



July 3, 2012

Diné Citizens:

When I introduced Legislation 0230-12 on June 9, I sponsored it with the intention of furthering the dialogue surrounding the Navajo-Hopi Little Colorado River (LCR) Water Rights Settlement. For several weeks now, much has been said by individuals and parties who either oppose or support the settlement. The introduction of my legislation initiated dialogue that has revealed important insights.

The legislation was posted to the Navajo Nation Council website for the five-day bill hold period, which initiated the ability for Diné citizens to submit their comments on the water rights settlement legislation. Comments are still being submitted and for this I thank the people for their prompt responses on this important issue.

I gave my word that all comments received by our office would be attached to the legislation. All comments we continue to receive will be added to the legislation. The legislation, along with public comments, has been considered by the oversight committees, which would not have been possible without sponsorship.

The Budget and Finance Committee considered the legislation on June 19 and acted upon the legislation with a tabling motion. The tabling motion automatically forwarded Legislation 0230-12 to the next committee, which was the Resources and Development Committee.

The Resources and Development Committee held a special meeting for the water rights settlement legislation on June 21. The committee voted down the legislation with five (5) opposing and zero (0) supporting; however, according to Title 2, the legislation continues to move forward.

On June 22 the Naa'biik'iyati' Committee also considered and voted down the legislation. The committee voted against the legislation with a vote of fifteen (15) opposing and three (3) supporting; however, the legislation continues to the full council where final authority rests.

Since the legislation was introduced, I, along with the Naa'biik'iyati' Committee Task Force on Water Rights, scheduled four hearings to take place in areas directly affected by the Navajo-Hopi LCR Water Rights Settlement.

The Naa'biik'iyati' Committee gave the directive to hold hearings in order to capture the Navajo public's comments on the water rights settlement. Four hearings were scheduled in the following locations: Ganado Chapter House (June 18), Pinon Chapter House (June 21), Dilkon Chapter House (June 25), and Leupp Chapter House (June 26).

In order to ensure that comments were captured correctly and efficiently, I made certain that a certified Navajo interpreter and a legislative recorder were present at each public hearing. Transcripts have been produced and will be attached to the legislation.

I am happy to say that we have received hundreds of comments and even more signatures on petitions. The four hearings conducted by the task force and legislative staff returned with a resounding “no” from each of the four communities. Although, it must be acknowledged that there are some individuals who expressed favorable comments toward the settlement.

The purpose of introducing the legislation was so Diné citizens, both those supporting and opposing, could be brought to the table for a healthy dialogue. Although I am confident in how well the conversation has gone, we have only begun to scratch the surface of the dialogue on a water rights settlement, a complex and complicated issue. I feel it is my responsibility to ensure this dialogue continues with the sole purpose of ensuring and strengthening the nation’s position.

I previously stated that an honest dialogue on the water rights settlement was necessary. In order for us, the Diné, to continue on the path to better governance, honest dialoging on the water rights settlement must continue.

This honest dialogue has been started as a result of my legislation’s introduction but dialogue will abruptly end if we decide on the water settlement during special session on July 5. Based on the concerns and conversations I have heard in committees and hearings, it has become obvious to me that the nation is not ready nor willing to accept the terms of the settlement as it currently stands.

However, this is not to be confused with an outright objection to a settlement as an option. The dialogue overwhelmingly revealed that more discussion is needed on the merits and contents of the water rights settlement in order for a full examination by all parties to occur.

The guiding tenets of my leadership have always been oriented toward inclusion, patience, and self-control. There is not a more relevant time for me to demonstrate the qualities of patience and inclusion than on the water rights settlement. I will employ these guiding tenets by requesting of council to table my legislation during special session and to give the directives I outline below.

To further the dialogue, I will be working with delegates and legislative staff to identify an outside party to conduct an independent review and analysis of the short-term and long-term effects of the water rights settlement. This is not a direct statement against the Navajo Nation Department of Justice Water Unit, but it is a necessary step to identify the negative and positive terms of the current agreement.

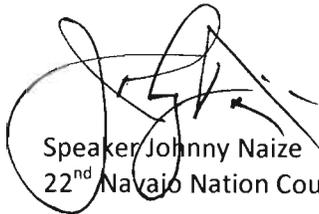
I will also advocate for new commission members to be appointed to the water rights commission. The purpose of these appointments is not punitive in nature. Instead, the purpose is to reinvigorate the commission to negotiate and advocate for the removal of the negative terms of the current settlement.

The newly appointed commission members will be required to involve the people more regularly and to engage the public in more creative and efficient ways.

We will not be strong armed into Washington based agreements that have requirements not directly related to the water rights settlement. We will not be idle as companies dictate terms of the settlement to our sovereign nation. We will not consider this legislation on others' terms. We will not be rushed into a settlement that a majority of our citizens are uncomfortable with.

We will practice patience on this matter. We will ensure that a water rights settlement decision is rooted in the involvement of all concerned parties. We will continue to listen to your concerns. We will not allow this legislation to power its way through the Navajo Nation.

It is time for the Navajo Nation to conduct a full, responsible, and non-biased analysis and review of the water rights settlement. After this is complete, not a moment sooner, we will return to the negotiating table.

A handwritten signature in black ink, appearing to be 'Johnny Naize', written over a circular stamp or seal.

Speaker Johnny Naize
22nd Navajo Nation Council