



23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

FOR IMMEDIATE RELEASE

September 8, 2015

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Resources and Development Committee directs Navajo Nation officials to reopen irrigation systems

TSE BONITO, N.M. –The Resources and Development Committee on Tuesday approved Legislation No. 0304-15, directing the reopening of irrigation systems in the Northern Agency and directing the Navajo Nation Division of Natural Resources and the Navajo Nation EPA to assist in opening the irrigation systems to allow Navajo farmers and ranchers to use water from the San Juan River for farming and livestock purposes.

RDC Chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat), said he sponsored the legislation following several meetings between the RDC and impacted farmers who requested that the water be released and that farmers be provided the option to open their individual head gates to allow for irrigation or to keep them closed.

Since the spill at Gold King Mine on Aug. 5, the Navajo Nation has reopened the Fruitland Canal System which provides irrigation water to the communities of San Juan, Upper Fruitland, and Nenahnezad. However, the water restriction remains in place for a separate irrigation canal that feeds water to the communities of Shiprock and Gadi'í'áhi.

Delegate Shepherd acknowledged resolutions passed by the Shiprock Chapter and Tse'Daa'Kaan Chapter to keep the irrigation canals closed, but pointed out that Gadi'í'áhi Chapter also passed a resolution to support the release of water for irrigation purposes.

“We should allow individuals farmers to use the water at their discretion,” stated Delegate Shepherd, following clarification from Gadi'í'áhi Chapter Farm Board president Gilbert Harrison, who explained that allowing water to flow past the Shiprock Chapter to reach the community of Gadi'í'áhi would not hinder the ability of local farmers to keep their head gates closed if they choose not to utilize the water.

Harrison was joined by Council Delegate Amber Kanazbah Crotty (Beclabito, Cove, Gadi'í'áhi/To'Koi, Red Valley, Tooh Haltsooi, Toadlena/Two Grey Hills, Tsé ałnáož't'í'í) who represents the community and Chapter president Carol Etcitty-Roger, read a statement to the RDC in which he questioned why the resolutions passed by Shiprock Chapter and Tse'Daa'Kaan Chapter should prevent Gadi'í'áhi Chapter from receiving water from the San Juan River.

“Does any one chapter have the right or authority to impose hardship on another chapter?” asked Harrison, noting that local farmers continue to face mounting economic hardship the longer the restriction remains in place.

RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) said the Gadi'í'áhi Chapter should not be bound by the resolutions passed by other chapters and also pointed out that a memorandum from the Attorney General states that chapters lack the authority to have the irrigation canals opened or closed.

On Aug. 28, Attorney General Ethel Branch issued a memorandum in which she stated, "Chapters do not own or control the irrigation canals and thus do not have authority to order the opening or closing of the irrigation headgates."

"You can't let only certain chapters open and not others. We need to respect the requests of Gadi'ahii Chapter," stated Delegate Tsosie.

During Tuesday's meeting, RDC members also approved two separate amendments proposed by Delegate Tsosie. One amendment changed language referencing "supporting" to "directing" the reopening of the irrigation canals and the other was to add a resolution from Gadi'ahii Chapter supporting the release of water from the San Juan River as an exhibit to the legislation.

RDC members voted 3-1 to approve Legislation No. 0304-15. The RDC serves as the final authority for the legislation.

In accordance to Title II of the Navajo Nation Code, the Resources and Development Committee has oversight authority over the Division of Natural Resources and the Navajo EPA, as well as interests such as water and agriculture.

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