25 July, 2023

Honorable Dr. Buu Nygren

President of the Navajo Nation

Honorable Richelle Montoya

Vice President of the Navajo Nation

100 Parkway

Window Rock, AZ

86515

 CC: Speaker of the Navajo Nation; Council Delegates

 **Re: Letter of invitation**

Yá'át'ééh Honorable Navajo Nation President Nygren and Vice President Montoya,

We are writing to provide the Office of the President and Vice President with background information and context regarding the federal government’s recent passing of Public Land Order No. 7923, as well as invite you to tour oil and gas facilities located in the Eastern Diné communities of the Greater Chaco region, to view firsthand the frontline impacts from oil and gas pollution.

We also would like to emphasize that there are Eastern Diné community members and allottees who have raised concerns about oil and gas pollution and environmental justice issues in the Greater Chaco region in Northwest New Mexico, across Navajo Nation trust and checkerboard lands. These voices have been active for years, speaking and testifying before federal, state, and tribal committees and agencies, as well as documenting their complaints in local Chapter resolutions, health assessments, and lawsuits.

Recently, the Honorable Representative Teresa Leger Fernandez invited Eastern Navajo residents to submit written testimony regarding House Resolution 4374. The statements powerfully illustrate the real life impacts that Navajo constituents experience from oil and gas/fracking operations. Concerns range from heavy truck traffic to disintegrating dirt roads to the odor of propane in the air and these are but a few of the detrimental impacts. We are including several of those testimonies along with this letter.

For the past two years, Kendra Pinto, a Diné who is a certified thermographer with Earthworks, has conducted multiple investigations into oil & gas pollution harms in the Four Corners region. With every trip, Kendra has found harmful methane and volatile organic compounds (VOC) emissions, generally due to equipment failures or malfunctions, using the FLIR GF320, the same Optical Gas Imaging camera the oil industry and regulatory agencies use. Kendra has filed environmental complaints with the proper regulatory agencies in the Checkerboard region, including the New Mexico Environmental Department, the State Land Office, and the Navajo Nation Environmental Protection Agency, when the severity of the findings warranted reporting. Due to the isolated area and limited services, it is unsurprising these complaints rarely get a response. The result of this low prioritization of Indigenous communities is systematic and has serious consequences.

The areas of Nageezi and Counselor do not have a fire department, a police department, an Urgent Care center, or any proper medical emergency services. These are basic services that are not immediately available within the extraction zones. When the WPX explosion happened in 2016, it took thirty minutes for the first fire truck to respond. Fortunately, no serious injuries were reported. However, had the case been different, how would the Navajo Nation have responded to that emergency situation? What are solutions that the Navajo Nation is creating to ensure that their tribal members do not continue to experience oil explosions and large-scale produced water spills – especially when the risks of oil & gas extraction are so well documented?

Since 2018, over 50 complaints regarding methane and VOC emissions have been filed with the New Mexico Environment Department. Most of these complaints have gone unanswered. The accountability from the oil companies when they are polluting the air is minimal, yet the dangers are astronomical.

Air testing in the Chaco region has shown elevated levels of hazardous gas; the presence of highly toxic and deadly hydrogen sulfide was documented near the Lybrook Elementary School. Very few studies have been done to test the air, soil, and water quality; a vital responsibility that the Nation should absolutely consider funding. A couple of years before 2018, there was a visit to the Council Chambers to present a packet of information on hydraulic fracturing. It was passed to the Delegates in attendance, while four Dine women and one Dine man gave testimony on how their lives are impacted by fracking. An Eastern Agency Council Delegate responded by remarking that the information we provided was not of importance, and alluded that it had nothing to do with Navajo Nation. We assure you, the process to extract oil and gas is the same process used outside the reservation. There are countless studies that have proven that living near fracking is extremely dangerous. The 2022 report, “Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking and Associated Gas and Oil Infrastructure (8th Ed),” by the Concerned Health Professionals of New York and Physicians for Social Responsibility, fully references a compilation of evidence from all over the world, outlining the risks and harms of fracking. However, an indepth health impact study still needs to be done in the Eastern Agency, where continued oil and gas well drilling and operations are taking place, further exposing the population to health harms.

As Navajo Nation constituents, our concerns for a safe and uncontaminated environment benefits all of our communities and our collective physical, cultural and spiritual health. Remaining connected to our homelands is a huge part of why we do this work. The continuation of land leasing to oil and gas companies does not benefit our nation as a whole, and it especially impacts those living near extractive operations. How we treat the land becomes a reflection of our commitment to future generations. Interior Secretary Deb Haaland’s decision to withdraw land from the federal oil and gas leasing program was the right one for our people now, and those generations of Diné to come.

In the spirit of continued information sharing and dialogue, we would like to invite you on a tour of the Counselor area near the 10-mile buffer to see, hear and understand these protections are essential. We believe that seeing is believing – there is no substitute for seeing the pollution and listening to the stories of harm to the land, air, water and people. We are hopeful you will join us and offer to arrange a tour at your convenience this August or September. We look forward to your prompt response.

Ahxéhee',

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