development permits or licenses are issued.
3. The Diné Hataalii Association supports funding for and implementation of plans and programs that will address cleanup of abandoned uranium mines in the Eastern Navajo Agency and studies of the health of residents of communities affected by past uranium mining.

## CERTIFICATION

We, the Diné Hataalii Association, hereby certify that the foregoing resolution was duly considered by its general membership at a duly called meeting at the Navajo Education Center in Window Rock, (Navajo Nation) Az., at which a quorum was present and that same was adopted by a vote of 22 in FAVOR, 0 OPPOSED, and 0 ABSTAINED, on this 14<sup>th</sup> day of April 2007.

MOTIONED BY: Thompson Billy

SECONDED BY: Herman A. Smith

  
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President