



Summary remarks of President Shelly at Utah State Legislature



President Shelly reports before the Utah State Legislature on Feb. 12 in Salt Lake City. (Photo by Leo Hoskie)

Summary Remarks The Honorable Ben Shelly President, The Navajo Nation Salt Lake City Utah Thursday, February 12, 2015

Good morning Governor Herbert, Mr. Speaker, legislators, tribal leaders and other invited guests.

Thank you for the opportunity to join you today to strengthen our relationship between the Navajo Nation and the state of Utah.

We have worked with the Utah State Legislature for decades to address the needs of the Navajo people living in the state. We appreciate your commitment to the Navajo Nation and we look forward to growing this relationship to meet the needs of our ever-changing world.

\$3.5 MILLION CAPITAL OUTLAY FUNDING

In November 2014, the Navajo Nation received a letter that stated grants amounting to \$3.5 million for projects on the Navajo Nation were approved by the State of Utah. These funds were from the Navajo Nation Revitalization Fund and the Navajo Royalties Holding Fund.

Leveraging these funds for capital outlay projects has been greatly beneficial to the Navajo Nation. We will continue contributing matching funds to stretch our dollar and meet the needs of our tribal members residing in Utah.

The \$3.5 million from the State of Utah are for 21 capital outlay projects ranging from power lines, multipurpose buildings, roads, solid

waste disposal, waterlines, bathroom and kitchen additions, and senior citizen centers.

We appreciate this partnership and the Navajo Nation looks forward to growing this relationship to meet the needs of the estimated 33,000 Navajos living in the State of Utah. These residents are members of six Navajo chapters located in the state.

Our Utah tribal members have identified seven areas of focus: Transportation, Education, Health, Public Safety, General Services, Community Development, and Economic Development. Our projects for capital outlay funding are for these priority areas.

TRANSPORTATION

Transportation is a major priority. Roads are what connect our Navajo chapters to the rest of the state. Our Tribal Transportation Improvement Project listing includes the road reconstruction of Highway 162.

Highway 162 is a Utah Department of Transportation road that is vital to the Aneth Chapter. This project is for eight miles of roadway reconstruction at a cost of \$38 million. The project is currently not on the State Transportation Improvement Plan.

Instead, UDOT has recommended that work on the road be completed in two-mile increments over several years. We are requesting that this project be included in the state priority listing for immediate road construction.

The Navajo Nation is willing to cost share with the state at 10 percent of the cost of construction. These funds will come from the Navajo Nation TTIP and we are hoping the state will assist us with road design, preliminary engineering and construction costs.

The state roads connecting our Navajo chapters are narrow, winding roads designed in the 1960s. We are concerned with the safety of travelers in this region of the state.

The Oljato Chapter has requested UDOT to construct right-of-way fencing along State Road 163 to prevent livestock collisions. Keeping travelers safe is our primary concern.

SENATE BILL 90

The Navajo Nation is strongly urging the 2015 Utah State Legislature to enact Senate Bill 90. This bill is to reactivate the Utah Navajo Trust Fund for reinstating services and benefits to Navajo citizens in San Juan County, Utah.

In 2008, the State of Utah resigned as the federally appointed trustee for the Utah Navajo Trust Fund. The Utah Navajo Royalties Holding Fund was created the same year to serve as a receivership for trust royalties while Congress searched for a new trustee.

Because of this, there has been a freeze on new expenditures, including funding for capital projects and housing. Congress has not had any success in appointing a new trustee. Our Navajo chapters unanimously support the State of Utah to resume management of the Utah Navajo Trust Fund.

We ask for the support of Governor Herbert and the Utah Legislature to enact SB 90.

HOUSE BILL 33

House Bill 33 is in response to the alarming achievement gap that exists for Navajo schools in the San Juan School District. When the Utah State Office of Education released the results of a new statewide testing program, four Navajo schools in the district received failing grades.

These schools include Montezuma Creek Elementary School, Whitehorse High School, Tse'biidzizgai Elementary School and Monument Valley High School.

We acknowledge Representative Jack Draxler and the Native American Legislative Liaison Committee for sponsoring HB 33.

HB 33 includes creation of a tribal public education liaison position and creation of a tribal native education commission.

Additionally, adoption of a state plan addressing educational achievement is included, along with reporting to the Native American Legislative Liaison Committee for meaningful reform to improve the delivery of education to Navajo students.

CONCURRENT RESOLUTION FOR NAVAJO WATER RIGHTS SETTLEMENT

Senator David Hinkins is the chief sponsor of SCR 2. This resolution supports the negotiated settlement of federal reserved water rights between the Navajo Nation and the State of Utah.

In 2007, the Navajo Nation Water Rights Commission and the state reached an agreement in principal regarding the quantification of

the San Juan River.

Former Representative Christine Watkins sponsored HB 127 in the 2012 Utah State Legislature to establish the Navajo Water Rights Settlement Fund. The purpose was to have the state contribute annually to the settlement fund until a certain amount was reached.

However, because of the lengthy timeframe for Congress to ratify the water settlement, the state has decided not to deposit any more funds until the agreement is reached. SCR 2 reaffirms the state's commitment for the Utah Navajo Water Settlement Agreement and earmarks the state's settlement funds.

PUBLIC LANDS INITIATIVE

Utah Navajos established the Dine' Bikeyah organization to advocate for tribal interests, cultural beliefs and environmental stewardship. The organization worked with Navajo people to develop a 1.9 million acre conservation and wilderness area.

The Navajo Utah Commission requests the support of Governor Herbert and the Utah State Legislature in recognizing the interest, connection and sacredness of Utah's public lands for Native Americans.

GOVERNOR'S VISIT AND TOUR

The Navajo Nation and the State of Utah share a government-to-government relationship. During the annual Legislative Caucus, Governor Herbert makes one hour available during the Native American Summit to meet with tribal leaders to discuss the issues.

While this is an opportunity to address the tribal needs, it is not nearly enough to discuss issues in detail to find proper solutions. The Navajo Utah Commission attempted to have a meeting with Governor Herbert twice since 2013, but was unsuccessful.

We request that Governor Herbert travel to San Juan County to see the conditions of the reservation firsthand and the many challenges Navajo citizens face. We would also like for the governor to meet with the 23rd Navajo Nation Council this spring or summer to find meaningful solutions to the problems facing Navajo residents in Utah.

CONCLUSION

Thank you for the opportunity to speak today. We remain hopeful about the future relationship between the Navajo Nation and the State of Utah. We've worked together for decades and our relationship has only been strengthened over time.

Thank you for supporting the Navajo residents in your great State of Utah. Let us continue working together for the benefit of the generations to come. Ahe'hee.

