



## Southwest Native Cultures

Albuquerque, New Mexico



October 31, 2015

Information and Secretariat Coordinator  
Docip - Indigenous Peoples' Center  
for Documentation, Research and Information

To your Excellencies:

I am responding to your request for consultations on the Human Rights Council Resolution A/HRC/29/15 of 30 June 2015 entitled "Human Rights and Climate Change."

My name is Terry Alan Sloan and I am the director of the NGO Southwest Native Cultures, and I am a Navajo and Hopi Native American from Albuquerque, New Mexico, born in Shiprock, New Mexico and born of the Kinyaa'áanii - Towering House People Clan and born for the Tó'aheedlíinii - Water-Flows-Together Clan.

I would like to bring to your attention certain World, Indigenous and Native American Peoples issues that are occurring today in our country:

1. ***We have the Right to protection of our (Indigenous and Native American Peoples) lands, from contamination by extractive industries such as uranium, coal and copper mining without Free Prior and Informed Consent, which is a U.N. Doctrine. These mining activities destroy the landscape and release toxic waste into our environment, such as carbon dioxide, thus affecting Climate Change.***
2. ***These mining activities also may encroach on sacred sites and lands that may be used for ceremonial activities that may be used to monitor the Earth's climate change and changing seasons by Indigenous Peoples.***
  - A. At issue are: the Hopi Tribes fight with Peabody Energy on coal mining, water usage and Sacred Sites disturbance, the Schaghticoke Indian Tribe's fight with the Kent Township on water contamination and sacred sites encroachment, the Northern Arawak Tribal Nation's fight with Williams Partnership and their proposed gas pipeline encroachment on Sacred lands, and the San Carlos Apaches where the U.S. exchanged their Sacred land to a foreign company for copper mining rights, and other Tribal nations with similar issues.
  - B. This would also involve asking why the U.S. Office of Surface Mining and Bureau of Land Management bypasses its own regulations or fails at enforcement of them when large amounts of compensation are involved.



- C. A more recent development is the Gold King Mine Spill where mine reclamation activities led by the U.S. Environmental Protection Agency onsite project team triggered an uncontrolled release of approximately 3 million gallons of acid mine water from the mine located about 5 miles north of Silverton, Colorado. The acid mine water first flowed into Cement Creek and continued downstream, depositing small amounts of soil particles mixed with orange-brown iron-oxyhydroxide precipitates containing heavy metals continued to occur along the Animas River and San Juan Rivers until the plume reached Lake Powell in Utah on August 14, 2015.
3. ***The Right to protection of our (Indigenous) water resources from contamination by mining, oil and gas exploration and production activities which adversely affect a healthy living environment. Where toxic contamination or water sources will emit toxins into the air affecting Climate Change.***
- A. Again, the Hopi Tribes fight with Peabody Energy, the Schaghticoke Indian Tribe's fight with the Kent Township, the Northern Arawak Tribal Nation's fight with Williams Partnership, all additionally over water usage and contamination issues.
  - B. Again, this would also involve asking why the U.S. Office of Surface Mining and Bureau of Land Management bypasses its own regulations or fails at enforcement.
  - C. The U.S. Bureau of Land Management is currently allowing fracking within what is called a checkboard area in Northeastern New Mexico where BLM land is intermingled in Navajo reservation land and the fracking is threatening pristine drinking water aquifers that will affect a wide Navajo community.
4. ***The Right to real, actual physical effort at developing infrastructure on our (Indigenous Peoples) lands to help the less fortunate in dealing with climate change, as preparations for addressing and preparing for extreme weather is a Human Right.***
- A. There is a significant need for housing, especially for homeless Indigenous Tribal members and homeless veterans. This would include health funding for Indigenous Tribal members.
  - B. The development of roads in rural areas where extreme weather may have a significant impact.
  - C. Infrastructure development for safe drinking water and access to financing for infrastructure projects driven by individual Indigenous Tribal Nations, i.e., World Bank financing.
5. ***A Call to Action to shorten the time delay between the application and action of Environmental and Sustainable Development programs by Governments. Generally, there is great talk to stimulate and initiate environmental and sustainable development***



*programs, but when it comes to seeking out these programs for action there is usually a delay with red tape, paperwork or procedure.*

According to Presidential Memorandum (President Obama) – “Administrative Flexibility on February 28, 2011 - Administrative Flexibility, Lower Costs, and Better Results for State, Local, and Tribal Governments:”

“Federal program requirements over the past several decades have sometimes been onerous, and they have not always contributed to better outcomes. With input from our State, local, and tribal partners, we can, consistent with law, reduce unnecessary regulatory and administrative burdens and redirect resources to services that are essential to achieving better outcomes at lower cost. This is especially urgent at a time when State, local, and tribal governments face large budget shortfalls and American taxpayers deserve to know that their funds are being spent wisely.

On January 18, 2011, I signed Executive Order 13563, which, among other things, calls for careful analysis of regulations by executive departments and agencies (agencies), including consideration of costs and benefits. Executive Order 13563 also requires retrospective analysis of existing significant rules and greater coordination across agencies to simplify and harmonize redundant, inconsistent, or overlapping requirements, thus reducing costs.”

**6. *The Right to an active effort by Governments to address Environmental and Climate Change issues, inclusive of the Sustainable Development Goals.***

Thank you for this wonderful opportunity to discuss some of the issues facing Mother Earth, the World, Indigenous peoples and Native Americans.

Many Blessings,

A handwritten signature in cursive script that reads "Terry A. Sloan".

Terry A. Sloan  
Director



**Southwest Native Cultures**

Albuquerque, New Mexico

(505) 301-4122

[tas@sloancompany.net](mailto:tas@sloancompany.net)