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Transportation and Community Development Committee attends groundbreaking for Navajo Division of Transportation Complex

Transportation and Community Development Committee attends groundbreaking blessing ceremony for new Navajo Division of Transportation Complex

TSE BONITO, N.M. – On Aug. 10, the Transportation and Community Development Committee of the 21st Navajo Nation Council participated in the traditional Navajo groundbreaking blessing ceremony for an \$18.3 million Navajo Division of Transportation Complex in Tse Bonito, N.M.

Medicine man Paul Long Sr., of Twin Lakes, N.M., offered his blessing for the groundbreaking of the new transportation complex, a Leadership in Energy and Environmental Design Gold certified facility. Mr. Long

explained to event attendees the purpose of the blessing and said the offering is made to Mother Earth for permission to dig and build on the selected site.

Event attendees included the Transportation and Community Development Committee (TCDC), including other Council delegates, Navajo President Joe Shirley Jr., Navajo Vice President Ben Shelly, Navajo Division of Transportation (NDOT) staff, New Mexico Sen. John Pinto (D), Rep. Patty Lundstrom (D-District 9), the Federal Highways Administra-

tion, Caterpillar, Dyrone Murphy Architects, New Mexico Department of Transportation, Arizona Department of Transportation (ADOT), Navajo Engineering and Construction Authority and other local officials.

The project is scheduled to start construction next month and be completed in Dec. 2011. The Bureau of Indian Affairs (BIA) will contribute \$15.7 million and Navajo Nation will contribute \$2.6 million for building the facility.

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A traditional Navajo ground blessing ceremony was held for the new Navajo Division of Transportation Complex on Aug. 10 in Tse Bonito, Ariz. Pictured in left photo is the Transportation and Community Development Committee at the ground blessing ceremony.

Resources Committee, Navajo EPA and federal agencies meet with Rep. Waxman staffers, regarding Navajo uranium five year plan

WASHINGTON, D.C. – August 19, members of the Resource Committee and the Navajo Environmental Protection Agency met with Rep. Henry Waxman's staff for an update on the progress of a Navajo uranium five-year plan implemented to address uranium contamination on the Navajo Nation.

The Navajo uranium five-year plan was initiated by Waxman in October 2007 following congressional hearings regarding uranium contamination on the

Nation, and a directive was issued to have federal agencies collaborate with the Nation to address the issue. Both the U.S. Environmental Protection Agency (EPA) and Navajo EPA are leading the cleanup efforts in partnership with the Bureau of Indian Affairs (BIA), Indian Health Service (IHS), the Nuclear Regulatory Commission (NRC) and U.S. Department of Energy (DOE).

Jeff Baran, counsel for Waxman's Committee on Energy

and Commerce, and Waxman's staff, facilitated the meeting where each agency provided updates in their respective areas.

Clancy Tenley and Deborah Schechter with U.S. EPA Region 9 opened up discussion on EPA's efforts to address uranium contamination at abandoned uranium mines, contaminated structures and water sources on the Navajo Nation.

"We have planned to cleanup

seven structures by this fall," Schechter said. "The goal is to assess and remediate at least 500 structures by the end of calendar year 2012. We work closely with the Navajo EPA who identifies and refers structures for cleanup."

Since 2007, the U.S. EPA and Navajo EPA have assessed 199 structures, demolished 27 structures, completed 14 replacement homes, and have removed ten yards of contaminated soil in uranium contaminated regions

"It is the position of the Navajo Nation to have these contaminants removed from the Navajo Nation,"

--George Arthur, Resources Committee Chairperson

across the Navajo Nation. In regards to water, Tenley said about 30 percent of Navajo families haul drinking water from unregulated waters that can contain uranium, arsenic and other standards. Currently, 235 unregulated water sources have been tested in uranium contaminated areas with 27 wells above uranium standards.

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Resources Committee, regarding Navajo uranium five year plan

"There are many unregulated sources of water," Tenley said. "We are working with Navajo EPA, but at this point we are unaware of how many more contaminated water sources there are."

Recently, the U.S. EPA, IHS, and U.S. Department of Housing and Urban Development committed over \$22 million for water infrastructure within 10 miles of 18 contaminated water sources, including water infrastructure serving over 300 homes and a water hauling program to serve 3,000 homes. Stephen Etsitty, executive director for Navajo EPA, said the Navajo Department of Water Resources will begin implementing the water hauling program.

"Our Navajo Department of Water Resources is ready to deploy the trucks, which will address water needs," he said.

On the issue of mining and mills, Tenley reported that in 2007 the EPA completed a multi-year effort to assess uranium contamination. In doing so, 520 mines have been identified as high risk mines in need of cleanup. It is U.S. EPA's goal to screen all 520 mines by the end of 2011. Currently, 87 mine screens are being screened.

U.S. EPA representatives said the Northeast Church Rock mine is one of the highest priorities on the Navajo Nation. The mine is the largest known underground uranium mine in the country, and radioactive waste piles

continue to flush into the nearby wash and onto land surrounding homes close to the mine. At the Northeast Church Rock site, approximately 100,000 cubic yards of contaminated soil have been removed and an Engineering Evaluation and Cost Analysis (EE/CA) for cleanup options has been developed.

Based on the EE/CA report, the EPA has identified five alternatives to address the site: 1) No action; 2) clean closure; 3) consolidation and covering of mine wastes at the site; 4) a repository on the Northeast Church Rock site; and 5) a repository at the United Nuclear Corporation (UNC) mill tailings area.

U.S. EPA's preference is to move all the mine contaminated material to the United Nuclear Corporation mill facility, which is alternative five under the EE/CA report. Removal of waste to the UNC mill facility would cost over \$40 million.

Tenley said total removal would be costly since the waste would need to be transported from the Northeast Church Rock site to a milling site in Idaho. The effort for total removal would cost \$293.6 million.

Honorable George Arthur said the Navajo Nation's position for cleanup options has always been for full disposal of radioactive waste.

"It is the position of the Navajo Nation to have these contaminants removed from the Navajo Nation," Arthur said. "If such a site was located in a different area such the city of Farmington, the waste would have been removed immediately. My people are still suffering from the effects of uranium."

"We understand that this option does not sit well with the federal agencies," Etsitty said. "I know EPA was hopeful the Navajo leadership would support a different alternative, but position still stands that we want total removal."

At the Skyline Mine, which is an abandoned mine in Oljato Chapter, surface surveys



Stephen Etsitty, George Arthur

conducted by the Navajo EPA's Superfund program in the mid-2000s indicate that radioactivity is elevated atop the mesa's slope and side drainage. Navajo EPA's findings resulted in the U.S. EPA securing \$7.8 million to address waste the Navajo Abandoned Mines Land Program was not able to address in the 1990s.

On August 8, the Oljato Chapter passed a resolution supporting a waste repository being placed near the mine site and storing waste from nearby mines atop Oljato Mesa.

"We can make a difference at this mine site," Tenley said. "It will be a temporary and completely protected for the long and short term. We will have adequate resources."

Arthur said the news of the repository is a concern because temporary could mean a longer period of time.

"Temporary is not a good word," Arthur said. "Temporary could be a long time and by how federal agencies refer to temporary usually means many years. That is a concern. We want to make sure it is temporary and not long term."

Jack Reaver of the BIA said the Tuba City Open Dump is still undergoing investigation, since

the BIA is the entity responsible for cleanup at that area. Navajo EPA expressed the need for more federal funding for this site because there is known plumes that have either moved toward or within major watersheds. The movement could possibly contaminate the Navajo Aquifer, a major groundwater supply to the Navajo Nation and Hopi Tribe.

"Tuba City has a shallow underground water system," Cassandra Bloedel, environmental program supervisor for Navajo EPA, said. "We have found uranium outside Tuba City Open Dump. We do not want to see contamination of these systems.

This is a site that will need greater concentration of funding down the road."

Also at Tuba City is the Highway 160 site, which is monitored by the U.S. DOE. The role of DOE in the five year plan is to monitor and maintain the disposal cells and operate ground water treatment systems. The Highway 160 site is located north of the former uranium processing facility known as Rare Metals Uranium and located north of U.S. Highway 160. Ray Plienness of U.S. DOE said the Highway 160 site has been fenced off and a soil fixative has been applied by El Paso Natural Gas, who monitors the site on a

monthly basis.

"We are much more involved with Navajo EPA and Navajo Department of Justice," Plienness said. "We maintain involvement with the Navajo Uranium Mill Trailing Remedial Action Program (UMTRCA). We sponsored a Navajo Nation federal intern and will bring that person on full time. We feel we have done a much better job with Navajo EPA and Navajo DOJ."

The DOE has provided funding to install and monitor new wells near Tuba City to address concerns about ground water contamination. Currently, nine wells have been identified and will be monitored by the Navajo Nation.

"We are in the process of having a public meeting at Tuba City," Plienness said. "The meeting is to get a more engaged view from the public. I do not think there is adequate proof of contamination. We need some empirical data."

Dave Taylor of Navajo DOJ disagreed, and added, "The Navajo Nation's stance is there is a link based on a number of lines of proof. There is direct witness evidence and numerous Hopi and Navajo people saw

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TCDC attends groundbreaking for NDOT Complex

The committee also attended a banquet at the Department of Diné Education to celebrate the Navajo Division of Transportation's one year anniversary of being a division. On July 21, 2009, the 21st Navajo Nation Council passed Resolution CYJ-21-09 with a vote of 69-1, which granted the Navajo Department of Transportation division status.

The banquet included Honorable Sampson Begay (Jeddito/Steamboat/Low Mountain), TCDC chairman, as a featured speaker and Honorable Peter MacDonald, former chairman of the Navajo Nation, as keynote speaker.

At the banquet, Tom Platero, executive director for NDOT, thanked all the tribal, state, and federal officials, his division staff and private sector entities for playing a key role in making the six year effort become a reality.

"The Navajo Nation has so much potential, so much that we are barely beginning to tap into what transportation could be on the Navajo Nation," Platero said, in his fifteen minute speech. "When we are able to provide information online to the public, when we tell you exactly what our graders have done and the partnerships with federal and state entities, we will become a true division. We are still four, five years away. We still need to build infrastructure such as this new facility."

"It took probably three years for the TCDC committee to really get to know us and build that trust. No one ever thought we would last that long," Platero said, adding that partnerships with programs in the Navajo government was important for infrastructure development across the Navajo Nation. "This committee said, 'You need to find what you want to do, where you want to be and what we can do to help you.' Our committee

has taken a lot of flak from people in the community, from the agency, who said, 'Why are you giving NDOT all this money?' It was because we needed infrastructure."

Platero informed attendees that NDOT was one vote away from receiving direct funding from the Federal Highways Administration, instead of through the BIA. "The Intergovernmental Relations Committee of the 21st Navajo Nation Council would need to approve a piece of legislation to grant direct funding to NDOT, which will allow us to work directly with the Federal Highways Administration on a government on a government-to-government basis," he said.

The TCDC members, including Council delegates from other standing committees, expressed their appreciation and support of NDOT's effort.

Honorable Begay said the efforts of previous leaders such

as Honorable Peter MacDonald and Honorable Mark Maryboy who advocated for Navajo who control was a continual effort among current tribal leaders and officials.

"I want to thank Mr. Tom Platero and his staff for working with us the last four years," Begay said. "The construction of this facility is the testament of our great leaders, including Honorable Peter MacDonald and Honorable Mark Maryboy and the TCDC committee."

"I am also a great believer in our youth," added Begay. "Some day our people, our youth will have learned enough to administer the road needs of our people. I believe that will happen."

"One year later, after the signing of the resolution, we celebrate the Navajo Division of Transportation's anniversary," added Honorable Leslie Dele (Tonalea), a member of TCDC. "The dream of TCDC and the

division is that 'One day we will have super highways as well as railways across the Navajo Nation'. Many of us said, one day we will be like ADOT."

"The accomplishments of this division during their first year as a fully functioning division of the Navajo Nation is impressive to say the least and I applaud their determination to help build one of the most essential elements of the Navajo Nation's infrastructure," added Jonathan Nez (Shonto), a member of the Budget and Finance Committee. "This element is not only a factor in maintaining a nation, but it is also a method of further building and increasing productivity for this powerhouse called the Great Navajo Nation."

In his keynote address, Honorable Peter MacDonald spoke on the "Beginnings of Navajo Division of Transportation" and offered his congratulations. "I want to congratulate the Navajo Division of Transportation," he said. "We

also cannot do very much work without the help of Council delegates."

"In the mid 1970s, when we started talking about our dream many people said, 'You guys can't do it, you do not even know how to drive a tractor,' MacDonald said. "And that really drove a whole bunch of us to say, 'We can do it.' As a matter of fact, anybody who says that Navajo cannot do it is talking on the fighting side of me and I get mad and I'll say, 'Navajos can do it because our people are smart. They know how to get things done.' This is one example, here."

"You folks have done a wonderful job with this Navajo Division of Transportation," added MacDonald. "You will be surprised how much economic development will be brought to the Navajo Nation with improved roads." ■

Council Delegate Lee Jack's efforts to build White Cone multipurpose facility given blessing by President Shirley

WINDOW ROCK, Ariz. — A \$5 million multi-purpose facility project will become a reality for the community of White Cone Chapter after a ten year effort led by Honorable Lee Jack Sr. President Joe Shirley Jr., signed documents today, which will officially begin construction.

The signing ceremony approves Arviso Construction Company, Inc., as the lead contractor with the project scheduled to break ground next month and be completed in the spring. The LAM Corporation of Gallup, N.M. is the principal architect and designer for the 17, 401 square feet project.

"This is a big accomplishment for the White Cone community; we have been working on this project for ten years," Jack (Whitecone/Indian Wells) said. "A big part of this project's progress is collaboration. We had the Navajo Abandoned

Mine Lands program conduct the site development and the Transportation and Community Development Committee provide funding from capital outlay funds."

Honorable Sampson Begay (Jeddito/Steamboat/Low Mountain), chairman of TCDC, sponsored legislation allocating \$4.5 million for construction and the Navajo Abandoned Mine Lands (AML) program providing \$300,000 for site preparation. In 1998, TCDC previously allocated \$250,000 for planning and design.

The White Cone Multipurpose Facility Project will be situated within the chapter's community development tract and will consist of a gymnasium with wood flooring and bleachers, a weight room, office spaces for rent and two large classrooms for meetings, trainings and conferences. A skateboard park

and baseball/softball field will also be built on the outskirts of the multipurpose complex. The skateboard park is funded by the Navajo Department of Parks and Recreation.

"The construction of the facility will provide jobs and a safe place where anyone can become involved in an active and healthy environment," Jack said. "The multi-purpose building will also help address diabetes, obesity, and will assist with achieving or maintaining a healthy body."

Jack also said White Cone High School will utilize the multipurpose facility for basketball, softball and baseball games. Currently, White Cone High School uses local elementary and middle schools for its athletic programs.

"This has been the community's dream and I thank them for their support, commitment



President Shirley signs documents for the construction of the White Cone Multipurpose Facility Project. Left to Right: Cal Thomason of LAM Corporation, Chapter President Bennie Hanley, Oran Arviso of Arviso Construction, President Shirley, Orville Arviso of Arviso Construction and Honorable Lee Jack. (Photo by Alastair Bitsoi). In the right photo: Debbie Hanley, Honorable Jerry Freddie, Bennie Hanley, and Honorable Lee Jack at May 24 ground breaking ceremony. (Photo by Laphillda Tso)

and patience," Jack said. "The chapter's advisory committee initiated this project and helped with the selection of the LAM Corporation as the principal architect." "On behalf of the White Cone

chapter, community and previous chapter officials, we are thankful," added Bennie Hanley, White Cone Chapter President. "Our next goal is to build a restaurant and hotel next to the complex.

The signing ceremony also included staffers from the Office of the Speaker, Office of the President, and Navajo AML's Madeline Roanhorse among other attendees. ■

Resources Committee, regarding Navajo uranium five year plan

trucks disposing waste, so there is proof.”

The Centers for Disease Control (CDC) reported in 2008 and 2009 it had assessed human exposure to drinking water contaminants and collected data from 296 households. The findings were that exposure to uranium was below levels known to cause health effects. During the 2009 and 2010 period, the CDC collaborated with the

Navajo Division of Health to conduct follow up visits with households that participated in the study.

“The communities we are serving call for a comprehensive health study,” Estitty said, in response to the CDC’s update. “We are asking federal agencies for their perspectives on funding for a comprehensive health study.”

The CDC’s Agency for Toxic

Substances and Disease Registry is currently in the process of conducting a study with the University of New Mexico that will evaluate potential associations with uranium exposure during pregnancy and adverse birth outcomes.

Dr. Doug Peter of Navajo Area IHS said there will be continual efforts to diagnose and treat health conditions to eligible

beneficiaries with a history of non-occupational exposure to uranium. Peter also said IHS would assess additional case control studies on health conditions.

Bill Von Till of NRC said that NRC met with EPA-Region 9 to discuss criteria for enhancing the tailings cover at UNC Church Rock and recently met with the state of New Mexico to discuss a site wide feasibility study,

evaluate remedial strategies to control plume migration towards Navajo Nation Land among other efforts.

At the end of the updates, all affiliated parties agreed progress had been made and that years of work remains to fully address the legacies of uranium mining on the Navajo Nation.

“I would like to thank all the

agencies for implementing this five year plan,” Arthur said. “A lot of information still needs to be gathered. There is an urgency of Navajo leadership to encourage federal agencies to continue and maintain their initiatives to continue addressing the situation we have lived under for decades.” ■

Councilwoman Hope MacDonald Lone Tree delivers 4,000 backpacks to help Navajo students succeed in school

TUBA CITY, Ariz. – For the third consecutive year, thousands of students from the Western Navajo Agency received backpacks with school supplies, thanks to the efforts of Councilwoman Hope MacDonald Lone Tree and the Office Depot Foundation’s initiative to help Navajo students succeed in school.

On Sept. 1, students of Tuba City Boarding School, ranging from kindergarten to the sixth grade, gathered to receive their new backpacks, which ranged in color from pink, yellow, blue, dark blue or shades of multicolor. The back packs consisted of a ruler, crayons, a glue stick, a pen, pencil, a pencil sharpener and an eraser.

Since 2000, the Office Depot Foundation has organized a National Backpack Program that they strongly believe makes a difference in a child’s academics by boosting their self-esteem and by building self confidence. In its 10th year, the Office Depot Foundation has donated more than 2.3 million backpacks to students across the United States, including the Navajo Nation.

Well aware there are not many families who can afford adequate school supplies for their children, MacDonald Lone Tree began working closely with the Office Depot Foundation in 2008. And for the past two

years, the Navajo Nation has participated in this donation program and received a total of 8,000 backpacks with an additional 4,000 backpacks this year.

“I thank the Office Depot Foundation for extending their compassion to Indian Country, particularly children on the Navajo Nation. Many Navajo families are finding it more and more difficult to provide some of the basic necessities due to financial hardship,” MacDonald Lone Tree said. “Our children need and deserve every opportunity there is for quality education and the materials to help them become the best that they can be. Our children have big dreams and we need to work together to make these dreams a reality.”

With smiles radiating through the gymnasium, students thanked MacDonald Lone Tree for her time and expressed gratitude for their new backpacks. Students held on tightly to their backpacks appreciating their new gifts as they repeatedly took-off and put-on their backpacks or quickly opened them to compare the contents.

When asked what his thoughts were about the annual backpack drive, Antonio Dale, a sixth grader, said, “The backpacks are great because they are used to help keep assignments and school books together. I like it because now students won’t



Top photo: Students pose for a picture after receiving their back packs from the Office of Depot Foundation, who delivered 4,000 back packs to the Western Navajo Agency. (Photo by Laphillda Tso)



lose their paperwork.”

The backpack distribution also coincided with spirit day at the Tuba City Boarding School to which Principal Don Coffland said was a successful occasion for the students.

“They are nice backpacks,” Coffland said. “The notes we send home and the students’ homework have a place to go now. I saw the students smiling as I was walking into the gymnasium and I want to thank all the participants for another successful day.”

MacDonald Lone Tree extends her gratitude to the following programs and entities for their efforts in assuring that every child in western Navajo received a backpack: Navajo Nation Office of Youth Development, To Nanees Dizi Boys & Girls Club,

Tuba City Regional Health Care Corporation’s Health Promotion and Disease Prevention and Injury Prevention Team, Navajo Nation Department of Behavioral Health - Tuba City Service Unit, Tuba City Boarding School, Tuba City Unified School District, and the Tuba City Police Department.

She also expressed her appreciation to the National Foundation for Women Legislators and the Office Depot Foundation for including students in Indian Country -- particularly the Navajo Nation.

Honorable Speaker Lawrence T. Morgan commended and thanked MacDonald Lone Tree for her efforts in providing much needed educational tools.

“Thanks to the efforts of Honorable MacDonald Lone Tree and various organizations, our Navajo youth will have book bags as the school year begins. This is an important matter to our youth because book bags do increase self-confidence and” Speaker Morgan said. “Through the partnership with the Office Depot Foundation, MacDonald-Lone Tree is demonstrating her commitment to increasing the quality of education for children on the Navajo Nation.”

Backpacks were distributed to schools in the areas of Dennehosto, LeChee and Leupp Chapters of the Western Navajo Agency. ■

Resources Committee, Navajo Abandoned Mine Lands discuss Surface Mining Control and Reclamation Act at work session

FLAGSTAFF, Ariz.— Last week, the Resources Committee held a joint work session with the Navajo Abandoned Mine Lands program and left the work session with a detailed plan on pressing issues needing attention, including the Surface Mining Control and Reclamation Act.

At the work session, Navajo Abandoned Mine Lands (AML) reported its \$38 million funding source is in jeopardy, which comes from the U.S. Treasury and coal taxes collected from coal production on the Navajo Nation. The Obama Administration

is proposing to eliminate all funding and payments to AML programs pursuant to its 2011 Budget Proposal: Termination, Reduction, and Savings: Budget of the U.S. Government Fiscal Year 2011. Secondly, the Office of Surface Mining Reclamation and Enforcement is producing a legislation to end funding for certified tribal and state AML programs, including Navajo AML by fiscal year 2012 and use those funds for high priority coal projects.

According to the Surface Mining Control and Reclamation Act (SMCRA) of 1977 and its 2006

amendments, the Navajo AML Program is mandated to receive payments from fees collected from current and past coal production on the Navajo Nation through 2022. Pursuant to the 2006 SMCRA amendments, Navajo AML said they will continue to respectfully request for funding from the federal government. In addition, Navajo AML is standing behind the fact that the Navajo Nation is “rightfully owed” money collected from resources taken off the Navajo Nation.

Madeline Roanhorse, department manager for Navajo

AML, said her office is very successful with reclamation efforts.

“I am very confident in our data,” Roanhorse said, reporting that 166 of 1032 uranium mines continue to be health hazard among Navajo people who live near downwind abandoned uranium mines. She also added that Navajo AML reclaimed and maintains 264 coal mines.

The work session also involved updates of SMCRA’s Public Facility Projects (PFP), which focuses on infrastructure development at chapters

impacted by abandoned uranium mines. Currently, the chapters of Cudei, Sweetwater and Whiterock have PFP in progress. Cudei Chapter has a Women & Children Home Shelter being developed and both Sweetwater and Whiterock Chapters are slated to receive power line extensions. Navajo AML said progress has been made through PFP.

In addition, Navajo AML provided updates on groundwater cleanup at the Monument Valley and Tuba City, Ariz., Shiprock, N.M. and Mexican Hat, Utah sites.

Council Delegate Norman John II, (Twin Lakes) thanked Navajo AML for their efforts. “You are all doing a great job,” he said “I am proud of your successful and ongoing efforts to clean the environment and grateful that AML helps to expand and improve communities across the Navajo Nation.”

On June 9, the Intergovernmental Relations Committee passed a resolution opposing the proposed termination of funding to Navajo AML. The Resources Committee, along with Navajo AML, met with Congressional leaders. ■

Collaboration between Navajo Council’s standing committees, key officials results in groundbreaking of Tuba City Justice Center

TUBA CITY, Ariz. – The 21st Navajo Nation Council’s Judiciary and Public Safety Committees participated in the traditional Diné groundbreaking ceremony of a \$53.5 million Justice Center today as a result of collaboration efforts between the committees and key officials of the Navajo Nation tribal government.

Honorable Rex Lee Jim (Rockpoint), a member of the Public Safety Committee, conducted the traditional blessing ceremony for the Justice Center.

“The prayers and songs are for the growth and protection of the Justice Center,” he said, explaining to the audience the reason for the blessing.

Event attendees included members of the Judiciary and Public Safety Committee, Council delegates from other standing committees, the Office of the Speaker, the Indian Affairs Office of the Assistant Attorney General, U.S. Department of Justice, Navajo Nation President Joe Shirley Jr., Navajo Nation Chief Justice Herb Yazzie, and Honorable Raymond Joe (Tachee, Whipperwill/Blue Gap), chairman for the Public Safety Committee.

The construction of the 144,000 square foot Justice Center is slated to begin next month and is scheduled for completion by next November. The facility will consist of a detention center, district court and public safety programs in an effort to provide a safer environment in Tuba City, including surrounding communities of the Western Navajo Agency.

\$38.5 million from American Reinvestment and Recovery Act (ARRA) will fund the detention center and \$15 million will finance the construction of the police department and district court. The \$15 million comes from a portion of the \$60 million KeyBank Loan that the Budget and Finance Committee secured after a two year effort. The Budget and Finance Committee also created a fund management plan for a one cent tax-set aside to acquire the finances needed to help construct the complex.

“The Judiciary Committee’s efforts and the assistance of the Budget and Finance Committee and the Public Safety Committee have made the groundbreaking of this new public safety facility a reality,” said Honorable Joe.

“We are seeing the direct results of one of three ARRA grants given to the Navajo Nation,” said Beth McGarry, Deputy Assistant Attorney General of the U.S. Department of Justice. “Today, we can point to this project and say the stimulus act money was used to improve this Nation. When the community needed a boost, the Obama administration stepped in with the Recovery Act to provide such facilities, jobs and community improvements. This is a great effort to provide public safety.”

“New directions are what the Navajo Nation is about.”
--Raymond Joe, Public Safety Committee Chairman

“This is a testament of what can be done on the Navajo Nation,” added Eric Descheenie, Legislative Staff Assistant to the Office of the Speaker. “It is very

appropriate that we deal with matters that impact the people. It does require a lot of assistance from many entities to build a correctional facility. Thank you to all the Council delegates who have assisted with the project, to U.S. President Barrack Obama, and all who have assisted with making this event possible.”

Before lunch was served to the public, more gratitude and acknowledgements were divulged to the audience.

Navajo Nation President Joe Shirley acknowledged the hard work of the Legislative branch, state officials, federal government officials, and everyone else who

was affiliated with the Justice Center project.

Navajo Nation Chief Justice Herb Yazzie also addressed the audience and also thanked everyone involved.

“The laws of the Nation, the values of the Nation, these are the laws that will be implemented,” Chief Justice Yazzie said. “Thank you to the Council, who has provided the finances for the court portion of the justice center, the Executive and Judicial branch and others who put this effort together. We started this effort actively, aggressively and we will administer justice with the system called restorative justice.

This justice is humane treatment of all individuals in the courts, detention centers, and the public safety programs.”

“Without the help of all the Navajo Nation officials, the Attorney General, the U.S. Attorney General’s Office, we would not be here,” added Honorable Joe. “With this groundbreaking it will change the direction we are going. We will see Tuba City with a correctional facility. The Council approved the \$60 million to create justice facilities. Thank you. I see for Tuba City new jobs, new ideas. New directions are what the Navajo Nation is about.” ■



Honorable Hope MacDonald Lone Tree, member of the Public Safety Committee, emceeds at the groundbreaking of the Tuba City Justice Center as key officials of the collaboration effort look on. (Photo by Laphillda Tso)

Flagstaff City Council denies substitute water sale agreement, Navajo Nation still opposes any water development for snowmaking

WINDOW ROCK, Ariz. — On Sept. 7 the Flagstaff City Council voted 4-3 against a substitute water sale agreement, which would have reconsidered the Sept. 2 council decision of using reclaimed water for snowmaking on top of Dook'o'osliid at the Arizona Snowbowl. The topic for reconsideration resurfaced Sept. 3 after the council voted on Sept. 2.

Flagstaff Councilmember Scott Overton said the contractual and legal terms of the new water proposal were not addressed thoroughly, which provided a good reason to reconsider the council's decision for a substitute water sale agreement.

City Council members Overton and Al White said the water source was not the issue of the proposal but rather the lack of input and education among community members. Both council members agreed it would be in the best interest of the proposal to involve the community because the substitute water agreement included four aspects that would directly impact the community:

- Water rate increases.
- City of Flagstaff would take water back from Arizona Snowbowl for emergency reasons such as during droughts, for example.
- Arizona Snowbowl would have to pay for water whether used or not.
- Indemnity clause: protecting the city from litigations. Arizona Snowbowl would be responsible for any damages to the environment, the people and any other related costs.

Despite the attempt to reconsider the council's decision, a majority of the people present at the meeting informed the City Council of the need to keep the original Arizona Snowbowl contract in place. The original contract does not protect the city of Flagstaff from the terms listed above.

Council Delegate Thomas Walker, Jr. (Birdsprings/Leupp/Tolani Lake) voiced his concerns at the City Council meeting on behalf of the Navajo Nation.

"Let's talk government-to-

government to serve the entirety of the community," Walker said, while addressing the City Council. "The entirety of the community also encompasses the Navajo Nation, including the Navajo Nation government who spends \$13.6 million per year in Flagstaff contributing to the local economy and tax base."

Honorable Walker, a staunch supporter of indigenous and religious freedom rights, added that the U.S. Department of Agriculture did not inform any tribal nation, including the Navajo Nation of the substitute water sale agreement.

Ralph Nader, a renowned political activist, supported Honorable Walker's concerns of using any type of water for recreational use. Mr. Nader questioned the \$11 million apparently utilized for snowmaking infrastructure at the Arizona Snowbowl.

"With the recession, the money should be used for something more valuable than using priceless drinking water for recreational use," he said.

The City Council's decision delays Snowbowl three to four more years, opening doors for more people to defend Dook'o'osliid.

Officials from the Navajo Nation and many other American Indian Nations gathered the evening of Aug 30 at the Flagstaff City Council's special meeting to oppose amendments that will allow artificial snow to be made on Dook'o'osliid, the San Francisco Peaks.

The Navajo Nation strongly opposed the making of artificial

snow, whether it was made with potable water or with recovered reclaimed water.

Despite the special meeting's purpose to decide which water source to use to make artificial snow, Council delegates Thomas Walker, Jr. (Birdsprings/Leupp/Tolani Lake), Rex Lee Jim (Rock Point), Leonard Chee (Birdsprings/Leupp/Tolani Lake), and Navajo Nation Vice President Ben Shelly all opposed any and all snow making strategies.

Vice President Shelly spoke of the importance of water to the people on the Navajo Nation and that Dook'o'osliid is precious to Navajos and many other tribes. He further mentioned that utilizing essential water for snowmaking is not eco-friendly, and that it is not a safe choice for anyone, even those who support snowmaking on the Arizona Snowbowl.

"Our community members, elders, spiritual leaders, deem this sacred mountain very holy and sacred," said Council Delegate Walker. "It is the corner stone of the Navajo universe. We will do all

necessary for the world, public, and the community members of Flagstaff to know this. We stand here with the tribal leaders who have already spoken, we stand united and our position has been consistent."

Council Delegate Leonard Chee addressed the Flagstaff City Council next, saying, "I'm here as a member of the Navajo Nation Council. The Navajo Nation is gravely concerned about our water supply. Simply put, I still cannot get my mind wrapped around how this question is even



Leonard Chee, (Birdsprings/Leupp/Tolani Lake) at Flagstaff City Council Meeting

being considered today."

In December 2009, the U.S. Department of Agriculture Secretary Thomas Vilsack designated all Arizona counties, except La Paz and Yuma counties, as primary natural disaster areas due to losses caused by drought and that the state is preparing for imminent long term drought. It was further noted that the request by Arizona Snowbowl to use drinkable water for non-essential recreational purposes is quite honestly unacceptable.

Many Indian Nation leaders gathered to protect Dook'o'osliid. Present at the Council meeting were leaders and representatives from the Hopi tribe, Havasupai Tribe, Pueblo of Zuni, Yavapai-Apache Nation and the Hualapai Tribe. In addition, community members from the Navajo Nation also expressed their disapproval of utilizing potable and recovered reclaimed water for artificial snow.

"Always save a little for tomorrow," added Council Delegate Chee. "Just because we have some water now does not mean we should waste it. That is our stand on the water source."

In support of this, the Intergovernmental Relations Committee unanimously passed a resolution today requesting emergency consultation with federal agencies regarding snowmaking on Dook'o'osliid, the San Francisco Peaks.

On Nov. 2, 2009 President Barack

Obama issued a Memorandum on Tribal Consultation to federal executive departments and agencies confirming that they are responsible for strengthening the government-to-government relationship between the U.S. and tribal nations through consultation and collaboration. Pursuant to the president's memorandum, the committee on behalf of the Navajo Nation is requesting emergency consultation and collaboration with the U.S. Forest Service, U.S. Department of Agriculture and U.S. Department of Justice.

"History has shown that failure to include the voices of tribal officials in formulating policy affecting their communities has all too often led to undesirable and, at times, devastating and tragic results," said Obama, in his memorandum.

The three federal agencies are actively engaged in enabling Arizona Snowbowl to make snow on Dook'o'osliid, which is a sacred and holy site to 13 tribes in the Southwest, including the Navajo Nation.

Section 106 of the National Historic Preservation Act also requires tribal consultation when a federal agency's project or effort affects a site that holds religious or cultural significance to a Native American Tribe, such as the case with the U.S. Department of Agriculture granting approval for snowmaking on the sacred Dook'o'osliid.

In July, the U.S. Department of Agriculture (USDA) granted

approval for snowmaking, using either reclaimed (effluent/treated wastewater) water or potable water for snowmaking at the Arizona Snowbowl, which the tribes continue to oppose. The proposal to use reclaimed water resulted in a civil lawsuit filed by various tribal nations due to public health concerns. Recently, however, the USDA has proposed using drinking-quality water as an alternative source, which the tribes still oppose.

On Sept. 2, the Flagstaff City Council will decide to (1) amend its current contract with Arizona Snowbowl to allow either directly delivered reclaimed water (effluent water/treated waste water) or indirect delivered reclaimed water (potable or drinking water) contingent upon Snowbowl committing to one or the other, (2) leave the original agreement in place and provide direct delivered reclaimed water (effluent water/treated waste water), or 3) develop a new agreement to use indirect reclaimed water (potable/drinking water) only.

The view of the Navajo Nation is that if the federal government is engaged in further desecration of sacred sites, then consultation and coordination with tribes needs to occur before any funds, approvals, permits or authorizations are given to Arizona Snowbowl for snowmaking using reclaimed or re-injected potable water.

Honorable Raymond Joe, chairman of the Public Safety Committee, sponsored the resolution. The committee passed the resolution with a vote of 7-0. ■

Gov. Jan Brewer visits 64th Navajo Nation Fair, signs support letter for development of Twin Arrows Casino and Resort

WINDOW ROCK, Ariz. – Gov. Jan Brewer paid a special visit to the 64th Annual Navajo Nation Fair today and signed an unexpected support letter addressed to the Bureau of Indian Affairs on behalf of Arizona expressing her support for the Navajo Nation’s application to turn lands into tribal trust for the development of the Twin Arrows Casino and Resort near Flagstaff, Ariz. The governor’s support letter is not necessary but certainly welcomed and is very helpful in the acquisition of lands.



Top picture: President Shirley, Gov. Brewer, Honorable Leonard Chee and Honorable Evelyn Acothley pose for a picture after the signing of the governor’s support letter at the president’s pavilion.

“The Navajo Nation has worked in good faith with all interested parties, including making alternate land selections, changing design specifications, creating environmentally conscious plans, agreeing to abide by a local dark skies ordinance, and initiating conversations about infrastructure support,” Gov. Brewer said, in her support letter to the BIA. “The Navajo Nation did this all in an effort to begin its new business on positive footing.”

Honorable Council delegates Leonard Chee and Evelyn Acothley received and assisted the governor on her visit to the

Navajo Nation. Both Council members accompanied the governor to Navajo President Joe Shirley’s pavilion on the fair grounds where the signing ceremony took place.

The signing ceremony was also witnessed by the Navajo people.

“While I have not always agreed with tribal plans to operate gaming establishments, I understand my legal responsibilities as Governor under the Arizona gaming compacts and the Navajo Nation’s

right to self-determination,” added Gov. Brewer. “I have been both impressed by the sensitivity the Navajo Nation has showed for its neighbors and with the careful planning its leaders have engaged in prior to identifying, acquiring, and designing the Twin Arrows site.”

“As Governor, I commend Navajo Nation President Joe Shirley, Jr., the Navajo Nation Council, and leaders of the Navajo Nation Gaming Enterprise for their cooperative inter-governmental

approach,” said Gov. Brewer. “The Twin Arrows development is anticipated to bring more than 1,000 construction jobs to the area and to drive demand for temporary housing. This is expected to create a significant economic boom for the area.”

In addition to the Office of the President, Council and Navajo Nation Gaming Enterprise, the Navajo Hopi Land Commission played an integral role in identifying lands for the development of the Twin Arrows Casino and Resort. Both Honorable Chee and Honorable Acothley are members of the Navajo Hopi Land Commission’s effort to provide economic development opportunities to the western region of the Navajo Nation.

“In the Western Navajo Agency, particularly the former Bennett Freeze area housing is a number one priority,” Honorable Acothley said. “The Navajo Nation needs to work on partnerships with the state of Arizona, county, and federal levels for housing development. The support letter signed by Gov. Jan Brewer today is a true working relationship between two sovereign governments, which will help with our efforts in

providing much needed housing for this portion of the Navajo Nation.”

Pursuant to the Navajo Hopi Settlement Act Amendments of 1980, the Navajo Hopi Land Commission is delegated authority through Navajo Nation Council Resolution CN-69-80 to act and speak for the Navajo Nation “with respect to land selection and land exchange provisions” for the development of Twin Arrows Casino and Resort, which Gov. Brewer supports.

The type of lands the Navajo Hopi Land Commission recommends for selection are: lands with economic development potential, including potential to provide sustainable income to Navajo relocatee beneficiaries, and lands that “address special needs of the beneficiaries and affected communities including but not limited to the preservation of cultural resources, control of liquor establishments” and land as home sites for those who have been displaced from their first relocation sites.

Honorable Chee, also a member of the Intergovernmental Relations (IGR) Subcommittee on Gaming and Taskforce on State Affairs,

said the support letter from the governor is encouraging and is appreciated.

“I serve on the IGR Taskforce on State Affairs and it has been encouraging to work with the governor’s staff, in particular Katosha Nakai,” said Honorable Chee. “The support letter is appreciative in our effort to acquire lands into tribal trust for the development of Twin Arrows Casino and Resort. I thank the governor for her visit and her initiative to work with the Navajo Nation on a government-to-government basis.”

On her visit, the governor also had the chance to participate in the Navajo song-and-dance where two rounds of songs were dedicated to her; she attended the rodeo with both Council delegates and the president, and shopped with Councilwoman Acothley for jewelry at the Navajo Arts and Crafts Enterprise.

“As a member of the Health and Social Services Committee, I was happy to receive and accompany the governor knowing she values behavioral health and the challenge of being a woman and parent in leadership positions,” added Honorable Acothley. ■

Navajo Nation Office of the Speaker has been working with the Shideezhí Project

SANDERS, Ariz. – Since November 2009, the Navajo Nation Office of the Speaker has been working closely with the Shideezhí Project, a high school mentoring program initiated by the National Association of Women MBAs (NAWMBA). The program pairs members of NAWMBA with young high school women living on the Navajo Nation.

“When our office first became aware of this program, we wanted to be part of it and offer our assistance,” said Lawrence T. Morgan, Speaker of the 21st

Navajo Nation Council. “This program supports our youth, particularly our young women, and it introduces them to possible careers in business, an area where we will need strong leadership in the coming years.”

Philana Kiely, founder and program director of the Shideezhí Project, initiated the project in March 2009, while she was president of the University of Houston NAWMBA chapter.

“After leaving the Navajo Nation area to pursue higher education,

I always felt the need to come back and try to make a difference in the lives of Navajo girls who seem to slip through the cracks, perpetuating the cycle of poverty on the reservation,” said Kiely. “Through NAWMBA, I was able to put a team together to come to the reservation and speak to Navajo mid and high school girls about the benefits of higher education.”

Because of social issues rampant on the Navajo Nation, such as alcoholism, drug abuse, and rising rates of teen pregnancies, many girls do not finish high

school or go on to pursue higher education. Mentors will aim to inspire and motivate these same young girls, through hands-on mentoring, to graduate from high school, pursue higher education and graduate from college.

“We want these young women to enter the workforce as a productive member of society and the tribe,” said Kiely, who is Querino, AZ.

In its inaugural initiative, a handful of NAWMBA members traveled to three communities on the reservation in March 2009. These

women met at-risk teenagers and shared their experiences on the benefits an education can provide. They gained insight into the lives of the young women and learned about life on the reservation and the day-to-day challenges faced.

“It has been an experience working with such strong and ambitious women, who are committed to strengthening our young Navajo women,” said Natasha K. Johnson, legislative staff assistant to Speaker Morgan. “Our office has enjoyed working with the Shideezhí Project to help strengthen their program and provide assistance where we can.”

Based on the positive feedback from participants, NAWMBA started the mentorship program

on a nation-wide basis and give more MBA students the chance to participate in this program. The program has matched 35 girls from Sanders Valley High School in Sanders, AZ, with mentors from NAWMBA, and has plans to extend the program.

Shideezhí draws from rich Navajo cultural traditions that emphasize the vital importance of relationships, “K’é”, particularly as manifested in the clan and extended family. The Shideezhí Project offers a unique opportunity for mutual learning for both adeezhí (little sister) and ádí (big sister): ádí will gain an appreciation of the Navajo culture while adeezhí will learn what an empowered woman can accomplish. ■

