

RESOLUTION OF THE  
NAABIK'ÍYÁTI' STANDING COMMITTEE  
25<sup>th</sup> NAVAJO NATION COUNCIL -- First Year, 2023

AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; CONFIRMING THE APPOINTMENT OF LARRY BILTAH TO THE BLACK MESA REVIEW BOARD AS THE BLACK MESA CHAPTER REPRESENTATIVE FOR A TERM OF FOUR (4) YEARS

BE IT RESOLVED:

SECTION ONE. AUTHORITY

- A. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council has the authority to grant final confirmation of appointments to boards, commissions, and colleges unless otherwise provided in law. 2 N.N.C. § 701(A)(1).
- B. An appointment to the Black Mesa Review Board as made by the respective Chapter requires confirmation by the [Naabik'íyáti'] Committee. 2 N.N.C. § 903(B). References made to the former Government Services Committee in the Navajo Nation Code shall mean the Naabik'íyáti' Committee. See CO-45-12, Section 5(A).

SECTION TWO. FINDINGS

- A. The purpose of the Black Mesa Review Board (or the "Board") shall be to advocate for fair and just compensation for Navajo families within the five Navajo Nation Chapters whose socio-economic and environmental interests are adversely affected or impacted by coal mining and related operations of Peabody Western Coal Company (PWCC). The Board may also make appropriate recommendations to the President of the Navajo Nation, the Navajo Nation Council, the Resources Committee of the Navajo Nation Council, or to PWCC, concerning the health, social welfare, education, and environment of the Navajo People affected by any of PWCC's mining and post-mining or related operations. 2 N.N.C. § 902.
- B. The Black Mesa Review Board shall be comprised of seven (7) members, one of whom shall be appointed by the Black Mesa Chapter. Each Board appointee shall serve a term of four (4) years. 2 N.N.C. § 903.
- C. The Black Mesa Chapter has appointed Larry Biltah to the Black Mesa Review Board by Resolution BMC-24-10-009, which is herein attached as Exhibit A.

- D. Within thirty (30) days of their appointment, each Board appointee shall be presented to the Naabik'íyáti' Committee of the Navajo Nation Council for confirmation. 2 N.N.C. § 903(B).
- E. If confirmed by the Naabik'íyáti' Committee, Mr. Biltah's term shall not commence until he is administered an oath of office by a judge or justice of the Navajo Nation courts. 2 N.N.C. § 903(B).
- F. The Naabik'íyáti' Committee of the Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation to confirm the appointment of Larry Biltah as the Black Mesa Chapter representative to the Black Mesa Review Board.

### SECTION THREE. CONFIRMATION

The Naabik'íyáti' Committee of the Navajo Nation Council hereby confirms the appointment of Larry Biltah as the Black Mesa Chapter representative to the Black Mesa Review Board for a term of four (4) years.

### CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 25<sup>th</sup> Navajo Nation Council at a duly called meeting in Tse Bonito, New Mexico, at which a quorum was present and that the same was passed by a vote of 18 in Favor, and 00 Opposed, on this 28<sup>th</sup> day of December 2023.



Honorable Crystalyne Curley, Chairwoman  
Naabik'íyáti' Committee

1/5/24

Date

Motion: Honorable Vince R. James

Second: Honorable Andy Nez

Chairwoman Crystalyne Curley not voting



# BLACK MESA CHAPTER

P. O. Box 189 \* Pinon, Arizona 86510

EXHIBIT

A

## RESOLUTION OF THE BLACK MESA (Kits'ili) CHAPTER

BMC-24-10-009

**REAFFIRMING THE RECOMMEDATION AND AUTHORIZING AN APPOINTMENT OF LARRY BILTAH AS CHAPTER REPRESENTATIVE FOR BLACK MESA REVIEW BOARD FOR THE DURATION OF FOUR YEARS.**

### WHEREAS:

1. Pursuant to The NAVAJO NATION COUNCIL Resolution CAP-17-79 and CAP-34-98 The Black Mesa Chapter Government was officially certified thereby delegated Governmental Authority with respect to Local Matters; and
2. The Chapter are responsible and are given authority to promote, protect, and preserve the interest and general welfare of its community people and programs; and
3. The Black Mesa Review Board authority is located within the Peabody Lease Area and to advocate for fair and just compensation for Navajo families within the five (5) Navajo Nation Chapters whose soci-economic and environmental interests are adversely affected or impacted by coal mining; and
4. A person who is from PWCC Lease and the surrounding area be appointed to represent Black Mesa Chapter, Larry Biltah meets this requirement; and
5. Black Mesa, PWCC Leasehold Area residents who reside in or near the lease area of the Peabody Coal Mine recognize the need for appointment of an individual to the black Mesa Review Board who has knowledge, experience, and commitment to advocate for the unique needs of those residents; and
6. Black Mesa, PWCC Leasehold Area residents know that Larry Biltah understands the history of the actual living conditions of lease area residents, have confidence Mr. Biltah will be effective advocate on their behalf and concerns that have arisen from the operation of the coal mine; and
7. Black Mesa, PWCC Leasehold Area residents and its non-profit organization, Black Mesa United, Inc. supports the appointment of Larry Biltah to the Black Mesa Review Board; and
8. Black Mesa acknowledged Mr. Biltah, like late Jones Begay, a previous member of BMRB, resides adjacent to the boundary of Black Mesa PWCC Mine, along other residents of Oak Ridge Community, is more heavily impacted by the mining activities of Peabody Coal Mine; as such, better qualified to speak for the residents of the Black Mesa Chapter that are environmentally and health-related impacted; and
9. Mr. Larry Biltah share similar qualifications of his predecessors, thereby to represent the Black Mesa Chapter as its representative to Black Mesa Review Board (BMRB).

### NOW, THEREFORE, BE IT RESOLVED THAT:

The Black Mesa Chapter Reaffirm the Recommendation and Authorizing An Appointment of Larry Biltah As Chapter Representative For Black Mesa Review Board For the Duration of Four Years.

Larry Biltah  
Chapter President

Lynn Dean  
Chapter Vice-President

Marlene Biltah  
Chapter Secretary/Treasurer

Francis Honie  
Grazing Committee Member


Germaine Simonson  
Council Delegate

BMC-24-10-009  
CERTIFICATION

We hereby certify that the foregoing resolution was fully considered by the Black Mesa Chapter at a duly called meeting at Black Mesa, Arizona at which a quorum was present and that same was passed by a vote of 19 in favor, 00 opposed, and 09 abstained, on this 16<sup>th</sup> day of October 2023.

Motioned by: Daisy Kiyani

Seconded by: Wanda Denny

  
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Larry Biltah, President

  
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Lynn Dean, Vice-President

  
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Marlene Biltah, Secretary/Treasurer

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Germaine Simonson, Council Delegate

# NAVAJO NATION

273

Naa'bik'iyati' Committee Regular Meeting

12/28/2023  
10:23:49 AM

Amd# to Amd#	New Business: Item A. (MOTION)	PASSED
MOT James, V	CONSENT AGENDA - (7) #'s:	
SEC Nez, A	0256-23,0261-23,0263-23,0270-23	
	0271-23,0266-23,0252-23	

Yeas : 18

Nays : 0

Excused : 3

Not Voting : 2

## Yea : 18

Aseret, L	Crotty, A	Nez, R	Slater, C
Begay, H	Damon, S	Notah, N	Tolth, G
Begay, N	James, V	Simonson, G	Yanito, C
Charles-Newton, E	Johnson, C	Simpson, D	Yazzie, C
Claw, S	Nez, A		

## Nay : 0

## Excused : 3

Tso, O	Daniels, H	Jesus, B
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## Not Voting : 2

Arviso, S	Parrish, S
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Presiding Speaker: Curley, C