



23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

FOR IMMEDIATE RELEASE

June 16, 2016

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Resources and Development Committee addresses land use rights with McCracken Mesa's residents



PHOTO: McCracken Mesa resident Chester Johnson addresses the Resources and Development Committee at Aneth Chapter on June 14, 2016.

ANETH, Utah – On Tuesday, the Resources and Development received a report from the Navajo Land Department, the Bureau of Indian Affairs, Navajo Department of Agriculture, and McCracken Mesa residents regarding the concerns and issues of land use rights for McCracken Mesa, located in the northeastern corner of the Navajo Nation in southeastern Utah.

In 1958, approximately 51,000 acres of Bureau of Land Management lands in the vicinity of McCracken Mesa became apart of the Navajo Nation pursuant to Public Law 85-868, in exchange for lands in Glen Canyon for the purpose of the Colorado River Storage Project.

Following the land exchange, the Navajo Nation Council approved Resolution No. 56-59, which outlined procedures for residential and use rights on McCracken Mesa pursuant to instructions

and guidelines stated in Public Law 85-868. This Council action created N.N.C. Title 16 section 1601, which outlined residential and use rights on lands added to the Navajo Nation.

“This has been a prolonged issue for the residents of McCracken Mesa. The families are entitled to grazing and land use rights. They have waited too long for the Nation and federal government to establish land use rights. We need to work together to resolve this obstacle as soon as possible,” stated RDC member Council Delegate Davis Filfred (Mexican Water, Aneth, Teecnospos, Tófikan, Red Mesa), who represents the McCracken Mesa residents.

In 1989, the Navajo Nation Council Advisory Committee approved Resolution No. ACJA 19-89, which identified 27 individuals to be given residential and use rights preference.

According to Navajo Department of Agriculture Director Leo Watchman, in 2010, the original 27 individuals increased to 88 individuals, who are descendants of the initial preferences.

Bureau of Indian Affairs Shiprock Real Estate Services identified 77 residences in the McCracken Mesa area. As of 2010, the BIA Division of Real Estate Services verified a total of 43 approved home site leases and 11 pending home site leases. No additional home site leases were issued after 2010.

RDC member Council Delegate Leonard H. Pete (Chinle) emphasized the need for a strategic plan to address the issues and asked what studies the BIA could offer to resolve the problems.

“This problem has been going on for over 60 years. What steps are we going to take to update the policies to issue grazing permits and home site leases? What has the BIA done since 1958 to help fix the problem?” asked Delegate Pete.

According to the BIA Shiprock Agency Natural Resources Manager James Dee, the BIA verified residents who grazed BLM lands prior to the land exchange, determined stocking rate and carrying capacity, conducted vegetation survey, updated soil surveys, and received tally counts of livestock on the mesa.

The next steps for the BIA is to update the livestock carrying capacity, obtain the current livestock tally, confirm grazing assignments, begin the Navajo Environment Protection Agency process to issue grazing permits, begin range management planning, and identify range improvements. BIA vegetation studies demonstrate the need for grazing deferment and a lack of water availability for livestock.

RDC chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat) recommended NLD, BIA, and Navajo of Department of Agriculture to discuss eligibility criteria for deceased permits, identify land boundaries, conduct land surveys, analyze the carrying capacity, and amendments to N.N.C. Title 16 to give land use rights back to the people of McCracken Mesa.

“My family has inhabited these lands long before English settlement. We have been grazing and farming these lands before the land addition. We are entitled to all land use rights. I’ve done extensive research on all policy changes that affects McCracken Mesa. Our chapter constantly

approves resolutions after resolutions to obtain our land use rights. The Navajo Nation laws needs to be amended to help our cause,” stated Chester Johnson, a resident of McCracken Mesa.

The Resources and Development Committee approved the report with a 3-0 vote. RDC will hold a work session to create a plan of action to establish land use rights for the residents of McCracken Mesa.

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