

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0076-23_

SPONSOR: Danny Simpson

TITLE: An Action Relating to Resources and Development and Naabik'iyáti Committees; Rescinding Resolution NABIJA-05-20 "Opposing H.R. 2181 and S. 1079, 'The Chaco Heritage Area Protection Act of 2019', Until Such Time as the Buffer Zone Surrounding Chaco Cultural National Historical Park is Reduced to Five (5) Miles;" Opposing the Withdrawal of Approximately 351,000 Acres of Public Land Surrounding Chaco Canyon

Date posted: April 14, 2023 at 3:16PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0076-23

DATE: April 13, 2023

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND NAABIK'ÍYÁTI' COMMITTEES; RESCINDING RESOLUTION NABIJA-05-20 "OPPOSING H.R. 2181 AND S. 1079, 'THE CHACO HERITAGE AREA PROTECTION ACT OF 2019', UNTIL SUCH TIME AS THE BUFFER ZONE SURROUNDING CHACO CULTURAL NATIONAL HISTORICAL PARK IS REDUCED TO FIVE (5) MILES;" OPPOSING THE WITHDRAWAL OF APPROXIMATELY 351,000 ACRES OF PUBLIC LAND SURROUNDING CHACO CANYON

PURPOSE: The purpose of this proposed resolution is to:

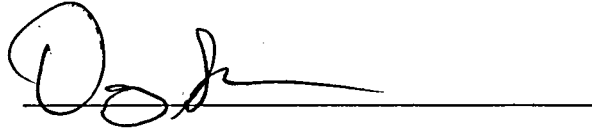
1. Rescind Resolution NABIJY-05-20,
2. Oppose a buffer zone around Chaco Canyon, and to
3. Oppose the withdrawal of public land around Chaco Canyon.

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:
Website Posting Time/Date:
Posting End Date: 04-19-23
Eligible for Action: 04-20-23

PROPOSED STANDING COMMITTEE RESOLUTION
25th NAVAJO NATION COUNCIL—FIRST YEAR, 2023

INTRODUCED BY



Primary Sponsor

TRACKING NO. 0076-23

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND NAABIK'ÍYÁTI'
COMMITTEES; RESCINDING RESOLUTION NABIJA-05-20 "OPPOSING H.R. 2181 AND
S. 1079, 'THE CHACO HERITAGE AREA PROTECTION ACT OF 2019', UNTIL SUCH
TIME AS THE BUFFER ZONE SURROUNDING CHACO CULTURAL NATIONAL
HISTORICAL PARK IS REDUCED TO FIVE (5) MILES;" OPPOSING THE WITHDRAWAL
OF APPROXIMATELY 351,000 ACRES OF PUBLIC LAND SURROUNDING CHACO
CANYON

WHEREAS:

- A. The Navajo Nation established the Resources and Development Committee as a Navajo Nation Council standing committee and as such empowered the Resources and Development Committee with authority to establish Navajo Nation policy with respect to the optimum utilization of all Navajo Nation resources and to protect the rights, interests, sacred sites and freedoms of the Navajo Nation and People to such resources, now and for future generations. 2 N.N.C. §§ 500 (A) and (C)(1).
- B. The Navajo Nation established the Naabik'iyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'iyáti' Committee to coordinate all federal programs and to assist and coordinate all requests for information, appearances and testimony relating to federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 700 (A), 701 (A)(4), 701(A)(6).

1 C. The Navajo Nation has a government-to-government relationship with the United States
2 of America, Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.

3 D. The Navajo Nation Council approved Naabik'iyáti' Committee Resolution NABIJA-05-
4 20, titled, "OPPOSING H.R. 2181 AND S. 1079, 'THE CHACO HERITAGE AREA
5 PROTECTION ACT OF 2019', UNTIL SUCH TIME AS THE BUFFER ZONE
6 SURROUNDING CHACO CULTURAL NATIONAL HISTORICAL PARK IS
7 REDUCED TO FIVE (5) MILES" on January 23, 2020, which is attached as **Exhibit 1**.

8 E. The purpose of Resolution NABI-05-20 was to oppose federal legislation proposing a
9 ten-mile buffer zone around Chaco Canyon and to offer a five-mile buffer zone as an
10 alternative.

11 F. While the 24th Navajo Nation Council sought to minimize negative economic impacts
12 with a smaller buffer zone, the 25th Navajo Nation Council is concerned that any buffer
13 zone, in addition to the withdrawal of public land, will have a detrimental impact to
14 Navajo Nation allottees by preventing the development of new oil and gas resources on
15 allotments as a result of the allotments being landlocked.

16 G. The Navajo Nation Chapters of Pueblo Pintado, Whitehorse Lake, Lake Valley, and
17 Nageezi (the "Chapters") have expressed opposition to land withdrawal and the
18 imposition of any buffer zone around Chaco Canyon.

19 H. The Chapters submitted resolutions in opposition to a buffer zone as follows:

- 20 1. Resolution of Pueblo Pintado, PPC-02-2023-022, attached as **Exhibit 2**;
- 21 2. Resolution of Whitehorse Lake, WHLC-2-22-033, attached as **Exhibit 3**;
- 22 3. Resolution of Lake Valley, LVC-FEB12-029, attached as **Exhibit 4**; and
- 23 4. Resolution of Nageezi, NC-23-032, attached as **Exhibit 5**.

24 I. The Chapters recognize the detrimental economic impact to the Navajo allottees should a
25 buffer zone of any size be imposed around Chaco Canyon. If a buffer zone is adopted, the
26 Navajo allottees who rely on the income realized from oil and gas royalties will be
27 pushed into greater poverty.

28 J. Pueblo Pintado and Nageezi Chapters also challenge the need for a buffer zone based on
29 the current fence line that serves as a boundary to safeguard Chaco Canyon, as indicated
30 in **Exhibits 2 and 5**, respectively.

1 K. The 25th Navajo Nation Council wishes to support the Navajo Nation members who hold
2 allotted land in the area around Chaco Canyon and allow those members to maximize
3 their economic interests.
4

5 NOW THEREFORE, BE IT RESOLVED:

- 6 A. The Navajo Nation rescinds Resolution NABIJA-05-23 titled, "OPPOSING H.R. 2181
7 AND S. 1079, 'THE CHACO HERITAGE AREA PROTECTION ACT OF 2019',
8 UNTIL SUCH TIME AS THE BUFFER ZONE SURROUNDING CHACO
9 CULTURAL NATIONAL HISTORICAL PARK IS REDUCED TO FIVE (5) MILES."
10 B. The Navajo Nation opposes the United States intent of withdrawing approximately
11 351,000 acres around Chaco Canyon,
12 C. The Navajo Nation does not support a buffer zone around Chaco Canyon.

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