

**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0366-19

**DATE:** November 25, 2019

**TITLE OF RESOLUTION:** RELATING TO RESOURCES AND DEVELOPMENT AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING H.R. 2181 AND S. 1079, "THE CHACO HERITAGE AREA PROTECTION ACT OF 2019", UNTIL SUCH TIME AS THE BUFFER ZONE SURROUNDING CHACO CULTURAL NATIONAL HISTORICAL PARK IS REDUCED TO FIVE (5) MILES

**PURPOSE:** This resolution, if approved, will provide Navajo Nation support to Congress and Senate to amend the ten (10) mile buffer zone as currently stated in H.R. 2181 and S. 1019 (The Chaco Heritage Area Protection Act of 2019) to a five (5) mile buffer zone surrounding the Chaco Cultural National Historical Park.

**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.**

5-DAY BILL HOLD PERIOD: High  
Website Posting Time/Date: 2:06pm 11-27-19  
Posting End Date: 12-02-19  
Eligible for Action: 12-03-19

Resources & Development Committee  
Thence  
Naabik'iyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION  
24th NAVAJO NATION COUNCIL—FIRST YEAR, 2019

INTRODUCED BY

Primary Sponsor

TRACKING NO. 0366-19

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND NAABIK'ÍYÁTI'  
COMMITTEES; OPPOSING H.R. 2181 AND S. 1079, "THE CHACO HERITAGE AREA  
PROTECTION ACT OF 2019", UNTIL SUCH TIME AS THE BUFFER ZONE  
SURROUNDING CHACO CULTURAL NATIONAL HISTORICAL PARK IS REDUCED TO  
FIVE (5) MILES

WHEREAS:

- A. The Navajo Nation established the Resources and Development Committee as a Navajo Nation Council standing committee and as such empowered the Resources and Development Committee with authority to establish Navajo Nation policy with respect to the optimum utilization of all Navajo Nation resources and to protect the rights, interests, sacred sites and freedoms of the Navajo Nation and People to such resources, now and for future generations. 2 N.N.C. §§ 500 (A) and (C)(1).
- B. The Navajo Nation established the Naabik'iyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'iyáti' Committee to coordinate all federal programs and to assist and coordinate all requests for information, appearances and testimony relating to federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 700 (A), 701 (A)(4), 701(A)(6).
- C. The Navajo Nation has a government-to-government relationship with the United States of America, Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.



- 1 D. H.R. 2181 and S. 1079, are identical pieces of legislation in the House and Senate of the  
2 United States 116<sup>th</sup> Congress, 1<sup>st</sup> Session, that are intended to enact the Chaco Cultural  
3 Heritage Area Protection Act of 2019 (“Act”) for the purpose of protecting archeological,  
4 sacred, and historic resources located throughout the Greater Chaco region, which spans  
5 the States of New Mexico, Arizona, Utah, and Colorado. H.R. 2181 attached as **Exhibit**  
6 **A.** S. 1079 attached as **Exhibit B.**
- 7 E. H.R. 2181 was introduced by a New Mexico delegation of Congressman Luján, with  
8 Congresswomen Torres-Small and Haaland and Congressman Grijalva; S. 1079 was  
9 introduced by New Mexico Senators Udall and Heinrich.
- 10 F. To further its purpose of protecting archeological, sacred, and historic resources located  
11 throughout the Greater Chaco region, the Act will severely restrict, prohibits in effect,  
12 any extraction operations from occurring on lands within a ten (10) mile buffer zone  
13 surrounding the Chaco Culture National Historical Park. *See* Chaco Cultural Heritage  
14 Withdrawal Area attached as **Exhibit C.**
- 15 G. The Act’s restrictions on extraction operations within the ten mile buffer will have a  
16 severe negative economic impact on Navajos owning allotted lands within the buffer  
17 zone whose livelihood is derived from royalty payments for oil and gas development on  
18 their individually-owned lands.
- 19 H. Navajo Nation local governments in and near the Act’s impact area, i.e., Huerfano  
20 Chapter, Lake Valley Chapter, Nageezi Chapter, Pueblo Pintado Chapter, White Rock  
21 Local Government, all fear the severe negative economic consequences to their Navajo  
22 members livelihood, sustainability and well-being that will be imposed on their  
23 communities by the Act’s 10 mile buffer zone; and have passed resolutions, attached as  
24 **Exhibit D**, imploring that the buffer zone to be reduced to five (5) miles.
- 25 I. The Navajo Nation finds it in the best long-term interests of the Navajo People and their  
26 communities that the Act’s buffer zone surrounding the Chaco Culture National  
27 Historical Park be reduced to 5 miles.
- 28 J. The Navajo Nation finds it in the best long-term interests of the Navajo People and their  
29 communities to oppose the Act until such time as the buffer zone surrounding the Chaco  
30 Culture National Historical Park is reduced to 5 miles.

1 NOW THEREFORE, BE IT RESOLVED:

2 A. The Navajo Nation respectfully opposes “The Chaco Heritage Area Protection Act Of  
3 2019”, H.R. 2181 and S. 1079, until such time as the buffer zone surrounding Chaco  
4 Cultural National Historical Park is reduced to five (5) miles.

5 B. The Navajo Nation respectfully requests the United States Congress and Senate,  
6 specifically Congressmen Luján and Grijalva, Congresswomen Torres-Small and  
7 Haaland, and Senators Udall and Heinrich, to take all steps necessary to amend H.R.  
8 2181 AND S. 1079 so that the buffer zone surrounding Chaco Cultural National  
9 Historical Park is reduced to five (5) miles.



116TH CONGRESS  
1ST SESSION

# H. R. 2181

To provide for the withdrawal and protection of certain Federal land in  
the State of New Mexico.

## IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 2019

Mr. LUIJÁN (for himself, Ms. TORRES SMALL, of New Mexico, Ms. HAALAND,  
and Mr. GRIJALVA) introduced the following bill; which was referred to  
the Committee on Natural Resources

## A BILL

To provide for the withdrawal and protection of certain  
Federal land in the State of New Mexico.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Chaco Cultural Herit-  
5 age Area Protection Act of 2019”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) there are archeological, sacred, and historic  
9 resources located throughout the Greater Chaco re-

1       gion, which spans the States of New Mexico, Ari-  
2       zona, Utah, and Colorado;

3               (2) the Chaco Culture National Historical Park,  
4       a unit of the National Park System and a United  
5       Nations Educational, Scientific and Cultural Organi-  
6       zation World Heritage Site, is known around the  
7       world—

8               (A) for multi-story buildings constructed  
9       by the Chacoan people that are still standing;  
10       and

11              (B) as the nerve center of a culture that  
12       spread throughout and dominated the Four  
13       Corners area during the 9th, 10th, and 11th  
14       centuries;

15              (3) the Chacoan people built hundreds of miles  
16       of roads and a network of villages, shrines, and com-  
17       munications sites, many of which are still visible;

18              (4) many Pueblos and Indian Tribes in the  
19       Four Corners area claim cultural affiliation with,  
20       and are descended from, the Chacoan people;

21              (5) the landscape around the Chaco Culture  
22       National Historical Park includes hundreds of inter-  
23       nationally and nationally significant cultural re-  
24       sources, including prehistoric roads, communities,  
25       and shrines—



1 (A) many of which are related to the re-  
2 sources found in the Chaco Culture National  
3 Historical Park, including the resources recog-  
4 nized by the amendment made by section 3 of  
5 the Chacoan Outliers Protection Act of 1995  
6 (16 U.S.C. 410ii note; Public Law 104–11)  
7 providing for additional Chaco Culture Archeo-  
8 logical Protection Sites;

9 (B) a significant number of which are con-  
10 centrated within the immediate area sur-  
11 rounding the Chaco Culture National Historical  
12 Park; and

13 (C) that are commonly recognized by ar-  
14 cheologists;

15 (6) long considered one of the best places for  
16 stargazing in the world, Chaco Culture National  
17 Historical Park—

18 (A) in 1991, established a night skies pro-  
19 tection initiative and interpretive program to  
20 protect the night sky in the area of the Chaco  
21 Culture National Historical Park; and

22 (B) in 2013, was certified as an Inter-  
23 national Dark Sky Park;

1 (7) the Greater Chaco landscape in the State of  
2 New Mexico extends beyond Chaco Culture National  
3 Historical Park and encompasses—

4 (A) local communities, including Pueblos  
5 and Indian Tribes; and

6 (B) public land, which includes additional  
7 cultural resources and sacred sites;

8 (8) for over 110 years, the Federal Government  
9 has recognized the importance of the area in which  
10 the Chacoan people lived and has acted to protect  
11 historic and sacred sites in the area, including—

12 (A) Chaco Canyon, which was designated  
13 as a National Monument in 1907 and as the  
14 Chaco Culture National Historical Park in  
15 1980;

16 (B) the Aztec Ruins, which was designated  
17 as a National Monument in 1923 and expanded  
18 in each of 1928, 1930, 1948, and 1988; and

19 (C) the 39 Chaco Culture Archeological  
20 Protection Sites designated in 1995;

21 (9) recognizes that the standard for Tribal con-  
22 sultation is outlined in Executive Order 13175 (25  
23 U.S.C. 5301 note; relating to consultation and co-  
24 ordination with Indian Tribal governments);



1 (10) extensive natural gas development has oc-  
2 curred in the Greater Chaco region that affect the  
3 health, safety, economies, and quality of life of local  
4 communities;

5 (11) renewed interest in oil exploration and pro-  
6 duction within the Mancos/Gallup Shale play has in-  
7 creased the potential for—

8 (A) significant impacts on resources and  
9 visitor experiences at the Chaco Culture Na-  
10 tional Historical Park; and

11 (B) additional impacts on local commu-  
12 nities in the Greater Chaco region, including  
13 Pueblos and Indian Tribes;

14 (12) a mineral withdrawal in the landscape  
15 around the Chaco Culture National Historical Park  
16 would prevent leasing and development in the imme-  
17 diate area surrounding the Chaco Culture National  
18 Historical Park, which would protect resources and  
19 visitor experiences at the Chaco Culture National  
20 Historical Park; and

21 (13) additional studies and protective measures  
22 should be undertaken to address health, safety, and  
23 environmental impacts on communities and interests  
24 of Pueblos and Indian Tribes in the Greater Chaco  
25 landscape.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) **COVERED LEASE.**—The term “covered  
4 lease” means any oil and gas lease for Federal  
5 land—

6 (A) on which drilling operations have not  
7 been commenced before the end of the primary  
8 term of the applicable lease;

9 (B) that is not producing oil or gas in pay-  
10 ing quantities; and

11 (C) that is not subject to a valid coopera-  
12 tive or unit plan of development or operation  
13 certified by the Secretary to be necessary.

14 (2) **FEDERAL LAND.**—

15 (A) **IN GENERAL.**—The term “Federal  
16 land” means—

17 (i) any Federal land or interest in  
18 Federal land that is within the boundaries  
19 of the Chaco Cultural Heritage Withdrawal  
20 Area, as depicted on the Map; and

21 (ii) any land or interest in land lo-  
22 cated within the boundaries of the Chaco  
23 Cultural Heritage Withdrawal Area, as de-  
24 picted on the Map, that is acquired by the  
25 Federal Government after the date of en-  
26 actment of this Act.

1 (B) EXCLUSION.—The term “Federal  
2 land” does not include trust land (as defined in  
3 section 3765 of title 38, United States Code).

4 (3) MAP.—The term “Map” means the map  
5 prepared by the Bureau of Land Management enti-  
6 tled “Chaco Cultural Heritage Withdrawal Area”  
7 and dated April 2, 2019.

8 (4) SECRETARY.—The term “Secretary” means  
9 the Secretary of the Interior.

10 **SEC. 4. WITHDRAWAL OF CERTAIN FEDERAL LAND IN THE**  
11 **STATE OF NEW MEXICO.**

12 (a) IN GENERAL.—Subject to any valid existing  
13 rights, the Federal land is withdrawn from—

14 (1) all forms of entry, appropriation, and dis-  
15 posal under the public land laws;

16 (2) location, entry, and patent under mining  
17 laws; and

18 (3) operation of the mineral leasing, mineral  
19 materials, and geothermal leasing laws.

20 (b) AVAILABILITY OF MAP.—The Map shall be made  
21 available for inspection at each appropriate office of the  
22 Bureau of Land Management.

23 (c) CONVEYANCE OF FEDERAL LAND TO INDIAN  
24 TRIBES.—Notwithstanding subsection (a), the Secretary  
25 may convey the Federal land to, or exchange the Federal

1 land with, an Indian Tribe in accordance with a resource  
2 management plan that is approved as of the date of enact-  
3 ment of this Act, as subsequently developed, amended, or  
4 revised in accordance with the Federal Land Policy and  
5 Management Act of 1976 (43 U.S.C. 1701 et seq.) and  
6 any other applicable law.

7 **SEC. 5. OIL AND GAS LEASE MANAGEMENT.**

8 (a) **TERMINATION OF NON-PRODUCING LEASES.**—A  
9 covered lease—

10 (1) shall automatically terminate by operation  
11 of law pursuant to section 17(c) of the Mineral  
12 Leasing Act (30 U.S.C. 226(c)) and subpart 3108  
13 of title 43, Code of Federal Regulations (or suc-  
14 cessor regulations); and

15 (2) may not be extended by the Secretary.

16 (b) **WITHDRAWAL OF TERMINATED, RELINQUISHED,**  
17 **OR ACQUIRED LEASES.**—Any portion of the Federal land  
18 subject to a covered lease terminated under subsection (a)  
19 or otherwise or relinquished or acquired by the United  
20 States on or after the date of enactment of this Act is  
21 withdrawn from—

22 (1) all forms of entry, appropriation, and dis-  
23 posal under the public land laws;

24 (2) location, entry, and patent undermining  
25 laws; and



1           (3) operation of the mineral leasing, mineral  
2       materials, and geothermal leasing laws.

3       **SEC. 6. EFFECT.**

4       Nothing in this Act—

5           (1) affects the mineral rights of an Indian  
6       Tribe or member of an Indian Tribe to trust land  
7       or allotment land; or

8           (2) precludes improvements to, or rights-of-way  
9       for water, power, or road development on, the Fed-  
10      eral land to assist communities adjacent to or in the  
11      vicinity of the Federal land.

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116TH CONGRESS  
1ST SESSION

# S. 1079

To provide for the withdrawal and protection of certain Federal land in  
the State of New Mexico.

IN THE SENATE OF THE UNITED STATES

APRIL 9, 2019

Mr. UDALL (for himself and Mr. HEINRICH) introduced the following bill;  
which was read twice and referred to the Committee on Energy and Nat-  
ural Resources.

## A BILL

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Federal land in the State of New Mexico.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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5 age Area Protection Act of 2019".

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) there are archeological, sacred, and historic  
9 resources located throughout the Greater Chaco re-

gion, which spans the States of New Mexico, Arizona, Utah, and Colorado;

(2) the Chaco Culture National Historical Park, a unit of the National Park System and a United Nations Educational, Scientific and Cultural Organization World Heritage Site, is known around the world—

(A) for multi-story buildings constructed by the Chacoan people that are still standing; and

(B) as the nerve center of a culture that spread throughout and dominated the Four Corners area during the 9th, 10th, and 11th centuries;

(3) the Chacoan people built hundreds of miles of roads and a network of villages, shrines, and communications sites, many of which are still visible;

(4) many Pueblos and Indian Tribes in the Four Corners area claim cultural affiliation with, and are descended from, the Chacoan people;

(5) the landscape around the Chaco Culture National Historical Park includes hundreds of internationally and nationally significant cultural resources, including prehistoric roads, communities, and shrines—

1 (A) many of which are related to the re-  
2 sources found in the Chaco Culture National  
3 Historical Park, including the resources recog-  
4 nized by the amendment made by section 3 of  
5 the Chacoan Outliers Protection Act of 1995  
6 (16 U.S.C. 410ii note; Public Law 104-11)  
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8 logical Protection Sites;

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10 centrated within the immediate area sur-  
11 rounding the Chaco Culture National Historical  
12 Park; and

13 (C) that are commonly recognized by ar-  
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16 stargazing in the world, Chaco Culture National  
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(9) recognizes that the standard for Tribal consultation is outlined in Executive Order 13175 (25 U.S.C. 5301 note; relating to consultation and coordination with Indian Tribal governments);

1 (10) extensive natural gas development has oc-  
2 curred in the Greater Chaco region that affect the  
3 health, safety, economics, and quality of life of local  
4 communities;

5 (11) renewed interest in oil exploration and pro-  
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25 Federal Government after the date of en-  
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10 (1) shall automatically terminate by operation  
11 of law pursuant to section 17(e) of the Mineral  
12 Leasing Act (30 U.S.C. 226(e)) and subpart 3108  
13 of title 43, Code of Federal Regulations (or suc-  
14 cessor regulations); and

15 (2) may not be extended by the Secretary.

16 (b) **WITHDRAWAL OF TERMINATED, RELINQUISHED,**  
17 **OR ACQUIRED LEASES.**—Any portion of the Federal land  
18 subject to a covered lease terminated under subsection (a)  
19 or otherwise or relinquished or acquired by the United  
20 States on or after the date of enactment of this Act is  
21 withdrawn from—

22 (1) all forms of entry, appropriation, and dis-  
23 posal under the public land laws;

24 (2) location, entry, and patent undermining  
25 laws; and

1           (3) operation of the mineral leasing, mineral  
2           materials, and geothermal leasing laws.

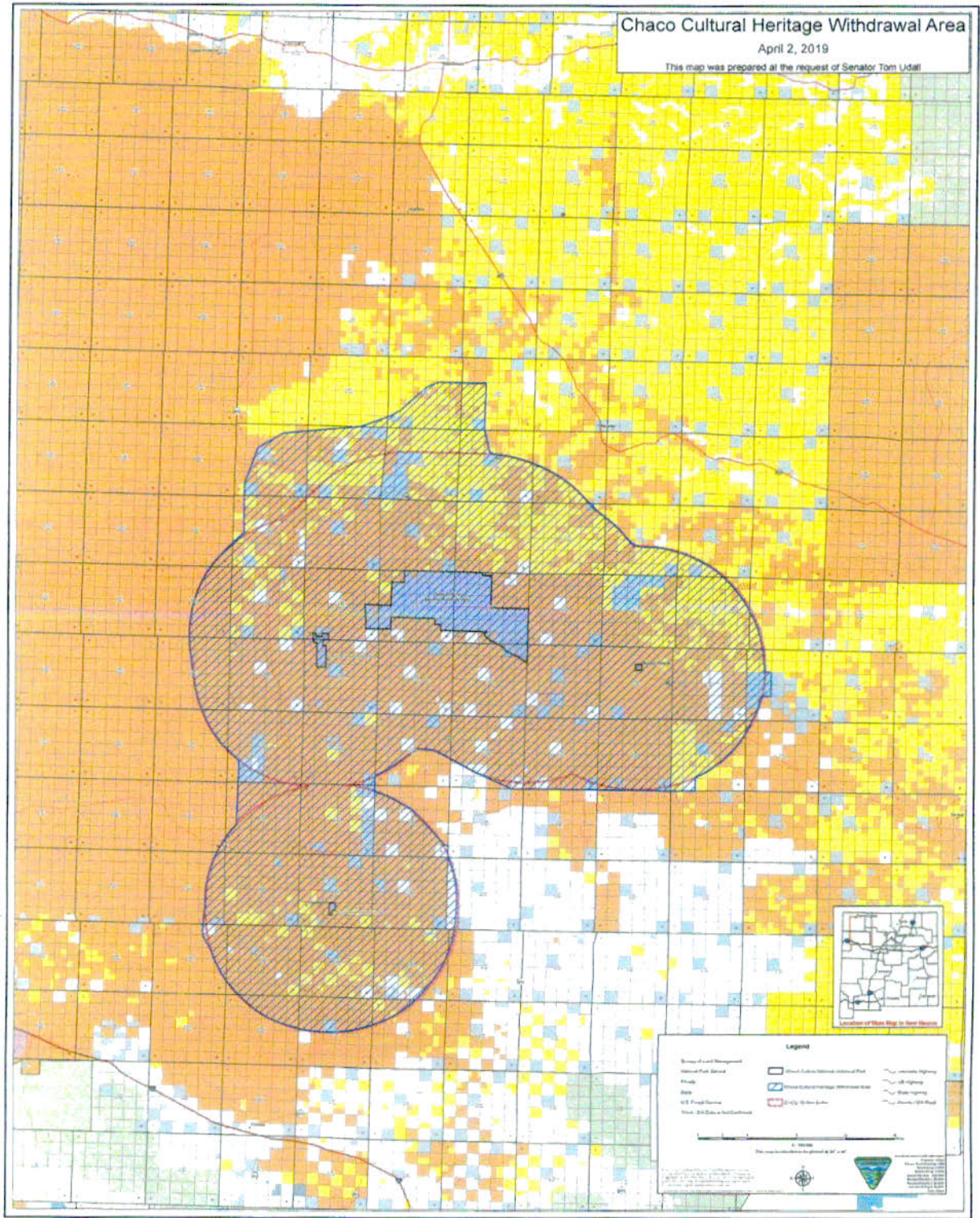
3 **SEC. 6. EFFECT.**

4           Nothing in this Act—

5           (1) affects the mineral rights of an Indian  
6           Tribe or member of an Indian Tribe to trust land  
7           or allotment land; or

8           (2) precludes improvements to, or rights-of-way  
9           for water, power, or road development on, the Fed-  
10          eral land to assist communities adjacent to or in the  
11          vicinity of the Federal land.

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## HUERFANO CHAPTER # 91

P.O. BOX 968 • BLOOMFIELD, NEW MEXICO 87413 • (505) 960-1400 • FAX (505) 960-3044

### RESOLUTION OF HUERFANO CHAPTER

RESOLUTION # HUE-065-19

**REQUESTING U.S. SENATOR MARTIN HEINRICH AND U.S. SENATOR TOM UDALL TO CONSIDER AMENDING THE PROPOSED CHACO HERITAGE PROTECTION ACT OF 2019 TO HAVE THE PROPOSED TEN (10) MILES BUFFER ZONE REDUCED TO FIVE (05) MILES; AND REQUESTING THE U.S. INTERIOR SECRETARY DAVID BERNHARDT NOT TO SUPPORT THE TEN (10) MILES BUFFER ZONE INDICATED IN THE PROPOSED CHACO CULTURAL HERITAGE PROTECTION ACT OF 2019, BUT TO SUPPORT A FIVE (05) MILES BUFFER ZONE**

#### WHEREAS:

1. Huerfano Chapter is a certified governmental entity of the Navajo Nation charges with the responsibility to solicit, promote, and protect the interest and the welfare of the chapter and its community pursuant to the Navajo Nation Resolution CJ20-55, December 02, 1995 and Resolution CAP 34-98, adopting the Local Governance Act (LGA); and
2. Huerfano Chapter has a population of 3000 plus residents, both registered voters and non-registered community members. The chapter is one of the largest land based chapters in Eastern Agency, Navajo Nation and has nine (09) sub-communities including Adobe, Blanco, Bisti, Carson, Gallegos, Jacques, Hogback, Huerfano, and Otis; and
3. The proposed 2019 Chaco Cultural Heritage Protection Act is a Congressional Bill sponsored by U.S. Senator Tom Udall and U.S. Senator Martin Heinrich that would permanently stop new oil and gas development on federal lands within ten (10) miles of Chaco Cultural National Historic Park; and
4. Navajo Allotment Land Owners of Nageezi Chapter have raised concerns that U.S. Senator Tom Udall and U.S. Senator Martin Heinrich didn't consult with them on the proposed 2019 Chaco Cultural Heritage Protection Act, but the Navajo Allotment Land Owners are still willing to sit down with the two U.S. Senators to discuss the proposed Chaco Cultural Heritage Protection Act of 2019; and
5. Navajo Allotment Land Owners within Nageezi Chapter and Counselor Chapter are being informed that the proposed Chaco Cultural Heritage Protection Act of 2019 will not affect new oil and gas development on Navajo Allotment Lands and Navajo Trust Lands, but Navajo Allotment Owners know it is not economical for oil and gas companies just to have new oil and gas development on Navajo Allotment Lands which will lead oil and gas companies to cease new oil and gas development on Navajo Allotment lands; and

**BEN WOODY JR.**  
CHAPTER PRESIDENT

**MARK A. FREELAND**  
COUNCIL DELEGATE

**IRENE L. HARVEY**  
CHAPTER VICE PRESIDENT

**VERONICA PABLO-TSO**  
LAND BOARD

**LOIS Y. WERITO**  
SECRETARY & TREASURER

**JERRY CASTIANO**  
LAND BOARD



HUERFANO CHAPTER RESPECTFULLY REQUEST RESOURCES AND DEVELOPMENT COMMITTEE OF THE 24<sup>TH</sup> NAVAJO NATION COUNCIL TO SUPPORT NAGEEZI CHAPTER RESOLUTION NO. NC-19-070.

**C-E-R-T-I-F-I-C-A-T-I-O-N**

We hereby certify that the foregoing resolution was duly presented and discussed at a duly call meeting of Huerfano Chapter, Navajo Nation (New Mexico), at which a quorum was present, as same was passed by votes of 14 in favor, 00 opposed, and 04 abstentions, this 08th day of September 2019.

Motion by: Pauline McCauley  
Second by: Raymond Charley

\_\_\_\_\_  
Ben Woody Jr., Chapter President

\_\_\_\_\_  
Irene L. Harvey, Chapter Vice-President

\_\_\_\_\_  
Lois Y. Werito, Secretary/Treasurer

\_\_\_\_\_  
Mark Freeland, Council Delegate



## THE NAVAJO NATION

**JONATHAN NEZ**

President

**MYRON LIZER**

Vice President

### LAKE VALLEY CHAPTER

Mark Freeland, Council Delegate; Tony Padilla, President; Edison Tso, Vice President; Betty S. Dennison, Secretary/Treasurer; Janice Padilla, Land Board; Nancy Brown, Accounts Maintenance Specialist; CSC-Vacant

LVC-OCT20-047

### RESOLUTION OF LAKE VALLEY CHAPTER

SUPPORT REQUEST TO CONGRESSIONAL LEADERS (U.S. SENATORS MARTIN HEINRICH & TOM UDALL) TO CONSIDER AMENDING THE PROPOSED CHACO CULTURAL HERITAGE PROTECTION ACT OF 2019 TO HAVE THE PROPOSED TEN (10) MILES BUFFER ZONE REDUCED TO FIVE (5) MILES; AND REQUESTING TO THE U.S. INTERIOR SECRETARY DAVID BERNHARDT NOT TO SUPPORT THE TEN (10) MILES BUFFER ZONE INDICATED IN THE PROPOSED CHACO CULTURAL HERITAGE PROTECTION ACT OF 2019, BUT TO SUPPORT A FIVE (5) MILES BUFFER ZONE OF OIL & GAS DEVELOPMENT ON THE NAVAJO ALLOTMENTS LAND.

#### WHEREAS:

1. Lake Valley Chapter is a certified Navajo Nation Chapter Government, which was created pursuant to the Navajo Nation Council Resolution No. C-J25-55 and is delegated governmental authority with respect to local matters consistent with Navajo laws, including customs, traditions, and fiscal matters; and
2. Lake Valley Chapter is empowered by the Navajo Nation Council to review all matters affecting the community to make favorable decisions in the best interest for the general health, safety and welfare of chapter membership through implementation solutions for economic development, cultural preservation, recreation, solid waste management, elderly care, quality housing, public safety, road maintenance; and
3. Lake Valley Chapter community understands that in pursuant to the Navajo Nation Code (NNC) Title 26, Local Governance Act, which allows chapters to make decisions over local matters. This authority in the long run all improve community decision-making by allowing committees to excel and flourish, enable Navajo leaders to lead toward a prosperous future, and improve the strength and sovereignty of the Navajo Nation; through adoption of this Act, chapters are compelled to govern with responsibility and accountability to the local citizens; and
4. Lake Valley Chapter community understands proposed 2019 Chaco Cultural Heritage Protection Act is a Congressional Bill sponsored by U.S. Senators Tom Udall and U.S. Senator Martin Heinrich that would permanently stop new oil and gas development on federal lands within ten (10) miles of Chaco Cultural National Historical Park; and
5. Lake Valley Chapter community understands the Navajo Allotment Land owners of Nageezi Chapter have raised concerns that U.S. Senator Tom Udall and U.S. Senator Martin Heinrich didn't consult with the land owners on the proposed 2019 Chaco Cultural Heritage Protection Act, but the Navajo Allotment Land owners are still willing to sit down with the two U.S. Senators to discussed proposed Chaco Cultural Heritage Protection Act of 2019; and
6. Lake Valley Chapter community understands that the Navajo Allotment Land Owners within Nageezi Chapter and Counselor Chapter are being told that proposed Chaco Cultural Heritage Protection Act of 2019 will not affect new oil and gas development on Navajo Allotment Lands and Navajo Trust Lands, but the Navajo Allotment Owner know it is not economical for oil and gas companies just to have new oil and gas development on Navajo Allotment Lands which will lead oil and gas companies to cease new oil and gas development on Navajo Allotment Lands; and
7. Lake Valley Chapter community understands that the Navajo Allotment Land Owners have met with Cal Curley, Staff to U.S. Senator Tom Udall and Jim Dumont, Staff to U.S. Senator Martin Heinrich, at Nageezi Chapter to express their concerns on proposed Chaco Cultural Heritage Protection Act, but the Navajo Allotment Land Owners believe their concerns are not being conveyed to U.S. Senator Tom Udall and U.S. Senator Martin Heinrich; and

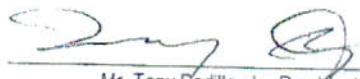
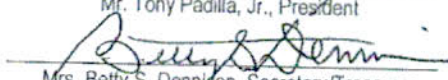
8. Lake Valley Chapter community understands the Navajo Allotment Land Owners expressed their concerns that the Chaco Cultural Heritage Protection Act of 2019 will infringe on their royalty payments they are receiving from oil and gas development on their allotment lands. The Navajo communities, including the Navajo Reservation has always been in a very depressed economic state and such development of natural resources benefit Navajo families by improving their livelihood; and
9. Lake Valley Chapter community understands the Navajo Allotment Land Owners are concerned that self-serving special interest organizations are violating the rights of Navajo Allotment Land Owners. That such publicized demonstrations and meetings by these special interest an outside groups have over shadowed the Navajo Allotment Land Owners whom currently benefitting from oil and gas development on their allotment lands; and
10. Lake Valley Chapter community understands the Navajo Allotment Land Owners do not share opinions of environmentalists voicing their objections on natural resources developments. These over publicized objections by the environmentalists have drowned out and overshadowed Navajo Allotment Land Owners Rights; and
11. Lake Valley Chapter community understands the Navajo Allotment Land Owners are truly the impacted people of the Chaco area. These lands were patented and allotted to the Navajo people in New Mexico and handed down through many generations. These lands were given in exchange for land taken by the U.S. Government in exchange for citizenships. Therefore, as Navajo People being land owners, they have the right to lease, develop, or excavate their lands; and
12. Lake Valley Chapter community members are also Navajo Allotment Landowners near or within Chaco Canyon locations therefore, Lake Valley Chapter community adopted Resolution No. LVC-OCT20-047 on October 20, 2019 to accept & approve support request to consider amending the proposed Chaco Cultural Heritage Protection Act of 2019 to have the proposed ten (10) miles Buffer Zone reduced to five (5) miles Buffer Zone for oil & gas development on the Navajo Allotments Land.


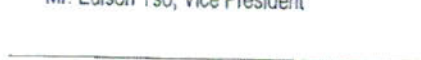
## NOW THEREFORE BE IT RESOLVED THAT:

Lake Valley Chapter of the Navajo Nation hereby approves & support Approving Resolution to support a request to Congressional Leaders (U.S. Seniors Martin Heinrich & Tom Udall) to consider amending the proposed Chaco Cultural Heritage Protection Act of 2019 to have the proposed ten (10) miles Buffer Zone reduced to five (5) miles; and requesting to the U.S. Interior Secretary David Bernhardt not to support the ten (10) miles Buffer Zone indicated in the proposed Chaco Cultural Heritage Protection Act of 2019, but to support a five (5) miles Buffer Zone for oil & gas development on the Navajo Allotments Land.

## CERTIFICATION

WE HEREBY CERTIFY that the foregoing resolution was duly considered by the Lake Valley Chapter at a duly called chapter meeting at Lake Valley (New Mexico) Navajo Nation, at which a quorum was present and that same was passed by a vote of 16 In favors; opposed; and 3 abstained on this 20<sup>th</sup> day of October 2019. Motion by: Stella Valdez; and seconded by: Clarence Boyce.

  
Mr. Tony Padilla, Jr., President  
  
Mrs. Betty S. Dennison, Secretary/Treasurer

  
Mr. Edison Tso, Vice President  
  
Mr. Mark Freeland, Council Delegate





**NAGEEZI CHAPTER  
EASTERN NAVAJO AGENCY  
DISTRICT 19**

Jonathan Nez, Navajo Nation President

Myron Lizer, Navajo Nation Vice-President

**RESOLUTION OF NAGEEZI CHAPTER  
EASTERN AGENCY, DISTRICT 19**

**RESOLUTION # NC-19-70**

**REQUESTING U.S. SENATOR MARTIN HEINRICH AND U.S. SENATOR TOM UDALL TO CONSIDER AMENDING THE PROPOSED CHACO HERITAGE PROTECTION ACT OF 2019 TO HAVE THE PROPOSED TEN (10) MILES BUFFER ZONE REDUCED TO FIVE (5) MILES; AND REQUESTING THE U.S. INTERIOR SECRETARY DAVID BERNHARDT NOT TO SUPPORT THE TEN (10) MILES BUFFER ZONE INDICATED IN THE PROPOSED CHACO CULTURAL HERITAGE PROTECTION ACT OF 2019, BUT TO SUPPORT A FIVE (5) MILES BUFFER ZONE**

**WHEREAS:**

1. Pursuant to 26 N.N.C. §1(B), the Nageezi Chapter is delegated the governmental authority to make decisions over local matters consistent with Navajo Law, Custom, and Tradition and under 11 N.N.C., Part 1, Section 10, is delegated authority to make local decisions in the best interest and welfare of the community members; and
2. Nageezi Chapter with the population of 2500 to 3000 residents, registered and non-registered voters, is made of up of nine (09) sub-communities including and not limited to: Nageezi, Lybrook, Twin Pines, Blanco, Kimbeto, Chaco Canyon, Escavada, Betoni Wash, Kinnadiz, and Dzilh-na-o-dith-hle, being one of the largest land base chapter in the Eastern Agency of the Navajo Nation; and
3. The proposed 2019 Chaco Cultural Heritage Protection Act is a Congressional Bill sponsored by U.S. Senator Tom Udall and U.S. Senator Martin Heinrich that would permanently stop new oil and gas development on federal lands within ten (10) miles of Chaco Cultural National Historical Park; and
4. Navajo Allotment Land Owners of Nageezi Chapter have raised concerns that U.S. Senator Tom Udall and U.S. Senator Martin Heinrich didn't consult with them on the proposed 2019 Chaco Cultural Heritage Protection Act, but the Navajo Allotment Land Owners are still willing to sit down with the two U.S. Senators to discuss the proposed Chaco Cultural Heritage Protection Act of 2019; and
5. Navajo Allotment Land Owners within Nageezi Chapter and Counselor Chapters are being told that the proposed Chaco Cultural Heritage Protection Act of 2019 will not affect new oil and gas development on Navajo Allotment Lands and Navajo Trust Lands, but Navajo Allotment Owners know it is not economical for oil and gas companies just to have new oil and gas development on Navajo Allotment Lands which will lead oil and gas companies to cease new oil and gas development on Navajo Allotment Lands; and



6. Navajo Allotment Land Owners have met with Cal Curley, Staff to U.S. Senator Tom Udall and Jim Dumont, Staff to U.S. Senator Martin Heinrich at Nageezi Chapter to express their concerns on the proposed Chaco Cultural Heritage Protection Act, but Navajo Allotment Land Owners believe their concerns are not being conveyed to U.S. Senator Tom Udall and U.S. Senator Martin Heinrich; and

7. Navajo Allotment Land Owners expressed their concerns that the Chaco Cultural Heritage Area Protection Act of 2019 will infringe on their royalty payments they are receiving from oil and gas development on their allotment lands. Navajo communities, including the Navajo Reservation has always been in a very depressed economic state and such development of natural resources benefit Navajo families by improving their livelihood; and

8. Navajo Allotment Land Owners are concerned that self-serving special interest organizations are violating the rights of Navajo Allotment Land Owners. That such publicized demonstrations and meetings by these special interest and outside groups have over shadowed the Navajo Allotment Land Owners whom currently benefitting from oil and gas development on their allotment lands; and

9. Navajo Allotment Land Owners do not share opinions of environmentalists voicing their objections on natural resources developments. These over publicized objections by the environmentalists have drowned out and overshadowed Navajo Allotment Land Owners Rights; and

10. Navajo Allotment Land Owners are truly the impacted people of the Chaco area. These lands were patented and allotted to the Navajo People in New Mexico and handed down through many generations. These lands were given in exchange for land taken by the U.S. Government in exchange for citizenships. Therefore, as Navajo People being land owners, they have the right to lease, develop, or excavate their lands.

**NOW THEREFORE BE IT RESOLVED THAT:**

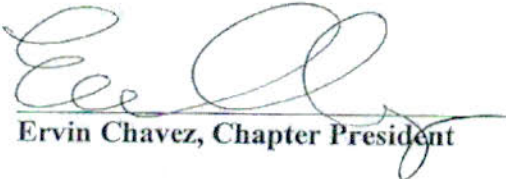
1. **NAGEEZI CHAPTER HEREBY REQUESTS U.S. SENATOR MARTIN HEINRICH AND U.S. SENATOR TOM UDALL TO CONSIDER AMENDING THE PROPOSED CHACO CULTURAL HERITAGE PROTECTION ACT OF 2019 TO HAVE THE PROPOSED TEN (10) MILES BUFFER ZONE REDUCED TO FIVE (5) MILES; AND REQUESTING THE U.S. INTERIOR SECRETARY DAVID BERNHARDT NOT TO SUPPORT THE TEN (10) MILES BUFFER ZONE INDICATED IN THE PROPOSED CHACO HERITAGE PROTECTION ACT OF 2019, BUT TO SUPPORT A FIVE (5) MILES BUFFER ZONE; AND**

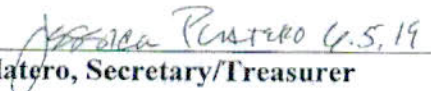
2. **NAGEEZI CHAPTER RESPECTFULLY REQUEST RESOURCES AND DEVELOPMENT COMMITTEE OF THE 24<sup>TH</sup> NAVAJO NATION COUNCIL TO SUPPORT NAGEEZI CHAPTER RESOLUTION NO. NC-19-070**

**CERTIFICATION**



**WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION #NC-19-070** was duly presented and discussed at a duly called meeting of Nageezi Chapter, Navajo Nation (New Mexico), at which a quorum was present, motioned by Delora Hesuse, seconded by Juan Betoni, was voted on with 20 in favor, 00 opposed, and 03 abstained, this 02<sup>nd</sup> day of June 2019.

  
Ervin Chavez, Chapter President

  
Jessica Platero, Secretary/Treasurer



## PUEBLO PINTADO CHAPTER

HCR-79 BOX 3026 \* CUBA, NEW MEXICO 87013 \* (505) 655-3221\* FAX (505) 655-5410

Daniel Tsosie  
Council Delegate

Rena Murphy  
President

Erlene Henderson  
Vice President

Rhea Murphy-Willeto  
Secretary/Treasurer

Alex Sandoval  
Land board

Rosie Otero  
Coordinator

Alberta Ballard  
Accounts Maintenance Specialist

### RESOLUTION OF PUEBLO PINTADO CHAPTER EASTERN NAVAJO AGENCY PPC-07-2019-64

REQUESTING U.S. SENATOR MARTIN HEINRICH AND U.S. SENATOR TOM UDALL TO CONSIDER AMENDING THE PROPOSED CHACO HERITAGE PROTECTION ACT OF 2019 TO HAVE THE PROPOSED TEN (10) MILES BUFFER ZONE REDUCED TO FIVE (5) MILES; AND REQUESTING THE U.S. INTERIOR SECRETARY DAVID BERNHARDT NOT TO SUPPORT THE TEN (10) MILES BUFFER ZONE INDICATED IN THE PROPOSED CHACO CULTURAL HERITAGE PROTECTION ACT OF 2019, BUT TO SUPPORT A FIVE (5) MILES BUFFER ZONE

#### WHEREAS:

1. Pursuant to 26 N.N.C. §1(B), the Pueblo Pintado Chapter is delegated the governmental authority to make decisions over local matters consistent with Navajo Law, Custom, and Tradition and under 11 N.N.C., Part 1, Section 10, is delegated authority to make local decisions in the best interest and welfare of the community members; and
2. Pueblo Pintado Chapter with the population of 2500 to 3000 residents, registered and non-registered voters, is made up of nine (09) sub-communities including and not limited to: Nageezi, Lybrook, Twin Pines, Blanco, Kimbeto, Chaco Canyon, Escavada, Betoni Wash, Kinnadiz, and Dzilth-na-o-dith-hle, being one of the largest land base chapter in the Eastern Agency of the Navajo Nation; and
3. The proposed 2019 Chaco Cultural Heritage Protection Act is a Congressional Bill sponsored by U.S. Senator Tom Udall and U.S. Senator Martin Heinrich that would permanently stop new oil and gas development on federal lands within ten (10) miles of Chaco Cultural National Historical Park; and
4. Navajo Allotment Land Owners of Pueblo Pintado Chapter have raised concerns that U.S. Senator Tom Udall and U.S. Senator Martin Heinrich didn't consult with them on the proposed 2019 Chaco Cultural Heritage Protection Act, but the Navajo Allotment Land Owners are still willing to sit down with the two U.S. Senators to discuss the proposed Chaco Cultural Heritage Protection Act of 2019; and
5. Navajo Allotment Land Owners within Nageezi, Pueblo Pintado, and Counselor Chapters are being told that the proposed Chaco Cultural Heritage Protection Act of 2019 will not affect new oil and gas development on Navajo Allotment Lands and Navajo Trust Lands, but Navajo Allotment Owners know it is not economical for oil and gas companies just to have new oil and gas development on Navajo Allotment Lands which will lead oil and gas companies to cease new oil and gas development on Navajo Allotment Lands; and
6. Navajo Allotment Land Owners have met with Cal Curley, Staff to U.S. Senator Tom Udall and Jim Dumont, Staff to U.S. Senator Martin Heinrich at Nageezi Chapter to express their concerns on the proposed Chaco Cultural Heritage Protection Act, but Navajo Allotment Land Owners believe their concerns are not being conveyed to U.S. Senator Tom Udall and U.S. Senator Martin Heinrich; and



7. Navajo Allotment Land Owners expressed their concerns that the Chaco Cultural Heritage Area Protection Act of 2019 will infringe on their royalty payments they are receiving from oil and gas development on their allotment lands. Navajo communities, including the Navajo Reservation has always been in a very depressed economic state and such development of natural resources benefit Navajo families by improving their livelihood; and

8. Navajo Allotment Land Owners are concerned that self-serving special interest organizations are violating the rights of Navajo Allotment Land Owners. That such publicized demonstrations and meetings by these special interest and outside groups have over shadowed the Navajo Allotment Land Owners whom currently benefitting from oil and gas development on their allotment lands; and

9. Navajo Allotment Land Owners do not share opinions of environmentalists voicing their objections on natural resources developments. These over publicized objections by the environmentalists have drowned out and overshadowed Navajo Allotment Land Owners Rights; and

10. Navajo Allotment Land Owners are truly the impacted people of the Chaco area. These lands were patented and allotted to the Navajo People in New Mexico and handed down through many generations. These lands were given in exchange for land taken by the U.S. Government in exchange for citizenships. Therefore, as Navajo People being land owners, they have the right to lease, develop, or excavate their lands.

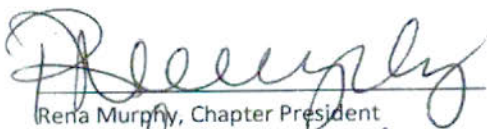
**NOW THEREFORE BE IT RESOLVED THAT:**


1. PUEBLO PINTADO CHAPTER HEREBY REQUESTS U.S. SENATOR MARTIN HEINRICH AND U.S. SENATOR TOM UDALL TO CONSIDER AMENDING THE PROPOSED CHACO CULTURAL HERITAGE PROTECTION ACT OF 2019 TO HAVE THE PROPOSED TEN (10) MILES BUFFER ZONE REDUCED TO FIVE (5) MILES; AND REQUESTING THE U.S. INTERIOR SECRETARY DAVID BERNHARDT NOT TO SUPPORT THE TEN (10) MILES BUFFER ZONE INDICATED IN THE PROPOSED CHACO HERITAGE PROTECTION ACT OF 2019, BUT TO SUPPORT A FIVE (5) MILES BUFFER ZONE; AND


2. PUEBLO PINTADO CHAPTER RESPECTFULLY REQUEST RESOURCES AND DEVELOPMENT COMMITTEE OF THE 24<sup>TH</sup> NAVAJO NATION COUNCIL TO SUPPORT NAGEEZI CHAPTER RESOLUTION NO. NC-19-070

**CERTIFICATION**

**WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION PPC-07-2019-64** was duly presented and discussed at a duly called meeting of Pueblo Pintado Chapter, Navajo Nation (New Mexico), at which a quorum was present, motioned by Janice Arthur, seconded by Darrell Cadman, was voted on with 14 in favor, 00 opposed, and 02 abstained, this 15th day of July 2019.

  
Rhea Murphy, Chapter President

  
Rhea Murphy-Willeto, Secretary/Treasurer

  
Erlene Henderson, Chapter Vice-President





White Rock Local Government  
P.O. Box 660  
Crownpoint, New Mexico 87313  
Phone: (505) 786-2444 Fax: (505) 786-2447  
E-mail: whiterock@navajochapters.org

Jonathan Nez, President

Myron Lizer, Vice President  
WRLG-020-001

## RESOLUTION OF THE WHITE ROCK LOCAL GOVERNMENT

Supporting and Requesting U.S. Senator Martin Heinrich and U.S. Senator Tom Udall to Consider Amending the Proposed Chaco Heritage Protection Act of 2019 to Have the Proposed Ten (10) Miles Buffer Zone Reduced to Five (5) Miles; and Requesting the U. S. Interior Secretary David Bernhardt not to Support the Ten (10) Miles Buffer Zone Indicated in the Proposed Chaco Cultural Heritage Protection Act of 2019, but to Support a Five (5) Miles Buffer Zone

### WHEREAS:

1. White Rock Local Government is a duly recognized and Governance Certified Chapter through Local Governance Certification and of the Five Management System Policies and Procedures, pursuant to the Local Governance, Title 26, N.N.C. Section 102 (B); and
2. White Rock Local Government is vested with the authority and responsibility to promote, to receive, act upon and protect the interest of the general welfare of it's constituents and interact with other entities of the Navajo Nation and other local agencies for appropriate actions; and
3. The proposed 2019 Chaco Cultural Heritage Protection Act is a Congressional Bill sponsored by U.S. Senator Tom Udall and U.S. Senator Martin Heinrich that would permanently stop new oil and gas development on federal lands within ten (10) miles of Chaco Cultural National Historical Park; and
4. Navajo Allotment Land Owners of Pueblo Pintado Community have raised concerns that U.S. Senator Tom Udall and U.S. Senator Martin Heinrich didn't consult with them on the Proposed 2019 Chaco Cultural Heritage Protection Act, but the Navajo Allotment Land Owners are still willing to sit down with the two U.S. Senators to discuss the proposed Chaco Cultural heritage Protection Act of 2019; and
5. Navajo Allotment Land Owners within Nageezi, Pueblo Pintado and Counselor Chapters are being told that the proposed Chaco Cultural Heritage Protection Act of 2019 will not affect new oil and gas development on Navajo Allotment Lands and Navajo Trust Lands but Navajo Allotment Owners know it is no economical for oil and gas companies just to have new oil and gas development on Navajo Allotment Lands which will lead oil and gas companies to cease new oil and gas development on Navajo Allotment Lands; and
6. Navajo Allotment Land Owners have met with Cal Curley, Staff to U.S. Senator Tom Udall and Jim Dumont, Staff to U.S. Senator martin Heinrich as Nageezi Chapter to express their concerns on the proposed Chaco Cultural Heritage Protection Act, but Navajo Allotment Land Owners believe their concerns are not being conveyed to U.S. Senator Tom Udall and U.S. Senator Martin Heinrich; and
7. Navajo Allotment Land Owners expressed their concerns that the Chaco Cultural Heritage Area Protection Act of 2019 will infringe on their royalty payments they are receiving from oil and gas development on their allotment lands. Navajo communities, including the Navajo Reservation has always been in a very depressed economic state and such development of natural resource benefit Navajo families by improving their livelihood; and

Norman Henry, Council President  
Vacant, Council Vice-President  
Corraine Lee, Council Secretary/Treasurer

Tabitha Harrison, Chapter Manager  
Tina Pablo, Administrative Assistant  
Irwin Jim, Land Board

Mark A. Freeland, Council Delegate



8. Navajo Allotment Land Owners are concerned that self-serving special interest organizations are violating the rights of Navajo Allotment Land Owners. That such publicized demonstrations and meetings by these special interest and outside groups have overshadowed the Navajo Allotment Land Owners whom currently benefitting from oil and gas development on their allotment lands; and
9. Navajo Allotment Land Owners do not share opinions of environmentalists voicing their objections on natural resources developments. These over publicized objections by the environmentalists have drowned out and overshadowed Navajo Allotment Land Owners Rights; and
10. Navajo Allotment Land Owners are truly the impacted people of the Chaco area. These lands were patented and allotted to the Navajo People in New Mexico and handed down through many generations. These lands were given in exchange for land taken by the U.S. Government in exchange for citizenship. Therefore, as Navajo People being land owners, they have the right to lease, develop or excavate their lands.

### NOW THEREFORE BE IT RESOLVED THAT:

1. White Rock Local Government supports and requests U.S. Senator Martin Heinrich and U.S. Senator Tom Udall to consider amending the proposed Chaco Cultural heritage Protection Act of 2019 to have the proposed ten (10) miles buffer zone reduced to five (5) miles; and requesting the U.S. Interior Secretary David Bernhardt not to support the ten (10) miles buffer zone as indicated in the proposed Chaco Heritage Protection Act of 2019, but to support five (5) miles buffer zone.
2. White Rock Local Government respectfully requests the Resources and Development Committee of the 24<sup>th</sup> Navajo Nation Council to support Pueblo Pintado Chapter Resolution #PPC-07-2019-64.

### CERTIFICATION

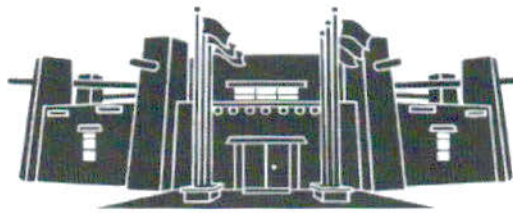
We hereby certify that the foregoing resolution was duly considered at a duly called meeting at White Rock Chapter, Navajo Nation, New Mexico at which a quorum was present, motion by Shawn Jim, second by Etta Nelson, and that same was passed by a vote of 14 in favor, 2 opposed, and 4 abstained on this 21st day of October 2019.

  
Norman Henry, Council President

  
Council Vice President Pro-Temp

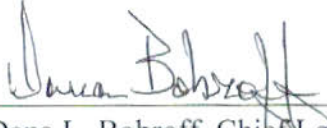
  
Corraine Lee, Council Secretary/Treasurer





## MEMORANDUM

TO: Honorable Mark Freeland  
Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano,  
Nageezi, Crownpoint Chapter

FROM:   
Dana L. Bobroff, Chief Legislative Counsel  
Office of Legislative Counsel

DATE: November 25, 2019

SUBJECT: RELATING TO RESOURCES AND DEVELOPMENT AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING H.R. 2181 AND S. 1079, "THE CHACO HERITAGE AREA PROTECTION ACT OF 2019", UNTIL SUCH TIME AS THE BUFFER ZONE SURROUNDING CHACO CULTURAL NATIONAL HISTORICAL PARK IS REDUCED TO FIVE (5) MILES

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0366-19\_\_\_\_\_ SPONSOR: Mark A. Freeland

**TITLE:** An Action Relating to Resources and Development and Naabik'iyáti' Committees; Opposing H.R. 2181 and S. 1079, "The Chaco Heritage Area Protection Act of 2019", until such time as the buffer zone surrounding Chaco Cultural National Historical Park is reduced to five (5) miles

*Date posted:* November 27, 2019 at 2:06pm

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)

Written comments may be mailed to:

Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

**Please note:** This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY**

**LEGISLATION NO.:** 0366-19

**SPONSOR:** Honorable Mark Freeland


**TITLE:** An Action Relating to Resources and Development and Naabik'iyáti' Committees; Opposing H.R. 2181 and S. 1079, "The Chaco Heritage Area Protection Act of 2019", until such time as the buffer zone surrounding Chaco Cultural National Historical Park is reduced to five (5) miles

**Posted:** November 27, 2019 at 2:06 PM

**5 DAY Comment Period Ended:** December 02, 2019

**Digital Comments received:**

Comments Supporting	1) Ervin Chavez 2) Lester Begay 3) Ramona Begay, Navajo Women's Commission 4) Etta Arviso, Eastern Agency
Comments Opposing	1) Samuel Sage 2) Daniel Tso, NN Council Delegate 3) Ojo Encino Chapter 4) Counselor Chapter
Inconclusive Comments	<i>None</i>

  
 Legislative Tracking Secretary  
 Office of Legislative Services

12/03/19 9:23AM

**Date/Time**



## Legislaton 366-19 Chaco Buffer Zone

CenturyLink Customer <echvz11@q.com>

Fri 11/29/2019 8:13 AM

To: comments <comments@navajo-nsn.gov>;

Cc: ERVIN CHAVEZ <echvz11@q.com>;

I am supporting Legislation 366-19 which supports a 5 mile buffer zone around Chaco Canyon Park instead of the proposed 10 miles. The 10 miles Buffer Zone will definitely negatively impact the Navajo families in checkerboard New Mexico. This is their only income and the Navajo Nation nor the State does not support families with monetary income other then welfare. There are already sufficient federal laws on the books which protect National parks and archeology sites. This proposed 10 mile buffer zone was NEVER brought to the Navajo families impacted by Congressional delegations nor the President of the Navajo Nation. Navajo Allottees want to thank RDC for their wiliness to come and meet and listen to the the Eastern Navajo Allottees. Ervin Chavez. Nageezi Chapter Presdent, past President of Shi Shii Keyah Navajo Allottees Association and past commissioner of San Juan County.

## LEGISLATION NO : 03366-19 SPONSOR : MARK A. FREELAND

Etta Arviso <bitahnii06@yahoo.com>

Sun 12/1/2019 3:30 PM

To: comments <comments@navajo-nsn.gov>;

TO : RESOURCES AND DEVELOPMENT AND NAABIK 'IYATI COMMITTEES  
EXECUTIVE DIRECTOR  
OFFICE OF LEGISLATIVE SERVICES  
P.O. BOX 3390  
WINDOW ROCK , AZ 86515

FROM : ETTA ARVISO  
EASTERN NAVAJO TRIBAL MEMBER  
FROM DINE'TAH  
I'M A DESCENDANTS SURVIVORS OF THE LONG WALK ,HWEELDI  
ALLOTMENT LAND OWNER IN SIDE CHACO CANYON NATIONAL HISTORICAL PARK  
P.O.BOX # 2334 BLOOMFIELD NEW.MEXICO 87413  
EMAIL : bitahnii06@yahoo.com

DATE : 12-01-2019

SUBJECT : LEGISLATION NO : 0366-19 SPONSOR : MARK A. FREELAND  
COMMENTS :

TO HONORABLE 24TH NAVAJO NATION COUNCIL DELEGATES Y'A'AT 'EEH  
AHE'HEE THANK YOU FOR GIVING US THE OPPORTUNITY TO MAKE OUR COMMENTS  
MY NAME IS ETTA ARVISO AND I'M DINETAH NOHOOKA'A DINE'E EASTERN DINE'E NAVAJO  
LIVE ON THE LAND AND UNDERSTAND OUR WAY OF LIFE OUR DINE'E WAYS OF LIFE AND  
MY CLAN D'OONE'E IS NIH OOBA'ANII MY GRANDMOTHER AND BIT'AHNII OUR MY GRANDFATHER CHEI  
I'M A DESCENDANTS SURVIVORS OF THE HWEELDI MY GREAT GRANDMOTHER WAS ONLY 3 YEARS OF AGE WHEN  
SHE WAS  
A PRISONER OF WAR UNDER UNITED STATES FLAG AND OUR UNCLE'S SERVE WITH BILINGUAL DINE' NAVAJO  
CODE TALKERS  
WWII  
TO WHICH I HONOR WITH THE HOLY PEOPLE OF THE NOHOOKA'A DINE'E PLACED THE FOUR SACRED MOUNTAINS  
ON THE LAND DINE' BIKEYAH REPRESENTING FOUR DIFFERENT DIRECTIONS WITH PRAYERS AND SONGS  
WE,THE DINE' THE PEOPLE OF THE GREAT COVENANT,ARE THE IMAGE OF OUR ANCESTORS AND WE ARE  
CREATED IN  
CONNECTION WITH ALL CREATION  
TODAY WE LIVE MORE OF THE WESTERN WAY OF LIFE OUR GOVERNMENT BUT THE FUNDAMENTAL LAW OF THE  
DINE' THE  
PEOPLE " IN THE NAVAJO LANGUAGE ,WERE PLACED BY THE HOLD PEOPLE BEFORE SPANIARDS ARRIVED IN THIS  
NEW  
WORLD .SINCE CORONADO FIRST TRAVELED TO DINE' BIKEYAH  
DINE' BI BEEHAZ' 'AANII BITHSE SILE'I' DECLARATION OF THE FOUNDATION OF DINE 'LAW  
THE AMENDED CODE STATES THAT DINE'BI BEENAHAZ'AANII EMBBODIES" FOUR STANDS OF NAVAJO  
CONSUTUDINARY  
LAW :TRADITIONAL LAW ,CUSTOMARY LAW , NATURAL LAW AND COMMON LAW .THESE LAWS " PROVIDE  
SANCTUARY FOR  
THE DINE' LIFE,AND CULTURE,OUR RELATIONSHIP WITH THE WORLD BEYOND THE SACRED MOUNTAINS AND  
BALANCE WE  
MAINTAIN WITH THE NATURAL WORLD ." RESPECT FOR ,HONOR,BELIEF AND TRUST IN THE DINE'BI  
BEENAHAZ'AANII PRESERVES,  
PROTECTS AND ENHANCES" SPECIFC NAMED " INHERENT RIGHTS , BELIEFS,PRACTICES AND FREEDOMS OF EACH  
NAVAJO  
FROM THE BEAUTIFUL CHILD WHO WILL BE BORN TONIGHT TO THE DEAR ELDER WHO WILL PASS ON TONIGHT  
FROM OLD AGE "



IN CONTRAST TO VISION FOCUSED ON PRESERVING OR RECOVERING PRE - EUROPEAN CULTURE, THE CODE SPECIFICALLY RECOGNIZES THAT DINE'BI BEENAHAZ 'AANII PROVIDES A FRAMEWORK FOR THE FUTURE DEVELOPMENT AND GROWTH OF THE NAVAJO NATION "REGARDLESS OF MANY DIFFERENT THINKING,PLANNING,LIFE WAYS ,LANGUAGES,BELIEFS,AND LAWS THAT MAY APPEAR WITHIN THE NATION. MY CONCERN IS WE HAD OUTSIDE PEOPLE TRESPASS AND ADDRESS BUFFER ZONE SUBJECT AND SURROUNDING WERE PEOPLE LIVE AND OUR RELATIVE OUR RELATION LIVE RIGHT IN CHACO CANYON AND THERE IN NEED OF RUNNING WATER AND POWER TO THERE HOME AND I DROVE TO VISIT THEM IN PERSON AND SOME HAVE GENERATOR FOR POWER FOR SPECIAL MEDICAL NEED MY CONCERN IS OUTSIDE IS REQUESTING FOR BUFFER ZONE IT'S GOING TO AFFECT THEM GETTING WATER AND POWER LINE TO THERE HOMES ,AND INTERFERE IN THE PROPERTY OWNERS RIGHT IS WRONG BY THE OUTSIDE DO TO CHECKERBOARD LANDS IN EASTERN NAVAJO ,WE DON'T NEED PEOPLE THAT DON'T LIVE THERE STOPPING OUR RELATION FROM GETTING WATERLINE AND POWER LINES TO THERE HOME AND I'M SURE OTHER CHAPTERS HAS TO PROVIDE SERVICE TO COMMUNITY ,THERE GOING TO BE IMPACT ON SOCIETY AT LARGE ,COMMUNITY SERVICE IS VERY IMPORTANT FOR BEING HEALTHY ,COMFORTABLE AND HAPPY I WANT OUR PEOPLE TO EXPERIENCE TURNING THE WATER FAUCET ON ONE DAY AND THE SHOWER ON AND HAVE ELECTRIC FOR WATER HOT WATER FOR WATER HEATER ,IT'S ABUSE TO SAY NO TO HUMAN LIFE THAT HAD NEEDS AND THEY HAVE THE RIGHT TO TURN A LIGHT SWITCH ON JUST LIKE PEOPLE THAT DON'T LIVE OUT THERE AT CHACO CANYON ,PEOPLE THAT HAVE SPECIAL NEEDS SHOULD HAVE PRIORITY AND THE UNITED STATE CONGRESS PEOPLE THAT VISIT CHACO CANYON, SHOULD BE HELP HUMAN LIFE IN NEED LIKE THAT ARE OUR HERE ON EARTH MOTHER NOT THE ONE'S THAT OUR NO LONGER LIVE WHAT WE LEARN IS OUR SURVIVING ELDERS THAT ARE IN THERE 80' AND OVER THERE WAS A SECOND REMOVAL FROM LAND IN CHACO CANYON THAT UNITED STATES OF AMERICA BECAUSE OF THE NOW CALL CHACO CULTURAL NATIONAL HISTORICAL PARK AND THIS HAPPEN AFTER OUR LOVE ONE RETURN TO HOMELAND IN DINE 'TAH, FROM HWEELDI, FORT SUMMER,NEW MEXICO ELDERS DID A LOT OF DRY FARMING IN CHACO CANYON THEY LIVE IN THE CANYON AND HAD LIVESTOCK SHEEP,HORSE'S ALL WE SEE NOW IS FEDERAL GOVERNMENT MAKING MONEY OFF THE ANCESTORS THAT DIED THERE IN CHACO CANYON AND WE HAVE LAND IN CHACO CANYON THEY HAVE NOT SAID HERE IS WHAT WE TOOK FROM YOU ,THERE THREE SETS OF FAMILY THAT HAS LAND IN CHACO CANYON OUR GREAT GRANDPARENTS HAD LAND IN CHACO CANYON AND NOW WE ARE THE CARETAKERS OF THE LAND NOW ,NO ONE EVER TALKED TO US ABOUT THE H.R. 2181 AND S.1079 THE CHACO HERITAGE AREA PROTECTION ACT OF 2019 AND BUFFER ZONE ,WE WANT NO BUFFER ZONE OUR NAVAJO NATION PRES NEZ ,SHOULD NOT MEET WITH OUTSIDE PEOPLE THAT ARE NOT NAVAJO NATION TRIBAL MEMBERS AND MEETING SHOULD HAVE HAPPEN IN THE COMMUNITY AREA AT THE NAVAJO NATION CHAPTERS TALKING ABOUT CHACO CANYON WERE HIS NAVAJO NATION TRIBAL MEMBERS LIVE IN EASTERN NAVAJO THE PEOPLE OF THE NAVAJO NATION PEOPLE VOTED FOR HIM ,HE DIDN'T RESPECT OUR VOICE AND OUR ELDER THERE WAS A LOT OF MIXED FEELING AND EMOTION AND LOST OF SLEEP THAT OUR COMMUNITY MEMBERS EXPERIENCE AND STILL DIFFICULTY AND TROUBLE SITTING AND EMOTIONAL ,SAD TO SEE OUR ELDERS TALK ABOUT IT ,THAT THEY LIVE THERE ALL OUR LIVES ,NO RESPECT FOR INDIVIDUALLY LAND OWNERS ALLOTTED LAND OWNERS ,AND DINE'TRADITIONAL MEDICINE PEOPLE ,IT'S ABUSE UNDER DINE' BI BEENAHAZ 'AANII THE FUNDAMENTAL LAW

THANK YOU  
AHE'HEE

# Legislation No. 0366-19

Lester Begay <lesterb43@gmail.com>

Sun 12/1/2019 8:10 PM

To: comments <comments@navajo-nsn.gov>;

5 mile buffer zone around Chaco Canyon National Park should not even be considered. Chaco Canyon National Park has suppressed local Navajo People since it was established by U.S. Congress.

- 1.) They force Navajo people out, it was a force relocation.
- 2.) National Park paid Navajo workers low pay when they rebuilt Anasazi dwellings., all those ruins are not original dwellings.
- 3.) Navajo workers were never treated like federal government employees with full benefits
- 4.) After relocation, Federal government destroyed sheepcamps, hogans, hid graves including my grandmother's grave. They made sure there were no evidence that Navajo ranchers lived there
- 5.) National Park closed the roads to Crownpoint Indian Hospital and close road that were use for short cut to other side of the park to visit relatives.
- 6.) National Park been lobbying politicians against any development surrounding the park that kept local community in poverty for decades
- 7.) Recent Oil Exploration to frack, only gave National Park and Non-profit Organizations the opportunity to use that and weaponize it to lobby Congress to put a buffer Zone that only benefits tourist that contribute to federal coffers not Navajo Nation
- 8.) Local people struggle with muddy roads year round and National Park wants no highways , they claim it will damage the fake walls of the Anasazi dwellings.
- 9.) All Navajo resident should have running waters and highway before this Buffer Zone is considered.
- 10.) Oil Companies can be stop from fracking Chaco Canyon by Navajo Nation easily they have the authority.
- 11.) No need for U.S. Congress to pass another Bennett Freeze to protect these fake walls of Anasazi dwellings.

Lester Begay

Original from Chaco Canyon and herd sheep in the Canyons.



# The 24th Navajo Nation Council Legislation No 0366-19

R Begay <begay413@yahoo.com>

Sun 12/1/2019 9:43 PM

To: comments <comments@navajo-nsn.gov>;

Ya'at'eeh Members of the 24<sup>th</sup> Navajo Nation Council,

My name is Ramona Begay. I am an enrolled member and a registered voter of the Navajo Nation. I am writing in reference to Navajo Nation Legislation No. 0366-19, Titled: An Action Relating to Resources and Development and Naabiki'yati' Committees; Opposing H.R. 2181 and S. 1079 "The Chaco Heritage Area Protection Act of 2019," until such time as the buffer zone surrounding Chaco Cultural National Historical Park is reduced to five (5) miles.

This particular legislation is a great concern to me, my family, and the local Navajo community of Chaco Canyon and the surrounding areas. My maternal ancestral lineage comes from Chaco Canyon, New Mexico. The most concerning part about this particular issue of establishing buffer zone is that the local Navajo community people who are the stakeholders were not consulted with nor anyone who represents the initial establishment of the legislation at the U.S. Congress level did not come to visit with the local Navajo community people. The first time the local Navajo people became aware of the legislation is when Council Delegate Daniel Tso brought in the U.S. Congressional people to meet among themselves privately at Chaco Culture National Historical Park on April 14, 2019.

Navajo Nation needs to stand firm to completely oppose the buffer zone. Since the designation of the Chaco Canyon National Monument in 1907, Navajo people were already living in Chaco Canyon within the canyon itself. The U.S. Government said at the time the designation of the monument happened that it will not affect the Navajo people and their residence in the canyon. But years later, the U.S. Government did not keep their word when they changed their mind and made a new decision to forcefully remove the Navajo people from the canyon, destroy their homes, destroy their livestock, destroy their sheep, goats and horses, destroy their farmland and destroy their culture. The Navajo people were forcefully relocated and had to rebuild their livelihood outside of the canyon.. And the U.S. Government has established their legislative boundary outlining with a fencing of the canyon and renaming it to Chaco Culture National Historical Park which is completely controlled and funded by the U.S. Government with all amenities available to the park service.

In the meantime, the local Navajo Community of Chaco Canyon outside the park boundary (subjected to within the 5 – 10 mile radius at issue) already endures hardship with no electricity connected to their homes, no running water to their homes and unimproved roads to homes and unimproved roads run throughout the community. The local Navajo community people are stranded majority of the times due to impassable and unimproved roads and uncrossable washes either with high flowing water or dry deep sandy conditions.

And now with this new Bill H.R. 2181 and S. 1079, the U.S. Government is completely in violation to intrude repeatedly on our Navajo people and their livelihood by going beyond and ruling beyond their initial legislative boundary for Chaco Culture National Historical Park. There should not be a buffer zone outside the National Park boundary because the existing legislative boundary of the National park is already the U.S. Government buffer zone.

Therefore, with the few of many reasons mentioned, We as Dine' people respectfully plead to the Navajo Nation Government and the Navajo Nation Leaders to stand firm for the best interest of the Navajo people and their livelihood in Chaco Canyon, New Mexico, therefore, the Navajo Nation Legislation needs to request the U.S. Congress to withdraw the H.R. 2181 and S. 1079 instead of request to amend.

Thank you,  
Ramona Begay

[illegible]

Ramona Begay  
Navajo Nation - Eastern Agency  
Navajo Women's Commission  
Navajo Government Development Commission  
begay413@yahoo.com



Office of Legislative Services  
Window Rock, AZ

December 2, 2019

Samuel Sage  
P.O. Box 54  
Counselor, NM 87018

REF: NNC Legislation # 0366-19

This letter is opposing Legislation #0366-19 for the following reasons:  
I am an Allotment Land Owner myself along with my five siblings. Yes, we do have interest in Allotments near the 10 miles buffer and we do not want any developments.  
We understand in Section 6 of the Chaco Bill that states " This act will not affect Indian Trust lands or Allotments" so there is no need to reducing the buffer zone from 10 miles to five miles. We are deeply concern about our relatives health and will beings. No money over human life. The negative environmental impacts will destroy the landscape, air and water. Just a matter of time, our waters will be contaminated. The time that I am allowed, this will be my comment.



## 24<sup>th</sup> Navajo Nation Council

### Daniel E. Tso

(Baca/Prewitt, Casamero Lake, Counselors, Littlewater, Ojo Encino, Pueblo Pintado, Torreon/Starlake and Whitehorse Lake)

December 2, 2019

Distinguished Colleagues of the 24<sup>th</sup> Navajo Nation Council:

I write to convey my opposition to Navajo Nation Legislation 0366-19. Personally, I am an allottee and have land holdings within the 10 mile "buffer" as identified in the "The Chaco Heritage Area Protection Act of 2019". I stand with our sister Rep. Deb Haaland's view that the 10-mile buffer is already a compromise.

I am dismayed at the "optics" of the Navajo Nation passing an *opposing* legislation when Navajo Nation President Johnathan Nez, Resource Development Chairman Rickie Nez, and Counselor Chapter Coordinator have already testified as *supporting* a withdrawal of federal minerals at a field hearing the United States Congress House Natural Resources Committee held in Santa Fe and at Chaco Canyon National Historic Park.

The Greater Chaco Landscape extends in the whole region and over 90% of federal lands in the areas in and around the "10-mile buffer" already have been leased for oil and gas development.

I believe this legislation sends a message that is fast becoming an embarrassment to this body and hope that my colleagues consider the affectual consequences that may arise by passing this legislation.

I will attach two resolutions from two communities that support the federal mineral withdraw within the 10-mile buffer.

Ahéhee' nitságo shinaat'ái,

A handwritten signature in black ink that reads "Daniel E. Tso". The signature is written in a cursive style with a large, stylized "D" and "T".

Daniel Tso, Chair HEHSC





OJO ENCINO CHAPTER  
HCR 79 BOX 1500, OJO ENCINO, NEW MEXICO 87013  
PHONE (505)731-2263 or 731-2262; FAX (505)731-1516  
EMAIL: [ojoencino@navajochapters.org](mailto:ojoencino@navajochapters.org)

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RESOLUTION OF THE OJO ENCINO CHAPTER OF THE NAVAJO NATION

Resolution of Input Regarding Chaco Cultural Heritage Area Protection Act

**Resolution#OJOE 02-12-19/006**

WHEREAS,

1. The Ojo Encino Chapter (the "Chapter") is a political subdivision of the Navajo Nation under 11 N.N.C. § 10 and a local governance certified chapter pursuant to 26 N.N.C. § 102, and the Chapter is responsible for the health and safety of its local residents/members and for stewardship of its Chapter lands and resources; and
2. The Chapter along with its neighboring Chapters of Counselor and Torreon/Starlake (Collectively known as Trichapter Council) have been engaged with the BLM and Federal entities regarding oil/gas development on federal lands; and
3. The Chaco Cultural Heritage Area Protection Act (the Act) has potential implications for Navajos and their local communities (chapters); and
4. The Act currently removes lands within it's proposed boundary from disposal; and
5. The Act would also preclude any leasing of federal minerals within proposed boundaries; and
6. The Act only designates a small portion of the Greater Chacoan Landscape as a cultural heritage area; and
7. The United States Congress via Public Law 96-550 (Title V) and later by Public Law 104-11 (Chacoan Outliers Protection Act of 1995) have recognized the greater Chacoan Landscape as including the "San Juan Basin and surrounding areas" (PL 104-11 Section 2); and
8. This has been recognized in previous federal planning as designated in the Chaco Archeological Protection Site System (Joint Management Plan) and Public Law 96-550 is also codified in Navajo Law 19 N.N.C. § 1011.C.5; and
9. Current federal law precludes Federal Oil/Gas Royalty Sharing with the Navajo Nation and has led to the loss of millions of dollars in wealth generated within Navajo boundaries from federal minerals, while Navajo communities have not directly benefited from such federal production (since all royalties go to the Treasury Department and the New Mexico State Government); and
10. Additionally, the Chapter has recognized and inquired of the Chaco Culture National Historical Park concerns about management deprioritization of the park unit by the National Park Service; and
11. The Chapter recognizes the following implications or issues stemming from the Act: Potential Restriction of the Greater Chacoan Landscape, Potential Negative oil/gas development implications for Allottees in heavily checkerboarded areas of the proposed boundaries, and precluding land disposal to the Navajo Nation and/or Chapters within the proposed boundaries.

NOW THEREFORE BE IT RESOLVED THAT

1. The Chapter recognizes the vast cultural and spiritual importance of the Greater Chacoan Landscape which must be protected, and that this landscape includes all elements from ancient cultural relics to modern indigenous cultures and the other living and non-living natural features

---

George Werito Jr., Chapter President  
Taylor Pinto, Chapter Vice President  
Brandon Sam, Chapter Secretary/Treasurer

Gloria Chiquito, Chapter Manager  
Daniel E. Tso, Council Delegate  
Elizabeth Stoney, Land Board Member



of this landscape; and

2. The Chapter insists that the Act must be modified to allow disposal of federal lands (within the proposed boundaries) to the Navajo Nation and Navajo Chapters; and
3. Areas of the northern portion of the Act's proposed boundaries should be analyzed for a No Surface Occupancy as opposed to No Leasing to ensure that Indian Allottees have the ability to develop their wells via horizontal laterals if desired; and
4. That only the smallest areas of these federal lands within the proposed boundaries be designated as No Surface Occupancy within the Act's proposed boundaries in order to protect Allottees interests with the Chapter supporting the greatest amounts of Federal Lands/minerals not being developed or leased within the greater Chacoan Landscape; and
5. The Act must recognize that the Greater Chacoan Landscape includes an area significantly larger than the proposed boundary and should try to increase protections for areas outside the proposed boundaries as well.
6. Eventually, the development of a type of Extensive Cultural Management Area which incorporates various public lands across the Greater Chacoan Landscape into a larger management zone which not only protects Chacoan and older cultural properties but also the cultural properties and living communities of the descendants of the Chacoans such as the Navajos and Pueblos; and
7. The Act, in recognizing the importance of Chaco and the Greater Chacoan Landscape, must ensure that the National Park Service (NPS) maintains the importance of Chaco Culture National Historical Park (the Park) by ensuring that the Park has dedicated full time onsite resource managers (generally referred to by the NPS as Chiefs), full time onsite law enforcement rangers, and a dedicated full time onsite Superintendent. Thus, ensuring the maximum protection and prioritization of the Park, its cultural and natural resources, and the surrounding Chacoan Landscape; and
8. Recognition of the massive extraction of wealth via Federal Oil/Gas mineral leases from within Navajo Communities in the areas surrounding Chaco should be addressed. These are some of the poorest communities within the United States while millions of dollars in federal royalties are generated which are not returned to the Navajo Nation to address even some of the most basic needs such as running water, electricity, paved roads, or public services (Police, Fire, EMS). Meanwhile, all federal royalties generated within Navajo Chapter boundaries go to the US Treasury Department and the New Mexico State government, little to none of these funds are returned to the effected Navajo communities; and
9. The Act must include protections for Navajo communities within the Eastern Agency to ensure that Eastern Agency residents are protected to the maximum extent possible from negative impacts of energy development projects; and
10. Congress must recognize via this Act the legal, cultural, and historical complexities of the Navajo checkerboard region within the Greater Chacoan Landscape and must work towards giving the Navajo Nation and local Navajo chapters a greater degree of ability to interact and effect federal land use planning within Navajo Nation Boundaries to help alleviate the great deal of federal land use planning conflicts within Navajo communities within the Greater Chacoan Landscape; and
11. Such an entity to alleviate such issues named Navajo Eastern Agency Management Zone (NEAMZ) has been proposed to the Bureau of Land Management and is supported by the Eastern Navajo Agency Council via resolution ENAC-08/17-003; and
12. Lastly, the Chapter is generally favorable with the Act's intentions of protecting the Greater

Chacoan Landscape with the caveat of some of the needed changes or additions to the proposed language.

#### CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Members of the Ojo Encino Chapter at a duly called meeting at the Ojo Encino Chapter House at which a quorum was present, and that the same was passed by vote of 16 in-favor, 00 opposed, and 08 abstaining, on this 12th day of **February, 2019.**

Motion: **Jeanette Vice**

Second: **Kyle Augustine**



George Werito, Chapter President



Navajo Nation, Counselor Chapter House, P.O. Box #93, Counselor, New Mexico 87018

Phone & Fax #: (575)568-4311

Email: [counselor@navajochapters.org](mailto:counselor@navajochapters.org)

Harry Domingo, Sr. Chapter President  
Laura Lopez, Vice President  
Damien Augustine, Secretary/Treasurer  
Elizabeth Stoney, Land Board Member

Daniel Tso, Council Delegate  
Samuel Sage, Comm. Services Coordinator  
Martha A. Aragon, Acct. Maint. Specialist

**RESOLUTION OF COUNSELOR CHAPTER  
COUNSELOR, NEWMEXICO  
#COUN-2019-02-001**

**RESOLUTION OF COUNSELOR CHAPTER SUPPORTING A FEDERAL BILL THAT  
WITHDRAWS FEDERAL MINERALS WITHIN THE GREATER CHACO LANDSCAPE AND  
STATE'S EFFORT CULTURAL RESOURCES INVENTORY REPORT IN THE GREATER CHACO  
LANDSCAPE.**

**WHEREAS:**

1. Per Resolution CAP-34-98, the Navajo Nation Council adopted Local Governance Act and through the adoption of this Act delegated to the Navajo Nation Chapters governmental authority with respect to all local issues/ matters consistent with Navajo law, customs and tradition; and
2. The Counselor Chapter has steadfastly communicated, coordinated and cooperatively planned the regional development of the five most Eastern Chapters of the Navajo Nation; and
3. On March 2, 2018 Secretary of the Interior Ryan Zinke directed the Bureau of Land Management to defer its scheduled Farmington Field Office lease sale so the agency could complete an ongoing analysis of more than 5,000 cultural sites in the proposed leasing area, and on December 4, 2018 the agency deferred its scheduled Farmington Field Office lease parcels sites has been completed nor have the chapters been consulted around Navajo Cultural Properties.
4. Counselor Chapter reads that the 2003 and 1986 Resource Management Plans for the Bureau of Land Management's Farmington and Rio Puerco Field Offices does not sufficiently address the technological development of multistage horizontal drilling and hydraulic fracturing; and
5. Counselor Chapter is keenly aware of the Bureau of Land Management's actions to lease the public lands for oil/gas exploration in a manner that precludes its multiple use to a singular use for energy development; and
6. Counselor Chapter and its residents have personal knowledge of the adverse impacts their relatives are experiencing with the declining air quality through the venting and flaring, the increased vehicular traffic, and the familiar discord resulting from the bonus payments for the leasing of the allotments; and
7. Counselor Chapter has community voters who have allotments and heirs and have an interest in the Mancos-Gallup formation and will work to assure that any state or federal legislation not dispose mineral rights of the Navajo Nation or member of the Navajo Nation to trust land or allotment land, and does not affect the potential future disposal or exchange of federal lands to the Navajo Nation; and
8. Counselor Chapter supports the rights identified in the United Nations Declaration on the Rights of Indigenous Peoples adopted by the United Nations General Assembly in September 2007 and was supported by President Obama in December 2010 by issuing that the Declaration has both moral and political force must guide the policies and practices of all the agencies for the Federal government to assure the needs, interests and points regarding land use priorities, protection of culturally grounded ways life and safeguarding the environmental which are imbued in Articles 26, 27, 29, and 32 of the UN Declaration; and



9. On March 22, 2018, during the 2<sup>nd</sup> Session of the 115<sup>th</sup> Congress of the United States, the Honorable Senator Tom Udall and the Honorable Senator Martin Heinrich introduced a bill entitled "Chaco Cultural Heritage Area Protection Act of 2018", which would withdraw federal minerals in the state of New Mexico within a 10-mile radius of the Chaco Cultural National Historical Park; and
10. The Chaco Cultural Heritage Area Protection Act of 2018 did not, upon its initial introduction, incorporate Counselor Chapter's core concerns, specifically that 1) The Greater Chaco Landscape not be minimized to the Chaco Culture National Historical Park (CCNHP) not to a 10-mile buffer around the park; 2) Resource management of the Greater Chaco Landscape must include tribal consultation at the Chapter level; 3) A bill regarding resource management of the Greater Chaco Landscape must provide community public health and environmental justice protections; and 4) A bill regarding resource management of the Greater Chaco Landscape must also ensure that CCNHP and wilderness areas within the Greater Chaco Landscape attain Class I Air Quality Standards; and
11. Federal mineral withdrawal under the 2018 Chaco Cultural Heritage Protection Act was limited to an arbitrary 10-mile radius around CCNHP and Pierre's Point, excluding numerous Chacoan Greater Houses and Navajo cultural properties. Counselor Chapter supports the protection of these sites.
12. Above all concerns, Counselor Chapter positions itself to have Federal and State agencies recognize home sites, traditional and customary use areas to be protected as there is the living Navajo society and culture in place since before the agencies were authorized.

**NOW THEREFORE BE IT RESOLVED THAT:**

Counselor Chapter would support a federal bill that withdraws federal minerals within the Greater Chaco Landscape provided that it:

1. Does not reduce the Greater Chaco Landscape to the Chaco Cultural National Historical Park or to an arbitrary buffer around the Park; and
2. Provides public health and environmental justice protections for local communities impacted by oil and gas development; and
3. Requires that resource management decisions in the Greater Chaco Landscape are informed by tribal consultation at the Chapter-level with impacted Navajo Chapters; and
4. Restores Chaco Culture National Historical Park and wilderness areas in the Greater Chaco Landscape to Class I Air Standards.

Counselor Chapter also supports state and federal efforts to:

1. Complete a Cultural Resources Inventory report in the Greater Chaco Landscape; and
2. Provide opportunities for economic development, diversification and decarbonization in Eastern Navajo communities; supported by increases oil and gas royalty rates and taxes, as well as monies appropriated for just transitions and fossil fuel remediation; and
3. Compile a National Academy of Sciences Study to compile scientific data supporting setback limits that are aligned with protecting human health and maintaining Hozho; and
4. Increase community, state, and federal monitoring and reporting of air quality, water quality and quantity and human health impacts related to oil and gas development.

**CERTIFICATION**

WE, HEREBY CERTIFY THAT THE FOREGOING RESOLUTION was duly considered by the Counselor Chapter at a duly called meeting at Counselor, New Mexico, at which a quorum was present and that the same was motion by: Woody Keetso and seconded by: Betty Salq and adopted by a vote of 15 in favor, 0 opposed, and 4 abstained this 10 day of February, 2019.