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Navajo Nation Council blocks proposed in situ uranium recovery project

WINDOW ROCK – On the second day of the Summer Council Session, the Navajo Nation Council approved Legislation No. 0091-14, rescinding, repealing, and rendering null and void resolution RDCD-69-13, passed by the Resources and Development Committee last December which acknowledged the right-of-way and surface use by Uranium Resources, Inc. for the purpose of an in situ uranium recovery project in the community of Churchrock, N.M.

Legislation sponsor Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau), who represents the Churchrock community, asked for the support of his Council colleagues to prevent URI from developing its in situ uranium recovery project.

Delegate Yazzie referenced the Diné Natural Resources Protection Act of 2005 and the Radioactive Materials Transportation Act of 2012, stating that the two laws prohibit the proposed project from being developed on the Navajo Nation.

“We need to follow the regulations,” said Delegate Yazzie. “The regulations are [in place] to look out for our people.”

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake), who sponsored the legislation passed by the RDC in December, said the Radioactive Materials Transportation Act does not specifically address the transportation of uranium.

“I would understand your argument if the law had said ‘thou shall not transport uranium’—it doesn’t say that,” Delegate Tsosie stated. “At the moment, there is no physical transporting of uranium so there’s no physical act being done as of today to transport uranium.”

Speaking in support of the legislation, Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Ojito, Ts’ah Bii Kin) said he supports the overwhelming number of young Navajo people who have spoken out against the proposed project and against uranium mining in general.

“By nullifying this [resolution] we are saying ‘no’ to any future uranium exploration on the Navajo Nation,” stated Delegate Nez. “We need to all take a stand once again, to those major industries and companies throughout the globe and stay steadfast and say no more, enough is enough.”

Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) also stated her opposition, while emphasizing her stance against uranium mining.
“I am absolutely against uranium development of any kind because I am from the community of Dennehotso which mined uranium in the [1940’s and 50’s] so I have seen the consequences to this day,” said Delegate Benally.

Council Delegate Leonard H. Pete (Chinle) spoke in opposition of rescinding RDC’s resolution, while cautioning his Council colleagues of the possible consequences should the situation end up in litigation resulting from the nullification.

“Have we really sat down and looked into the consequences?” asked Delegate Pete. “Somewhere along the way, the wisdom of this Council, the common sense of this Council, the foresight of this Council is going to be tested.”

Following a two-hour discussion, members of the Council approved Legislation No. 0091-14 with a vote of 18-3.

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