



23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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Health, Education, and Human Services Committee opposes hydraulic fracturing within the Navajo Nation

WINDOW ROCK – On Monday, the Health, Education, and Human Services Committee approved Legislation No. 0121-16, which would establish the Navajo Nation’s position to oppose hydraulic fracturing, also known as “fracking” within the Navajo Nation.

According to the legislation, hydraulic fracturing is the injection of fluid into shale beds at high pressure in order to free up petroleum resources such as oil and gas. It creates fissures in the rock deep beneath the earth’s surface, which allows oil and gas to flow into a well that will collect the petroleum resources.

Legislation sponsor Council Delegate Jonathan Hale (Oak Springs, St. Michaels) said due to high concern regarding the effects of fracturing, the need to oppose the resource extraction method would allow the Navajo Nation to carry out and complete studies to ensure the land can withstand such a traumatic process underground.

“During the Naabik’íyáti’ Committee meeting last week, we received a report from consultants from the Navajo Nation Oil and Gas Company who provided information regarding the benefits of fracturing, however, they failed to report adverse effects of this evasive method on the land,” said Delegate Hale.

Delegate Hale clarified that the legislation is to oppose hydraulic fracturing, but does not prohibit the future implementation of the resource extraction method.

EHSC member Council Delegate Nelson S. BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch’ izhi) raised concerns regarding the language in the legislation, stating that he had concern over using the term “opposing” rather than “prohibiting” hydraulic fracturing.

“There is a moratorium on uranium, so maybe we can do the same thing until it’s safe to allow it or if the Nation decides to do this in the future,” said Delegate BeGaye.

Delegate BeGaye suggested placing a moratorium on hydraulic fracturing until the appropriate studies and documents have been completed to evaluate the environmental effects on the land, surface, and ground water.

Navajo Nation Office of Legislative Counsel attorney Ron Haven, said if the legislation were to be amended to place a moratorium on hydraulic fracturing, it would significantly change the intent of the bill, and recommended that a separate legislation be drafted to begin the moratorium process.

Delegate Hale said the intent of the current legislation is to begin dialogue on the issue and to be open with Navajo chapters and citizens, as well as to calculate the costs associated with maintaining the fracturing wells and to research preventative measures in the event of an incident.

“The verbiage was put out there, but I wanted to see who would come out of the woodwork and support this. We are the lawmakers and we have to talk about this issue openly,” said Delegate Hale. “We also have to consult our medicine people to get their views on this issue – it is a community concern.”

HEHSC members voted 3-0 to approve Legislation No. 0121-16, which now goes to the Resources and Development Committee for consideration. The Naabik’iyáti’ Committee serves as the final authority on the bill.

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