

### TÓ NIZHÓNÍ ÁNÍ "SACRED WATER SPEAKS"

PO Box 483 Kykotsmovi, AZ 86039 info@tonizhoniani.org

T: (928) 440-3745 F: (928) 213-5909

14 July 2023

Kimberly D. Bose, Secretary Federal Energy Regulatory Commission 888 First Street, N.E. Washington, DC 20426

RE: 18 Navajo Nation Chapter and Agency Resolutions Opposing Project No. 15233-000, Project No. 15234-000, and Project No. 15235-000

Dear Secretary Bose and Other Responsible Officials:

Intervenors Tó Nizhóní Ání, Diné Citizens Against Ruining our Environment, and Center for Biological Diversity hereby provide notice to FERC of 18 resolutions of Navajo Nation chapters and agencies, each passed in April, May, and June 2023, "opposing the proposal, funding and development of the North, East, and South Black Mesa Pumped Storage Projects." Intervenors provide 17 of these as exhibits for the administrative records of Project Nos. 15233-000, 15234-000, 15235-000, as follows:

Exhibit 1: Resolution DYRC-23-04-001 of the Dził Yíjiin Regional Council

Exhibit 2: Resolution HRC 2023/04-05 of the Hardrock Chapter

Exhibit 3: Resolution of the Chinle Agency Grazing Committee

Exhibit 4: Resolution PIN-23-28 of the Pinon Chapter

Exhibit 5: Resolution WC-23-86 of the Whippoorwill Chapter

Exhibit 6: Resolution RRCH 2023-0416-10 of the Rough Rock Chapter

Exhibit 7: Resolution BMC-23-04-058 of the Black Mesa/Kits'iili Chapter

Exhibit 8: Resolution KY23-12-04 of the Kayenta Chapter

Exhibit 9: Resolution FLC-23-04-001 of the Forest Lake Chapter

Exhibit 10: Resolution of the District 4 Grazing Committee

Exhibit 11: Resolution TL-05-08A-23 of the Tolani Lake Chapter

Exhibit 12: Resolution LC05152023C of the LaChee Chapter

Exhibit 13: Resolution DCHMAY-072-2023 of the Dennehotso Chapter

Exhibit 14: Resolution BA-05-042-23 of the Bodaway/Gap Chapter

Exhibit 15: Resolution CO-05-030-23 of the Coppermine Chapter

Exhibit 16: Chapter Meeting Notes Regarding Bird Spring Chapter Resolution

Exhibit 17: Chapter Meeting Notes Regarding Navajo Mountain Chapter Resolution

Note that the Western Agency Grazing Committee has also passed a resolution similar to those listed above and appended below, but a copy of that resolution is not appended to this letter. You should contact the Agency to obtain a copy of its resolution, and to hear the Agency's specific concerns with the proposed projects.

Thank you for your consideration.

Sincerely,

Adrian Herder

Tó Nizhóní Ání

P.O. Box 483

Kykotsmovi Village, AZ 86039

Robyn Jackson, Executive Director

Diné Citizens Against Ruining our Environment

PO Box 2548

Window Rock, AZ 86515

Taylor McKinnon, Southwest Director

Center for Biological Diversity

PO Box 1178

Flagstaff, AZ 86001

CC: The Honorable Dr. Buu Nygren, Navajo Nation President

Navajo Nation Department of Justice

Navajo Nation Resource and Development Committee





#### DZIL YIJIIN REGIONAL COUNCIL (DYRC)

Dr. Buu Nygren PRESIDENT

Michelle Montoya

#### RESOLUTION OF THE DZIL YIJIIN REGIONAL COUNCIL

#### **RESOLUTION NO. DYRC-23-04-001**

Supporting local residents and traditional land users of Black Mesa opposing the proposal, funding and development of the North, East, and South Black Mesa pumped storage projects to construct nine (9) reservoirs with powerhouses using 450,000 acreage of feet water

- 1. The Dzil Yijiin Regional Council is recognized by the Resources and Development Committee (RDC) of the Navajo Nation per Legislation #350-11 and RDCJN-33-14 (June 3, 2014; and
- The Dzil Yijiin Regional Council is to represent and act on behalf of the Navajos residing in the Dzil Yijiin Region, including Pinon, Hardrock, Forest Lake, Black Mesa, Whippoorwill, Blue Gap/Tachee and Low Mountain Chapters and includes areas of NPL and HPL lands; and
- 3. The Dzil Yijiin Regional Council supports traditional land use on Black Mesa consistent with the health of the land, people, non-human relatives, and Nahasdzaan doo Yadilhil Bitsaadee Beehaz'aanii-Dine Natural Law (1 N.N.C.205); and
- 4. The Dzil Yijiin Regional Council recognizes that decades of coal mining has damaged the health and productivity of Black Mesa's land, groundwater, and springs that people and non-human relatives depend on; and
- 5. The Dzil Yijiin Regional Council recognizes that restoring Black Mesa's land to pre-mining conditions is a top priority, and oppose further industrial use of the Navajo Nation water, including groundwater beneath Black Mesa; and; and
- 6. The Dzil Yijiin Regional Council understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built would construct new reservoirs, pipelines, powerlines and other energy infrastructure atop Black Mesa; and
- 7. The Dzil Yijiin Regional Council understands, acknowledge and recognizes that the proposed Black Mesa North, East, and South Pumped Storages, if built, would require 450,000 acre feet of water to begin operation and would require additional water to continue operation for 100 years; and
- 8. The Dzil Yijiin Regional Council understands, acknowledge and recognizes that water required for proposed Black Mesa North, East, and South Pumped Storages, if built, would acknowledge and recognizes that the proposed Black Mesa North, East, and South Pumped Storages Project would come from the San Juan River, the Colorado River or Black Mesa groundwater; and
- 9. The Dzil Yijiin Regional Council understands, acknowledge and recognizes that water required for proposed Black Mesa North, East, and South Pumped Storages, if built, would destroy land

and displace traditional land uses on Back Mesa, inconsistent with heath of land, people, non-human relatives and Nahasdzaan doo Yadilhil Bitsaadee Beehaz'aanii-Dine Natural Law (1 N.N.C.205).

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

The Dzil Yijiin Regional Council hereby supports local residents and traditional land users of Black Mesa opposing the proposal, funding and development of the North, East, and South Black Mesa pumped storage projects to construct nine (9) reservoirs with powerhouses using 450,000 acreage of feet water

#### CERTIFICATION

We, hereby certify that the foregoing resolution was discussed and duly considered by the Dzil Yijiin Regional Council at a duly called meeting via hybrid, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 13 in favor, 0 opposed and 15 abstained on this 6<sup>th</sup> day of April, 2023.

Motioned by: Bessie Allen

Second by: Aaron Yazzie

Mae-Gilene Begay, DYRC President



#### **Hardrock Chapter House** 17 Miles North of Hopi Cultural center Hwy 264

Post Office Box 20 Kykotsmovi, AZ 86039

Fax: (928) 725-3731 Ph: (928) 725-3732

hardrock@navajochapters.org

Chapter President, Jay Begay Jr. Chapter Vice-President, Byron Wesley Chapter Secretary/Treasurer, Lavon N. Begay Council Delegate, Germaine Simonson CSC, Christina Howard-Coranguez Accounts Maintenance Specialist, VACANT

#### **RESOLUTION OF THE HARDROCK CHAPTER: HRC 2023/04-05**

#### SUPPORTING LOCAL RESIDENTS AND TRADITIONAL LAND USERS OF BLACK MESA OPPOSING THE PROPOSAL, FUNDING, AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS

#### WHEREAS:

1. The Hardrock Chapter is a recognized chapter of the Navajo Nation Government, pursuant to Navajo National Council Resolution CAP-34-98, known as the Navajo Nation Local Governance Act and herein codified in Title Twenty-six (26) of the Navajo Nation Code; and

2. Title Twenty-six (26) of the Navajo Nation Code allows Hardrock Chapter to make

decisions over local matters; and

3. The Hardrock Chapter supports traditional land use on Black Mesa consistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádilhil Bitsaadee Beenahaz'áanii--Diné Natural Law (1 N.N.C. § 205); and

4. The Hardrock Chapter recognizes that decades of coal mining has damaged the health and productivity of Black Mesa's land, groundwater, and springs that people and non-

human relatives depend on; and

5. The Hardrock Chapter recognizes that restoring Black Mesa's land to pre-mining conditions is a top priority, and opposes further industrial use of the Navajo Nation water, including groundwater beneath Black Mesa; and

6. The Hardrock Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would construct new reservoirs, pipelines, power lines, and other energy infrastructure atop Black Mesa;

7. The Hardrock Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would require 450,000 acre-feet of water to begin operations, and would require additional water to continue operations; and

8. The Hardrock Chapter understands, acknowledges, and recognizes that water required for the proposed Black Mesa North, East, and South Pumped Storage Projects would come

from the San Juan River, the Colorado River, or Black Mesa groundwater; and

9. The Hardrock Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádilhil Bitsąądęę Beenahaz'áanii--Diné Natural Law (1 N.N.C. § 205)

10. The Hardrock Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would, like coal



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Chapter President, Jay Begay Jr.
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Council Delegate, Germaine Simonson
CSC, Christina Howard-Coranguez
Accounts Maintenance Specialist, VACANT

mining, use Black Mesa's land and water to create and export electricity and profits to far away cities; and

11. The Hardrock Chapter understands, acknowledges, and recognizes that preliminary permit applications for the Black Mesa North, East, and South Pumped Storage Projects were filed with the Federal Energy Regulatory Commission without consulting with or consent from the Hardrock Chapter, residents, and local land users; and

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

1. The Hardrock Chapter opposes the proposal, funding, and development of the Black Mesa North, East, and South Pumped Storage Projects, in whole or in part.

We, hereby, certify that the foregoing resolution was duly considered by the Hard Rock

#### CERTIFICATION

Chapter at a duly called meeting in Hardroot Chapter members was present and that theOopposed and/_abstained this 7th	ck, Navajo Nation, Arizona, at which a quorum of e same was passed by a voted in favor, th day of April, 2023.
Jay Begay Jr., President	Byron Wesley, Vice President
Lavon N, Begay, Secretary/ Treasurer	Germaine Simonson, Council Delegate



Chairman, Roland Tso, Many Farms Chapter Vice- Chairman, Robert Wagner, Round Rock Chapter Member, Albert Wartz, Whippoorwill Chapter Member, Lorene Yazzie, Rough Rock Chapter Member, Louise Mark (Delegated) Lukachukai Chapter Member, Steven Tsosie, Tselani / Cottonwood Chapter Member, Franklin Tsosie, Blue Gao Chapter Member, Oscar Bia, Chinle Chapter Member, Irvin Shirley, Nazlini Chapter Member, Charles R. Chee, Wheatfields Chapter Member, Francis Honie, Black Mesa Chapter Member, Aaron Simonson, Hardrock Chapter Member, Irene Begaye, Forest Lake Chapter Member, Juan Begaye Jr, Pinon Chapter

#### CHINLE AGENCY GRAZING COMMITTEE MEETING

#### Resolution of the Chinle Agency Grazing Committee

Supporting the local land users of The Black Mesa Communities in opposing the proposal, funding, and development of the North, East, and South Black Mesa Pumped Storage Project.

- 1. Pursuant to Navajo Nation Council Resolution CAP-38-98, the District Grazing Committee's Plan of Operation is codified in Navajo Nation Code Title 3, Chapter 5, Subchapter 5, Article 3, §871 et. Seq. giving authority and duties to the District Grazing Committee to conduct business and regulate Grazing and Livestock on Navajo Land; and
- 2. Pursuant to CAP-34-98, the Navajo Nation Council approved the Navajo Nation Local Governance Act (LGA) that allows Navajo Nation Chapters to make decisions over local matters; and
- 3. Pursuant to NNC Title 3, Chapter 5, Subchapter 5, Article§878, The District Grazing Committees provide services to Navajo Stockman and Land Users; and
- 4. The District Grazing Committee is hereby continued as the administrative body within the Navajo Nation Government with the primary responsibility of managing rangelands, livestock issues, enforcing the Navajo Nation Grazing Regulations and other related issues on the Navajo Nation; and
- 5. The Chinle Agency Grazing Committee supports traditional land use on Black Mesa consistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádiłhił Bitsąądęę Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205); and
- 6. The Chinle Agency Grazing Committee recognizes that decades of coal mining have damaged the health and productivity of Black Mesa's land, groundwater, and springs that people and non-human relatives depend on; and
- The Chinle Agency Grazing Committee recognizes that restoring Black Mesa's land to pre-mining conditions is a top
  priority, and opposes further industrial use of the Navajo Nation water, including groundwater beneath Black Mesa;
  and
- The Chinle Agency Grazing Committee understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would construct new reservoirs, pipelines, power lines, and other energy infrastructure atop Black Mesa; and
- 9. The Chinle Agency Grazing Committee understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would require 450,000 acre-feet of water to begin operations and would require additional water to continue operations for 100 years; and
- 10. The Chinle Agency Grazing Committee understands, acknowledges, and recognizes that water required for the proposed Black Mesa North, East, and South Pumped Storage Projects would come from the San Juan River, the Colorado River, or Black Mesa groundwater; and

- 11. The Chinle Agency Grazing Committee understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádiłhił Bitsaadee Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205); and
- 12. The Chinle Agency Grazing Committee understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would, like coal mining, use Black Mesa's land and water to create and export electricity and profits to far away cities; and
- 13. The Chinle Agency Grazing Committee understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádiłhił Bitsaadee Beehaz'áanii—Diné Natural Law (1 N.N.C. § 205); and
- 14. The Chinle Agency Grazing Committee understands, acknowledges, and recognizes that preliminary permit applications for the Black Mesa North, East, and South Pumped Storage Projects were filed with the Federal Energy Regulatory Commission without consulting with or consent from The Black Mesa Communities, residents, and local land users.

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

The Chinle Agency Grazing Committee supports the local land users of the Black Mesa Communities in opposing the proposal, funding, and development of the North, East, and South Black Mesa Pumped Storage Project.

#### CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Chinle Agency Grazing Committee at a duly called meeting in Chinle, Navajo Nation, (Arizona) at which a quorum was present and that the same was passed by a vote of 11 in favor, 0 opposed, and 1 abstained this  $7^{th}$  day of April 2023.

Motion: Irvin Shirley

Second: Larsen Nez

Roland Tso, Chairman



#### PIÑON CHAPTER

Post Office Box 127 • Piñon, Arizona 86510 • (928) 725-3710/3711 • FAX (928)725-3712

#### PIN- 23- <u>28</u> RESOLUTION OF THE PINON CHAPTER

### SUPPORTING LOCAL RESIDENTS AND TRADITIONAL LAND USERS OF BLACK MESA OPPOSING THE PROPOSAL, FUNDING, AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS

- 1. The Pinon Chapter is a recognized chapter of the Navajo Nation Government, pursuant to Navajo National Council Resolution CAP-34-98, known as the *Navajo Nation Local Governance Act* and herein codified in Title Twenty-six (26) of the *Navajo Nation Code*; and
- 2. Title Twenty-six (26) of the *Navajo Nation Code* allows Pinon Chapter to make decisions over local matters; and
- 3. The Pinon Chapter supports traditional land use on Black Mesa consistent with the health of land, people, non-human relatives, and *Nahasdzáán dóó Yádilhil Bitsąądęę Beehaz'áanii--Diné Natural Law* (1 N.N.C. § 205); and
- 4. The Pinon Chapter recognizes that decades of coal mining has damaged the health and productivity of Black Mesa's land, groundwater, and springs that people and non-human relatives depend on; and
- The Pinon Chapter recognizes that restoring Black Mesa's land to pre-mining conditions is a top priority, and opposes further industrial use of the Navajo Nation water, including groundwater beneath Black Mesa; and
- 6. The Pinon Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would construct new reservoirs, pipelines, power lines, and other energy infrastructure atop Black Mesa; and
- 7. The Pinon Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would require 450,000 acre-feet of water to begin operations and would require additional water to continue operations for 100 years; and
- 8. The Pinon Chapter understands, acknowledges, and recognizes that water required for the proposed Black Mesa North, East, and South Pumped Storage Projects would come from the San Juan River, the Colorado River, or Black Mesa groundwater; and

- 9. The Pinon Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádilhil Bitsąądęę Beehaz'áanii— Diné Natural Law (1 N.N.C. § 205)
- 10. The Pinon Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would, like coal mining, use Black Mesa's land and water to create and export electricity and profits to far away cities; and
- 11. The Pinon Chapter understands, acknowledges, and recognizes that preliminary permit applications for the Black Mesa North, East, and South Pumped Storage Projects were filed with the Federal Energy Regulatory Commission without consulting with or consent from the Pinon Chapter, residents, and local land users; and

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

1. The Pinon Chapter opposes the proposal, funding, and development of the Black Mesa North, East, and South Projects and requesting Navajo Nation President Buu Nygren and the 25<sup>th</sup> Navajo Nation Council to oppose the preliminary permit applications for the Black Mesa Pump Storage Project filed with the Federal Energy Regulatory Commission.

#### **CERTIFICATION**

We hereby certify that the foregoing resolution was duly considered by the Pinon Chapter at a duly called meeting in Pinon, Navajo Nation, Arizona which a quorum was present and that same was passed by a vote of  $2\theta$ , in favor 00, opposed 07 abstained on the 8th of May, 2023.

Bessie S. Allen

PRESIDENT

Bill Yazzie

VICE-PRESIDENT

Ramona Nalwood

SECRETARY/TREASURER



#### Whippoorwill Chapter

Post Office Box 279 Pinon, AZ 86510-0279



Telephone (928) 725-3728/3727 Fax (928) 725-3745

Mareita Denny, Chapter Manger

Ella M. Kay, Chapter Administrative Assistant

Germaine Simonson - NN Council Delegate

Gerald Ahasteen - Vice President Phillip Tom Jr. - Secretary/Treasurer

#### RESOLUTION OF THE WHIPPOORWILL CHAPTER

WC-23-86

SUPPORTING LOCAL RESIDENTS AND TRADITIONAL LAND USERS OF BLACK MESA AND SURROUNDING COMMUNITY OPPOSING THE PROPOSAL, FUNDING, AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS AND REQUESTING NAVAJO NATION PRESIDENT BUU NYGREN AND THE NAVAJO NATION COUNCIL TO OPPOSE THE PRELIMINARY PERMIT APPLICATIONS OF THE STORAGE PUMPED PROJECT FILED WITH THE FEDERAL ENERGY REGULATORY **COMMISSION.** 

- 1. The Resources and Development Committee, pursuant to Legislation RDCD-83-14 certified Whippoorwill Chapter's Five Management System Policies and Procedures and pursuant to 2 N.N.C., §501 (B) (2) (d), 26 N.N.C. §102 and CO-45-12 Section 5(B), upon recommendation by Auditor General's office, further supported the certification, AND
- 2. Pursuant to Local Governance Act, 26, N.N.C. §101, et seg. to properly administer, to provide accountability in the Five Personnel and Property Management, and consistent with Auditor General's Memorandum dated September 9, 2014, AUDIT REPORT No. 14-24, AND
- 3. The Whippoorwill Chapter recognizes that decades of coal mining have damaged the health and productivity of Black Mesa's land, groundwater, and springs that people and wildlife depend on in restoring Black Mesa's land to pre-mining conditions. Restoration and Reclamation have been a top priority and the land has been in reclaiming process; and
- 4. The Whippoorwill Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built would require 450,000-acre ft. to construct new reservoirs, pipelines, power lines, and other energy infrastructure atop Black Mesa and surrounding communities which definitely alter the environmental ecological system and destroy the fundamental connection with the land and tradition; Nahasdzáán dóó Yádiłhił Bitsagdee Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205) and
- 5. This acknowledges, and recognizes an amount of water required for the proposed Black Mesa North, East, and South Pumped Storage Projects would come from the San Juan River, the Colorado River, or Black Mesa groundwater and this action will impact the "laws of the Water," and

- 6. This proposed project will re-open old wounds to Black Mesa land and water, just for the purpose to export electricity to far away cities and profit from Navajo Nation; and
- 7. The Whippoorwill Chapter understands, acknowledges, and recognizes that preliminary permit applications for the Black Mesa North, East, and South Pumped Storage projects were filed with the Federal Energy Regulatory Commission without consulting with or consent from the residents, and local land users.

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

- 1. Whippoorwill Chapter hereby supports local residents and traditional land users of Black Mesa and surrounding community opposing the proposal, funding, and development of the North, East, and South Black Mesa pumped storage projects and requesting Navajo Nation president Buu Nygren and the Navajo Nation council to oppose the preliminary permit applications of the storage pumped project filed with the federal Energy Regulatory Commission.
- 2. The Whippoorwill Chapter brings forth the Navajo Nation Sovereignty Status as recognized in the Treaty of 1868 with the United States Congress and definitely will create a liability for Navajo Nation and impact the Water Right Cases and further impact our Sovereign privileges.
- 3. The expected impact of the surrounding Chapters, request the Navajo Nation Department of Justice to submit a Letter of Objection to Federal Energy Regulatory Commission to stop this massive non-realization project.

#### **CERTIFICATION**

We, the undersigned certify the foregoing resolution was presented to the Whippoorwill Chapter at a duly called meeting at Whippoorwill, Arizona, USA at which a quorum was present that same day and was passed by a vote <u>8</u> in FAVOR, <u>0</u> OPPOSED, and <u>5</u> ABSTAINED on the <u>12</u> day of April 2023.

Motioned by Gerald Ahasteen

Second by Raymond Joe

Aaron Yazzie, Chapter President

Gerald Ahasteen, Chapter Vice President

Philip Tom Jr., Chapter Secretary/Treasurer

Germaine Simonson, NN Council Delegate

Albert Wartz, Grazing Representative



Tse'chi'zhi' Chapter Chinle, AZ 86503 Navajo Route 59 928.728.3361 • Fax: 928.728.3362

Betty Dailey, President
Jay R. Nez, Vice-President
Sylvia Hadley, Secretary/Treasurer
Lorene Yazzie, Grazing Official
Carl R. Slater, Council Delegate
CSC / AMS - Vacant

Resolution: RRCH 2023-0416-10

#### RESOLUTION OF THE TSE'CHI'ZHI' (ROUGH ROCK) CHAPTER OF THE NAVAJO NATION

### SUPPORTING LOCAL RESIDENTS AND TRADITIONAL LAND USERS OF BLACK MESA OPPOSING THE PROPOSAL, FUNDING, AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS

- The Rough Rock Chapter is a recognized chapter of the Navajo Nation Government, pursuant to Navajo National Council Resolution CAP-34-98, known as the Navajo Nation Local Governance Act and herein codified in Title Twenty-six (26) of the Navajo Nation Code; and
- Title Twenty-six (26) of the Navajo Nation Code allows Rough Rock Chapter to make decisions over local matters; and
- The Rough Rock Chapter supports traditional land use on Black Mesa consistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádiłhił Bitsąądęę Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205); and
- 4. The Rough Rock Chapter recognizes that decades of coal mining has damaged the health and productivity of Black Mesa's land, groundwater, and springs that people and non-human relatives depend on; and
- The Rough Rock Chapter recognizes that restoring Black Mesa's land to pre-mining conditions is a top
  priority, and opposes further industrial use of the Navajo Nation water, including groundwater beneath
  Black Mesa; and
- The Rough Rock Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would construct new reservoirs, pipelines, power lines, and other energy infrastructure atop Black Mesa; and
- The Rough Rock Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would require 450,000 acre-feet of water to begin operations and would require additional water to continue operations for 100 years; and
- The Rough Rock Chapter understands, acknowledges, and recognizes that water required for the
  proposed Black Mesa North, East, and South Pumped Storage Projects would come from the San Juan
  River, the Colorado River, or Black Mesa groundwater; and

- 9. The Rough Rock Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádilhił Bitsąądęę Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205)
- 10. The Rough Rock Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would, like coal mining, use Black Mesa's land and water to create and export electricity and profits to far away cities; and
- 11. The Rough Rock Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádilhił Bitsaadee Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205)
- 12. The Rough Rock Chapter understands, acknowledges, and recognizes that preliminary permit applications for the Black Mesa North, East, and South Pumped Storage Projects were filed with the Federal Energy Regulatory Commission without consulting with or consent from the Rough Rock Chapter, residents, and local land users; and

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

 The Rough Rock Chapter opposes the proposal, funding, and development of the Black Mesa North, East, and South Projects and requesting Navajo Nation President Buu Nygren and the 25<sup>th</sup> Navajo Nation Council to oppose the preliminary permit applications for the Black Mesa Pump Storage Project filed with the Federal Energy Regulatory Commission.

	STATE STATE OF THE				
CERTIFICATION: We here	by certify that the forego	oing resolution	was considered at	a duly calle	ed meeting at
Tse'ch'izhi (Rough Rock Ch by a vote ofin favo	apter), Navajo Nation, a	at which a quor	um was present ar	nt that the s	ame was passed
Motioned By: Albon ?	Tones	Secon	ded By: Jose	lene	TowneJone
Betty Dailey, President	Jay 907 2 vay R. Nez, Vice-P	resident	AA LOC Sylvia Hadley, Sec	retary/Trea	asurer
	NN Comil Districts	CA			
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#### RESOLUTION OF THE BLACK MESA (Kits'iili) CHAPTER

BMC-23-04-058

SUPPORTING LOCAL RESIDENTS AND TRADITIONAL LAND USERS OF BLACK MESA OPPOSING THE PROPOSAL, FUNDING, AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS AND REQUESTING NAVAJO NATION PRESIDENT BUU NYGREN AND THE NAVAJO NATION COUNCIL TO OPPOSE THE PRELIMINARY PERMIT APPLICATIONS OF THE STORAGE PUMPED PROJECT FILED WITH THE FEDERAL ENERGY REGULATORY COMMISSION.

#### WHEREAS:

- 1. The Black Mesa Chapter is a recognized chapter of the Navajo Nation Government, pursuant to Navajo National Council Resolution CAP-34-98, known as the Navajo Nation Local Governance Act and herein codified in Title Twenty-six (26) of the Navajo Nation Code; and
- 2. Title Twenty-six (26) of the Navajo Nation Code allows Black Mesa Chapter to make decisions over local matters; and was a second was second to the second sec

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- 3. The Black Mesa Chapter supports traditional land use on Black Mesa consistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádithit Bitsqqdee Beehaz'áanii–Diné Natural Law (1 N.N.C. § 205); and
  - 4. The Black Mesa Chapter recognizes that decades of coal mining has damaged the health and productivity of Black Mesa's land, groundwater, and springs that people and non-human relatives depend on; and
  - 5. The Black Mesa Chapter recognizes that restoring Black Mesa's land to pre-mining conditions is a top priority, and opposes further industrial use of the Navajo Nation water, including groundwater beneath Black Mesa; and
  - The Black Mesa Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would construct new reservoirs, pipelines, power lines, and other energy infrastructure atop Black Mesa; and
  - The Black Mesa Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would require 450,000 acre feet of water to begin operations, and would require additional water to continue operations for 100 years; and

- The Black Mesa Chapter understands, acknowledges, and recognizes that water required for the
  proposed Black Mesa North, East, and South Pumped Storage Projects would come from the San
  Juan River, the Colorado River, or Black Mesa groundwater; and
- 9. The Black Mesa Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádhhh Bitsqqdee Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205)
- 10. The Black Mesa Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would, like coal mining, use Black Mesa's land and water to create and export electricity and profits to far away cities; and the land of the land

a Oposed Black Mest North, and Son, Phaga I Storage Projects would come from the San

- 11. The Black Mesa Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives, and Nahasdzáán dóo Yádíthít Bitsqq dee Bechaz áanii-Diné Natural Law (1-N.N.C. § 205)
- 12. The Black Mesa Chapter understands, acknowledges, and recognizes that preliminary permit applications for the Black Mesa North, East, and South Pumped Storage Projects were filed with the Federal Energy Regulatory Commission without consulting with or consent from the Black Mesa Chapter, residents, and local land users; and

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

 The Black Mesa Chapter opposes the proposal, funding, and development of the Black Mesa North, East, and South Projects and requesting Navajo Nation President Buu Nygren and the Navajo Nation Council to oppose the preliminary permit applications for the storage pumped project filed with the Federal Energy Regulatory Commission.

Mark Sandy Movemen States Progress to the Above of the Astrophysical Control of Court of Globbs

#### CERTIFICATION

We hereby certify that the foregoing resolution was fully considered by the Black Mesa

Chapter at a duly called meeting at Black Me and that same was passed by a vote of 22 this 17 day of April 2003	에서 1 Mai 다시 마시에게 가는데 다양을 하는데 아니라면 하는데 하지만 하지만 하는데
Motioned by: Daisy Kiyaani	
Seconded by: Helene Nelson	-4
Larry Billah, President	Lynn Doesy Lynn Dean, Vice - President
Marlene Biltah, Secretary/Treasurer	Germaine Simonson, Council Delegate



# Navajo Nation Kayenta Chapter Post Office Box 1088 Kayenta Chapter, Navajo Nation, AZ 86033 Chapter Resolution



Resolution No: KY23-12-04

<u>Supporting the Local Residents and Traditional Land Users of Black Mesa, and Opposing the Proposal, Funding, and Development of the North, East and South Black Mesa Pumped Storage Projects.</u>

- The Kayenta Chapter is a certified chapter pursuant to Navajo Nation (NN) Council Resolution CAP-34-98, known as the Navajo Nation Local Governance Act (26 N.N.C § 1 et seq.); and is authorized to make decisions over local matters, including land use management; and
- 2. The Kayenta Chapter acknowledges its responsibility and duty to safeguard the health of our land, our people and its native wildlife and plant species for the sake of our children and grandchildren yet to be born, all in accordance and in compliance with our traditional law, Nahasdzáán dóó Yádiłhił Bitsąądęę Beenahaz'áanii Diné Natural Law (1 N.N.C. § 205); and
- The Kayenta Chapter recognizes that decades of strip mining for coal have damaged the health and productivity of the sacred lands, groundwater and springs located on Black Mesa, that our people and non-human relatives depend on, and this extensive damage has not been adequately addressed and remedied; and
- 4. The Kayenta Chapter recognizes that restoring Black Mesa land and its resources to premining conditions is a top priority, and opposes further industrial development and use of the Navajo Nation's pristine waters, including the groundwater and aquifer beneath Black Mesa; and
- The Kayenta Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would require 450,000 acre feet of water to begin operations, and would require additional water to continue operations; and
- The Kayenta Chapter understands, acknowledges, and recognizes that water required for the proposed Black Mesa North, East, and South Pumped Storage Projects would come from the San Juan River, the Colorado River and/or Black Mesa groundwater and the Navajo Aquifer; and
- 7. The Kayenta Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would, like coal strip mining, use Black Mesa's land and water to create and export electricity primarily for use at far away cities and for profit of investors far from the Navajo Nation; and
- 8. The Kayenta Chapter understands, acknowledges, and recognizes that preliminary permit applications for the Black Mesa North, East, and South Pumped Storage Projects were filed with the Federal Energy Regulatory Commission without first consulting with

- nor obtaining prior consent from the Kayenta Chapter's voting members, residents and local lands users of Black Mesa; and
- 9. The Kayenta Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-humans relatives, and Nahasdzáán dóó Yádiłhił Bitsąądęę Beenahaz'áanii – Diné Natural Law (1 N.N.C. § 205).

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

- 1. The Kayenta Chapter Hereby Opposes the proposal, funding, and development of the Black Mesa North, East and South Pumped Storage Projects, in whole or in part, for the protection of the sacred lands, groundwater, springs, resources, and native species located on Black Mesa; and the tribal members' traditional land uses.
- 2. The Kayenta Chapter further authorizes all its Chapter Officials, Administration, and current and future Honorable Council Delegate to take all actions necessary to fulfill the intent and purpose of this resolution.

#### CERTIFICATION

We, hereby, certify that the foregoing resolution was duly considered by the Kayenta Chapter at a duly called meeting in KAYENTA, Navajo Nation, Arizona; at which a quorum was present and that the same was passed by a vote of <u>20</u> in favor, <u>01</u> Opposed, and <u>04</u> abstaining this 19<sup>th</sup> day of April, 2023.

Motion: Delores Greyeyes Second: Joann Gray

Dalton Singer, President

Sally Chee/Vice President

Genevieve Benally, Secretary/Treasure

#### FOREST LAKE CHAPTER



Germaine Simonson, Council Delegate May Gilene Begay, President Rapheal Boy, Vice-President Brenda White, Secretary Treasurer Irene Begaye, Grazing Representative Ella M. Benally, Community Services Coordinator

> RICHELLE MONTOYA VICE-PRESIDENT

#### Resolution of the Forest Lake Chapter FLC-23-04-00 |

SUPPORTING LOCAL RESIDENTS AND TRADITIONAL LAND USERS OF BLACK MESA OPPOSING THE PROPOSAL, FUNDING AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS TO CONSTRUCT 9 RESERVOIRS WITH 8 POWERHOUSES USING 450,000 AF OF WATER.

#### WHEREAS:

- The Forest Lake Chapter is a recognized Chapter of the Navajo Nation Government pursuant to Navajo National Council Resolution CAP-43-98, known as the Navajo Nation Local Governance Act and herein codified in Title Twenty-six (26) of the Navajo Nation Code; and
- 2. Title Twenty-six (26) of the Navajo Nation Code allows Forest Lake Chapter to make decisions over local matters; and
- The Chapter supports traditional land use on Black Mesa consistent with the health of land, people, nonhuman relatives, and Nahasdzaan doo Yadilhil Bitsaadee Beehaz'aanii-Dine Natural Law (1 N.N.C. 205);
- 4. The Forest Lake Chapter recognizes that decades of coal mining has damaged the health and productivity of Black Mesa's land, groundwater, and springs that people and non-human relatives depend on; and
- The Forest Lake Chapter recognizes that restoring Black Mesa's land to pre-mining conditions is a top priority, and opposes further industrial use of the Navajo Nation water, including groundwater beneath Black Mesa: and
- 6. The Forest Lake Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East and South Pumped Storage Projects, if built, would construct new reservoirs, pipelines, power lines and other energy infrastructure atop Black Mesa; and
- 7. The Forest Lake Chapter understands, acknowledges and recognizes that the proposed Black Mesa North, East and South Pumped Storage Projects, if built, would require 450,000 acre feet of water to begin operations and would require additional water to continue operations for 100 years; and
- 8. The Forest Lake Chapter understands, acknowledges and recognizes that water required for the proposed Black Mesa North, East and South Pumped Storage Project would come from the San Juan River, the Colorado River or Black Mesa groundwater; and
- The Forest Lake Chapter understands, acknowledges and recognizes that the proposed Black Mesa North, East and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives and Nahasdzaan doo Yadilhil Bitsaadee Beehaz'aanii-Dine Natural Law (1 N.N.C. 205)
- 10. The Forest Lake Chapter understand, acknowledges and recognizes that the proposed Black Mesa North, East and South Pumped Storage Projects, if built, would, like coal mining, use Black Mesa's land and water to create and export electricity and profits to far away cities; and
- 11. The Forest Lake Chapter understand, acknowledges and recognizes that the proposed Black Mesa North, East and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives, and Nahasdzaan doo Yadilhil Bitsaadee Beehaz'aanii-Dine Natural Law (1 N.N.C. 205)
- 12. The Forest Lake Chapter understand, acknowledges and recognizes that the preliminary permit applications for the Black Mesa North, East and South Pumped Storage Projects were filed with the Federal Energy Regulatory Commission without consulting with or consent from the Forest Lake Chapter, residents and local land users; and

P.O. Box 441 Pinon, AZ 86510 Ph: (928)677-3252

Fax: (928) 677-3320

#### FOREST LAKE CHAPTER



Germaine Simonson, Council Delegate
May Gilene Begay, President
Rapheal Boy, Vice-President
Brenda White, Secretary Treasurer
Irene Begaye, Grazing Representative
Ella M. Benally, Community Services Coordinator

RICHELLE MONTOYA VICE-PRESIDENT

DR. BUU NYGREN PRESIDENT

NOW, THEREFORE, BE IT RESOLVED THAT:

SUPPORTING LOCAL RESIDENTS AND TRADITIONAL LAND USERS OF BLACK MESA OPPOSING THE PROPOSAL, FUNDING AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS TO CONSTRUCT 9 RESERVOIRS WITH 8 POWERHOUSES USING 450,000 AF OF WATER.

#### CERTIFICATION

We hereby certify that the foregoing resolution wa Lake Chapter on April 20, 2023 and the same was obtaining.	s duly considered and at a duly called meeting at Forest s passed by <u> </u>
Motion made by: Ruth Gilmbre Secong motion by: Dan Benally	
1	
President, May Gilene Begay	Council Delegate, Germaine Simonson

P.O. Box 441 Pinon, AZ 86510

Ph: (928)677-3252 Fax: (928) 677-3320

#### RESOLUTION OF THE DISTRICT FOUR GRAZING COMMITTEE

## SUPPORTING LOCAL RESIDENTS AND TRADITIONAL LAND USERS OF BLACK MESA OPPOSING THE PROPOSAL, FUNDING, AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS

- Pursuant to Navajo Nation Council Resolution CAP-38-98, the District Grazing Committee's Plan of Operation is codified in Navajo Nation Code Title 3, Chapter 5, Subchapter 5, Article 3, §871 et. Seq. giving authority and duties to the District Grazing Committee to conduct business and regulate Grazing and Livestock on Navajo Land; and
- Pursuant to CAP-34-90, the Navajo Nation Council approved the Navajo Nation Local Governance Act (LGA) that allows Navajo Nation Chapters to make decisions over local matters; and
- Pursuant to NNC Title 3, Chapter 5, Subchapter 5, Article§878, The District Grazing Committees provide services to Navajo Stockman and Land Users; and
- 4. The District Four Grazing Committee is hereby continued as the administrative body within the Navajo Nation Government with the primary responsibility of managing rangelands, livestock issues, enforcing the Navajo Nation Grazing Regulations, and other related issues on the Navajo Partition Land; and
- The District Four Grazing Committee supports traditional land use on Black Mesa consistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádiłhił Bitsąądęę Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205); and
- The District Four Grazing Committee recognizes that decades of coal mining has damaged the health and productivity of Black Mesa's land, groundwater, and springs that people and non-human relatives depend on; and
- The District Four Grazing Committee recognizes that restoring Black Mesa's land to premining conditions is a top priority, and opposes further industrial use of the Navajo Nation water, including groundwater beneath Black Mesa; and
- The District Four Grazing Committee understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would construct new reservoirs, pipelines, power lines, and other energy infrastructure atop Black Mesa; and

- The District Four Grazing Committee understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would require 450,000 acre-feet of water to begin operations and would require additional water to continue operations for 100 years; and
- 10. The District Four Grazing Committee understands, acknowledges, and recognizes that water required for the proposed Black Mesa North, East, and South Pumped Storage Projects would come from the San Juan River, the Colorado River, or Black Mesa groundwater; and
- 11. The District Four Grazing Committee understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádiłhił Bitsąądęę Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205)
- 12. The District Four Grazing Committee understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would, like coal mining, use Black Mesa's land and water to create and export electricity and profits to far away cities; and
- 13. The District Four Grazing Committee understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádiłhił Bitsąądęę Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205)

<ol><li>The District Four Grazing Committee ur</li></ol>	nderstands, acknowledges, and recognizes that
preliminary permit applications for the B	Black Mesa North, East, and South Pumped
Storage Projects were filed with the Fed	deral Energy Regulatory Commission without
consulting with or consent from the	Chapter, residents, and local land users; and

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

The District Four Grazing Committee opposes the proposal, funding, and development
of the Black Mesa North, East, and South Projects and requesting Navajo Nation
President Buu Nygren and the 25<sup>th</sup> Navajo Nation Council to oppose the preliminary
permit applications for the Black Mesa Pump Storage Project filed with the Federal
Energy Regulatory Commission.

#### CERTIFICATION

I herby certify the foregoing resolution was considered by the District 4 Grazing Committee at a duly called meeting in Pinon, Navajo Nation, [Arizona] at which a quorum was present and that

the same was passed by a vote of  $\underline{5}$  in favor  $\underline{0}$  opposed and  $\underline{0}$  abstained this  $\underline{3}^{rd}$  day of May 2023.

Motion: Irene Beyage

Second: Franklyn Tossie

Aaron Simonson, District 4 Chairman



#### RESOLUTION OF THE TOLANI LAKE CHAPTER

#### TL-05-08A-23

### SUPPORTING LOCAL RESIDENTS AND TRADITIONAL LAND USERS OF BLACK MESA OPPOSING THE PROPOSAL, FUNDING, AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS

- 1. The Tolani Lake Chapter is a recognized chapter of the Navajo Nation Government, pursuant to Navajo National Council Resolution CAP-34-98, known as the *Navajo Nation Local Governance Act* and herein codified in Title Twenty-six (26) of the *Navajo Nation Code*; and
- 2. Title Twenty-six (26) of the *Navajo Nation Code* allows Tolani Lake Chapter to make decisions over local matters; and
- 3. The Tolani Lake Chapter supports traditional land use on Black Mesa consistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádiłhił Bitsąądęę Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205); and
- 4. The Tolani Lake Chapter recognizes that decades of coal mining has damaged the health and productivity of Black Mesa's land, groundwater, and springs that people and non-human relatives depend on; and
- 5. The Tolani Lake Chapter recognizes that restoring Black Mesa's land to pre-mining conditions is a top priority, and opposes further industrial use of the Navajo Nation water, including groundwater beneath Black Mesa; and
- 6. The Tolani Lake Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would construct new reservoirs, pipelines, power lines, and other energy infrastructure atop Black Mesa; and
- 7. The Tolani Lake Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would require 450,000 acre-feet of water to begin operations and would require additional water to continue operations for 100 years; and
- 8. The Tolani Lake Chapter understands, acknowledges, and recognizes that water required for the proposed Black Mesa North, East, and South Pumped Storage Projects would come from the San Juan River, the Colorado River, or Black Mesa groundwater; and
- 9. The Tolani Lake Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádiłhił Bitsąądęę Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205)
- 10. The Tolani Lake Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would, like coal mining, use Black Mesa's land and water to create and export electricity and profits to far away cities; and
- 11. The Tolani Lake Chapter understands, acknowledges, and recognizes that preliminary permit applications for the Black Mesa North, East, and South Pumped Storage Projects were filed with

the Federal Energy Regulatory Commission without consulting with or consent from the Dził Yijiin (Black Mesa) Region Chapters, residents, and local land users; and

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

The Tolani Lake Chapter opposes the proposal, funding, and development of the Black Mesa North, East, and South Projects and requesting Navajo Nation President Buu Nygren and the 25th Navajo Nation Council to oppose the preliminary permit applications for the Black Mesa Pump Storage Project filed with the Federal Energy Regulatory Commission.

#### **CERTIFICATION**

We hereby that the preceding Resolution was considered in a regularly scheduled Chapter Meeting of the
Tolani Lake Chapter and moved for approval in a duly called meeting at the Tolani Lake Chapter, Navajo Nation, Arizona, at which a quorum was present and that the same was passed by a vote of sin favor, opposed, abstained on this side day of May 2023.
MOTIONED BY: George Kee
SECONDED BY: Lloyd McCabe
MINUTES BY: Gabriella Mehl, Tolani Lake-Chapter Secretary/Treasurer

Leland K. Dayzie, President

Anna M. Begay, Vice President

Gabriella Mehl, Secretary/Treasure



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#### RESOLUTION: LC05152023C

## SUPPORTING LOCAL RESIDENTS AND TRADITIONAL LAND USERS OF BLACK MESA OPPOSING THE PROPOSAL, FUNDING, AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS.

#### WHEREAS:

- 1. The LeChee Chapter is a recognized chapter of the Navajo Nation Government, pursuant to Navajo National Council Resolution CAP-34-98, known as the *Navajo Nation Local Governance Act* and herein codified in Title Twenty-six (26) of the *Navajo Nation Code;* and.
- 2. Title Twenty-six (26) of the Navajo Nation Code allows LeChee Chapter to make decisions over local matters; and,
- 3. The LeChee Chapter supports traditional land use on Black Mesa consistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádiłhił Bitsąądęę Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205); and,
- The LeChee Chapter recognizes that decades of coal mining has damaged the health and productivity of Black Mesa's land, groundwater, and springs that people and non-human relatives depend on; and,
- The LeChee Chapter recognizes that restoring Black Mesa's land to pre-mining conditions is a top priority, and opposes further industrial use of the Navajo Nation water, including groundwater beneath Black Mesa; and,
- The LeChee Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would construct new reservoirs, pipelines, power lines, and other energy infrastructure atop Black Mesa; and,
- The LeChee Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would require 450,000 acre-feet of water to begin operations and would require additional water to continue operations for 100 years; and,

Resolution: LC05152023C Sharla Dale Hunt Page: 1



Property of the AV warrest Programme 2000 F (928)008-2803 F, Inches Westernam and Department of the Company of

- The LeChee Chapter understands, acknowledges, and recognizes that water required for the proposed Black Mesa North, East, and South Pumped Storage Projects would come from the San Juan River, the Colorado River, or Black Mesa groundwater; and,
- 9. The LeChee Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádilhil Bitsqqdee Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205)
- 10. The LeChee Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would, like coal mining, use Black Mesa's land and water to create and export electricity and profits to far away cities; and,
- 11. The LeChee Chapter understands, acknowledges, and recognizes that preliminary permit applications for the Black Mesa North, East, and South Pumped Storage Projects were filed with the Federal Energy Regulatory Commission without consulting with or consent from the Black Mesa region Chapters, residents, and local land users; and,

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

The LeChee Chapter opposes the proposal, funding, and development of the Black Mesa North, East, and South Projects and requesting Navajo Nation President Buu Nygren and the 25<sup>th</sup> Navajo Nation Council to oppose the preliminary permit applications for the Black Mesa Pump Storage Project filed with the Federal Energy Regulatory Commission.

Noche

Motion: Iva Garena

Second: Roberta Lyons

pter President, JoAnn

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Chapter Vice-President, Cassie Scott

Sharla Dale Hunt
Chapter Secretary, Sharla Dale Hunt

Grazing Official, Tyler Manson

Council Delegate, Helena Nez Begay

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## DENNEHOTSO CHAPTER .25 Miles North of MP 417.5 on HWY 160 PO Box 2301 Dennehotso, Arizona 86535

Larry Tuni, Chapter President Tully Begay, Chapter Vice-President Julia Richards, Chapter Sec./Treasurer Kenneth Johnson, Grazing Official Shaandiin Parrish, Council Delegate

TELEPHONE: 928.658.3300/3301 FAX: 928.658.3304 EMAIL: dennehotso@navajochapters.org

Dr. Buu Nygren President

#### DCHMAY-072-2023

Richelle Montoya Vice-President

### RESOLUTION OF DENNEHOTSO CHAPTER – WESTERN AGENCY

SUPPORTING LOCAL RESIDNTS AND TRADITIONAL LAND USERS OF BLACK MESA OPPOSING THE PROPOSAL, FUNDING, AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS

- Dennehotso Chapter is a certified Chapter of the Navajo Nation established and recognized by the Navajo Nation Council as a foundation of the Navajo Nation government, vested with the authority to plan and implement projects in the best interest of the community, 1AW N.N.C., Section103 (D), and
- Pursuant to 25 N.N.C. Section 1 (B), Dennehotso Chapter is vested with the authority to review and
  make decisions on all matters affecting the community and to make appropriate corrections when
  deemed necessary and to make recommendations to the Navajo Nation and other local agencies for
  appropriate actions; and
- Title Twenty-six of the Navajo Nation Code allows Dennehotso to make decisions over local matters;
   and
- The Dennehotso Chapter supports traditional land use on Black Mesa consistent with the health of land, people, non-human relatives, and Nahasdzaan doo Yadilhil Bitsaadee Beejhazaanii – DineNatural Law 91 N.N.C. SS 205); and
- The Dennehotso Chapter recognizes that decades of coal mining has damaged the health and productivity of Black Mesa's land, groundwater, and springs that people and non-human relatives depend on; and
- The Dennehotso Chapter recognizes that restoring Black Mesa's land to pre-mining conditions is a top
  priority, and opposes further industrial use of the Navajo Nation water, including groundwater
  beneath Black Mesa; and
- The Dennehotso Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would construct new reservoirs, pipelines, power lines, and other energy infrastructure atop Black Mesa; and
- 8. The Dennehotso Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would require 450,000 acre-feet of water to begin operations and would require additional water to continue operations for 100 years; and

9. The Dennehotso Chapter understands, acknowledges, and recognizes that water required for the proposed Black Mesa North, East and South Pumped Storage Projects would come from the San Juan River, the Colorado River, or Black Mesa groundwater; and

#### NOW THEREFORE BE IT RESOLVED THAT:

 The Dennehotso Chapter opposes the proposal, funding, and development of the Black Mesa North, East, and South Projects and requesting Navajo Nation President Buu Nygren and the 25<sup>th</sup> Navajo Nation Council to oppose the preliminary permit applications for the Black Mesa Pump Storage Project filed with the Federal Energy Regulatory Commission.

#### CERTIFICATION

I, HEREBY certify that the foregoing resolution was duly considered by the Dennehotso Chapter, at a duty called meeting, in Dennehotso Arizona (Navajo Nation, Apache County) at which a quorum was present and that same was passed by a vote of 10 in favor, 00, opposed, 07, abstained, this, 19th,day of May, 2023.

Motion by: Frank Yazzie
Second by: Issac Todachine

Larry Tuni, Chapter President

Dennehotso Chapter Western Navajo Agency



**BODAWAY GAP CHAPTER** 

A Certified Chapter of the Navajo Nation

PO Box 1546 The Gap, Arizona 86020 Office: (928) 283-3493 Fax: (928) 283-3496 www.bodaway.navajochapters.org

Dorothy Lee

Lee Yazzie Jr

Lorella T. Seweingyawma

Leonard Sloan

Herbert Zahne

Helena Nez Begay

#### RESOLUTION OF THE BODAWAY GAP CHAPTER

Naaltsoos Bee Aa Nahodiitahhii

#### BA-05-042-23

Sponsor: Adrian Herder Co-Sponsor: Dolores Wilson-Aguirre

# SUPPORTING LOCAL RESIDENTS AND TRADITIONAL LAND USERS OF BLACK MESA OPPOSING THE PROPOSAL, FUNDING, AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS

- 1. Pursuant to Navajo Nation Codes Title 26, Section 3 (A), and Title 11, Section 10, the Bodaway/Gap Chapter is certified and recognized by the Navajo Nation Council, as listed at Navajo Nation Code Title 11, part 1, section 10; and
- 2. Pursuant to Navajo Nation Code Title 26 Section 1 (B) Bodaway/Gap Chapter is vested with the authority and responsibility to review all matters affecting the community, make appropriate corrections when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; and
- 3. Pursuant to Navajo Nation Code Title 26 Section 1 (B) Bodaway/Gap Chapter is given government authority with respect to local matters consistent with Navajo Law, including custom and tradition; and
- 4. The Bodaway Gap Chapter recognizes that decades of coal mining has damaged the health and productivity of Black Mesa's land, groundwater, and springs that people and non-human relatives depend on; and
- 5. The Bodaway Gap Chapter recognizes that restoring Black Mesa's land to pre-mining conditions is a top priority, and opposes further industrial use of the Navajo Nation water, including groundwater beneath Black Mesa; and
- 6. The Bodaway Gap Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would construct new reservoirs, pipelines, power lines, and other energy infrastructure atop Black Mesa; and
- 7. The Bodaway Gap Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would require 450,000 acre-feet of water to begin operations and would require additional water to continue operations for 100 years; and
- 8. The Bodaway Gap Chapter understands, acknowledges, and recognizes that water required for the proposed Black Mesa North, East, and South Pumped Storage Projects would come from the San Juan River, the Colorado River, or Black Mesa groundwater; and
- 9. The Bodaway Gap Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa, inconsistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yádiłhił Bitsqqdęę Beehaz'áanii--Diné Natural Law (1 N.N.C. § 205)

- 10. The Bodaway Gap Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would, like coal mining, use Black Mesa's land and water to create and export electricity and profits to far away cities; and
- 11. The Bodaway Gap Chapter understands, acknowledges, and recognizes that preliminary permit applications for the Black Mesa North, East, and South Pumped Storage Projects were filed with the Federal Energy Regulatory Commission without consulting with or consent from The Bodaway Gap Chapter, residents, and local land users; and

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

1. The Bodaway Gap Chapter opposes the proposal, funding, and development of the Black Mesa North, East, and South Projects and requesting Navajo Nation President Buu Nygren and the 25<sup>th</sup> Navajo Nation Council to oppose the preliminary permit applications for the Black Mesa Pump Storage Project filed with the Federal Energy Regulatory Commission.

#### CERTIFICATION

We, the undersigned Chapter Officials hereby certify the foregoing resolution which was discussed and considered by the Bodaway Gap Chapter voting membership at a duly called Regular Chapter Meeting at which a quorum was present and that same was passed on this 22<sup>nd</sup> day of May 2023, by a vote of 11 in favor, 01 opposed and 03 abstained.

MOTION BY: Kenebah Tisi

SECONDED BY: Gevern Begay

Dorothy Lee

President

Loretta T. Seweingvalvaa

Secretary/Treasurer

Lee Yazzie, Jr/

Vice-President

Leonard Sloan

**Grazing Officer** 

Honorable Helena Nez Begay 25th Navajo Nation Council

Chapter President
Allen Fowler Jr.

Chapter Vice-President

Lola Smith

Chapter

Secretary/Treasurer

Valerie Fowler

COPPERMINE CHAPTER

OF THE STATE OF TH

The Navajo Nation
Western Navajo Agency - District One
P.O. Box 1323 Page, Arizona 86040
Telephone No: (928) 691-1109

Council Delegate Helena Nez Begay

Grazing Committee
Stanford Fowler

Community
Service Coordinator
vacant

CO-05-030-23

## RESOLUTION OF THE COPPERMINE CHAPTER OF THE NAVAJO NATION

SUPPORTING LOCAL RESIDENTS AND TRADITIONAL LAND USERS OF BLACK MESA OPPOSING THE PROPOSAL, FUNDING, AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS

### WHEREAS:

- The Coppermine Chapter is a recognized chapter of the Navajo Nation Government, pursuant to Navajo National Council Resolution CAP-34-98, known as the Navajo Nation Local Governance Act and herein codifies in Title Twenty-six (26) of the Navajo Nation Code; and
- 2. The Twenty-six (26) of the Navajo Nation Code allows Coppermine Chapter to make decisions over local matters; and
- 3. The Coppermine Chapter supports traditional land use on Black Mesa consistent with the health of land, people, non-human relatives, and Nahasdzaáan dóó Yádilhil Bitsąądęę Beehaz 'aanii-Diné Natural Law (1 N.N.C.§ 205); and
- 4. The Coppermine Chapter recognizes that decades of coal mining has damaged the health and productivity of Black Mesa's land, groundwater, and springs that people and non-human relatives depend on; and
- 5. The Coppermine Chapter recognizes that restoring Black Mesa's land to pre-mining conditions is a top priority, and opposes further industrial use of the Navajo Nation water, including groundwater beneath Black Mesa; and
- 6. The Coppermine Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would construct new reservoirs, pipeline, power lines, and other energy infrastructure atop Black Mesa; and
- 7. The Coppermine Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would require 450,000 acre-feet of water to begin operations and would require additional water to continue operations for 100 years; and
- 8. The Coppermine Chapter understands, acknowledges, and recognizes that water required for the proposed Black Mesa North, East, and South Pumped Storage Projects would come for the San Juan River, the Colorado River, or Black Mesa groundwater; and
- 9. The Coppermine Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would destroy land and displace traditional land uses on Black Mesa inconsistent with the health of land, people, non-human relatives, and Nahasdzáán dóó Yadilhil Bitsqqdee Beehaz 'áanii- Diné Natural Law (1 N.N.C. § 205); and
- 10. The Coppermine Chapter understands, acknowledges, and recognizes that the proposed Black Mesa North, East, and South Pumped Storage Projects, if built, would, like coal mining, use Black Mesa's land and water to create and export electricity and profits to far away cities; and
- 11. The Coppermine Chapter understands, acknowledges, and recognizes that preliminary permit applications for the Black Mesa North East, and South Pumped Projects were filed with the Federal Energy Regulatory Commission without consulting with or consent from the Black Mesa region Chapters, residents, and local land users; and

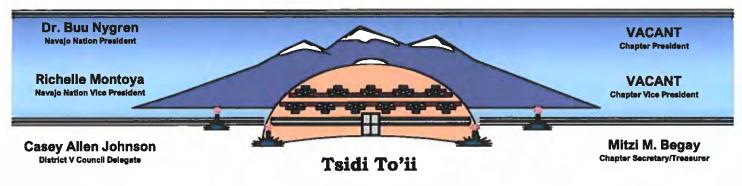
### NOW THEREFORE IT BE RESOLVED THAT:

 The Coppermine Chapter opposes the proposal, funding, and development of the Black Mesa North, East, and South Projects and requesting Navajo Nation President Buu Nygren and the 25th Navajo Nation Council to oppose the preliminary permit applications for the Black Mesa Pump Storage Project filed with the Federal Energy Regulatory Commission.

# CERTIFICATION

We, hereby, certify the foregoing resolution was considered at a duly called Chapter Meeting in Coppermine Chapter, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of <u>14</u> in favor, <u>0</u> opposed and <u>1</u> abstained this 29th day of May 2023.

Motion by: Stanford Fowler	Second by: Linda Long
Chapter President – Allen Fowler Jr.  Chapter Secretary/Treasurer – Valerie Fowler	Chapter Vice-President – Lola Smith  Stanford Forms  Chapter Grazing Official – Stanford Fowler
Council Delegate- Helena Nez Begay	



Steven Wagoner
Grazing Official

### JUNE 14, 2023, at 1:00 p.m. (dst) Tsidi To'ii Chapter Dome, Birdsprings, Arizona

Conference Call-In Number: 1-720-708-1191 and Access Code: 7355680

#### **PROPOSED AGENDA**

1A. Appoint Pro-Temp, Harry K Wagoner Motion: virgil long 2<sup>nd</sup>: marie barton Vote: 12 App 0 Opp 6 Abs

- 1. Meeting called to order by Harry K Wagoner at 1:26 pm (dst).
- 2. Invocation offered by Martha Huennan.
- 3. Roll Call- Mitzi Begay, Steven Wagoner, Harry K. Wagoner.
- 3.a Lynn Huennan sing a song
- 4. Review/Approval of Agenda made by Chapter Secretary Treasurer, Mitzi Begay.

Motion: Virgil Long Seconded: Marie Barton

App 13 Opp 0 Abs 6

Lynn Huennman – requested to be added to the report section to update on south birdspring flood residents. Virgil Long and Marie Barton approved.

5. Review/Approval of MAY Meeting Minutes by Mitzi Begay.

**Motion: Virgil Long** 

Seconded: Daraina Jackson

App 14 Opp 0 Abs 6

6. Financial Report - Report by Mitzi Begay, Chapter Secretary-Treasurer

Ending Balance Sheet as of 05/31/2023					
Funds	Amount	Funds	Amount	Funds	Amoun
Chapter Acitivities Fund	\$5,626.79	Scholarship General Fund	\$5,334.00	NN CIP	\$568.90
Personnel	\$230,466.72	Scholarship Claims Fund	\$3,060.80	NN 200,000 CIP	\$19,493,46
Land Claims Fund	\$5,167.42	PEP	\$37,518.56	Unhealthy Food Tax	\$57,261.56
Supplemental Youth Fund	\$31,941.96	Veterans Fund	\$2,000.00	Agriculture & Infrastru	\$0.29
HDF	\$20,663.59	Emergency Fund	\$7,358.85	Fraud Fund	(\$99,518.82
LGA Fund	\$1,842.39	Travel Fund	(\$3,306.68)	Deepwater Grant	\$17,963.0
Chapter Stipend	\$16,357.39	NN Sales Tax Fund	\$36,433.53	Total Balance	\$396,233.77

Motion: Marie Barton Seconded: Jeannie James App 12 Opp 0 Abs 6

#### 7. Old Business

#### 8. New Business

A. TT-06-04-2023 – REQUESTING AND SUPPORTING THE EMPLOYMENT OF CARLOS PADDOCK AS AN OPERATOR FOR THE TSIDI TO'II (BIRDSPRING) CHAPTER GRADER UNDER THE PUBLIC EMPLOYMENT PROGRAM.

Motion: Marie Barton Seconded: Jeannie James App 15 Opp 0 Abs 6

**Marie Barton** – is asking how far BIA will work on the road and can N2 be repaired? She had previously asked for the road to her home to be repaired.

**Dolly Wagoner** – Chapter has an MOA with BIA to repair 5 roads N2, N71, these are the only roads that can be graded due to moa agreement to bia. If you want the road to your home to be repaired, then you must rent the grader equipment. Grader can only be used by hired certified operators. LSCS does request to have bus routes to be maintained and this is due to the school purchasing tires for chapter graders. This agreement is for the bus routes only. Chapter also works with Senior Center and repair roads so they can safely repair roads they utilize. Other than that, for roads to homes and homesite lease the grader must be rented. Due to the cost of maintenance of grader and purchase of fuel cost.

Virgil Long – Someone needs to be out there to watch how he performs his job because he is not maintaining the road properly. He just blades the top and doesn't put the sand from the side back on the road. So, the residents need to safely travel this road and currently don't maintain the road properly.

Sam McCabe – During the meeting at TA he asked and was told that Road departments were given ARPA monies.

**Mitzi Begay** – Those ARPA monies are not to maintain side roads and only for new road construction, so those funds are already allocated.

Sam McCabe- there are roads that need to be maintained and could cause road hazards on certain roads. Harry Wagoner – Yes, BIA does maintain these side roads to remove sand off the fences and side roads and no one can just go in there and grade and maintain. We can notify BIA to do repairs.

Marie Barton - Does the county maintain any of these roads?

Harry Wagoner – NDOT goes around and grades only the roads that are listed on their projects. There is no longer a BIA Road committee.

?? - in the year 2000 the BIA was done away with so what does that mean.

Sam McCabe - Does BIA and NDOT can they be invited to the chapter to inform the community about their processes and talk about their process and road plans.

?? – she agreed to have the roads department come to the chapter to get informed.

Harry wagoner - We can set up meetings here at chapter and post on social media and here at chapter.

**B.** TT-06-05-2023 — REQUESTING TSIDI TO'II CHAPTER TO APPROVE AND AUTHORIZE A BUDGET OF \$2,112.19 FOR FY 2023 BRANDING PROJECT FOR TSIDI TO'II PERMITEES.

Motion: Alice McCabe Seconded: Marie Barton App 13 Opp 0 Abs 6

Steven Wagoner – he requested this resolution to hire 2 branding crews to start branding on July 22, 2023, and end in August 2023. If you start branding too early, you end up having issues with little calves and then the crew would have to come back and brand the newborn calves so to save time they are starting a little later in the summer. The two crews hired have their own horses, trucks, and trailers. This Saturday Mr. Wagoner is going with 2 workers to Padre Ranch to attend a seminar on branding and giving shots and show

how cattle should be handled. There should be about 200 heads of cattle to be branded to show those who show up for the seminar.

C. TT-06-06-2023 – APPROVE AND ACCEPT THE TSIDI TO'II MAY 2023 REVENUE IN THE AMOUNT OF \$2,208.20.

Motion: Alice McCabe Seconded: Marie Barton App 14 Opp 0 Abs 7

Dolly Wagoner – explained the purpose of this resolution. This is revenue collected by chapter by selling water, renting chapter, xerox copies and other revenue collected. These funds are redistributed back into chapter funds in the general fund account. The largest account we have to pay is to NTUA and that is where a majority of these funds are put back into. The deposits paid are at times not given back and are held and used for cleaning supplies and put back into chapter accounts.

Sam McCabe – when the chapter is rented and deposit is paid, when chapter is cleaned the deposit is given back.

Harry Wagoner – the deposit is given back is chapter is left in good condition. But if there are issues then deposit is held and used for repairs.

Sam McCabe - what about the trash?

Harry Wagoner – The renters need to take their trash.

D. TT-06-07-2023 – SUPPORTING LOCAL RESIDENTS AND TRADITIONAL LAND USERS OF BLACK MESA OPPOSING THE PROPOSAL, FUNDING, AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS.

Motion: Virgil Long Seconded: Daraina Jackson App 13 Opp 0 Abs 8

Adrian Herder, Project Lead for Campaign - Did presentation on the resolution their organization presented. This project is being proposed by Nature & People First Arizona, filed 11/7/2022, Federal Agency, Location on the Navajo Nation. This is a hydro project; this uses water to create electricity like that in Page Az. It will be located on the Northern Edge of Black Mesa and build a reservoir at top and bottom of black mesa to turn turbine and generate electricity. There are three sites being proposed in Black Mesa North, East and South projects. The top reservoirs are near Kayenta, and lower reservoirs are near Chilchinbito and rough rock and into many farms. Concerning this project, 1. Excessive water use. 2. Water source is not identified. 3. Water Evaporation. 4. No Community Consultation/consent. 5. Land and wildlife Impacts. There are other chapters that would be highly affected, and these are the 5 keys concerns. All 3 projects combined would require: 450,000-acre feet of water (126 trillion gallons initially. Water source: Black Mesa Groundwater and or the Colorado River and San Juan River. 8 Reservoirs near Black Mesa totaling 35,720 acres additional 8000-acre feet of water is est to be used to keep project going. 30- 40 miles of BM North and south will be impacted. 450,000-acre feet = 126 trillion gallons over 2 million 55-gallon barrels. This is a visual of the amount of water to be used. BM Pumped Storage Project; Nature & Project First have already applied for prelim permits for the three projects from the Federal Energy Regulatory commission. This project is asking for federal permits before consulting with or obtaining the consent of impacted communities on and near black mesa pump storage project. Resolutions have been collected from 16 chapters.

**Virgil Long** – This project should be opposed and spoken on the cons of this type of project. How should this be brought back to the people.

E. TT-06-08-2023 – SUPPORTING AND APPROVING THE PROPOSED LEGISLATION ENTITILED "AMENDMENT OF THE NAVAJO NATION COMMERCIAL TOBACCO TAX OF 2023" LED BY THE NAVAJO NATION AIR IS LIFE HEALTH COALITION.

Motion: Virgil Long Seconded: Jeannie James App 13 Opp 0 Abs 5

Thomas Walker Jr – Introduced himself and continued with resolution. This resolution was presented at the Planning Meeting. Air is Life Coalition is based out of Winslow across from the old police station.

Tobacco and its usage and the prevention and control policies in the county and state there are laws.

There are taxes on these commercial tobacco products being sold. The taxes from these sales on the Navajo Nation are being collected. Tobacco control efforts through education and policies and taxes.

This resolution will be presented to the Council Delegate and OPVP and have legislation changed. By increasing taxes, it becomes discouraging to buy tobacco products and kept away from the youth in our communities. The youth survey related are for at risk and conducted. 41% of our Navajo youth did use and do use commercial tobacco products. Prevention and deterrence from usage and if taxes are raised then the taxes can reduce the usage by our youth. So is asking for support in the passing of resolution.

Tolani Lake did pass this resolution on Monday, so did Coalmine, Cameron and Teesto and 9 other chapters that passed with their support.

Martha H - wanted resolution read.

Mitzi Begay – read the resolution in its entirety.

Al Pete – The NN has always sold tobacco. In 1990 the NN and State agreed to tax tobacco. The State agreed to collect all taxes and then send NN a percentage back to the nation. This resolution is to support the increase of tobacco tax and increase on the Navajo Nation to make taxes comparable to the state taxes and then agree on percentage. If the price does increase, then the youth won't purchase products.

#### 9. Scholarship Assistance --

A. Kimey Begaye

TT-06-01-2023

First generation college student and graduating 2023 from Fort Lewis College.

B. Ida Yazzie

TT-06-02-2023

C. Brennan Begaye

TT-06-03-2023

Introduced himself. His father is Stenson Begaye Sr and will be attending ASU and going for his nursing degree.

**Motion: Virgil Long** 

Seconded: DaRaina Jackson

App 13 Opp 0 Abs 5

#### 10. Housing Discretionary Fund Assistance – NONE

#### 11. Reports

A. Other

Dendrick Jones, Choice Wireless - dendrick.jones@ntuaw.com

Spoke on location of sale stores, location of fiber line equipment and can withstand cold weather and extreme heat. ACP Program, Affordable Connectivity Program Broadband. You will need to have ahcccs, ssi and snap are some qualifying programs. You can visit any store and sign up for broadband You will need two forms of ID, SS card, Award Letter, and proof of residency. Based on income ACP Customer Eligibility can be reviewed and provided service. The federal income level did go up to \$29,000.00 for more ppl to qualify for program. Affordable Connectivity Program, broadband, Modem outside of house to communicate to tower, connected to router and Wi-Fi

signal. Free Professional installation, technicians are certified and trained. Broadband Plans, what type of internet user are available, prices are \$44.99 to \$64.99.

#### Leonard Chee, IHS - absent

#### Alfred Pete, WIHCC Liaison

Medical services in the larger bldg and dental you are still required to wear masks. For the covid-19 test there be a separate drive through, respiratory clinic is also closed. Now you are still required to enter the main hospital but have masks for visits. Regarding Just Move It, this is to get residents out of their homes to join walks and there are incentives. This program is to motivate to help you start walking for better health and be consistent. Exercising is key to better health. Regarding Job Fair for Dilkon Healthcenter. All positions at the job fairs are for NON-medical positions. Hiring departments are environmental services, facilities mgmt., general services, nutrition and food services, security, and housing: all positions are for Dilkon medical facility. If all the paperwork is brought in and you qualify then you can be hired on the spot. The three dates are set for job fair June 15<sup>th</sup> at Winslow Chamber of Commerce, June 16<sup>th</sup> at Teesto Chapter and June 21<sup>st</sup> at Winslow Chamber of Commerce.

#### Lynn Huenanman - South Birdspring Resident Reports

Update on situation at South Birdspring flood area. Little Colorado River has the Long family that live in this area. The families were walking through water to get back to their homes and feed their livestock. The bridge is still blocked off with debris. The family has been trying to get attention for the NN to get numerous solutions. The council delegate is not helping or responded to help the Long family. ACOE is working on barriers to surround the homes in the affected homes. Some homes do have mold in one hogan of Ruth & Brittany Taylor. NHA is an option, but families are hesitant to accept but they are afraid they can't pay the rent. Sarah Slim, Chris Stanton, ACOE, NDOT, they were to meet yesterday online and meet every two weeks regarding the flooding within 3 districts. Clearing out the river or putting in a levee or berm and raising the bridge are some of the solutions put forth. The family wants to prevent this type of flooding in the future. The meetings are not being communicated to the community. Nothing is happening in the area or community.

Virgil Long — Would like to recommend the chapter to put up a sign stating that they are on Navajo Nation land. They have no business on the Navajo Nation land. Maybe have NDOT put up a sign.

#### Theo Shorty-Navajo Uranium Workers Program, Shiprock Az

Years ago in 1990 Radiation Exposure Compensation Act, apology, those affected by Uranium exposure. This program allows to serve 300925 Navajos have been compensated for the affects of Uranium. There is an expiration date that is coming up quickly and there are still Navajos that were affected and may not know about the program. 1951-1958 nuclear bombs were being tested in New Mexico and the Arizona residents were affected with cancer. In 1962 in June – July in Arizona and you were affected with cancer then come to office and see if you qualify to be compensated from this organization. Shiprock office is too far so tomorrow June 15<sup>th</sup> the organization will be at Dilkon Chapter.

Sam Mccabe asked if all those who got cancer can get compensated.

Theo Shorty stated only those who lived downwind from the area of the nuclear testing, and they were diagnosis for cancer then they are compensated as downwinder. If you worked in the Uranium mine the death certificate, then the spouse or children can be compensated. WIHCC should have an office RESEP clinic at various locations and they can refer patients to this organization.

**Martha H** – told a story about one of her patients that her father used to work in the uranium mine. The mom passed away from cancer post 1971.

B. Council Delegate

Casey Allen Johnson - absent

C. Grazing Official

Steven Wagoner

Friday, BQA Seminar will be held here at Tsidi To'ii Chapter, with Gray Farrell, extension agent from UofA. He teaches about livestock health and how shots should be given. Certification can be applied for and given for a price of \$5.00. This certification allows you to give livestock shots, and how to care for your livestock. This month there were two homesite lease applicants and were approved. The other was where the home was already set and the homesite lease is just now being filled out.

Virgil Long – what time is the seminar on Friday, and do you have to be a grazing permit holder? Steven Wagoner – time is 9 am dst and you don't have to have a grazing permit and it is open to the public.

Sam McCabe – these seminars should be held more frequently.

Steven Wagoner – stated these seminars are held as often as possible. The medicine isn't to be sold over the counter until June 30<sup>th</sup> regarding antibiotics. Vaccinations are ok to still purchase over the counter. USDA put these rules on NN livestock owners.

D. Veteran Committee

Richard David - absent

E. Chapter Officials

Mitzi Begay

F. School Board Members -

#### Little Singer Community School, Harry Wagoner

School Board Reapportionment has 5 members only and other board members were told their terms would be ending. Now there is only Charter Board members and they work with community school, using buses, lunch and summer school.

Leupp Schools Inc - absent

G. County Supervisors -

Angie Cody and/or Linda Curley, Coconino County Supervisor Rep

Fern Benally, Navajo County Supervisor - absent

H. Health Board -

Ray Curley, WIHCC Board Member - absent

I. CHR -

Nanneray Nez - absent

#### 12. Announcements

Planning Meeting:

July 6, 2023, at 1:00 pm

Regular Meeting:

July 20, 2023, at 1:00 pm

District 5 Grazing Meeting: July 7, 2023, at 9:00 am

District 5 Public Mtg:

tba

Veterans Meeting:

**CLUPC Meeting:** 

tba

Western Agency Meeting

tba tba

13. Adjournment

Meeting was adjourned at 4:50 pm.

Motion: Virgil Long

Seconded: Donna Begay App 10 Opp 0 Abs 0



#### **NAATSIS'AAN (NAVAJO MOUNTAIN) CHAPTER REGULAR MEETING minutes**

Saturday, May 20, 2023; 10:00 - 2:00pm

Google Meet joining info

Video call link: https://meet.google.com/nre-stzz-trh

Or dial: (US) + 1 585 441 0197 PIN: # 9230S0653

Patricia Blackhorn President Darlene Pino Vice-President Ella J Badoni Secretary/Treasurer Russell Smallcanyon Grazing Representative Herman Daniels Council Delegate

#### **Regular MINUTES**

#### Meeting call to order 1.

The meeting called to order by NMC President: Patricia Blackhorn, at 12:10 am

#### II. Roll Call

NMC President: Patricia Blackhorn, NMC Vice-President: Darlene Pino, NMC Secretary/Treasurer: Ella J Badoni, NMC Grazing Representative: Russell Smallcanyon

#### 111. Invocation

NMC Community member: Gordon Folgheraiter

#### IV. Review and Approval of Saturday, May 20, 2023 regular meeting agenda

Note: The Naatsis'aan Chapter used In-person meeting with a quorum of 1S and 25 quorum. NMC President: Patricia Blackhorn, reads the Saturday, May 20, 2023, regular meeting agenda. Motion by NMC Community member: Gordon Folgheraiter and second by NMC Community member: Mary Lou John Vote twenty-six in favor, zero opposed 0 abstained, CNV

#### Discussion:

NMC Community member: Alta Stevens stated the Student Enrichment Fund policy to be put back to the Community members. The fund is allocated for Student Enrichment fund for all students of Naatsis'aan Community.

NMC Community member: Gordon Folgheraiter request to combine the three Resolutions and refer to the next meeting, or complete them.

#### V. Review and Approval of Sunday, April 16, 2023 chapter regular meeting minutes

NMC President: Patricia Blackhorn, reads the Sunday, April 16, 2023, regular meeting minutes Motion by NMC Community member: Russell Smallcanyon and second by NMC Community Member: Mary Lou John. Vote twenty-six in favor, zero opposed, zero abstained, CNV

#### VI. **Financial Report for April 2023**

The Naa Tsis' Aan (Navajo Mountain) Chapter hereby approves the April 2023 Financial report Presented below:

Fund Code	Account Title	March Beginning Balances	April Revenues	April Expenditures	April Ending Balances
01	Chapter Activities General Fund	\$ 68,465.75	\$ 114.27		\$ 68,580.02
03	Land Claims Trust Fund	\$ 8,453.03		\$ 481.82	\$ 7,971.21
08	Summer Youth Fund	\$ 52,338.01			\$ 52,338.01
09	Housing Discretionary Fund	\$ 75,013.05			\$ 75,013.05
10	LGA Grant Fund	\$ 117,072.24		\$ 318.58	\$ 116,753.66
12	Chapter Stipend Fund	\$ 38,122.37			\$ 38,122.37
13	Scholarship General Fund	\$ 12,000.00		\$ 3,000.00	\$ 9,000.00
14	Scholarship Claims Fund	\$ 3,450.00			\$ 3,450.00
15	Public Employment Project Fund	\$ 94,838.80		\$ 2,925.51	\$ 91,913.29
16	Veterans Fund	\$ 13,667.68	<u> </u>		\$ 13,667.68
17	Emergency Fund	\$ 42,749.23		\$ 120.01	\$ 42,629.22
18	Drought Fund	\$ 38,423.79			\$ 38,423.79
20	San Juan County	\$ 11,374.13			\$ 11,374.13
23	NN Sales Tax Fund	\$ 204,346.26			\$ 204,346.26
25	Capital Improvement (\$180,000)	\$ 263,999.15			\$ 263,999.15
27	NN CIP (\$200,000)	\$ 148,452.85			\$ 148,452.85
34	Agriculture Infrastructure Fund	\$ 11.97			\$ 11.97
40	HDNA	\$ 74,129.20			\$ 74,129.20
51	Other - Eehaniih Day	\$ 15,974.70			\$ 15,974.70
	Total	\$ 1,282,882.21	\$ 114.27	\$ 6,845.92	\$ 1,276,150.56

Resolution#: NMC05-2023-055: APPROVING THE NAATSIS'AAN (NAVAJO MOUNTAIN)
 CHAPTER'S APRIL 2023 FINANCIAL REPORT IN 3RD QUARTER OF FISCAL YEAR 2023 IN
 AMOUNT OF \$1,276,150.56

NMC Secretary/Treasurer: Ella J Badoni reads the April 2023 Financial Report in Navajo And English to the Naatsis'aan community members. Motion by NMC Community member: Anna Benally, and second by NMC Community member: Gordon Folgheraiter Vote twenty-six in favor, zero opposed, 0 abstained, CNV

#### VII. Old Business

#### 1. RESOLUTION#: NMC04-2023-048: MARCH REVENUE REPORT

NMC Community member: Gordon Folgheraiter motioned to tabled this item and second by NMC Community member: Anna Benally. Vote twenty-six in favors, zero opposed, zero abstained, CNV

2. RESOLUTION#: NMC04-2023-049: MARCH BUDGET REPORT

NMC Community member: Gordon Folgheraiter motioned to tabled this item and second by NMC Community member: Anna Benally. Vote twenty-six in favors, zero opposed, zero abstained, CNV

3. RESOLUTION#: NMC04-2023-050: FY2023 HEALTHY DINE NATIONS ACT

NMC Community member: Gordon Folgheraiter motioned to tabled this item and second by NMC Community member: Anna Benally. Vote twenty-six in favors, zero opposed, zero abstained, CNV

4. RESOLUTION#: NMC04-2023-051: FY2023 SALES TAX ALLOCATION

NMC Community member: Gordon Folgheraiter motioned to tabled this item and second by NMC Community member: Anna Benally. Vote twenty-six in favors, zero opposed, zero abstained, CNV

#### VIII. New Business

1. RESOLUTION#: NMC05-2023-056: APPROVING THE NAATSIS'AAN (NAVAJO MOUNTAIN) APRIL 2023 DEPOSIT FOR NAATSIS'AAN (NAVAJO MOUNTAIN) CHAPTER FUND IN THE AMOUNT OF \$875.10

NMC President: Patricia Blackhorn, reads the resolution# NMC05-2023-056, Motion by NMC Community member: Gordon Folgheraiter request to **Tabled** and recommend to make separate. Fund account for the Student Enrichment allocation from Verizon. Request to review the Student Scholarship and Enrichment Fund, Plan of Operation, and second by NMC Community Member: Anna Benally. Vote twenty-six in favors, zero opposed, zero abstained, CNV

 RESOLUTION#: NMC05-2023-057: REQUESTING UTAH MONETARY ASSISTANCE IN THE AMOUNT OF \$7,000.00 TO NAATSISAAN COMMUNITY SCHOOL TO FUND YEAR END SCHOOL FIELD TRIP FOR GRADES (3<sup>RD</sup>-8<sup>TH</sup>) GROUP STUDENT ENRICHMENT TO SAN DIEGO, CALIFORNIA ON MAY 15 – 19, 2023

NMC President: Patricia Blackhorn, reads the resolution# NMC05-2023-057, Motion by NMC Community member: Gordon Folgheraiter and second by NMC Community Member: Anna Benally. Vote twenty-six in favors, zero opposed, zero abstained, CNV

3. RESOLUTION#: NMC05-2023-058: REQUESTING UTAH MONETARY ASSISTANCE IN THE AMOUNT OF \$7,000.00 TO NAVAJO MOUNTAIN HIGH SCHOOL TO FUND YEAR END SCHOOL FIELD TRIP FOR GRADES (9th 12<sup>TH</sup>) GROUP STUDENT ENRICHMENT TO SALT LAKE CITY, UTAH ON APRIL 24 - 28, 2023

NMC President: Patricia Blackhorn, reads the resolution# NMC05-2023-058, Motion by NMC Community member: Gordon Folgheraiter and second by NMC Community Member: Anna Benally. Vote twenty-six in favors, zero opposed, zero abstained, CNV

4. RESOLUTION#: NMC05-2023-059: APPROVING THE NAATSIS'AAN (NAVAJO MOUNTAIN) CHAPTER'S SUMMER YOUTH EMPLOYMENT PROJECT FISCAL YEAR 2023 IN AMOUNT OF \$14,400.00

NMC President: Patricia Blackhorn, reads the resolution# NMC05-2023-059, Motion by NMC Community member: Anna Benally and second by NMC Community Member: Lorena Tomasyo. Vote twenty-six in favors, zero opposed, zero abstained, CNV

- RESOLUTION#: NMC05-2023-060: EARTHEN DAMS TO BE RENOVATED OR REBUILD
   Motion by NMC Community member: Gordon Folgheraiter defers to the next meeting,
   and second by NMC Community Member: Anna Benally. Vote twenty-six in favors,
   zero opposed, zero abstained, CNV
- 6. RESOLUTION#: NMC05-2023-061: CELL TOWERS ON THE MOUNTAIN (NO NEW TOWERS) Motion by NMC Community member: Gordon Folgheraiter defers to the next meeting, and second by NMC Community Member: Anna Benally. Vote twenty-six in favors, zero opposed, zero abstained, CNV
- 7. RESOLUTION#: NMC05-2023-062: ENDISCHEE SPRING TO BE REPLACE WATER TANKS AND CLEAN PIPELINE

Motion by NMC Community member: Gordon Folgheraiter defers to the next meeting, and second by NMC Community Member: Anna Benally. Vote twenty-six in favors, zero opposed, zero abstained, CNV

8. RESOLUTION#: NMC05-2023-063 SUPPORTING LOCAL RESIDENTS AND TRADITIONAL LAND USE OF BLACK MESA OPPOSING THE PROPOSAL, FUNDING, AND DEVELOPMENT OF THE NORTH, EAST, AND SOUTH BLACK MESA PUMPED STORAGE PROJECTS

NMC President: Patricia Blackhorn, reads the resolution# NMC05-2023-063,

Motion by NMC Community member: Gordon Folgheraiter and second by NMC Community Member: Russell Smallcanyon. Vote twenty-six in favor, zero opposed, zero abstained, CNV

NMC Community member Gordon Folgheraiter request to do consent agenda from IX. Guest Report To XX. Benediction. second by NMC Community Member: Lorena Tomasyo. Vote twenty-six in favor, zero opposed, zero abstained, CNV

#### IX. Guests Reports/Presentations

- 1. Honorable Council Delegate: Herman Daniels
- 2. LDA: Elsie Smallcanyon
- 3. Coconino County Supervisor: Lena Fowler
- 4. Navajo County Supervisor: Fern Benally
- X. Enrichment
- XI. Archeological Clearance Assistance requests
- XII. Veterans' Financial assistance request
- XIII. Housing assistance requests
- XIV. Emergency financial assistance requests

XVIII. Reports (written reports can be submitted to the chapter email): <a href="mailto:navajomountain@navajochapters.org">navajomountain@navajochapters.org</a>

- 1. Chapter Administration/Kayenta ASC
- 2. Russell Smallcanyon, Grazing Official
- 3. Jefferson Begay, Commander, Naatsis'aan Veterans Organization
- 4. Willie Grayeyes, School Board member
- 5. Vacant, Utah Health Systems
- 6. Ruby Burns, Naatsis'aan Senior Center
- 7. Anna Mae Jim, Dine Advisory Council- Naatsis'aan Representative

- 8. Ronald Little, President, Community Land Use Plan Committee
- 9. Hank Stevens, President, Navajo Mountain Water Users Association
- 10. Patricia Blackhorn, President, Naatsis'aan Chapter
- 11. Darlene Pino, Vice President, Naatsis'aan Chapter
- 12. Ella J. Badoni, Secretary/Treasurer, Naatsis'aan Chapter

#### IXX. Announcements

Naatsis'aan Chapter Planning meeting, Friday, May 12, 2023 at 8 am

Naatsis'aan Chapter Regular meeting, Saturday, May 20, 2023 at 10 am

#### XX. Benediction

NMC Grazing Representative: Lorena Tomasyo

#### XXI. Adjournment

NMC Grazing Representative: Russell Smallcanyon, adjourned the meeting at 3:19 pm, Second by NMC Community member: Lorena Tomasyo, Motion carried with Vote: Twenty-five in favor, zero opposed, zero abstained, CNV



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