



N.O.S.T Regional Council

Naatsis'aan - Oljato - Shonto - Ts'ah Bii Kin

Roland Smallcanyon
President

Ella J. Badoni
Vice-President

Dellard Curley
Secretary

Herman Daniels Jr.
Council Delegate

Resolution
Of the
N.O.S.T. Regional Council
NOST 2024-027-004

OPPOSITION TO THE ENERGY FUELS' PINYON PLAIN URANIUM MINE AND TRANSPORT OR URANIUM THROUGH NAVAJO NATION AND DINÉ COMMUNITIES AND REQUESTS THE NAVAJO NATION PRESIDENT, NAVAJO NATION COUNCIL, AND THE GOVERNOR OF ARIZONA TO SHUT DOWN PINYON PLAIN URANIUM MINE AND TO PROHIBIT TRANSPORT OF URANIUM

WHEREAS:

1. The NOST Regional Council is recognized by the Resources & Development Committee of the Navajo Nation Council per Legislation RDCO-38-11; and
2. The NOST Regional Council is recognized to advocate for, encourage, and promote community project support, as well as foster partnerships with other local governments, and ensure the maintenance and strengthening of the sovereign status of the local chapter governments through collective support, in accordance with 26 N.N.C. §1, b,2.; and
3. The NOST Regional Council has the power to influence and review all matters affecting the regional communities, make appropriate corrections when necessary, and provide recommendations to the Navajo Nation and other local agencies for appropriate action(s), and decisions in the best interest of the region to protect and promote the general health, safety and welfare of the Council's Membership Chapters and all within; and
4. Pursuant to Title 1 Navajo Nation Code, Section 202, Diné Bi Beenahaz'áanii: The Diné bi beenahaz'áanii embodies Diyin bitsaądeę beenahaz'áanii (Traditional Law), Diyin Dine'é bitsaądeę beenahaz'áanii (Customary Law), Nahasdzáán dóó Yádilhił bitsaądeę 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
5. 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,

6. 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,
7. 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,
8. The NOST Regional Council is deeply concerned of the proposed Uranium Mining operation at the Pinyon Plain/Canyon Mine, along with plans to haul Uranium through the Navajo Nation Boundaries; and
9. The NOST Regional Council recognizes that our Dine Relatives have 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 fetuses, children, women, the elderly, and individuals with chronic illnesses; and
10. The NOST Regional Council realizes that Energy Fuels, a Canadian uranium company, has started uranium extraction on January 8, 2024 at the Pinyon Plain uranium mine south of the Grand Canyon on US Forest Service lands and plans to transport uranium from the mine to their White Mesa Uranium mill in southeast Utah through Navajo, Hopi and Ute lands, but no uranium has been transported yet; and
11. The NOST Regional Council recognizes the communities of White Mesa and Bluff express valid concerns about the potential contamination of the Navajo Sandstone aquifer, a primary drinking water source for the area, which lies underneath the mill site; and
12. The NOST Regional Council realizes public hearings were not afforded to the Navajo Nation through which uranium ore and its byproducts may be transported. There is no input

or prior consent from Navajos who will be negatively impacted if uranium and other hazardous materials are accidentally dumped during transport; and

13. The NOST Regional Council realizes that uranium has contaminated the environment, ecosystems, and groundwater; pollution spreads through seeping rainwater, erosion, evaporation ponds, and insufficient covering of past uranium wastes and tailings; and
14. The NOST Regional Council realizes public hearings were not afforded to the Navajo Nation through which uranium ore and its byproducts may be transported. There is no input or prior consent from Navajos who will be negatively impacted if uranium and other hazardous materials are accidentally dumped during transport. This operation entails the transportation of 30 tons of highly radioactive ore daily in trucks covering nearly 300 miles each day, passing through towns such as Valle, Williams, and Flagstaff, as well as Navajo reservation communities including Cameron, Tuba City, and Kayenta; and
15. The NOST Regional Council sees the Federal Government has a responsibility to uphold treaty obligations to safeguard Native American communities and life; and
16. The NOST Regional Council supports the Havasupai Tribal Council's continued opposition the Pinyon Plain mine, and realizes that the US Forest Service failed to complete adequate tribal consultation and because uranium mining will desecrate their sacred lands, including Red Butte, and damage their environment and threaten their health and long-term water supply; and,
17. The NOST Regional Council sees the proposed transportation route traverses through the regional council's area, posing a threat to all chapter members along the routes of US Hwy 160 and US Hwy 163, which are used on a daily basis for work, school, and travel.
18. The NOST Regional Council is deeply concerned of the use of tarps when transporting this type of material will impact all travelers' health when traveling on these routes, as a tarp does not provide adequate safety measures for the environment and people.
19. The NOST Regional Council understands the Energy Fuels has started uranium extraction on January 8, 2024, but no uranium has been transported and for these reasons, it is in the best interest for the NOST Region to oppose any new uranium mining development and transport of uranium through Navajo Nation and neighboring communities.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The NOST Regional Council strongly opposes uranium mining and hauling of uranium through the Navajo Nation and Diné communities.
2. The NOST Regional Council demands the Arizona Governor, Arizona Legislators, and Arizona Department of Environmental Quality to take immediate action to oppose and shut down the Pinyon Plain uranium mine.
3. The NOST Regional Council demands the US Forest Service to take immediate action to oppose and shut down the Pinyon Plain uranium mine.

4. The NOST Regional Council requests that the Navajo Nation Police and other first responders are properly trained and educated for the protection of the people, especially in case of incidents or accidents along the haul route.
5. The NOST Regional Council calls on the Federal Government to uphold its treaty obligations to safeguard Native American communities and life, and to intervene in preventing the potential environmental and health risks associated with the proposed mining operation.
6. The NOST Regional Council requests the Navajo Nation Department of Justice and appropriate Departments take immediate action to require fines and impose fees for any trespassing and to implement fines and cleanup standards in case of any accident or contamination from transport.
7. The NOST Regional Council requests Navajo Nation Department of Justice and appropriate Departments take immediate action to require a minimum of 30 days notice of uranium transport and the highest quality containment of uranium and related materials through Navajo Nation if transport should begin.
8. The NOST Regional Council emphasizes that the proposed transportation route poses a direct threat to all chapter members along the routes of US Hwy 160 and US Hwy 163, which are essential for daily activities such as work, school, and travel.
9. The NOST Regional Council demands the Navajo Nation Environmental Protection Agency, United States Environmental Protection Agency and other entities to require the "best quality" containment for these mining entities and transportation entities. The use of tarps when transporting radioactive material does not provide adequate safety measures for the environment and the health of people traveling on these routes.
10. The NOST Regional Council commits to actively advocating for the protection of Navajo & Arizona communities, the environment, and the well-being of all residents.

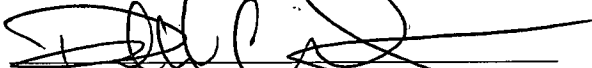
CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by N.O.S.T. Regional Council at a duly called meeting within the N.O.S.T. Region at which a quorum was present and the same was passed by a vote of 7 in favor 0 opposed and 1 abstained on this 27th day of January 2024.

Motioned By: Willis Begay



Roland Smalcanyon, President




Dellard Curley, Secretary/Treasurer

Second By: Marietta Bedonie



Ella J. Badoni, Vice-President



Herman Daniels, Council Delegate