



The Navajo Nation Office of the President and Vice President

CONTACTS:

Jared Touchin, Communications Director
(928) 274-4275

Crystalyne Curley, Sr. Public Information Officer
(928) 274-2758

nnopvp.communications@gmail.com

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Navajo Nation files lawsuit against the U.S. EPA over the Clean Water Act

WINDOW ROCK, Ariz. — The Navajo Nation filed a lawsuit on Monday against the U.S. EPA and the U.S. Army Corps of Engineers in the U.S. District Court for the District of New Mexico, arguing that the recent 2020 Waters of the United States rule significantly diminishes the number and extent of Navajo waters protected by the Clean Water Act in violation of the Administrative Procedure Act. The new rule could also adversely impact the amount of federal funding that the Navajo Nation Environmental Protection Agency receives for its water programs.

“At this point in time, with climate change occurring around the world, it’s more prudent than ever to protect our land, water and air. We, as Diné People, have a duty to preserve and conserve our natural resources to ensure that our future generations have access to clean water, air and land. The previous 2015 Waters of the United States rule provided clarity in protecting our Nation’s waters. Therefore, we strongly oppose and disagree with the revised WOTUS,” said President Nez.

The Nez-Lizer Administration is proposing to use \$300 million from the CARES Act funding that the Navajo Nation received for water infrastructure and agriculture projects, which will require clean water resources to development and construct.

“Our Navajo people always say that water is life, and that’s very true. When we plan for any type of water projects, we are planning for future generations, not just for today or tomorrow. Clean water is a necessity for life,” said Vice President Myron Lizer.

“Clean water should be protected not only by the Clean Water Act, but also by the Navajo Nation’s treaty rights. It is a necessity of life that is vital to preservation of Navajo culture and tradition,” added Navajo Nation Attorney General Doreen N. McPaul.

Department Manager for Navajo Nation Environmental Protection Agency’s water programs Ronnie Ben said, “Since the inception of the Navajo Nation Environmental Protection Agency’s water programs, our main purpose and goal has always been to protect our Nation’s water sources. However, our job becomes difficult when the federal government rolls back environmental regulations in favor of polluters. We currently have organizations on the Navajo Nation who are not in compliance with Navajo Nation and Federal environmental laws and laxing Waters of the United States doesn’t help bring these companies into compliance.”

President Nez and Vice President Lizer thank Navajo Nation Attorney General Doreen N. McPaul, Navajo Nation Department of Justice Attorney Michael Daughtry, Contract Attorney Jill Grant, and Navajo Nation Environmental Protection Agency water program personnel for their efforts in bringing this suit on behalf of the Navajo people.

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