

THE NAVAJO NATION
LEGISLATIVE BRANCH
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LEGISLATION NO: _0196-21_

SPONSOR: Herman Daniels, Jr.

TITLE: An Action Relating to the Resources and Development Committee, Naabik'iyáti' Committee, and the Navajo Nation Council; Supporting United States Senate Bill S. 1535 Titled "America's Red Rock Wilderness Act"

Date posted: September 10, 2021 at 10:55PM

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LEGISLATIVE SUMMARY SHEET
Tracking No. 0196-21

DATE: September 10, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTÍ COMMITTEE, AND NAVAJO NATION COUNCIL; SUPPORTING UNITED STATES SENATE BILL S. 1535 TITLED "AMERICA'S RED ROCK WILDERNESS ACT"

PURPOSE: This resolution, if approved, will endorse United States Senate Bill S. 1535 titled "America's Red Rock Wilderness Act"

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: J. Johnson
Website Posting Time/Date: _____
Posting End Date: 09/15/21
Eligible for Action: 09/16/21

Resources & Development Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 24th NAVAJO NATION COUNCIL — Third Year, 2021
3 INTRODUCED BY

4
5
6 Primary Sponsor

7
8 TRACKING NO. 0196-21



9
10 AN ACTION
11 RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE,
12 NAABIK'ÍYÁTÍ COMMITTEE, AND THE NAVAJO NATION COUNCIL;
13 SUPPORTING UNITED STATES SENATE BILL S. 1535 TITLED "AMERICA'S
14 RED ROCK WILDERNESS ACT"

15
16 WHEREAS:

- 17 A. The Navajo Nation has a government-to-government relationship with the United
18 States of America, Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.
- 19 B. The Navajo Nation Council is the governing body of the Navajo Nation with the
20 responsibility and authority to promulgate policies of the Navajo Nation. 2 N.N.C. §§
21 102(A) and 164(A).
- 22 C. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council
23 with the authority and responsibility to hear and act on all resolutions that require
24 final action by the Navajo Nation Council. 2 N.N.C. §§ 164 (A)(9) and 700 (A).
- 25 D. The Resources and Development Committee is a standing committee of the Navajo
26 Nation Council with oversight authority over water, land, environment,
27 environmental protection, cultural resources, and wildlife, etc. and the authority and
28 responsibility to protect the rights, interests, sacred sites and freedoms of the Navajo
29 Nation and Navajo People regarding such resources, now and for future generations.
30 2 N.N.C. §§ 500 (A), (C), and (C)(1).

1 E. On January 20,2021, President of the United States, Joe Biden issued Executive
2 Order No. 13990 entitled: "Protecting Public Health and the Environment and
3 Restoring Science to Tackle the Climate Crises" ("Executive Order on the Climate
4 Crisis") stating that "[o]ur Nation has an abiding commitment to [...] promote and
5 protect our public health and the environment; and conserve our national treasures
6 and monuments, places that structure our national memory" and "[w]here the Federal
7 Government has failed to meet that commitment in the past, it must advance
8 environmental justice . . ."

9 F. President Biden further stated in the Executive Order on the Climate Crisis that the
10 policy of the Biden Administration is to "listen to the science; to improve public
11 health and protect our environment to ensure access to clean air and water; to limit
12 exposure to dangerous chemicals and pesticides; to hold polluters accountable,
13 including those who disproportionately harm communities of color and low- income
14 communities; to reduce greenhouse gas emissions, to bolster resilience to the impacts
15 of climate change; to restore and expand our national treasures and monuments;
16 and to prioritize environmental justice . . ."

17 G. President Biden also issued a "Memorandum on Tribal Consultation and
18 Strengthening Nation-to-Nation Relationships" ("Memorandum on Tribal
19 Consultation") on January 26, 2021, which stated that "[it] is a priority of my
20 Administration to make respect for Tribal sovereignty and self-governance,
21 commitment to fulfilling Federal trust and treaty responsibilities to Tribal Nations,
22 and regular, meaningful, and robust consultation with Tribal Nations, a cornerstone of
23 Federal Indian policy." The memorandum further states that the U.S. has made
24 promises to Tribal Nations for at least two centuries and "[h]onoring those
25 commitments is particularly vital now, as our Nation faces crises related to health, the
26 economy, racial justice, and climate change - all of which disproportionately harms
27 Native Americans".

28 H. President Biden further stated in his Memorandum on Tribal Consultation that the
29 Federal Government has much to learn from Tribal Nations and his "Administration
30

1 is committed to honoring Tribal sovereignty and including Tribal voices in policy
2 deliberation that affects Tribal Communities."

3 I. President Biden next issued Executive Order No. 14008 titled: "Tackling the Climate
4 Crisis at Home and Abroad" on January 27, 2021, which acknowledges the profound
5 climate crisis, and sets forth his Administration's policy of making climate
6 considerations an essential element in its decision-making process on a broad scale, in
7 order to avoid setting the world on a dangerous, potentially catastrophic, climate
8 trajectory.

9 J. The President's Executive Order No. 14008 further initiated a directive whereby thirty
10 percent (30%) of the United State's lands and waters are to be conserved and
11 preserved by 2030 ("30x30") in order to reduce greenhouse gas emissions.

12 K. The Navajo Nation Council recognizes that conserving the undeveloped lands and
13 resources currently managed by the federal government in Utah will help in President
14 Biden's effort to address climate change and will also help protect and preserve the
15 cultural, prehistoric and historic records and legacy of the Diné and other Native
16 Peoples, and the cultural traditions and practices of Native Peoples that continue
17 today.

18 L. The Navajo Nation Council also recognizes that one of the best tools the U.S.
19 Congress has to help meet the President's "30x30" goal is to legislatively designate all
20 of the qualified undeveloped public lands in Utah as Wilderness pursuant to the
21 Wilderness Act of 1964 (Pub. L. 88-577).

22 M. The Navajo Nation Council further recognizes that management of Wilderness is one
23 of the strongest and most protective designations available to public lands and will
24 keep fossil fuels in the ground so that greenhouse gases and other pollution that
25 exacerbates climate change will not be produced during the exploration, development
26 and eventual combustion of those natural resources.

27 N. The Navajo Nation Council is sadly aware of the significant negative long-term
28 health impacts to our People, and the extensive environmental impacts to our lands
29 and water that the Dine' have suffered from the exploration and development of oil,
30 gas and uranium near our homes and communities, and recognizes that these fossil

1 fuel resources and minerals, once put into production, have also caused broader
2 climate change impacts.

3 O. The Navajo Nation Council appreciates and supports that designating undeveloped
4 lands as Wilderness will provide quantifiable carbon sequestration benefits, and
5 important climate adaptation benefits to plants and wildlife, and will also conserve
6 scarce water resources and reduce fugitive dust emissions which exacerbate climate
7 change effects.

8 P. The Navajo Nation Council further acknowledges that lands covered by United
9 Senate Bill S. 1535 titled "America's Red Rock Wilderness Act", attached as **Exhibit**
10 **A**, with map attached as **Exhibit B**, including lands that were within the boundaries
11 of the original Bears Ears National Monument established by Presidential
12 Proclamation No. 9558 on December 28, 2016, are culturally and traditionally
13 significant to many Native peoples, including the Diné.

14 Q. The Navajo Nation Council also acknowledges and recognizes that for hundreds of
15 generations Native peoples have lived in the canyons and mountains and on the mesas
16 included in America's Red Rock Wilderness Act and that these sensitive areas
17 comprise one of the most extensive and significant cultural landscapes in the United
18 States.

19 R. The Navajo Nation Council additionally recognizes that the rock art, cliff dwellings
20 and other structures and ceremonial sites located on lands included in America's Red
21 Rock Wilderness Act, are the critically important records of Native peoples'
22 habitation that tells the story of the subsistence of daily life, traditions, and
23 ceremonies of many generations past.

24 S. The Navajo Nation Council recognizes that the cultural importance of the lands and
25 resources included in America's Red Rock Wilderness Act are sacred to many Native
26 peoples, including the Navajo, and that important historic remnants of Navajo
27 Hogan's, pottery, sweat lodges, sheep-herding camps and farming are found
28 throughout the lands included in America's Red Rock Wilderness Act.

29 T. The Navajo Nation Council is also aware there is a remarkable variety of plant
30 species, including sensitive plants that are critical to Navajo traditional and

1 ceremonial uses that grow in areas included in America's Red Rock Wilderness.
2 Furthermore, that many species of wildlife whose habitats are included in America's
3 Red Rock Wilderness Act are important to Navajo ceremonies and the Navajo way of
4 life.

5 U. The Navajo Nation Council firmly believes that protecting the lands and resources
6 included in America's Red Rock Wilderness Act - from Cedar Mesa to the Book
7 Cliffs, from the San Rafael Swell and the Escalante to the West Desert - will help
8 protect and preserve the cultural prehistoric and historic records which are the legacy
9 of the Navajo and other Native peoples, and will help protect the plants and animals
10 that are part of Navajo heritage and cultural traditions and practices that continue
11 through today.

12 V. The Navajo Nation Council is sadly aware that there are various activities, including
13 mineral and energy development, unmanaged recreation, vandalism and looting, and
14 other actions that harm the cultural and natural resources on public lands included in
15 America's Red Rock Wilderness Act, S.1535. Designating these lands as Wilderness
16 will better protect these cultural and natural resources from damaging development
17 and activities.

18 W. As the governing body of the Navajo Nation, the Navajo Nation Council, with
19 support from Navajo Nation Chapters (see chapter resolutions attached as **Exhibit C**)
20 hereby supports S. 1535 and Congressional wilderness designation for and protection
21 of lands within America's Red Rock Wilderness Act to help address the climate crisis
22 as set forth in Executive Orders No. 13990 and 14008.

23
24 **THEREFORE, BE IT RESOLVED:**

25 A. The Navajo Nation Council hereby supports United States Senate Bill S. 1535 titled,
26 "America's Red Rock Wilderness Act" attached hereto as **Exhibit A**.

27 B. The Navajo Nation Council hereby authorizes the Speaker of the Navajo Nation
28 Council, President of the Navajo Nation, and their designees, to support United States
29 Senate Bill S. 1535 titled, "America's Red Rock Wilderness Act".
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