

LUMBEE TRIBE OF NORTH CAROLINA

CLLR-2020-0827-01

DATE: August 27, 2020

RESOLUTION IN OPPOSITION TO THE ROBESON LIQUID NATURAL GAS FACILITY ("RLNG")

WHEREAS, The Lumbee Tribe of North Carolina ("Lumbee Tribe") is a recognized American Indian Tribe of the State of North Carolina, subject to the Constitution of the Lumbee Tribe of North Carolina ("Tribal Constitution") and its inherent sovereign powers and self-government; and

WHEREAS, Under Chapter 71A-3 of the NC General Statutes the Lumbee Tribe of North Carolina "... shall continue to enjoy all rights, privileges and immunities as an American Indian Tribe with a recognized tribal governing body carrying out and exercising substantial governmental duties and powers similar to the State, being recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians."; and

WHEREAS, The Lumbee government was formed to continually preserve for all time the Lumbee way of life and community, promoting the educational, cultural, social, and economic well-being of Lumbee peoples and securing justice and freedom for the tribe; and

WHEREAS, Article VII, Section 1 of the Tribal Constitution delegates all legislative authority to the Tribal Council of the Lumbee Tribe of North Carolina ("Tribal Council"); and

WHEREAS, Just as our ancestors, the members of the Lumbee Tribe, depend on rivers, streams, aquifers and other ground water sources, community lands, forests, swamps and environment for sustenance, medicines, as well as for health, general welfare, and sustainability of tribal communities and the ecosystem; and

WHEREAS, The population of those who live within one mile of the RLNG is at least 84% American Indian which constitutes a highly disproportionate concentration of American Indians, largely Lumbee, who would be subjected to any adverse impacts related to the facility's construction and operation; and

WHEREAS, The Robeson Liquefied Natural Gas Facility ("RLNG") as proposed by Duke Energy and Piedmont Natural Gas ("PNG") poses a serious risk to the environmental and cultural resources of the Lumbee Tribe and its ability to provide a safe, livable homeland for its members and residents; and

WHEREAS, The Lumbee Tribe is deeply concerned about the disturbance and desecration of unmarked ancestral burials, sacred places, ancestral human remains and in addition to the federal and state laws that prohibit destruction or movement of ancestral human remains, its environment, and is unconditionally opposed to their desecration or dispossession, and to any adverse impact, damage, endangerment, injury or threat to them; and

WHEREAS, At no time during the planning process did Duke Energy or PNG consult with the Lumbee Tribe regarding the cultural, social or environmental aspects of the proposed RLNG site; and

WHEREAS, Over the course of preparing the site for construction, irreparable harm was done to historical artifacts with no engagement or acknowledgment of the Lumbee Tribe; and

WHEREAS, There is no evidence of a recent Environmental Impact Statement or Environmental Assessment and that any Statement/Assessment that may have been done over a decade previously is insufficient to current conditions; and

WHEREAS, The Lumbee Tribal Council works tirelessly to fulfill its obligations to protect and preserve the rights and privileges of all duly enrolled members of the Lumbee Tribe of NC; and

WHEREAS, The Lumbee Tribal Council does not accept that the membership of the Lumbee Tribe of NC should bear the cumulative and disproportionate impacts of the risks related to the RLNG facility; and

WHEREAS, There is no evidence presented that any other alternative to the RLNG was considered to meet the needs of Duke Energy and PNG; and

WHEREAS, State and local agencies supported the RLNG facility without any input or consideration of Lumbee Tribal interests or rights; and

WHEREAS, The proposed Robeson Liquefied Natural Gas facility continues to be constructed without a current Environmental Impact Statement, current Environmental Assessment or consultation with the Lumbee Tribe and its representatives even though the changes have been significant and should, at the minimum, be evaluated through a Supplemental Environmental Impact Statement or Environmental Assessment; now

THEREFORE, Be it resolved, the Tribal Council of the Lumbee Tribe of North Carolina does hereby declare its full and adamant opposition to the siting of the proposed Robeson Liquefied Natural Gas facility planned for and currently under construction by Duke Energy and Piedmont Natural Gas; and

BE IT FURTHER RESOLVED, That the Tribal Council of the Lumbee Tribe of North Carolina does hereby call upon all Local, State and Federal regulatory bodies and other entities to deny or suspend any permits, approvals or other progress towards issuance of final certifications, permits or other approvals regarding Duke Energy and PNG's Robeson Liquefied Natural Gas facility until a Supplemental Environmental Impact Statement or Environmental Assessment is completed; and

BE IT FURTHER RESOLVED, That Duke Energy and Piedmont Natural Gas be required to give consent to the Tribal Council of the Lumbee Tribe of North Carolina to contract for an independent archaeological survey of the proposed site and its environs before any further construction is completed; and

BE IT FURTHER RESOLVED, That the Tribal Council of the Lumbee Tribe of North Carolina calls for all Federal, State and Local agencies to ensure compliance with all of these legislative requirements and conditions imposed upon the Robeson Liquefied Natural Gas facility by demanding that all construction activities be ceased; and

BE IT FINALLY RESOLVED, That the Tribal Council of the Lumbee Tribe of North Carolina calls upon its membership, public officials and other indigenous tribal nations to express their opposition to the permitting and certifications of the Robeson Liquefied Natural Gas facility.

CERTIFICATION

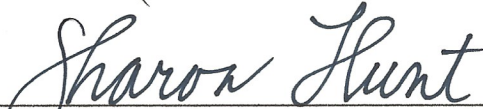
THIS **CLLR-2020-0827-01** "RESOLUTION IN OPPOSITION TO THE ROBESON LIQUID NATURAL GAS FACILITY ("RLNG")" ADOPTED AT A MEETING OF THE TWENTY-ONE (21) MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 15 MEMBERS WERE PRESENT, CONSTITUTING A QUORUM, THIS THE 27TH DAY OF AUGUST, 2020 BY A VOTE OF 15 YES, 0 NO, AND 0 ABSTENTION(S).



08-27-2020

Date

ATTEST: RICKY BURNETT
Speaker, Tribal Council of the Lumbee Tribe of North Carolina



08/27/2020

Date

ATTEST: SHARON HUNT
Secretary, Tribal Council of the Lumbee Tribe of North Carolina

ROLL CALL VOTE RESULTS TO ADOPT

CLLR-2020-0827-01

” RESOLUTION IN OPPOSITION TO THE ROBSON LIQUID NATURAL GAS FACILITY (‘RLNG’)”

15 FOR, 0 AGAINST, 0 ABSTENTION(S)

District 1:	Carvicous Barfield	ABSENT
District 2:	Sharon Hunt	YES
	Gerald Goolsby	YES
District 3:	James B. Hunt	ABSENT
	Pam Hunt	YES
District 4:	Ted Woodell	YES
District 5:	Wendy Moore	YES
	Jarrod Lowery	ABSENT
District 6:	Larry Chavis	YES
	Douglas Locklear	YES
District 7:	Reginald Oxendine	ABSENT
	Yvonne Dial	YES
	Alvin Mercer	YES
District 8:	Corbin Eddings	YES
District 9:	Dewey J McNeill	YES
District 10:	Marshil Locklear	YES
District 11:	Frank Cooper	ABSENT
District 12:	Shelley Strickland	ABSENT
	Michael Chavis	YES
District 13:	Ricky Burnett	YES
District 14:	Terry Hunt	YES