



25TH NAVAJO NATION COUNCIL

OFFICE OF THE SPEAKER

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Navajo Nation Council members receive input on the proposed San Juan River Mitigation Fund related to the Gold King Mine spill



PHOTO: Members of the 25th Navajo Nation Council meet with Navajo farmers in Nenahnezad, N.M. on May 4, 2023.

NENAHNEZAD, N.M. – On Thursday, Council Delegates Rickie Nez (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland), Eugenia Charles-Newton (Shiprock), and Curtis Yanito (Mexican Water, Aneth, Teecnospos, Tófikan, Red Mesa) hosted a meeting in Nenahnezad, N.M., to hear directly from Navajo farmers regarding a proposed legislation that would create the “San Juan River Mitigation Fund” to deposit all net proceeds and earnings awarded to the Navajo Nation through litigation settlements resulting from the Gold King Mine spill.

On Aug. 5, 2015, contractors for the Environmental Protection Agency were monitoring seepage in the abandoned Gold King Mine near Silverton, CO, when it breached and released three million gallons of waste into a tributary of the Animas River, which led into the San Juan River and affected many Navajo farmers' ability to irrigate their crops, which led to financial losses.

In June 2022, the Navajo Nation Department of Justice announced a settlement with the U.S. Environmental Protection Agency totaling \$31 million. In February, Delegate Nez introduced Legislation No. 0033-23 to create the fund. During the Council's recent spring session, he requested that the legislation be tabled by the Navajo Nation Council, to allow time for community meetings to be held to receive input and recommendations from Navajo farmers on the use of the settlement funds.

Delegate Nez stated, "The Gold King Mine spill was devastating for many Navajo farmers and their families. They depend on their farms for their livelihood so it's very important that we hear from them before we move forward with legislation. We have a duty to make sure that their voices are heard and that their input is a part of this important discussion. We have to serve the best interest of the farmers who were directly impacted."

At the request of Delegate Nez, Navajo Nation Attorney General Ethel Branch attended the meeting to explain that of the \$31 million, \$3 million is in the form of grant funding that the Navajo Nation will have to apply for, and \$14.5 million is for legal fees and expenses, which leaves \$13.5 million that will be deposited into the "San Juan River Mitigation Fund" if the legislation is approved.

"Our farmers are the backbone of America. On the Navajo Nation, farmers provide hay for our animals and also grow traditional food for our family. The Gold King Mine Spill devastated communities up and down the San Juan River but it also destroyed farms and the livelihood of many. Our intent in meeting with farmers is to hear what they want to do with the GKM settlement. We hope the settlement money will be used to restore farms and improve farming for generations to come," stated Delegate Charles-Newton.

During the meeting, community members spoke about the importance of ensuring that farmers are compensated for their losses, including those who did not receive individual settlement funds from the federal government. Several of the recommendations for the use of the funds included equal payout for farm permittees and creating an interest-bearing account. Additionally, several individuals recommended using the funds for projects along the river including the rehabilitation of irrigation canals, infrastructure improvements, operations and maintenance, materials and equipment, culvert diversion, pump station/insulation, rodent control, research the cost of proper operations and maintenance, construction of a filter station and reservoirs.

Speaker Crystalne Curley was also in attendance to offer her support and to hear the concerns from the Navajo farmers and community members. Delegate Charles-Newton informed the community that another meeting will be held in Shiprock, N.M. on May 18 to receive additional input on the establishment of the San Juan River Mitigation Fund.

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