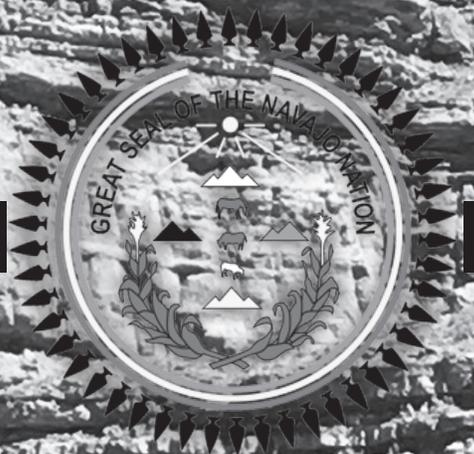


# ***PARTNERING FOR A NEW TOMORROW***

**Five Focus Areas for  
Tribal and State Success**

*NAVAJO NATION OFFICE OF THE PRESIDENT AND VICE PRESIDENT*



# EXECUTIVE SUMMARY



The Navajo Nation covers more than 27,000 square miles and stretches across three states: Arizona, New Mexico and Utah. According the 2010 decennial census, there are 332,000 Navajos, with 13 percent, or 44,398 Navajos that live outside the Navajo Nation. The census identified 6,068 Navajos who reside in Utah, namely in the tribal communities of Aneth, Mexican Water, Montezuma Creek, Navajo Mountain, Oljato, Red Valley and Tenitcha.

For Utah Navajos, their greatest need is execution of the Navajo Nation-State of Utah Water Rights Settlement, which is also a priority of the Begaye-Nez administration. Working together with the 23rd Navajo Nation Council, President Russell Begaye and Vice President Jonathan Nez urge Congress to approve the settlement and provide funding for water infrastructure to improve the quality of life for Navajo families residing in Utah. The approval of this settlement would positively impact the lives of thousands of Navajo families.

Utah Navajos face other issues, including transportation, economic development, natural resource, and cultural resource preservation. Many of these issues are also concerns of neighboring tribes in Utah. Partnership and working together on a government-to-government relationship will not only strengthen relations, but also provide opportunities for tribal and non-tribal members traveling through Utah in the form of economic development, infrastructure and public safety.

## **NAVAJO-UTAH WATER RIGHTS SETTLEMENT AGREEMENT**

Since 2003, the Navajo Nation and State of Utah have been negotiating to quantify reserved tribal water rights of the state. On June 16, 2016, the Navajo Utah Commission of the Navajo Nation Council issued Resolution NUCJUN-680-16, reaffirming the commission's endorsement of the Navajo-Utah Water Rights Settlement Agreement. On January 26, 2016, the Navajo Nation Council approved Legislation No. 0412-15 to settle claims to water in the upper San Juan River basin in Utah by a vote of 13-7.

The settlement would provide the Navajo Nation with 81,500 acre-feet annually of Utah's unused share of water. The tribe could draw water from aquifers, the San Juan River and its tributaries. The Navajo Nation could also divert water from Lake Powell. Utah Navajos utilize only a small portion of the water allocated in the settlement, which usually means Navajo families consume ground and surface water, which is often contaminated with arsenic. Utilizing water from the San Juan River is costly because it must be treated, especially after the contamination from the Gold King Mine Spill.



With execution of the Navajo-Utah Water Rights Settlement Agreement, the tribe will utilize the water allocation for drinking and housing purposes, including use for business startups, tribal offices, schools and other tribal programs. Another economic development opportunity includes leasing water to non-tribal entities. The Begaye-Nez administration encourages Congress to expeditiously approve the Navajo-Utah Water Rights Settlement Agreement and allocate funds for water infrastructure such as wells, pipelines and water treatment plants. We appreciate the partnership with the state of Utah for sitting down at the table with us to negotiate a historic water rights settlement.

## **DEPARTMENT OF DINE' EDUCATION**

The Navajo Nation Department of Dine' Education wants to establish a partnership with the State of Utah on education issues related to job readiness, career development and educational achievement of Navajo students. Other potential areas of collaboration between the tribe and state include the Utah Indian Education Plan, data sharing, and Science, Technology, Engineering and Math (STEM) opportunities.

Preparing job readiness would ensure basic academic skills of Navajo students are aligned with industry standards to meet minimal job requirements after completing high school. The Navajo Nation stands prepared to work with the State of Utah through our K-12 and higher education institutions. Career development would provide students with opportunities for high school enrichment programs and college internships with various professions in Utah for professional experience and career development. Finally, focusing on academic achievement will strengthen the academic skills and career interests of students, with particular emphasis on education, law, medicine and psychology.

The Utah Indian Education Plan outlines how schools on Indian nations work with tribes to improve quality of education. The interest is working with Utah on improving teacher quality and administrative leadership through summer enrichment for teachers and incorporating Navajo culture for an alternative form of instruction to teach Navajo students.

Data sharing between the Navajo Nation and Utah State Office of Education was secured in 2013 through a data use agreement that researched best practices in classroom instruction, cultural infusion and school improvement. The agreement ended in December 2014 and the Navajo Nation would like to renew the agreement. The tribe would also like to partner on STEM opportunities for Navajo students. The purpose would be to encourage careers in the respective disciplines, but the scope would be student driven.

## **NAVAJO DIVISION OF TRANSPORTATION**

NDOT has several issues regarding the maintenance and improvement of tribal and state transportation facilities in Utah, especially with the loss of MAP-21 school bus route maintenance funding. U.S. Highway 162 requires reconstruction and the Navajo Nation requests the project be considered for improvement by the Utah Department of Transportation. The project would include improvements to the shoulders, drainage, and signage along the nine-mile stretch, for an estimated cost of \$38 million. The road is a major artery for Navajo and Utah citizens, including the tourists who provide economic development dollars to both economies.

Funding for maintenance of school bus routes is another major issue and the Navajo Nation requests the reinstatement of federal funding for San Juan County. Current funding for maintenance of school bus routes provided by the Navajo Nation and county is inadequate. School bus routes provide Navajo students with the opportunity for education and foster economic development in the process by creating an educated workforce.

We also encourage UDOT to invest in a transportation building facility or sub-office in Aneth. Such a facility could secure road graders and heavy equipment for use on Navajo-Utah projects and improve coordination NDOT, San Juan County and UDOT. Another potential consideration is creation of tribal liaison within UDOT to provide an understanding of the unique needs facing tribal communities for effecting transportation programming and execution.

## **DIVISION OF ECONOMIC DEVELOPMENT**

Aneth and Montezuma Creek are priority projects for the Navajo Nation Division of Economic Development. Both communities have median incomes far below the national average, with poverty levels more than twice the U.S. average. The communities have an opportunity to stimulate their tribal economies with 70 new temporary and permanent jobs through development of commercial, retail and tourism sectors.

The DED strategic plan includes a proposed grocery and general store, an information-tourism center, restaurant and commercial mall. Execution of these projects will include infrastructure development, along with design and construction of the new businesses. The proposed projects will be completed in a five-year period and is still going through the tribal approval process. DED is optimistic the projects will be funded and provide these Navajo communities with economic growth, jobs and much needed services

## **DIVISION OF NATURAL RESOURCES**

The Navajo Nation supports the national monument designation of Bears Ears, along with the Hopi Tribe, Ute Nation and Zuni Pueblo. If you travel to the Bears Ears and take in the scenic beauty of the area, you will undoubtedly feel the spiritual connection to the land many tribes have for the site. In Navajo, it is known as Shash Jaa' and is the birthplace of Chief Manuelito, one of the Navajo headmen from the Long Walk era, who signed the Treaty of 1868.

The unique cultural landscape of the Bears Ears region consisting of ancient villages, cliff dwellings, rock art and gravesites of tribal ancestors was described in a April 16, 2016 Navajo Nation letter to President Barack Obama. President Russell Begaye, Vice President Jonathan Nez, Speaker LoRenzo Bates, and tribal councilmen Herman Daniels, Jr., Davis Filfred, and Walter Phelps signed the letter. This position was reaffirmed by President Begaye during the July 16, 2016 Southern Utah Covervation Public Meeting in Bluff with U.S. Department of Interior Secretary Sally Jewell and other federal officials.

Another issue is the Bluff-San Juan River Avulsion-Accretion. In June 2016, the Resources and Development Committee of the tribal council received a report from DNR about land ownership and use disputes among Navajo grazing surface users and non-Navajo residents living in or around the town of Bluff.

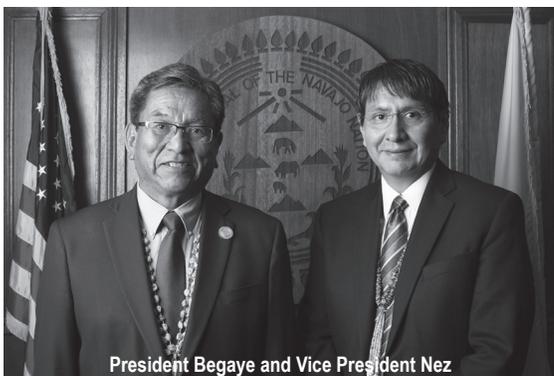
The San Juan River marks the northern boundary of the Navajo Nation in Utah. The river, in the vicinity of Bluff, has moved south and west of the course described in early surveys of the area by the U.S. This movement occurred by artificial means over a period of 70 years and is the result of water diversion and construction of Navajo Dam to control the flow of the river to prevent flooding.

Because the movement occurred in less than 100 years, the U.S. Bureau of Land Management concluded it was the result of accretion movement. The construction of Navajo Dam and flood prevention levies were not considered in the BLM's research into the river movement. The Navajo Nation is moving forward with a Riparian study of the area and determine river movement and with identifying a litigator to argue the case in court. DNR is currently obtaining cost estimates for the case.

## **WEAVING A FUTURE TOGETHER**

The theme of the 11th Annual Governor's Native American Summit is "Weaving Our Future Together – Love, Family & Community." The theme is appropriate, especially during this time of cooperation between tribes and state for the benefit of all Utah residents. The Navajo Nation appreciates the annual summit and the opportunity to speak with the governor and lieutenant governor on issues vitals to tribal members residing in Utah.

Whether it is finalizing a historic water rights settlement for the State of Utah and the Navajo Nation, or ensuring school bus routes in tribal communities are adequately maintained to transport our kids to school, one thing is certain: we must work together to weave a future for the advancement of our future generations in the Beehive State. Ahe'hee!



President Begaye and Vice President Nez

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