

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0080-21_

SPONSOR: Daniel Tso

TITLE: An Action Relating to Naabik'íyáti' Committee; Establishing the Navajo Nation's Position to Protect and Preserve the San Francisco Peaks, a Sacred Mountain and Cultural Property, for the Navajo People and Other Indigenous Relatives

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0080-21

DATE: April 30, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO NAABIK'ÍYÁTI' COMMITTEE; ESTABLISHING THE NAVAJO NATION'S POSITION TO PROTECT AND PRESERVE THE SAN FRANCISCO PEAKS, A SACRED MOUNTAIN AND CULTURAL PROPERTY, FOR THE NAVAJO PEOPLE AND OTHER INDIGENOUS RELATIVES

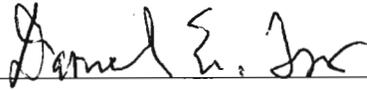
PURPOSE: To establish the Navajo Nation's position to protect and preserve the San Francisco Peaks, a sacred mountain and cultural property, for the Navajo people and other Indigenous relatives.

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

5-DAY BILL HOLD PERIOD 13201012X
Website Posting Time/Date _____
Posting End Date: 05-15-2021
Eligible for Action: 05-16-2021

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 24TH NAVAJO NATION COUNCIL—THIRD YEAR, 2021

3 INTRODUCED BY

4 
5 _____

6 Primary Sponsor

7 TRACKING NO. 0080-21

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9 AN ACTION

10 RELATING TO NAABIK'ÍYÁTI' COMMITTEE; ESTABLISHING THE NAVAJO
11 NATION'S POSITION TO PROTECT AND PRESERVE THE SAN FRANCISCO
12 PEAKS, A SACRED MOUNTAIN AND CULTURAL PROPERTY, FOR THE
13 NAVAJO PEOPLE AND OTHER INDIGENOUS RELATIVES
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16 **WHEREAS:**

- 17 A. Statements of policy, enactment of positive law, intergovernmental agreements, budget
18 resolutions, and reallocations, must be reviewed and approved by resolution by the
19 appropriate standing committee(s) and the Navajo Nation Council except as otherwise
20 provided herein. 2 N.N.C. § 164 (A)
- 21 B. The Navajo Nation established the Naabik'iyáti' Committee as a Navajo Nation Council
22 standing committee and as such empowered Naabik'iyáti' Committee to coordinate all
23 federal programs and to assist and coordinate all requests for information, appearances
24 and testimony relating to federal legislation impacting the Navajo Nation. 2 N.N.C. §§
25 164 (A)(9), 700 (A), 701 (A)(4), 701(A)(6). *See* also CO-45-12.
- 26 C. The Navajo Nation has a government-to-government relationship with the United States
27 of America, Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.
- 28 D. The San Francisco Peaks are considered a sacred mountain used for tribal religious
29 practices and ceremonies; and is a cultural property of thirteen (13) other Indigenous
30

1 Relatives (tribes) to include the Navajo, Hopi, Havasupai, Hualapai, Yavapai-Apache,
2 and White Mountain Apache.

3 E. For the Navajo, the San Francisco Peaks are the sacred mountain to the west,
4 *Doko'oo'sliid'*, interpreted as "Shining On Top" and is a key boundary marker for the
5 Navajo Nation.

6 F. The San Francisco Peaks is a place where medicine men of many tribes collect herbs for
7 healing ceremonies.

8 G. Since 1979, the United States Forest Service has permitted the Snow Bowl Ski Resort to
9 operate on its slopes.

10 H. In 2009, and despite legal challenges of tribes, the resort received legal clearance to use
11 reclaimed wastewater to make additional snow, a desecration of the sacred slopes and a
12 threat to the pure drinking water supplied by the mountain aquifer.

13 I. Protection of the San Francisco Peaks will preserve its cultural and historic legacy and
14 maintain its diverse array of natural and religious significance and values for the benefit
15 of Native Americans and all Americans.

16 J. The Navajo Nation Human Rights Commission, by Resolution NNHRCUL-08-20,
17 attached as **Exhibit A**, requests the support of the Navajo Nation to protect and preserve
18 the San Francisco Peaks from further development. **Exhibit A** includes Naabik'iyati'
19 Committee Resolution NABIS-58-11.

20 K. University of Arizona Indigenous People's Law & Policy (IPLP) faculty, staff, and
21 students have petitioned the Organization of American States, Inter-American
22 Commission on Human Rights (IACHR) to protect the San Francisco Peaks and the
23 religious practices and spiritual beliefs of the Navajo people.

24 L. Additional supporters against the development of the San Francisco Peaks are the Dine'
25 Medicine Man's Association, Sierra Club, Flagstaff Activist Network, and the Southwest
26 Center for Biological Diversity.

27 M. The people of Arizona, New Mexico, and Utah include many Native American tribes. To
28 continuously allow the development of the San Francisco Peaks would dishonor the will
29 of the people of Navajo Nation and other Indigenous tribes.
30

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27 continuously allow the development of the San Francisco Peaks would dishonor the will
28 of the people of Navajo Nation and other Indigenous tribes.
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1 N. The Navajo Nation finds it in the best interest of the Navajo People to support its position
2 to protect and preserve the San Francisco Peaks, a sacred mountain and tribal cultural
3 property for the Navajo People and other Indigenous relatives.
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5 **NOW THEREFORE, BE IT RESOLVED:**

6 A. The Navajo Nation hereby authorizes the Navajo Nation President, the Navajo Nation
7 Speaker, to affirm its position of protecting and preserving the San Francisco Peaks, a
8 sacred mountain and cultural property, for the Navajo people and other Indigenous
9 relatives.
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