



THE
NAVAJO
NATION

TEESTO CHAPTER

P.O. BOX 7385 – Teesto CPU
Winslow, Arizona 86047

Phone: (928) 657-8042 – Fax: (928) 657-8046



“Saddle Butte Mountain”

RESOLUTION OF TEESTO CHAPTER

TEE-NOV-12-17

Opposing any further approval of federal mineral leasing and federal oil/gas related projects, and Environmental Analysis by Bureau of Land Management within, or impacting Navajo Nation Eastern Agency Areas and Communities.

WHEREAS,

1. The Teesto Chapter (the “Chapter”) is a political subdivision of the Navajo Nation under 11 N.N.C. § 10 and the Chapter is responsible for the health, safety, and general welfare of its residents/members and for stewardship of its Chapter lands and resources; and
2. Monies generated from royalties, sales, and bonuses of federal fluid mineral leases that are within Eastern Agency area boundaries are not shared with the Navajo Nation and Eastern Agency Chapters. A study commissioned by the Ojo Encino Chapter estimated in 2013 and 2014 that federal oil/gas royalty revenues generated an estimated \$19,586,813 and \$18,857,466 respectively. These federal royalty monies were divided almost equally between the U.S. Department of the Treasury and the state of New Mexico as provided by the Federal Land Policy and Management Act (FLPMA) Section 317(a); and
3. FLPMA provides the following language regarding Mineral Revenue sharing:
...said moneys paid to any of such States on or after January 1, 1976, to be used by such State and its subdivisions, as the legislature of the State may direct giving priority to those subdivisions of the State socially or economically impacted by development of minerals leased under this Act, for (i) planning, (ii) construction and maintenance of public facilities, and (iii) provision of public service;
FLPMA Section 317(a): Mineral Revenues
4. Currently, most Eastern Agency chapters have a lack of resources for planning, public facilities, and public services; and
5. It also appears that many Applications for Permission to Drill (APDs) and Environmental Analyses (EAs) within or impacting Eastern Agency areas/communities historically and currently lack sufficient direct tribal consultation and Environmental Justice analysis; and
6. The Bureau of Land Management Farmington Field Office is currently in the midst of amending its Resource Management Plan which began public scoping on February 25, 2014. This amendment process is ongoing and is looking more thoroughly at development within Eastern Agency areas and the effects of Horizontal Hydraulic Fracturing; and
7. As part of the Resource Management Plan Amendment the following are issues identified for analysis during public scoping:
Issue 1. Oil and Gas Development
 - ° How should the BLM manage fluid mineral leasing to address impacts on other resources given the change in projected oil and gas activity in the planning area?
BLM FFO Scoping Report November 2014: Section 2.3.1
 - ° How would the BLM manage fluid mineral leasing, including level of permitted development, stipulations, and mitigation measures, to fulfill the multiple-use mandate while addressing impacts on

Elmer Clark, President - Leroy T. Thomas, Vice President - Sophia Francis, Secretary/Treasurer - Alberta Yazzie, Grazing Official- Lee Jack, Sr., Council Delegate (Teesto/Dilkon/Indian Wells/Greasewood/White Cone)



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other resources given the predicted increase in development and the use of hydraulic fracturing technology?

BLM FFO Scoping Report November 2014: Section 2.3.2

Issue 2. Lands and Realty

◦ What BLM-managed lands in the planning area are appropriate for disposal?

BLM FFO Scoping Report November 2014: Section 2.3.1

Other Resource Issues

◦ How would the BLM accurately assess current air quality conditions and determine appropriate mitigation measures to minimize potential impacts on air quality from proposed fluid mineral development?

◦ How would the BLM minimize the impacts of oil and gas development on important cultural resources in the planning area?

◦ How would the BLM protect tribal interests?

◦ How would the BLM assess current water quality and minimize impacts on groundwater and surface water quality and quantity from oil and gas development, including hydraulic fracturing?

◦ How would the BLM address both positive and negative impacts of oil and gas development on local and regional economies and social setting, including non-market values?

◦ How would the BLM minimize impacts from the oil and gas industry on human health? What measures will be in place to ensure transparency of information related to potential contaminants in the planning area?

◦ How would the BLM minimize direct and indirect impacts from increased vehicular traffic and additional roads in the planning area as a result of oil and gas development?

◦ How would the BLM assess current water quality and minimize impacts on groundwater and surface water quality and quantity from oil and gas development, including hydraulic fracturing?

BLM FFO Scoping Report November 2014: Section 2.3.2

NOW THEREFORE BE IT RESOLVED THAT,

1. The Chapter is against all pending and future federal fluid mineral BLM leases within Navajo Eastern Agency areas (or other lease sales which could directly or indirectly impact Eastern Agency Areas) until a reasonable revenue sharing mechanism is developed, the new Farmington Field Office Resource Management Plan Amendment is developed, and a full understanding of potential environmental and health impacts of horizontal hydraulic fracturing is developed; and
2. The BLM shall develop germane and community specific environmental justice analyses and engage in direct tribal consultation with affected tribal communities/chapters. Additionally, the BLM must take a hard look at older leases that will require renewal to ensure that they meet the modern standards of analysis such as environmental justice and tribal consultation requirements; and
3. The Chapter is against the approval of additional and pending federal oil/gas related projects, supporting infrastructure (unless required for emergency or health/safety purposes), and their corresponding Environmental Analysis within Eastern Agency areas (or other similar projects outside of Eastern Agency Areas which could directly or indirectly impact the Eastern Agency Areas) until a reasonable revenue sharing mechanism is developed, the new Farmington Field Office Resource Management Plan Amendment is developed, and a full understanding of potential environmental and health impacts of horizontal hydraulic fracturing is developed; and
4. The Chapter wishes to see an equitable distribution of federal royalty revenues generated within Eastern



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Agency boundaries (which includes federally managed lands and minerals) to partially mitigate adverse impacts from federal oil/gas development within Navajo Eastern Agency areas. These funds shall be both shared directly to impacted chapters and a portion also divided amongst all Eastern Agency chapters to help develop planning, public facilities, and public services; and

5. The Chapter considers the lack of federal royalties, sales, and bonus sharing with Eastern Agency chapters from activities occurring within Eastern Agency boundaries to be a disproportionate impact on Navajo communities; and
6. The chapter shall partner with other chapters, the Navajo Nation, and federal entities to better understand potential environmental and health impacts of horizontal hydraulic fracturing activities that could affect Navajo communities.
7. Per Resolved #1, the Chapter is in opposition to the proposed January 2017 lease sale of tribal trust/ federal mineral split estate lands located in Counselor and Nageezi chapters.

CERTIFICATION

I hereby certify the forgoing resolution was duly considered by the Teesto Chapter at a duly called meeting at the Teesto Chapter, Navajo Nation, (Arizona) at which a quorum was present and that the same was passed with a vote of 36 in favor, 00 opposed, and 15 abstained on this November 21 2016.

A handwritten signature in black ink, appearing to read "Elmer Clark".

Elmer Clark., President
Teesto Chapter

Motion by: Cindy Honani; Second by: Marilyn Ruiz