RESOLUTION OF THE \_\_\_\_ CHAPTER

RESOLUTION NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SPONSORED BY:

THE \_\_\_CHAPTER REQUESTS THE NAVAJO NATION COUNCIL AND OFFICE OF THE PRESIDENT/VICE PRESIDENT TO BAN THE PROPOSED TRANSPORT OF URANIUM ORE, FROM CANYON MINE OPERATED BY ENERGY FUELS RESOURCES, INC. INTO AND THROUGH NAVAJO INDIAN COUNTRY, ALONG WITH CONTAMINATED WATER FROM THE MINE, AND ANY OTHER CONTAMINATED MATERIAL COMING FROM PINYON PLAIN MINE TO THE WHITE MESA MILL FOR NEAR WHITE MESA, UTAH.

WHEREAS:

1. The Navajo Nation Council Resolution CS-34-98 enacted the Navajo Nation Governance Act and codified it under Title 26 of the Navajo Nation Code; and
2. Pursuant to Title 26 Navajo Nation Code, Section B-1 & 2, the purpose of the Local Governance Act is to recognize that the Navajo Nation Chapters are the foundation of the Navajo Nation and provides for Chapters to make real decisions on matters of local importance; and
3. Pursuant to Title 1 Navajo Nation Code, Section 202, Diné Bi Beenahaz'áanii: The Diné bi beenahaz'áanii embodies Diyin bitsąądęę beenahaz'áanii (Traditional Law), Diyin Dine'é bitsąądęę beenahaz'áanii (Customary Law), Nahasdzáán dóó Yádiłhił bitsąądęę beenahaz'áanii (Natural Law), and Diyin Nohookáá Diné bi beenahaz'áanii (Common Law). These laws provide sanctuary for the Diné life and culture, our relationship with the world beyond the sacred mountains, and the balance we maintain with the natural world. These laws provide the foundation of Diné bi nahat'á (providing leadership through developing and administering policies and plans utilizing these laws as guiding principles) and Diné sovereignty. In turn, Diné bi nahat'a is the foundation of the Diné bi naat'á (government). Hence, the respect for, honor, belief and trust in the Diné bi beenahaz'áanii preserves, protects and enhances the following inherent rights, beliefs, practices and freedoms; and
4. Pursuant to Title 4 Navajo Nation Code, Section 902, The Navajo Nation Environmental Policy Act: “The Navajo Nation, acting through the Navajo Nation Environmental Protection Agency, shall exert to the fullest extent its authority to regulate, monitor and enforce performance with appropriate environmental standards throughout all of the Navajo Nation, including the exercise of its authority to limit or eliminate environmental contaminants emitted outside the Navajo Nation, but which may migrate into or otherwise adversely affect the lands, waters or air of the Navajo Nation”; and,
5. Pursuant to Title 18 Navajo Nation Code, The purpose of the Dine’ Natural Resource Protection Act of 2005 is to ensure that no further damage to the culture, society, and economy of the Navajo Nation occurs because of uranium mining within the Navajo Nation and the Navajo Indian Country and that no further damage to the culture, society and economy of the Navajo Nation occurs because of uranium processing until all adverse economic, environmental and human health effects from past uranium mining and processing have been eliminated or substantially reduced to the satisfaction of the Navajo Nation Council; and,
6. Pursuant to Title 18 Navajo Nation Code, Chapter 12, Section 1307: The Radioactive and Related Substances, Equipment, Vehicles, Persons and Materials Transportation Act of 2012; No person or entity may transport any Products on or across Navajo Nation lands or otherwise within Navajo Indian country unless such person complies with the requirements of this section and applicable federal law, including such person or entity give at least four days advance notice, show adequate bonding or other insurance is in place to protect the Navajo Nation in the event of a spill, disposal or accident, and No person or entity may transport across Navajo Nation lands any equipment, vehicles, persons or materials for the purpose exploring for or mining, producing, processing, or milling any Products on or under the surface of or adjacent to the Navajo Nation lands, or where such Activities may affect surface or ground waters of the Navajo Nation; and,
7. The Western Agency has been plagued by decades of radioactive uranium mining, as it has caused serious health effects to Diné miners and families. We’ve lost many miners to illnesses such as lung cancer caused by exposure to uranium ore and its byproducts, including decay products and alpha, gamma, and beta radiation. Radon gas exposure causes lung cancer, along with respiratory illnesses. The most vulnerable populations are unborn, children, the elderly, and individuals with chronic illnesses; and,
8. The Western Agency Council realizes that uranium has contaminated the environment, ecosystems, and groundwater; pollution spreads through seeping rainwater, erosion, evaporation ponds, and insufficient covering over past uranium tailings; and,
9. The Western Agency Council realizes public hearings were not afforded to the Navajo Nation chapters through which uranium ore and its byproducts will be transported. There is no input or consent from Navajos who will be negatively impacted if high grade uranium ore and its byproducts is accidentally dumped along the state highways or BIA routes in Arizona and Utah during transport; and,
10. The Western Agency Council strongly requests the Arizona Department of Environmental Quality to reconsider and retract its decision to issue three air quality permits for uranium mines located near Grand Canyon, adjacent to Havasupai tribal reservations; and,
11. The Western Agency Council supports the Havasupai tribal council’s opposition to the mining permits because Energy Fuels, Inc. and the U.S. forest Service failed to complete adequate tribal consultation and because uranium mining will desecrate their sacred lands, damage their environment and watershed, and threaten their health and long - term water supply; and,
12. For these reasons, it is in the best interest for the Western Agency Council to oppose any new uranium mining development and transport of uranium ore and its byproducts in the Western Agency and neighboring communities.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. THE \_\_\_CHAPTER REQUESTS THE NAVAJO NATION COUNCIL AND OFFICE OF THE PRESIDENT/VICE PRESIDENT TO BAN THE PROPOSED TRANSPORT OF URANIUM ORE, FROM CANYON MINE OPERATED BY ENERGY FUELS RESOURCES, INC. INTO AND THROUGH NAVAJO INDIAN COUNTRY, ALONG WITH CONTAMINATED WATER FROM THE MINE, AND ANY OTHER CONTAMINATED MATERIAL COMING FROM CANYON MINE TO THE URANIUM PROCESSING MILL NEAR WHITE MESA, UTAH.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the \_\_\_\_\_\_ Chapter at a duly called authorized \_\_\_\_ Chapter  meeting held in \_\_\_\_\_\_, Navajo Nation, at which a quorum was present and that it was passed by vote of \_\_\_\_ in favor \_\_\_\_ opposed, and \_\_\_\_ abstaining, on this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ 20\_\_.

Motion By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Second By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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\_\_\_\_\_\_\_ President

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\_\_\_\_\_\_\_ Vice President

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Secretary/Treasurer