LEGISLATION NO: _0196-21_  SPONSOR: Herman Daniels, Jr.

TITLE: An Action Relating to the Resources and Development Committee, Naabik’íyáti’ Committee, and the Navajo Nation Council; Supporting United States Senate Bill S. 1535 Titled "America's Red Rock Wilderness Act"

Date posted: September 10, 2021 at 10:55PM

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Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

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DATE: September 10, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTÍ COMMITTEE, AND NAVAJO NATION COUNCIL; SUPPORTING UNITED STATES SENATE BILL S. 1535 TITLED “AMERICA’S RED ROCK WILDERNESS ACT”

PURPOSE: This resolution, if approved, will endorse United States Senate Bill S. 1535 titled “America’s Red Rock Wilderness Act”

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.
PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL — Third Year, 2021
INTRODUCED BY

Primary Sponsor

TRACKING NO. 0196-21

AN ACTION
RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE,
NAABIK'ÍYÁTI COMMITTEE, AND THE NAVAJO NATION COUNCIL;
SUPPORTING UNITED STATES SENATE BILL S. 1535 TITLED “AMERICA’S
RED ROCK WILDERNESS ACT”

WHEREAS:
A. The Navajo Nation has a government-to-government relationship with the United
B. The Navajo Nation Council is the governing body of the Navajo Nation with the
   responsibility and authority to promulgate policies of the Navajo Nation. 2 N.N.C. §§
   102(A) and 164(A).
C. The Naabik’iyáti Committee is a standing committee of the Navajo Nation Council
   with the authority and responsibility to hear and act on all resolutions that require
   final action by the Navajo Nation Council. 2 N.N.C. §§ 164 (A)(9) and 700 (A).
D. The Resources and Development Committee is a standing committee of the Navajo
   Nation Council with oversight authority over water, land, environment,
   environmental protection, cultural resources, and wildlife, etc. and the authority and
   responsibility to protect the rights, interests, sacred sites and freedoms of the Navajo
   Nation and Navajo People regarding such resources, now and for future generations.
   2 N.N.C. §§ 500 (A), (C), and (C)(1).
E. On January 20, 2021, President of the United States, Joe Biden issued Executive Order No. 13990 entitled: "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crises" ("Executive Order on the Climate Crisis") stating that "[o]ur Nation has an abiding commitment to [...] promote and protect our public health and the environment; and conserve our national treasures and monuments, places that structure our national memory" and "[w]here the Federal Government has failed to meet that commitment in the past, it must advance environmental justice . . ."

F. President Biden further stated in the Executive Order on the Climate Crisis that the policy of the Biden Administration is to "listen to the science; to improve public health and protect our environment to ensure access to clean air and water; to limit exposure to dangerous chemicals and pesticides: to hold polluters accountable, including those who disproportionately harm communities of color and low-income communities; to reduce greenhouse gas emissions, to bolster resilience to the impacts of climate change; to restore and expand our national treasures and monuments; and to prioritize environmental justice . . ."

G. President Biden also issued a "Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships" ("Memorandum on Tribal Consultation") on January 26, 2021, which stated that "[i]t is a priority of my Administration to make respect for Tribal sovereignty and self-governance, commitment to fulfilling Federal trust and treaty responsibilities to Tribal Nations, and regular, meaningful, and robust consultation with Tribal Nations, a cornerstone of Federal Indian policy." The memorandum further states that the U.S. has made promises to Tribal Nations for at least two centuries and "[h]onoring those commitments is particularly vital now, as our Nation faces crises related to health, the economy, racial justice, and climate change - all of which disproportionately harms Native Americans".

H. President Biden further stated in his Memorandum on Tribal Consultation that the Federal Government has much to learn from Tribal Nations and his "Administration
is committed to honoring Tribal sovereignty and including Tribal voices in policy deliberation that affects Tribal Communities."

I. President Biden next issued Executive Order No. 14008 titled: "Tackling the Climate Crisis at Home and Abroad" on January 27, 2021, which acknowledges the profound climate crisis, and sets forth his Administration's policy of making climate considerations an essential element in its decision-making process on a broad scale, in order to avoid setting the world on a dangerous, potentially catastrophic, climate trajectory.

J. The President's Executive Order No. 14008 further initiated a directive whereby thirty percent (30%) of the United State's lands and waters are to be conserved and preserved by 2030 ("30x30") in order to reduce greenhouse gas emissions.

K. The Navajo Nation Council recognizes that conserving the undeveloped lands and resources currently managed by the federal government in Utah will help in President Biden's effort to address climate change and will also help protect and preserve the cultural, prehistoric and historic records and legacy of the Diné and other Native Peoples, and the cultural traditions and practices of Native Peoples that continue today.

L. The Navajo Nation Council also recognizes that one of the best tools the U.S. Congress has to help meet the President's "30x30" goal is to legislatively designate all of the qualified undeveloped public lands in Utah as Wilderness pursuant to the Wilderness Act of 1964 (Pub. L. 88-577).

M. The Navajo Nation Council further recognizes that management of Wilderness is one of the strongest and most protective designations available to public lands and will keep fossil fuels in the ground so that greenhouse gases and other pollution that exacerbates climate change will not be produced during the exploration, development and eventual combustion of those natural resources.

N. The Navajo Nation Council is sadly aware of the significant negative long-term health impacts to our People, and the extensive environmental impacts to our lands and water that the Diné have suffered from the exploration and development of oil, gas and uranium near our homes and communities, and recognizes that these fossil
fuel resources and minerals, once put into production, have also caused broader climate change impacts.

O. The Navajo Nation Council appreciates and supports that designating undeveloped lands as Wilderness will provide quantifiable carbon sequestration benefits, and important climate adaptation benefits to plants and wildlife, and will also conserve scarce water resources and reduce fugitive dust emissions which exacerbate climate change effects.

P. The Navajo Nation Council further acknowledges that lands covered by United Senate Bill S. 1535 titled “America's Red Rock Wilderness Act”, attached as Exhibit A, with map attached as Exhibit B, including lands that were within the boundaries of the original Bears Ears National Monument established by Presidential Proclamation No. 9558 on December 28, 2016, are culturally and traditionally significant to many Native peoples, including the Diné.

Q. The Navajo Nation Council also acknowledges and recognizes that for hundreds of generations Native peoples have lived in the canyons and mountains and on the mesas included in America's Red Rock Wilderness Act and that these sensitive areas comprise one of the most extensive and significant cultural landscapes in the United States.

R. The Navajo Nation Council additionally recognizes that the rock art, cliff dwellings and other structures and ceremonial sites located on lands included in America's Red Rock Wilderness Act, are the critically important records of Native peoples’ habitation that tells the story of the subsistence of daily life, traditions, and ceremonies of many generations past.

S. The Navajo Nation Council recognizes that the cultural importance of the lands and resources included in America's Red Rock Wilderness Act are sacred to many Native peoples, including the Navajo, and that important historic remnants of Navajo Hogan's, pottery, sweat lodges, sheep-herding camps and farming are found throughout the lands included in America's Red Rock Wilderness Act.

T. The Navajo Nation Council is also aware there is a remarkable variety of plant species, including sensitive plants that are critical to Navajo traditional and
ceremonial uses that grow in areas included in America's Red Rock Wilderness. Furthermore, that many species of wildlife whose habitats are included in America's Red Rock Wilderness Act are important to Navajo ceremonies and the Navajo way of life.

U. The Navajo Nation Council firmly believes that protecting the lands and resources included in America's Red Rock Wilderness Act - from Cedar Mesa to the Book Cliffs, from the San Rafael Swell and the Escalante to the West Desert - will help protect and preserve the cultural prehistoric and historic records which are the legacy of the Navajo and other Native peoples, and will help protect the plants and animals that are part of Navajo heritage and cultural traditions and practices that continue through today.

V. The Navajo Nation Council is sadly aware that there are various activities, including mineral and energy development, unmanaged recreation, vandalism and looting, and other actions that harm the cultural and natural resources on public lands included in America's Red Rock Wilderness Act, S.1535. Designating these lands as Wilderness will better protect these cultural and natural resources from damaging development and activities.

W. As the governing body of the Navajo Nation, the Navajo Nation Council, with support from Navajo Nation Chapters (see chapter resolutions attached as Exhibit C) hereby supports S. 1535 and Congressional wilderness designation for and protection of lands within America's Red Rock Wilderness Act to help address the climate crisis as set forth in Executive Orders No. 13990 and 14008.

THEREFORE, BE IT RESOLVED:

A. The Navajo Nation Council hereby supports United States Senate Bill S. 1535 titled, “America’s Red Rock Wilderness Act” attached hereto as Exhibit A.

B. The Navajo Nation Council hereby authorizes the Speaker of the Navajo Nation Council, President of the Navajo Nation, and their designees, to support United States Senate Bill S. 1535 titled, “America’s Red Rock Wilderness Act”.