

**RESOLUTION OF THE  
NAVAJO-HOPI LAND COMMISSION  
OF THE NAABIK'IYATI COMMITTEE**

**24<sup>TH</sup> NAVAJO NATION COUNCIL – Second Year, 2020**

**An Action Relating To The Integrated Resources Management Plan (IRMP) For The  
Former Bennett Freeze Area (FBFA)**

**WHEREAS:**

1. On December 22, 1974, the United States Congress enacted the Navajo and Hopi Indian Land Settlement Act of 1974, P.L. 93-531, as amended (the "Act"). The impact of the Act has been devastating as the Act ultimately required the relocation of residents from ancestral lands.
2. In 1980, the Navajo Nation Council created the Navajo-Hopi Land Commission (NHLC).
3. Litigation between the Navajo Nation and the Hopi Tribe resulted in development restrictions on 1.5 million acres of land under dispute. The acreage became known as the "Bennett Freeze Area". In 2009, after 43 years, this restriction on development was lifted with the enactment of P.L. 111-18
4. As part of the repeal of the Bennett Freeze Area, the Navajo Nation was appropriated by the United States Congress, a sum of funds to be utilized by the Navajo Nation, for the exclusive use of the residents of the Bennett Freeze Area. The Former Bennett Freeze Area Rehabilitation Trust Fund was established.
5. The NHLC appreciates the acknowledgment from the Bureau of Indian Affairs-Navajo Region regarding the process in efforts of creating and maintaining partnership with the Navajo Nation in regards to the Integrated Resources Management Plan hereinafter (IRMP) for the Former Bennett Freeze Area hereinafter (FBFA).
6. The FBFA-IRMP is a crucial document that will have a lasting footprint for many generations to come for the Navajo Nation. It is therefore crucial that the Bureau of Indian Affairs-Navajo Region Office keep in direct contact with the NHLC. The NHLC is composed of Delegates that represent the Chapters that are impacted by the IRMP. Furthermore, the NHLC has dealt with many matters on the FBFA and have a long history and knowledge of these issues that can be beneficial for all involved.
7. The NHLC supports the initiative and process for fulfilling the FBFA-IRMP. The NHLC needs to continue to have involvement for decision making purposes with respect to the National Environmental Policy Act, P.L. 91-190, as well as the American Indian Agricultural Resource Management Act (AIARMA) P.L. 103-177 and the National Historic Preservation Act (NHPA) P.L. 89-665.

8. The NHLC looks forward to working with the Resources and Development Committee, and the Bureau of Indian Affairs-Navajo Region, in the development of the Programmatic Environmental Assessment and fulfilling the Bureau of Indian Affairs' trust responsibility for compliance to the National Environmental Protection Act of 1969, 42 U.S.C. 4321 et seq. as amended.

9. The NHLC understands the preferred management alternative will not be decided upon until there has been both a public comment period, Chapter outreach, and an extensive identification and determination of environmental effects to the FBFA.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The NHLC should continue to have the involvement for decision making purposes with respect to the National Environmental Policy Act, P.L. 91-190, as well as the American Indian Agricultural Resource Management Act (AIARMA) P.L. 103-177 and the National Historic Preservation Act (NHPA) P.L. 89-665.

2. The NHLC will continue to work with the Resources and Development Committee, and the Bureau of Indian Affairs-Navajo Region, in the development of the Programmatic Environmental Assessment and fulfilling the Bureau of Indian Affairs' trust responsibility for compliance to the National Environmental Protection Act of 1969, 42 U.S.C. 4321 et seq. as amended.

3. The preferred management alternative will not be decided upon until there has been both a public comment period, Chapter outreach, and an extensive identification and determination of environmental effects to the FBFA.

**C E R T I F I C A T I O N**

I, hereby certify that the foregoing resolution was duly considered by the Navajo-Hopi Land Commission at a duly called teleconference headquartered at Window Rock, Navajo Nation (Arizona), at which a quorum was present through teleconference and that same was passed by a vote of **4** in favor, **0** opposed, on this 28<sup>th</sup> Day of September, 2020.



Honorable Otto Tso, Chairperson

Motion: Honorable Jimmy Yellowhair  
Second: Honorable Kee Allen Begay, Jr.