

PUBLIC LISTENING SESSION ON THE FUTURE OF THE
NAVAJO GENERATING STATION (NGS)

Phoenix, Arizona

May 15, 2017

1:00 p.m.

REPORTED BY:

Janice Gonzales, RPR, CRR

AZ Certified Court

Reporter No. 50844

PUBLIC LISTENING SESSION

commenced at 1:00 p.m. on May 15, 2017, at the Heard
Museum, 2301 North Central Avenue, Monte Vista Room,
Phoenix, Arizona 85004, before Janice Gonzales, RPR,
CRR, Arizona Certified Court Reporter No. 50844.

* * *

APPEARANCES:

Scott Cameron, U.S. Department of the Interior
David Palumbo, Bureau of Reclamation
Kristin Darr, Moderator

1 P R O C E E D I N G S

2 MS. DARR: All right, folks, good
3 afternoon. There are still a couple of empty chairs
4 in case you want to find them. Do you have an empty
5 chair next to you anybody? Anybody want to sit down?
6 Okay. It is 1 o'clock and we are going to get
7 started. All right. Everybody ready?

8 Welcome. My name is Kristin Darr and I
9 am your third-party neutral moderator for this
10 session so here's what my job is. The Department of
11 Interior is here to listen to you. It's my job to
12 make sure that they are able to hear you and that if
13 you want to speak, you are able to be heard. Okay?
14 So that means a couple of things. I have to be
15 really tough and try to keep us to three minutes
16 because we have way more speakers than we can
17 accommodate in three hours. Okay? So if you can
18 even be quicker, you'll be my best friend. All
19 right? My job is to make sure that they hear you.
20 Okay?

21 So before we start with the listening
22 session, I want to make a couple of introductions.
23 They -- these gentlemen to my left here, Mr. Dave
24 Palumbo -- Dave, could you stand up? He's with the
25 Bureau of Reclamation and he's deputy commissioner

1 for operations.

2 MR. PALUMBO: Welcome.

3 MS. DARR: Thank you. And Scott, would
4 please stand up? Now, Scott Cameron is with the
5 Department of Interior. Scott is the deputy
6 assistant secretary for water and science. He's
7 going to provide you with a short presentation and
8 then turn it back over to me and then we'll start
9 doing our listening session. All right? Scott?

10 MR. CAMERON: Thank you very much,
11 Kristin, and thank you everybody for coming out
12 today. It's great to see that there's a lot of
13 interest in this topic and some of the issues that
14 are going to be dealt with over the next few weeks,
15 the next few months. So I want to welcome you all
16 and I'm very glad to have you here. This is not the
17 only listening session that we're going to be having
18 in Arizona over the next several days. As you can
19 see, there will be other opportunities around the
20 state. Three other opportunities for people to talk
21 about the Navajo Generating Station and what they
22 think the future will be. So I want to make sure
23 everybody was aware that this is not the only
24 opportunity today.

25 So the purpose for our listening session

1 is to provide you folks an opportunity to share your
2 views regarding the future of the Navajo Generating
3 Station with the Department of the Interior
4 officials. David is one of the senior career
5 executives at the Bureau of Reclamation. I'm
6 relatively new. I'm a political appointee in the
7 office of the secretary and we're both very
8 interested in what you all have to say today.

9 So the process -- hopefully you've
10 already experienced some of this process already.
11 There are speaker cards at the sign-in table when you
12 came in. So if you did want to have an opportunity
13 to actually present, please make sure you filled out
14 one of those speaker cards. As Kristin already
15 mentioned, we've got a lot of people so we're going
16 to have to make sure that we speak three minutes as
17 opposed to five minutes and give as many people as
18 possible an opportunity to talk today.

19 You can submit written comments, if you'd
20 like. There's a website -- rather a web address that
21 we published up there, an e-mail address. So you
22 should feel free to e-mail us comments either in
23 addition to what you might be saying verbally today,
24 or if you're not speaking today, you can certainly
25 send us an e-mail and tell us what you think. To

1 give as many people as possible an opportunity to
2 talk today, David and I are not going to be answering
3 questions. We're not going to be responding to
4 comments because that would just chew up the time of
5 other people who want to have the opportunity to
6 share their views with us.

7 Kristin you've already met. And in order
8 to make sure that we capture what folks are saying
9 today so we can potentially reflect on later on, we
10 have a court reporter here. So if for some reason we
11 can't hear clearly what you're saying, the microphone
12 is right there, Kristin is going to say, "Speak
13 louder" or "Get closer to the mic" so the court
14 reporter can actually capture what you're saying.

15 Okay. So a little bit more background.
16 I suspect most, if not everyone, in the room already
17 know this, but Navajo Generating Station is a rather
18 large coal-fired power plant. It's located on Navajo
19 tribal land near Page. There are three separate
20 generating units and the current lease expires
21 December 22nd of 2019.

22 There are some active and I think
23 potentially very fruitful discussions underway that
24 will keep generation and coal production going on
25 through 2019, but we can talk about that at another

1 time. The coal is provided from the Kayenta Mine
2 which was dedicated solely to the Navajo Generating
3 Station. Peabody Energy operates that mine. There
4 was -- as everything is true of the federal
5 government, you don't do anything without going
6 through the process of impact statements. So over
7 the course of the decades, there have been several
8 series of Kayenta environmental reviews associated
9 with the Navajo Generating Station, and most recently
10 there was activity in 2014 and 2016. Some of that
11 will be affected by what we hope will be some fairly
12 good news over the next several weeks.

13 So in terms of the owners or participants
14 in the Navajo Generating Station, it's a variety of
15 organizations, as you can see. The Salt River
16 Project and the Bureau of Reclamation approve it, and
17 likewise the United States are involved in all
18 characters of public service and parties that you can
19 see here in the pie chart. Okay. The nonfederal
20 owners, meaning the owners other than the Department
21 of the Interior, Bureau of Reclamation, had indicated
22 that past 2019 they are not interested in continuing
23 to operate the Navajo Generating Station. So it was
24 their decision on their part -- that position on
25 their part that is one of the reasons that we're here

1 today to try to figure out a path forward for the
2 mine, for Navajo Generating Station, for the Central
3 Arizona Project, for the CAP tribes, and everyone who
4 has a stake in the Navajo Generating Station and the
5 Kayenta coal mine.

6 So for the last three or four months, it
7 seems to be going through a process of having
8 discussions among the owner, the discussion among
9 other stakeholders about what might the future look
10 like for the Kayenta Mine, for the Navajo Generating
11 Station. The most impressing, most intense, most
12 current discussions are about continuing having a
13 two-year lease extension for the Navajo Generating
14 Station that would allow production to go on through
15 2019. And I would think in the matter of the next
16 week or two or three it will become clear how those
17 discussions are going to be resolved. Really that
18 involves the Navajo Nation and the Salt River Project
19 negotiating a lease extension.

20 The Department of Interior has a number
21 of goals here. We want to protect the jobs of the
22 people who work at the Kayenta Mine and who work at
23 the Navajo Generating Station. We'd like to see coal
24 remain a significant part of not just Arizona or the
25 Southwest but of the nation's energy mix. We also

1 realize that the path forward needs to be
2 economically viable. Any decision that makes -- that
3 is made that involves dollars and cents has to make
4 sense economically. So we are facilitating a process
5 of many stakeholders to address rather large and
6 complex issues around what the future might look like
7 for NGS and the Kayenta Mine. Some of these issues
8 will take six months or a year to resolve, others
9 have a much shorter fuse on them like the two-year
10 extension, for instance.

11 Okay. That is really the main piece --
12 the main content I wanted to deliver this afternoon.
13 I'm very pleased to be here representing the Trump
14 administration and we care about this region and the
15 wide variety of interests that people have and really
16 look forward to the opportunity to listen to you all
17 today and hear what you think the future ought to
18 look like so thank you very much. Kristin, I'll pass
19 it back to you.

20 MS. DARR: All right. Let's do this.
21 Let's turn our cell phones down just so that when
22 people are talking they don't feel interrupted or
23 anything. Okay? So, again, I told you my name's
24 Kristin and my job is to make sure that these folks
25 here are able to hear from all of you in the next

1 three-hour period. So if you would like to speak,
2 you should have filled out a speaker card and given
3 it to Sandy here to my right. Anybody else want to
4 turn in a speaker card?

5 And we're going to start with our elected
6 officials and I have several of you that did fill out
7 a card, and if I miss any, just let me know, but
8 we'll start with Congressman Tom O'Halleran. After
9 him will be Representative Mark Finchem, state
10 legislature. Okay. So I'm going to give you kind of
11 the on-deck so that we can be ready and kind of keep
12 moving through, and we're trying for three minutes,
13 right, Congressman? I'm a tough cookie.

14 MR. O'HALLERAN: You just give me a
15 second and I'll stop talking.

16 Good afternoon, everybody. I want to
17 thank the Bureau of Reclamation for being here and
18 listening to this issue. The principals involved in
19 the contract resolution hopefully of this issue and
20 everybody that's here today. My district takes in
21 not only the northern area that is a problem as it
22 relates to Hopi and Navajo, but as Governor Lewis
23 knows and others that the southern tribes also are a
24 part of my district and I have very great concerns
25 about each and every one of them and the other people

1 who live within the area.

2 My concerns are fairly straightforward.
3 We have to first of all think of families in the
4 communities of which this impact is going to be felt.
5 It's a quick cycle here. We're going to go from
6 getting notified less than six months ago basically
7 to now and trying to put together what is the
8 economic process of being able to continue economic
9 development in the area, or it's a longer-term
10 process to have an eventual transition, and then we
11 have all the other issues in between.

12 I know that there's a hope for a process
13 where some people would be employed somewhere else,
14 but that does not deal with the cultural issues. It
15 doesn't address the families that have to move off
16 the reservation where they have lived. It's their
17 historical homeland. And it also does not address
18 the long-term power needs as I've seen to the
19 Southwestern United States and Arizona.

20 I would caution that if go through this
21 so that you allow the principals to do their job in
22 negotiating in a fair way transparently eventually,
23 we want to make them not have the contractual
24 obligations and also be able to identify the overall
25 needs of all these communities. I don't know -- I

1 don't think six months is enough time. July 1st is
2 not enough time and I would hope that reasonable
3 people can come forward and identify the entire
4 process not only from where we're at today, but where
5 we can be in 10 or 50 years from now. And this short
6 cycle is not helping with that -- with our
7 longer-term planning that is needed. So with that
8 I'll let more people talk and thank you very much.

9 MS. DARR: Okay. Representative Finchem
10 and then Andy Tobin and then President Begaye.

11 MR. FINCHEM: Thank you for the
12 opportunity to comment on the future of the Navajo
13 Generating Station and we understand the consequences
14 that a premature decommissioning of this power
15 generating station would draw. I'd like to make four
16 points. Public debt and associated promises, state
17 power and infrastructure security, survival of the
18 Hopi Tribe and many Navajo communities, economic
19 impact to the state of Arizona, Coconino County, and
20 the City of Page as well as many others.

21 Point number one: NGS is not paid for
22 yet. Not paid for yet. With over \$1.1 billion yet
23 to pay off the construction of the power plant, NGS
24 promises to be as big a burden on the taxpayers as
25 the lender fraud has been because Interior and EPA

1 has not included all of the cost impacts that both
2 our power plants and communities serve. Replacing
3 coal with solar only doubles the price of energy.

4 If you close the coal plants, pay the
5 miners' benefits who are now employed, you also pay
6 for the new solar. The TWG Agreement expects the
7 plant to run until 2030, but NGS owes Interior debt
8 out to 2044. So the debt service doesn't just go
9 away even though the plant might. The matter of
10 seeking power security for both Arizona and the
11 surrounding states that draw on our baseload, we do
12 not know when coal power will eventually be
13 permanently replaced with natural gas, but there are
14 a few fundamental flaws with the premature retirement
15 of NGS. If the community is to depend on natural
16 gas, gas has a role to play, but it's a balancing
17 resource not a baseload resource. Consider that that
18 is part of the energy security plan.

19 Point number three: The Hopi Tribe has
20 relied on coal production from the Black Mesa deposit
21 for centuries. There's been no realistic plan put
22 forward that would replace such a dramatic reduction
23 in work for this people group. It is no secret in
24 the energy production community that Chesapeake
25 Energy gave \$22 million to the Sierra Club to act as

1 their surrogate in the privateers' war on coal. I
2 might add, this resembles a great deal the Carnegie
3 U.S. Steel shell that put the others out of business
4 kind of attitude. The evidence of this attempt is
5 bottlenecking at its worse indeed, herein, as I have
6 some attachments that I'll leave with you.

7 Ben Bennett, the Navajo Council delegate,
8 is advocating for continued operation of both
9 enterprises. Keep the Navajo people employed, fed,
10 sheltered, and clothed. His remarks are combined
11 herein as Attachment No. 3. State of Arizona,
12 Coconino County, and City of Page, Arizona stand to
13 lose far more than just the transaction privilege tax
14 dollars that are generated by coal sales which amount
15 to approximately \$17 million annually than the Navajo
16 Generating Station --

17 AUDIENCE MEMBER: Three minutes.

18 MS. DARR: You're at three minutes. You
19 may continue. You are at three minutes.

20 MR. FINCHEM: I'll just say I have
21 comments that I will leave with you along with proofs
22 from W.P. Carey School of Business. They conducted
23 an economic study of this. Arizona stands to have a
24 multibillion dollar hole in our economy if this plant
25 is shut down. Thank you for the opportunity to

1 speak.

2 MS. DARR: Thank you, sir. Thank you
3 very much. Okay. Commissioner Tobin, President
4 Begaye, and then Mark Lewis.

5 MR. TOBIN: Thank you very much. Unlike
6 my dear friend Congressman O'Halleran, I probably
7 won't be on time, but it's good to see you,
8 Congressman, and I couldn't be in more agreement.
9 The about-face of SRP that began from October when
10 they were telling everybody that this is a long-range
11 plan to maintain the Navajo Generating Station to
12 just a short two months later to say we're closing it
13 isn't -- first off, it doesn't even land in the area
14 of duty of a business, but I know this from an
15 Arizonan and I know this is how you feel that that is
16 not being a good neighbor. That is not being someone
17 who's come out and reached out and talked about how
18 we can make this work together.

19 I have been to Washington on two separate
20 trips -- two separate visits to sit in meetings to
21 see if we could find ways to make this extension
22 work. We are six weeks away from what SRP considers
23 basically a padlock on Navajo Generating Station. So
24 don't get me wrong. I don't argue that we shouldn't
25 have less expensive, safer, maybe more healthier

1 climate. This is about, are we doing business right
2 here in Arizona? This is about, should somebody who
3 has no regulation under our authority at the
4 Corporation Commission be able to say that we are
5 closing this plant? This is about some company who
6 after 40 years gets to decide in six months that
7 they're going to change the trajectory of Arizona's
8 energy security.

9 Just so you're aware, SRP is already in
10 sale for a \$100 million facility to burn this new
11 power. Ken Morgan was just in our office last week
12 to spend \$375 million more over a five-year period to
13 have gas storage. At some point in time, all those
14 pieces have to be counted into the difference between
15 what coal costs and what natural gas costs. The
16 Navajo have come to the table. The Hopi have come to
17 the table. Folks are trying to make this balance
18 fit. It doesn't fit when you have a gun to your head
19 telling you that you only have six weeks left.

20 Where's the agreement today? Where's the confusion
21 coming from in this room? I don't see any. You're
22 good and decent Arizonans who just want to work. I
23 think you expect and should get more than six weeks
24 to decide whether you're going to have a job or not.

25 So I would ask that -- and I think it's

1 important that we have these when speakers come up --
2 that you're having to ask -- five years is what I
3 propose to this commission through the Bureau of
4 Reclamation. I'm disappointed they voted to close
5 this facility. So I ask this board to reconsider two
6 things. Number one, as Congressman O'Halleran said,
7 we need to go to at least October so we have more
8 negotiation time, and number two, we should be
9 considering a five-year phase-down that is more
10 appropriate than two years when many of you don't
11 realize in the two-year phase-down, they actually
12 start closing in October anyway. This gives us more
13 time to adequately -- not just prepare our workforce,
14 but to find out is the pricing that's out there -- is
15 the market pricing going to stay what it is today. I
16 would argue that the most unstable power source we
17 have right now is natural gas. Coal is the most
18 stable. So let's give it some time. Thank you.

19 MS. DARR: Okay. Next we have President
20 Begaye from the Navajo Nation followed by Mark Lewis
21 and Jamescita Peshlakai, state senator.

22 MR. BEGAYE: All right. We will keep the
23 coal -- the NGS running till 2029. That is our goal
24 and that's what will need to happen. We have an
25 agreement. We will drop legislation on the 18th of

1 this month -- May 18th, which is Thursday. It will
2 be voted on and we will be ready to go July 1 to
3 extend it through 2019 so we have time to find new
4 owners to find ways to keep the generator running and
5 the mine open and operating. That is our goal and we
6 have even this morning we'll be meeting, tonight, and
7 tomorrow.

8 We've been going at it 24/7 trying to get
9 things in structure and we do have, I believe, an
10 agreement. All the issues that we've been dealing
11 with has already been resolved. So it's just some
12 minor tweaking. It's now left and so we are
13 confident that on Thursday we'll have all of it
14 together completed and on Friday we will have a vote
15 on it and I will sign it as president of the Navajo
16 Nation so this NGS will continue and the mine will
17 continue operating.

18 So as it has been said is that we worked
19 hard to overcome clean power plant, which we did, and
20 then we went and we were told Nevada didn't want to
21 sign and we dealt with Nevada. They said they're
22 ready to sign, and then APS tells us they're not
23 going to sign, and so it's been one thing after
24 another. Every challenge that's come before Navajo
25 Nation, we have met those challenges, and today we

1 continue to meet those challenges and we will keep
2 the mine open. We will keep NGS running. That is
3 our commitment and that's what we plan to do.

4 And so we're -- like I said, the
5 agreement's done. We're ready to move forward and
6 now we're looking for new owners, new buyers to run
7 it through 2029. That is our goal and that's what we
8 plan to do. So, again, thank you for the
9 opportunity.

10 MS. DARR: Mark Lewis?

11 MR. LEWIS: Hi everyone. Thank you for
12 the opportunity for us to speak. For the record, my
13 name is Mark Lewis. I'm the most senior member of
14 the Central Arizona Project Board of Directors and
15 I'm grateful for Interior having this meeting here in
16 my district. I represent the 4 million people of
17 Maricopa County, and every one of those folks here in
18 this county has a beneficial interest in the Navajo
19 Generating Station.

20 We made an agreement for the Boulder
21 Canyon Project Act with the United States to build
22 Central Arizona Project. It included a \$4 billion
23 ditch and a billion dollar power plant, and that was
24 the deal we made with the United States to provide
25 water to Central Arizona and the 5 million people in

1 the two major cities. We've been paying \$50 million
2 a year in payments to the United States to pay that
3 off. We still owe the United States \$1.1 billion on
4 the power plant and the canal. Our payments run \$50
5 million a year through 2044, and our challenge today
6 is the Interior's participation as our beneficiary
7 for the operation of the power plant. Our plan is
8 for that to continue to 2044 when the debt expires.

9 As part of the debt restructuring in our
10 last lawsuit with the United States, we sued each
11 other and we spent millions and millions of dollars
12 and we settled on a debt agreement that left us with
13 1.1 million in payments. The deal we made with the
14 United States includes that power plant. Of the debt
15 that we owed you, \$369 million is attributable to the
16 Navajo Generating Station. There is no reason that
17 we should close a power plant that we still owe the
18 United States \$369 million. It's crazy. That power
19 plant is perfectly operational. It's provided 93
20 percent of the power for 5 million people for the
21 water supplies and 10 tribes -- the 5 million people,
22 the cities, the farms, and the environmental
23 mitigation that we do. That's part of our deal with
24 the United States. And if you're going to get my
25 vote to continue to make those payments, we need to

1 have an agreement that that asset will continue to be
2 available through the term of our debt, and that's my
3 three minutes of comments. Thank you.

4 MS. DARR: Thank you, sir. You are
5 actually 15 seconds ahead of time so thumbs-up.

6 All right. Next up we have State Senator
7 Peshlakai followed by Michael Curtis of the Arizona
8 Municipal Power User's Association. Thanks.

9 MS. PESHAKAI: Thank you.

10 (Speaking in native tongue.)

11 Thank you to the Department of Interior
12 and all of those that are here from CAP, Navajo
13 Generating Station, SRP, and all of the mine workers
14 and employees in the area, and thank you for being
15 here, our tribal leaders, and all who are in this
16 room. My name is Jamescita Peshlakai. I'm the state
17 senator for the area around the Navajo Generating
18 Station and I just wanted to step up here for a
19 moment just to say that my part in this is to listen
20 here at this listening session, and then also to
21 speak to what I know of the area and the history of
22 the Navajo Generating Station. There's so many lives
23 that are dependent upon the future of Navajo
24 Generating Station and our families and generations
25 to come. Also there's some folks here -- having been

1 born and raised in the area, I know there's a broad
2 spectrum to those that have lived around the Navajo
3 Generating Station, and I want the conversation to
4 remain open and for all of us to be cognizant of the
5 area -- of the tribal people around the area.

6 There's people that have had decades to
7 live and to work and to make a living around the
8 Navajo Generating Station and Peabody coal mine, but
9 there's also people that never saw a dime of that.
10 And the rest of the world has continued on
11 prospering, evolving, and growing into the century,
12 but there's some people and some families that remain
13 in the 1930s, '40s, and '50s. There's people that
14 live right next to the generating station that don't
15 have running water or electricity and yet we have --
16 we have generated and made the Valley here in Phoenix
17 one of the most prosperous areas on the face of this
18 earth and we need to remember that somebody
19 sacrificed something for that. Maybe not the people
20 that live here in the Valley, but the people that
21 have become sick, have passed away, have died because
22 of uranium, cold, the loss of water.

23 I was raised in the area -- born and
24 raised so I know exactly what it's like. And I want
25 everybody to know that as we go forward and plan, we

1 need to plan responsibly for the equity and social
2 just treatment of every single person not only in the
3 NGS region, Coconino County, Arizona, the Southwest,
4 but for everybody that will continue on. And with
5 that I want to say that let's continue planning for
6 not just 50 years which was -- 50 years ago we knew
7 this day would come. We need to start now. Use this
8 as an opportunity to plan for a great industry for 50
9 years from now, 100 years from now that all of us
10 will be in the same boat together and not leave other
11 people behind. Thank you.

12 (Speaking in native tongue.)

13 Thank you.

14 MS. DARR: Michael Curtis, Arizona
15 Municipal Power User's Association. No? Myrata
16 Cody? Did I say that right? Myrata.

17 MS. CODY: I'd like to say thank you or
18 good afternoon and thank you to all the people who
19 are here, and also I'd like to introduce myself. My
20 name is Myrata Cody and I'm a provider at Kayenta
21 Mine. I've worked in the coal industry for 37 years.
22 I've eventually -- been there when the mine started.
23 Back then there was nothing there. Vegetation was
24 very poor and now you see the big difference. Now we
25 have roads and we have a community there that we use.

1 And then to make things easier, the mine has helped
2 us and has changed our lives there. So in that way,
3 you know, just working there, providing for my kids,
4 I was able to educate them and further their
5 education. They have bachelor's degrees and they're
6 on their own now and I wish this for the younger kids
7 that are coming in. I want them to have this. The
8 reservation, the economy is very -- it's going to go
9 down if we don't continue with the NGS and the
10 Kayenta Mine.

11 So I'd like to ask all of you who are
12 listening in to really think about this and try to
13 find a solution to continue this for the younger
14 generation. I truly believe that it can be resolved,
15 and I know we can work together and try to find a way
16 to keep NGS going and Kayenta Mine going. This will
17 be my comment for now. Thank you.

18 MS. DARR: Thank you. Okay. I need to
19 do my job better. I need to read three names so you
20 know you're on deck. The next name I have is Jessica
21 Keetso followed by Dru Bacon and Robert Burns.
22 Jessica? No Jessica? Dru? Are you Jessica?

23 MS. KEETSO: I'm Jessica.

24 MS. DARR: And you're Dru? Okay. And
25 then after that Robert -- Bob Burns. Gotcha. Okay.

1 You're up.

2 MS. KEETSO: Jessica Keetso.

3 (Speaking in native tongue.)

4 I live near Black Mesa and Kayenta Mine
5 with my family. We're one of the many families who
6 still practice our traditional way of life. We still
7 farm and raise livestock and we don't receive any
8 benefits from the mine. We practice a lot of our
9 traditional -- our traditional life ways, and that
10 way of life is being jeopardized by the mine because
11 they use a lot of our water and nobody ever talks
12 about that aspect. It's always about revenues and
13 about jobs, but without water, none of us would be
14 able to survive.

15 And I'm asking the Department of Interior
16 to live up to your trust responsibilities for not
17 only the workers but for the people who live there
18 who aren't employed by the mine. And I propose we
19 find an alternate approach -- or an alternate
20 solution and we diversify our economy. That's all I
21 have to say. Thank you.

22 MS. DARR: Thank you, Jessica. We've got
23 Dru and Robert and then Nadine and I am going to mess
24 up your name. Nadine, you know who you are. Your
25 last name starts with an N. I'm so sorry. I'm

1 afraid of butchering it. Okay. Hopefully you know
2 who you are. Dru?

3 MR. BACON: Thank you for the opportunity
4 to speak. My name is Dru Bacon, D-r-u B-a-c-o-n. I
5 live in Goodyear, Arizona and my community in
6 Goodyear has 4,625 houses. 1,000 -- more than 1,300
7 of those have rooftop solar. Homeowners like the
8 option to invest directly in generating their own
9 electric power and power that benefits the nonsolar
10 neighbors. My community and hundreds of others
11 across the state and across the nation are examples
12 that the U.S., and indeed the world, is in a rapid
13 transition from polluting fossil fuels to clean
14 renewable energy.

15 Profound poverty on the Navajo Generating
16 Station, as opened by your state representative,
17 existing before Navajo Generating Station, and the
18 way we're going, it will exist long after the Navajo
19 Generating Station and the Kayenta Mine are closed
20 down. There are more than 300,000 indigenous
21 Americans living on the Navajo and Hopi Reservations.
22 It's an insult to the dignity of these people to
23 justify keeping NGS in operation for a few years
24 based on employment of a fraction of 1 percent of the
25 population. Poverty and health care for all

1 residents of reservations needs to be addressed
2 independent of NGS. I hope that will happen.

3 I refer you to May in 2017, a report of
4 the institute for energy, economics, and financial
5 analysis. The report concludes that operation of NGS
6 through 2019 will require subsidies of \$414 million.
7 That amount of money is sufficient to put rooftop
8 solar on more than 50,000 tribal homes. Providing
9 rooftop solar to a large percentage of reservation
10 residents would be a better use of \$414 million than
11 keeping a fraction of 1 percent of residents employed
12 for two years.

13 The report also concludes that keeping
14 NGS open through 2030 would require \$3.4 billion in
15 subsidies. \$2.4 billion would put rooftop solar on
16 the roof of every tribal home and build a large
17 utility stable solar plant. Building such a solar
18 farm at the NGS site would be the best choice for the
19 tribes and for energy generation. A utility stable
20 farm would take advantage of existing transmission
21 infrastructure. I'd refer you to the utility report
22 of May 15, 2017. Utility Dive reported that a
23 combined gas plant bankrupt -- is now bankrupt
24 because -- built in 2012 is now bankrupt because the
25 plant cannot compete with low cost wind and solar and

1 cannot meet its bills.

2 MS. DARR: Thanks. Can you wrap up,
3 please.

4 MR. BACON: Yes.

5 MS. DARR: Thank you.

6 MR. BACON: We often hear government
7 officials say that we should not pick winners and
8 losers and that decision should be left to the
9 marketplace. In the case of coal, the market has
10 spoken. Coal has lost and renewable energy has won.
11 I read about the tribe of indigenous Americans who
12 have a tenant in their governance that all decisions
13 should consider the impact of their decisions on the
14 next seven generations. I hope this decision will
15 keep that wisdom in mind.

16 MS. DARR: Thank you, sir. Okay. Did I
17 find Nadine? Yes. Okay. You're after this
18 gentleman and then Thorson. There we go. Okay.

19 MR. BURNS: Good afternoon. I am Bob
20 Burns and I am one of the five elected Corporation
21 commissioners here in the state of Arizona. The
22 closing of the Navajo Generating Station is obviously
23 a very serious issue for the Navajo Nation and the
24 Hopi Tribe as well as the whole Page community. I am
25 hopeful that as many options as humanly possible will

1 be examined to solve this major problem for our
2 Northern Arizona community.

3 As a utility regulator, though, my
4 primary concern and responsibility is the ratepayers
5 of the regulated utilities. If subsidization becomes
6 part of the solution, I object to any mandatory
7 above-market power rates which would create a subsidy
8 basically singling out our ratepayers. The
9 ratepayers served by the regulated utilities are
10 concentrated in the metropolitan centers being served
11 by Central Arizona Project. If part of the solution
12 creates a mandatory rate increase, which I have heard
13 talked about for power, these ratepayers could end up
14 being double taxed, if you will, with a higher power
15 and a higher water cost combined.

16 My point is that this is not a problem to
17 be solved by the ratepayers of our regulated
18 utilities. This problem needs to be solved by the
19 federal government and the federal and state
20 governments, if necessary, working together. Thank
21 you for the opportunity to speak.

22 MS. DARR: All right. Nadine and then
23 Thorson and then Ronald Roedel. Okay. Gotcha. All
24 right.

25 MS. NARINDRANKURA: (Speaking in native

1 tongue.)

2 My name is Nadine Narindrankura. I live
3 in the Black Mesa region and I am very concerned
4 about this issue. If NGS stays open a day longer,
5 the Navajo people of Black Mesa will be denied their
6 basic rights to water. My sister Jessica stated
7 earlier, we practice a lot of our traditional life
8 ways and a lot of our life ways depend on the health
9 of the land. The health of the land determines the
10 health of the plants which our livestock rely on
11 which we use for wild -- we forage wild food, we
12 harvest the plants to dye our wool that we use to
13 make rugs and all of our -- this is our traditional
14 economy and it uses water, but we no longer have our
15 springs and seeds.

16 My grandma used to tell us that she would
17 be able to herd sheep to a nearby spring, but now we
18 haul water, and the water that we haul, the wildlife
19 drinks from those watering holes. And so if I want
20 to remain on Black Mesa -- if I want to raise my
21 daughter there, we need to change the direction of
22 our energy. If Navajo Nation wants to stay in the
23 energy market, they need to diversify. There are
24 better ways of doing business and the Department of
25 Interior has historically made business rules that

1 have harmed entire indigenous communities and not
2 just my community.

3 So I'm asking you, DOI, please, uphold
4 your responsibility not only to us residents on Black
5 Mesa, not only to the residents that benefit from the
6 CAP -- the native communities that benefit from the
7 CAP, but please remember the constituents, the
8 wildlife, the plants, the earth, the air, the water,
9 the sky. Everything. Not just the jobs. Thank you.

10 MS. DARR: Thank you. Let's see here.
11 Thorson and then Ronald -- I've got eye contact with
12 you -- and Jim Dublinski. Gotcha. Okay.

13 MR. KEWENVOYOUUMA: Good afternoon, ladies
14 and gentlemen. My name is Thorson Kewenvoyouma. I'm
15 from the village of Moenkopi Village. I've been
16 working for Peabody coal for 30-plus years and I have
17 experience of Black Mesa mine and other reservations.
18 Fortunately I was called to Kayenta Mine to continue
19 my employment for Peabody. Its employees of Peabody
20 who have put in many years of hard labor not only to
21 earn a paycheck, but to start the production of
22 community for the Southwest and earning financial
23 sources for both the Hopi and Navajo tribes.

24 Through our hard work, both tribes have
25 benefitted. People in the Southwest -- people of the

1 Southwest don't have to leave their home. All they
2 have to do is click on the switch to get energy
3 called electricity. There are people who want NGS to
4 close and there are those who are against this
5 closure. This is a complex issue that is not easy to
6 tackle nor is it simple. The state holds -- produces
7 pollution or destructive to the land.

8 Pumping natural gas from the earth causes
9 fracking, using solar energy is great, but think of
10 the useless material that is left behind in the
11 works. More sites need to be developed at the use of
12 these resources. Not one group or person can say
13 what's best for everyone. The closure of NGS may
14 minimize pollution by a small fraction, but pollution
15 will continue by other sources.

16 It will unemploy not only for us coal
17 miners, but also for many people who benefit from the
18 company. Owners of NGS have benefitted the most from
19 the plant and the coal miners on the reservation.
20 Their decision to close the plant will not only
21 disrupt the lives of the employees at that site, but
22 also the infrastructure entities that's helped it
23 become a productive company. As future plans come
24 about NGS, don't forget, you also need to think of
25 the men and women who have labored years and hours

1 generating a heating source for you to enjoy. Thank
2 you.

3 MS. DARR: Thank you, sir. Ronald Roedel
4 and then Jim Dublinski and then Ivan Sidney. Where
5 are you? Oh, gotcha. Okay.

6 MR. ROEDEL: Good afternoon, everyone.
7 My name is Ron Roedel. I'm a professor at ASU. I've
8 taught solar energy physics and engineering for the
9 last 35 years and so I'm an advocate for solar
10 energy, and in general, I am in favor of replacing
11 fossil fuel facilities with renewable, nonpolluting
12 electricity generation, but I'm also very socially
13 conscious, I think, and I'm very concerned about the
14 impact of closing a facility as large as NGS and the
15 Kayenta Mine.

16 But I would like to point out that Andrew
17 Needham wrote this fabulous book in 2014 called
18 "Power Lines" and he has written powerfully that in
19 very large measure, the entire enterprise of NGS and
20 the Kayenta Mine has been to successfully transfer
21 immense amounts of treasure and energy and resources
22 from a relatively poor portion of Arizona to -- from
23 a relatively rural portion of Arizona to the bulk of
24 the rich urban regions in Arizona as Senator
25 Peshlakai has pointed out.

1 Now, I think it would be even more
2 disastrous if we shut NGS and Kayenta and didn't
3 think about what would be left in its wake. I don't
4 mean the environmental devastation of the mine
5 itself. I mean, what will be -- how can we make the
6 Navajo Nation whole again? How can we keep all the
7 hardworking people at the mine and NGS healthy and
8 wealthy and wise? We have to have a plan that --
9 something about this that we cannot neglect everybody
10 in this room because I do believe they're no longer
11 going to need NGS and the mine will close. Don't
12 know on what time scale, but we must count on all of
13 our authorities having jurisdiction to help everybody
14 in this room. Thank you very much.

15 MS. DARR: Okay. Jim and then Ivan in
16 the back and the next one is Marie Justice. Where's
17 Marie? Hi. Okay. Jim?

18 MR. DUBLINSKI: Thank you for allowing me
19 to talk today. The market forces for Navajo
20 Generating Station are uncompetitive. In 2016 alone,
21 \$38 million --

22 AUDIENCE MEMBER: Can't hear you.

23 MS. DARR: Yeah, you need to put that
24 right up there. There you go.

25 MR. DUBLINSKI: 2016 alone, CAP has

1 overpaid \$38 million in energy costs versus to the
2 open market rate. That's a CAP estimate. That's a
3 subsidy and something that we can change forward,
4 that's assuming municipalities are mitigating their
5 risk. Their money is not moving toward coal.
6 They're moving toward renewable. So where do we go?
7 That's the key question. I believe renewables are an
8 answer. The sooner we move to renewables is better
9 for not only the state and the country and the
10 community, but to conserve a principle that's risk
11 mitigation.

12 As a whole, the coal industry's
13 struggling. Coal bankruptcies, cleanups, water
14 issues, black clouds. Jobs have been declining since
15 the 1950s. This is primarily due to market forces,
16 automation, and health issues. Renewables are
17 economic sovereignty and jobs. Solar alone in the
18 United States is a larger employer than gas, coal,
19 and oil combined. Renewable's approach is a fiscally
20 responsible move that where investment mines flow,
21 jobs are there. Solar alone is growing 12 times
22 faster than the economy.

23 The price for storage, solar, and wind
24 continues to fall. The price of clean energy over
25 coal continues to grow. We don't want to be on the

1 wrong side of this. Many states have already --
2 meeting their clean energy goals, completing their
3 timelines. There's another path forward. Renewables
4 globally is a \$4 trillion opportunity. It's also
5 renewables in the mine, the future, and economic
6 sovereignty. Thank you.

7 MS. DARR: Thank you. You guys are doing
8 great, by the way, on the three minute thing. So
9 Ivan, you got it, okay, and then Marie and James
10 Corbin. Gotcha. Okay.

11 MR. SIDNEY: Thank you. Good afternoon.
12 Honored to be here with the Native Americans on this
13 very important day. Let me first say my name is Ivan
14 Sidney. I'm here representing traditional affiliate
15 of First Mesa Consolidated Villages, but first to say
16 we are people of many broken promises. We don't have
17 a treatise, but yet we have survived up to today.
18 Judge Carol, a federal judge in one of those
19 hearings, one of the things we mean was that we have
20 been here since memorial. And yes, we have suffered
21 through the history of burning Peabody coal and all
22 facing the environmental issues.

23 I was chairman in 1981 through '89
24 working with my friend Chairman Peterson Zah when he
25 renegotiated the royalties. I thought that was to

1 show that you can work together in good faith. That
2 such leases have a term if we sit down and work
3 together. We have for years seen transmission lines
4 come here to Phoenix without our people benefiting.
5 We don't have irrigation on our land but that water
6 comes here. We're still today with the Lower
7 Colorado River adjudication for what? Water again.
8 All we want is an opportunity. I'm currently the
9 chairman of the school for Hopi Junior-Senior High
10 School. I look at those children today. What are
11 they going to do when their parents no longer have
12 jobs? Because the only royalties that benefit Hopi
13 Tribe comes from the mine creating jobs.

14 Also what are we going to do in the
15 future when we are neglected? Our village has a
16 proposal today and has had one for the past year for
17 a solar farm renewable energy, but no one pays
18 attention to us. I'm here saying this knowing for a
19 fact we are the only village that do not receive
20 allocation from the Hopi Tribal Council. Yet every
21 other village receives that funding, but I am here
22 today because of our judicial leaders, not the
23 American future for our people.

24 We are survivors, however, if we just put
25 our differences aside as native people and work

1 together and it works. This America is our land.
2 We're going to remain here. We'll be here. So I
3 believe there is a future if we can all work
4 together. Bureau of Indian Affairs signing those
5 leases has an obligation to look out for our future
6 so let's begin a strong beginning today.

7 MS. DARR: That is the perfect three
8 minutes. You, sir, have practiced.

9 James Corbin and then Ben -- Hopi tribal
10 member.

11 MS. JUSTICE: Thank you for being here.
12 My name's Marie Justice. I am a truck driver at
13 Kayenta Mine. I have worked there for 29 years. I
14 am also the local union president of the United Mine
15 Workers of America, Local 1924. I represent the men
16 and women that work there and I'm charged with
17 looking after their welfare and their safety on the
18 job. I am also a member of the Lechee chapter where
19 the NGS sits. In fact, I played there as a child
20 before they built that plant. I am also a
21 sheepherder, a sheep rancher within the shadows of
22 NGS, and from there I had the opportunity years ago.

23 And in this day and age when I was
24 getting a job, I couldn't get a job as a woman to
25 make the same amount of money as a man does in my

1 community. I went to Kayenta Mine. I wanted to work
2 there. I was given a level playing field as a woman
3 and a native woman and it has provided me a job for
4 all these years. This is my story. But we have a
5 lot to talk about with our mines. We're very proud
6 of our jobs. We're very proud of what we do. The
7 men and women there are very, very proud people, and
8 we have provided energy for NGS for all these years.
9 We did our part. We worked safely. We did some very
10 excellent things in reclaiming of the lands. We are
11 talking about elk, deer, fox, hawks, bald eagles
12 flying in our area because of what we have reclaimed.
13 What is there has provided that for the wildlife
14 where you can go out there in the evening, they're
15 out there in the fields. This is what we provided
16 there with the reclaimed lands that we have.

17 We also have an area where Peabody has
18 made an attempt with the local medicine man to
19 provide only traditional plants that are used for
20 medicinal purposes and they're growing there and
21 they're there. So this is what we have to be proud
22 of for us as miners. And the other thing is safety
23 is our first value and core to our mission. We
24 deliver a strong safety rate for our people and it is
25 a very, very safe mine. Safer than most industries.

1 And we have 325 skill jobs out there from virtually
2 everyone, like has been said before, is Native
3 American, Navajo, and Hopi. And we do make good
4 money. I am probably a middle-class person, but
5 we're disappearing. If we do away with this, we're
6 gone.

7 So in addition, our miners themselves
8 donated \$96,000 last year to help our communities,
9 our children. We really help our students. We make
10 the time to help our kids to do better than what
11 we're doing and that is something that we're really
12 proud of. We help our communities. So the other is
13 that four years ago we lobbied the Navajo Nation to
14 give SRP what they wanted to 2044. We went out
15 there. These people that are here, they were there.
16 We talked to our delegates. We got it done. The
17 Navajo Nation signed, but guess who didn't sign. The
18 owners walked away from it. We gave them that
19 opportunity. To me they stabbed us in the back when
20 they did that. We worked. We did our part. For
21 them, they're walking away just because of profit.
22 They have an opportunity to do the right thing. They
23 didn't do it. And we have given our land all that
24 time for them to be there and make money and to
25 provide everybody that sits now here and turns on a

1 faucet, we provided that for you and now you want to
2 do it cheaper and walk away from all of us? I don't
3 think that's right. This is where you have a trust
4 responsibility as the Department of Interior to do
5 the right things -- for industry to do the right
6 thing for our people. Thank you.

7 MS. DARR: Thank you. James Corbin and
8 Ben, and I can't say your last name and I'm very,
9 very sorry about that, and Brice Brown. Where are
10 you? Okay. I see you. All right. Go ahead.

11 MR. CORBIN: Thank you for the
12 opportunity to speak and thank you to the Bureau of
13 Reclamation and Department of Interior for taking the
14 time to do this. Marie is right. It's all about
15 money and it's all about cheaper. The gentleman that
16 left, the solar industries is mostly heavily
17 subsidized industry in the United States. And in the
18 state of Nevada when they ceased the subsidies, the
19 solar energy stampeded out of the state of Nevada.
20 So what they're doing now currently at the federal
21 energy regulatory commission, there's a company
22 called Hunt Power out of Texas. They're building a
23 transmission line to Mexico so they can build a coal
24 plant down there to put all these people out of work.
25 What you have to do is file as an intervenor at the

1 federal energy regulatory commission. You have to
2 file as an intervenor at the Department of Energy.
3 You have to get a place at the table. You've got to
4 be heard. You also have to go against these
5 companies. Out of one side of their mouth they're
6 telling you this plant can't be supported. On the
7 other side of their mouth they're building a plant in
8 Mexico to put a coal burner down there. And by the
9 way, the federal power in Mexico is 100 percent
10 federally owned and subsidized. So you have to fight
11 smart and you've got to stand against this.
12 President Trump when he was elected, he said he was
13 going to protect American jobs. Let's hold him to
14 his word.

15 MR. NUVAMSE: Good afternoon. Thank you
16 very much for being here. My name is Ben Nuvamse. I
17 am former chairman for the Hopi Tribe. I want to
18 acknowledge Sidney, former chairman as well, and Vern
19 Masayesva, wherever he sat. I saw him walking in.
20 But thank you very much for the opportunity, David
21 and Kevin. Congressman, good to see you here. I
22 wanted to talk about a couple things. One is the
23 history of coal mining at Black Mesa and talk about
24 the impacts. We've heard a lot about that already,
25 and then I'm going to talk about a possible solution.

1 And to the point -- at the risk of being
2 brutally honest, what I want to say is in the
3 mid-'60s Hopi people were -- the word I use is
4 "hoodwinked" into agreeing with a coal basis in the
5 mid-'60s and there was also an infamous attorney,
6 John Boynton who said, "I'm going to work for you. I
7 got a better deal for you." But we also found out
8 that he was at the same time representing Peabody
9 coal company, and so a lot of things were
10 accomplished.

11 We had a full tribal council at that time
12 and who was actually -- a tribal council was actually
13 formed to -- for the sole purpose of approving the
14 coal uses. Since the mining started, there have been
15 many impacts and some people have already talked
16 about it. So our people are suffering from
17 respiratory illnesses. Some even died. Our original
18 water was heavily pumped and particularly during the
19 time that the coal was supported to Mohave Generating
20 Station. Okay. And our springs have been
21 contaminated. Our wash is contaminated and these are
22 the sacrifices that we're talking about -- that
23 people are talking about.

24 These are the sacrifices that the Hopi
25 people -- the Navajo people had to put up with so you

1 can have free cheap electricity here. You have
2 swimming pools, running water to your farmlands.
3 These are the sacrifices that we have suffered. We
4 were told that coal mining would be there forever.
5 The federal government and attorney created a
6 monopoly for Peabody coal. We did not have a chance
7 to go out and market our coal to the highest bidder.
8 We were told that's what we are stuck with. So our
9 economic sovereignty was determined for us. We
10 didn't determine that for ourselves. So there's a
11 lot of things that happened to us.

12 We have also for a -- measly royalties to
13 our travel hours. But, however, the impending
14 closure of Peabody coal and NGS provides an
15 opportunity -- an opportunity to transition to
16 renewable energy. And once that happens, yes, we
17 have jobs here, but you can have those jobs at that
18 new plant. Let's have the times for Navajo and Hopi
19 to play a key part in this new joint venture, and
20 only then can we see economic sovereignty and
21 environmental justice. That's what I believe is owed
22 to us, but I think we -- the longer we delay this --
23 the longer we keep kicking the can down the road, the
24 more devastation we will see. So we need to also
25 remember that NGS and Peabody coal, the federal

1 government has its responsibility to make sure that
2 our land is healed. That it's reclaimed. So I say
3 take a look at the -- we have a new -- a pending
4 environmental impact statement. That should help or
5 is a good way to decide. If not, or if it hasn't
6 been put aside, then we get a new EIS, but there is a
7 provision in the current EIS. It talks about
8 renewable energy option and tribal energy option, and
9 I urge your revelation to choose those options so
10 that our tribes can be at the table when these
11 critical decisions are made because I believe that
12 the federal government, Peabody coal, NGS owes this
13 to us for our tribes for abuse, misuse, overuse of
14 our resources. Only then can we see economic justice
15 and environmental justice. (Speaking in native
16 tongue.)

17 MS. DARR: Thank you. Brice in the back
18 and then Matthew McKean and Sandy Bahr. Okay. Brice
19 then Matthew then Sandy.

20 MR. BROWN: Good afternoon. My name is
21 Brice Brown. I'm probably the only paramedic in this
22 building. So if there's an emergency, please walk
23 quietly to the exits.

24 I've been employed by Peabody. I work at
25 the Kayenta Mine and I'm a 24-hour paramedic. I've

1 been there about five or six years and I've gotten to
2 know these fine people that work up there. I got to
3 know what brotherhood is. After I left the power
4 services in two cities, all my work has all been on
5 the Navajo station. I've been in the EMS field for
6 approximately 24 years. I took care of these men and
7 women that work at the mine. Got to know them
8 closely by first name basis. Care about them.
9 Sometimes they even remember my birthday when I
10 forget.

11 Not only did I work up there and keep the
12 mine safe so my job is pretty easy, but that doesn't
13 mean I sit around and wait for something to happen.
14 We do a lot of training. We do a lot of health care
15 every year. We do vaccinations for the local
16 residents. We do a lot of support for Navajo Nation,
17 EMS services, fire departments, rangers, national
18 monument. Rangers come up and train with us and give
19 out our training. We have nothing but experienced
20 instructors if you want some help. So that's what we
21 provide for the locals around the communities. So
22 for this, Mr. Interior and ladies and gentlemen, I
23 support keeping the -- my brothers' and sisters'
24 jobs. Thank you.

25 MS. DARR: Thank you. Mr. McKean, Sandy

1 Bahr, and Percy Deal.

2 MR. McKEAN: Good afternoon, congressman.
3 Nice seeing you. I have a very different topic than
4 most of the people are sharing today to talk about.
5 What I'd like to say to you is that there is a
6 solution for Navajo Generating Station and the
7 solution is technology. I want you to think back to
8 the 1970s. There was a period of time in the 1970s
9 when the experts in the world told us we had 30 years
10 worth of oil based upon the automobile and the amount
11 of gasoline consumed. And then not long after that,
12 the fuel injector displaced the carburetor doubling
13 the fuel efficiency in the automobile and in effect
14 doubling the amount of oil in the world.

15 Our company, we've done case studies on
16 Navajo Generating Station. We have patents all over
17 the world and we have developed a new category called
18 "solid carbon fractionation" and what I'm going to
19 tell you today is your jobs aren't in jeopardy. Your
20 jobs are actually going to be more valuable than they
21 ever were before because we will actually use coal to
22 its full potential. Coal is a gift. The United
23 States is the Saudi Arabia of coal. The next closest
24 country to us is Russia which has 50 percent of the
25 accessible coal that we have. But I will say to you,

1 the way we are using coal right now can be better.

2 Not only to polarize ourselves on
3 different sides of the aisle -- some of us are
4 pro-coal, some of us are anti-coal, some of us are
5 green. I like the environmentalists because they've
6 chosen and they've chosen a way and they've forced us
7 to become better. What we can do with our technology
8 is we can process coal prior to it ever being burned
9 at the power plant through our process which is a
10 continuous feed, scaleable technology. We can
11 extract water demoisturizing the coal, but more
12 importantly we can extract the valuables,
13 transportation fuels in large volume. It devolitizes
14 the coal, removes the carcinogens like arsenic and
15 mercury, removes 99 percent of the sulphur, and we
16 are left with a clean coal product that burns as
17 clean or cleaner than natural gas.

18 The difference is most environmental
19 technologies cannot stand alone without a government
20 subsidy attached to it. And our technology called
21 "solid carbon fractionation" we can offset the cost
22 of purifying coal with transportation fuel recovery
23 making your coal far more valuable, and in effect
24 producing clean coal as cheap or cheaper than natural
25 gas. Matthew McKean. Thank you for your time today.

1 MS. DARR: Thank you very much, sir.

2 Sandy Bahr, Percy Deal, and then
3 Melvin Taylor.

4 MS. BAHR: Thank you for the opportunity
5 to speak today. My name is Sandy Bahr. I'm the
6 chapter director of Sierra Club, Grand Canyon
7 Chapter. That's the Arizona chapter. Sierra Club
8 supports ending the burning of coal at the plant in
9 2019, developing renewable energy, and increasing
10 energy efficiency to replace the plant's power and
11 economically benefit the effect to the tribe and
12 investments in tribal economic diversification while
13 hoping to ensure jobs at the coal plant and mine.

14 It's time for Arizona to repay the debt
15 of using this plant to pump water uphill to Phoenix
16 and Tucson. It's time for Arizona to look at
17 investing in tribal economies and protecting the
18 workers. It will mean cleaner air, less carbon
19 pollution, and a more sustainable future for all. It
20 is clear that market forces are at work at Navajo
21 Generating Station and it's not the only one. We
22 have seen coal plants retire around the country.

23 Rather than throwing away a billion
24 dollars or more subsidizing the plant, it would be a
25 better idea to find a long-term solution that invests

1 in a fair transition for workers, communities, and
2 tribal economies. I think someone earlier mentioned
3 the Institute for Energy, Economics, and Financial
4 Analysis report that talked about it would cost
5 hundreds of millions of dollars in subsidies just for
6 the short-term to keep the plant going let alone the
7 long-term.

8 Recently Peabody Energy presented at the
9 Arizona Corporation Commission -- it was just a
10 couple days out of bankruptcy, I would add, in an
11 attempt to make an economic case for the plant,
12 energy economics actually found more than \$2 billion
13 of faulty assumptions in their presentation, or you
14 heard about the fact that the CAP estimated it would
15 have saved about \$38 and a half million in 2016 had
16 it bought energy on the market instead of from NGS.

17 It really is time to seize this
18 opportunity to transition. Coal is costly for a
19 number of reasons: for our health, for the future of
20 the planet, and there are great opportunities.
21 Clinging to coal means Arizona and all of our
22 communities will fall behind places like Nevada and
23 Colorado where clean energy growth continues to save
24 money and create jobs. We look forward to having a
25 good discussion and moving forward with a clean

1 transition that doesn't just benefit Phoenix or
2 Tucson or L.A., but benefits the people who have been
3 experiencing the most significant impacts from NGS
4 and Kayenta mine. Thank you.

5 MS. DARR: Thank you.

6 Percy and then Melvin and then
7 Doug Pitts.

8 MR. DEAL: I'd like to call these guys
9 that wear blue -- it reminds me of water and that's
10 exactly what I'm going to talk about. My name is
11 Percy Deal. I live in Black Mesa, big mountain,
12 which is located just south of the mine. In 1969
13 when the agreement was signed, the people in my area
14 and everywhere else, they were never told how much
15 water was going to be included. Today by my
16 calculation written in the agreement, the agreement
17 says NGS can have up to 34,100 acre-feet a year.
18 Peabody can have up to 6,400 acre-feet a year. You
19 add those two, 40,500 acre-feet a year, you times
20 that by 50 years, you come up with over 2 million
21 acre-feet a year.

22 Now, at the same time, there's thousands
23 and thousands of family -- Navajo family and Hopi
24 family. We don't have water. We do not have water.
25 All of our water that we could be using is dedicated

1 to these two industries. They are claiming water.
2 Nowhere else in the country something like that would
3 be allowed.

4 At that time, before 1969, the people
5 were never told how much water was going to be
6 involved. They were never told that this was going
7 to have an impact on their lives. They were never
8 told that it was going to have an impact on their
9 environment. Today the health impact talks about
10 respiratory, asthma, heart and lung disease, and the
11 list goes on and on. There is no study done. And
12 then there is in the agreement -- the environmental
13 impact talks about the plants and the herbs that we
14 use for food, medicine, and ceremonies. These are
15 very important to us. I know that the Hopi uses
16 these in their ceremony. So do we.

17 In the agreement it says nothing in this
18 agreement shall be construed as a waiver of water,
19 and I think everybody needs to read that agreement.
20 So that's why we feel that that water is ours. And
21 the sooner we reclaim it, the better. In Navajo
22 there is no prayer that is connected to coal. No
23 ceremony, no prayer, no song. The same is true on
24 the Navajo, but all of our ceremony is connected to
25 water. Water is life.

1 We ask that the owners do us all justice.
2 Do the local people justice. Do the two tribes
3 justice. Do the workers justice by giving them a
4 fair retirement, transfer, health insurance,
5 retraining, whatever is needed so that they can carry
6 on their lives. You know, in this state, it's not a
7 surprise. It was -- the line was strong almost 50
8 years ago. So they knew -- everybody knew that this
9 was coming. We want to be involved. Whatever the
10 result is, we're going to end up living with it. We
11 want to be involved.

12 We understand or we hear that there's
13 negotiation going on on the future of NGS by the
14 Navajo leadership and the partners. The Navajo
15 leadership has not gone out into our community to ask
16 for our input, our comment. Instead these are the
17 agencies doing all of their work trying to get
18 comment and recommendation from the local people. We
19 want our mother earth to be treated right and taken
20 care of. We need to take care of her first so that
21 she can take care of us.

22 There are cleaner ways to help everybody
23 help each other to provide jobs and revenue and
24 caring for our land. There's no other land waiting
25 for us. There's no other water waiting for us so we

1 have to take care of this. After all, we are -- all
2 of us -- after all, you know, we are partners,
3 neighbors, Navajos, and the Hopi. We have to survive
4 together and this is what I wanted to mention and we
5 also want a clean clean-up, decommissioning unlike
6 this one here. This is Kayenta or Black Mesa poverty
7 line. It went away almost 50 years ago and
8 everything is still there. We don't want a repeat of
9 this so we want a clean decommissioning, a clean
10 clean-up. (Speaking in native tongue.)

11 MS. DARR: Okay. Melvin Taylor you're
12 next, but we're going to have to steal a little time
13 check with you all. We've got this room for about 90
14 more minutes and I have about 30 cards. So
15 seriously, if we can stick to three minutes or under,
16 we can get everybody that I have a card for. So
17 let's all work together to do that. We've got Melvin
18 Taylor and Doug Pitts and then Vincent Yazzie.
19 Gotcha. Okay. Sir?

20 MR. TAYLOR: Good afternoon. My name is
21 Melvin Taylor. (Speaking in native tongue.)

22 I voted for Peabody coal mine for the
23 last four years. I'm a laborer. I'm a heavy
24 equipment operator and plant mechanic. I've been
25 employed at Peabody for four years. Before that I

1 was employed with another coal mine for 31 years.
2 And this is like the 11th hour asking for a reprieve
3 of a death sentence of Peabody coal and NGS station.
4 We are all appealing for the two industries to remain
5 open for the benefit of the two tribes and economics
6 of Arizona. We are asking policy leaders to come
7 together with a common sense solution to keep the
8 plants operating for the benefit of our state and
9 tribes and the residents of the area. The closure of
10 the two industries will affect the Navajo tribal
11 budget by about 22 percent and the Hopi Tribe by
12 about 85 percent. I imagine it slowly will also
13 affect Arizona economics.

14 Both Kayenta Mine and Navajo Generating
15 Station are a powerful economic engine contributing
16 vital jobs and revenues for the Navajo Nation and
17 Hopi Tribe. With the Navajo Nation protecting the
18 mine which generated an estimated 5.9 billion in
19 labor and nearly \$13 billion in gross for Navajo
20 Nation between 2020 and 2044 based on an ASU study
21 for the Navajos and for the remainder of the
22 operations.

23 Kayenta Mine employs about 325 workers
24 and 99 percent of the workers are Native Americans.
25 Navajo Generating Station delivers affordable power

1 that moves CAP water across the state creating
2 energy, diversity, and security of supply. The
3 Navajo Generating Station also uses Arizona energy
4 and resources supporting steel jobs and billions of
5 dollars in economic benefits.

6 Before I worked for Peabody coal, I
7 worked for Chevron coal company at McKinley Mine and
8 it's in New Mexico. I worked there for 34 years.
9 That mine closed in 2012 and I was laid off in 2009
10 due to economics. After I was laid off, I got some
11 education in heavy equipment operations and got a
12 CDL. I used my job skills as a plant mechanic to get
13 jobs as a professional mechanic. I worked in a
14 couple mines and other places that are involved with
15 mining, but to work other places means to be further
16 away from home. This is a hardship for my wife,
17 kids, and family members. My wife had to do both
18 jobs as a parent. Family members also depend on me
19 to come close to home. Family and my health. I'm
20 working hard here. Sometimes six days a week. Most
21 of that is 10-hour days.

22 Then one day I got a call from Peabody
23 coal and was offered a job as an operator. I could
24 be closer to home than two and a half hours. I have
25 a baby. That is why I'm asking to keep Peabody

1 generating station open, get the kids educated and go
2 to college, and also this will help me prepare for
3 the future for another job. I've got training as a
4 first responder, and that means I can put a Band-Aid
5 on safely, and training in industrial firefighting
6 and also industrial rescue which means I can make a
7 better zipline.

8 I am a second-generation coal miner. My
9 grandfather started a small mine in Arizona. If we
10 would allow the transition to shut down, we won't
11 feel that ripple effect. It should not close.
12 Gallup, New Mexico felt that effect. Stores were
13 closed, businesses closed. Need to find a better
14 solution and transition slowly into renewable energy
15 and closing this mine. Thank you.

16 MS. DARR: Shorter. Okay. Work with me
17 here. All right. Mr. Pitts and then I've got
18 Vincent Yazzie there and Benny. Okay.

19 MR. PITTS: I'm Doug Pitts and I was
20 going to lead off by saying I was on the startup
21 group for the Black Mesa coal, but when I saw the
22 picture of it still being up there, the only
23 consolation I had is I'll probably outlive them. I
24 want everybody to know though that that Black Mesa
25 coal pipeline was a first of a kind technology in the

1 world. It was a major, major milestone, and it
2 turned out the only way to be able to expand and
3 develop the Kayenta coal resource and the economic
4 development that came with it. So it was a huge,
5 huge win for everybody involved with it.

6 The other thing I want to mention also is
7 a colleague Matt spoke much, much better about our
8 frontier applied sciences technology than I could so
9 I won't go into that, but I did want to say that
10 that's technology too that will be first of a kind
11 and it can introduce the same kind of economic
12 benefits to the Northern Arizona area, Navajo Nation,
13 and the Hopis that happened to the Black Mesa coal.
14 So I'd encourage you to keep technology in mind.

15 New technology's tough. It's hard to
16 develop. It's hard to get people to fund the
17 development work that you need to develop new
18 technologies. The Black Mesa coal pipeline had 10
19 years to development before it actually developed.
20 One thing I wanted to appeal to the Department of
21 Interior and also make contacts with the Department
22 of Energy as well is I would encourage them to work
23 with some methodology on increasing the funding for
24 new technology development that really makes sense
25 because that would be very helpful to us and very

1 helpful for all of you.

2 But one thing that Matt did not mention
3 that I'd like to say is that we have potential for
4 long-term industrial expansion too. If we were able
5 to dewater the Black Mesa hole and eventually Navajo
6 Generating Station began to decline in production, we
7 could export that coal because it's now a very
8 competitive export commodity. So there's a great
9 deal of new business opportunities that could grow
10 from implementing a new technology. So keep hope.
11 We think we've got something that's going to work.
12 We're going to be working hard to do it and we'll
13 hopefully be talking to you more about it as time
14 goes on. Thank you very much.

15 MS. DARR: Okay. Vincent and Benny and
16 Jimmie Jones. Is that you? All right. Here. All
17 right.

18 MR. YAZZIE: Hello. My name is Vincent
19 Yazzie. I need to do a lot of research and I'd like
20 to have NGS nationalized by the Navajo Nation as
21 discovered. CAP, Bureau of Reclamation, Central
22 Arizona Conservation District finalized a wheeling
23 agreement plus the owners decided to pull out so that
24 sounds suspicious. But I will call that the Bureau
25 of Reclamation's final solution to implement 6,411

1 acre-feet for the Navajo Nation throughout the state
2 of Arizona as per Arizona CAP water agreement for
3 2004, that's only 6,411 acre-feet of water for
4 Western Navajo -- all the Navajos there. So that's
5 quite a stealing of water.

6 In 1957, even now in the Ninth Circuit,
7 the U.S. government says they do not have the
8 infrastructure to deliver the water to the Colorado
9 River, the Navajo, but even plans on delivering water
10 to Jack's Canyon. So I find these lies just
11 horrible. People are dying with no water up there.
12 Move them away, no development. That's why I support
13 nationalizing NGS. Something that Navajo miners says
14 NGS can be -- burn natural gas.

15 So Bureau of Reclamation says coal --
16 natural gas is \$3.50 per million of BTU, but then you
17 check it out and you find out Peabody coal is burning
18 at \$2 per million BTU so that doesn't fit right. And
19 then you find out the spot price of natural gas drops
20 down to \$1.50 per million BTU. Here I haven't even
21 heard of an SRP contract that says that they're going
22 to implement this lower swap price. Some sort of
23 scam to implement the final solution. I support
24 solar and renewables and closing natural gas plants.

25 MS. DARR: Benny, Jimmie Jones, and

1 Gerald Clitso.

2 MR. MELOVIDO: Hello. Good afternoon --
3 good evening, gentlemen. Thank you for coming from
4 D.C. My name is Benny Melovido. Real name is
5 Benedict, but it's kind of a hard name to say. I
6 know it's a hard name for this lady to say so that's
7 why I just got up. I've been an employee of Peabody
8 for about five years. I was an active duty Marine
9 for 22 years. I went to war twice for this country.
10 Came back to the res to visit, fell in love, and I
11 always stayed.

12 Part of this job is what makes me proud
13 of being here is to work with my fellow workers to
14 make money for my family. I have a 1-year-old baby.
15 I'm kind of old to have a 1-year-old, but it just
16 happened, and I've got to provide for that baby and
17 provide for all my other children. I see this mine
18 as being a place where we can carry ourselves into
19 the future. I remember somebody telling us they
20 wanted to make this nation great again. Please take
21 my word to him and say that we need to make this
22 Navajo Nation great by keeping this mine open. A lot
23 of people are dependent on it. I don't want to be on
24 the road. I already was overseas so many times. I
25 don't want to be away from my family again. It's

1 hard. I've seen things in my life I don't want to
2 ever see again. That's why I came back.

3 My mother left. I grew up in California.
4 I was stationed in different places out there.
5 They've got natural gas out there and if you go to
6 L.A. today, you still can't see those mountains.
7 Now, if they want to say this plant is making it
8 dirty, when I first came out here, I could see 60
9 miles. And if you go to California, you can't even
10 see six. That just tells me one thing, somebody was
11 selling some stuff out there. They're smoking
12 something.

13 If he could do it, the Department of
14 Interior secretary or else even President Trump,
15 please pass my word to him that I will fight to
16 defend this country again as long as he's behind us,
17 and that's why I'm up here talking to you guys,
18 especially for you two to come out here to listen to
19 all this. These people have got families out here,
20 and this lady here is going to kick me out of here,
21 but I know my time is up but thank you gentlemen for
22 your time.

23 MS. DARR: All right. Jimmie Jones,
24 Gerald Clitso, and then Mark Davis.

25 MR. JONES: Yes, my name is Jimmie Jones.

1 Thank you for coming out to see us. I've worked with
2 the mine for 31 years. Retired for the weekend, come
3 back, and now a temporary employee for two years. So
4 what I do at the mine is I work with the water
5 system, which you heard about. Peabody is doing
6 their best to keep the dust down and also now there's
7 construction going on in that hub. They're tapping
8 into the Peabody waterline into the local
9 communities. It goes to Phase 4. They're working on
10 Phase 1 now and the water they're talking about, all
11 the water, being paid for. Everything's pumped out
12 of their reservoirs they're being paid for to the
13 tribe. This is some information.

14 And then talk what Peabody does. Peabody
15 does -- being a coal miner, as we talked about, no
16 kids left behind. The buses they come around --
17 three buses come around 5, 6 o'clock in the morning
18 to pick up kids up there. They bus the kids probably
19 about 60, 70 miles just to go to school and Peabody
20 maintains the roads to the local people. That's why
21 the roads are smooth and it's a bus route. That's
22 what Peabody does and there's two walking points for
23 people to get water free. They don't have to pay for
24 it. I get water from there for my home use. I put
25 it in my own system, put the water in the tank.

1 That's all I use. So there's a lot of people like
2 that on the reservation. They put the system in.

3 So I thank Peabody for what it's doing,
4 what you're doing, maintaining the roads. They do a
5 lot for the community. There's always a down talk
6 about Peabody. They do a lot. So I'm very grateful
7 for Peabody giving me a job for 33 years. I raised
8 my family. Through that I raised two boys. They got
9 out of school. They're out on their own. Now I've
10 got grandkids and stepkids that I support. So I'm
11 very grateful for what Peabody's doing. And that
12 mine, there's no coal dust. It's not dusty. It's
13 nice and clear and clean. Everything's good so I've
14 got nothing to worry about. Thank you.

15 MS. DARR: Okay. Gerald then Mark Davis
16 and Avery Pavinyama. All right. Okay.

17 MR. CLITSO: Thank you for giving me the
18 time today to say a few words. Good afternoon. For
19 all the officials that came down from Washington
20 state, officials for the Navajo Tribe Commission. I
21 just want to say that I'm a third-generation coal
22 miner. My grandfather mined coal and then my dad
23 did. We all mined coal, but during World War II, my
24 grandfather and my late dad mined uranium. Our
25 country needed uranium and we served this country

1 well. We pay our taxes and there's a term out there
2 that my late parents used and it's out there on --
3 (speaking in native tongue) -- about staying healthy
4 -- (speaking in native tongue) -- and that's what I
5 use.

6 And this mine has been good to me.
7 Raised my two kids, educated both of my kids, put
8 them through college, put a roof over our heads and
9 provided transportation, provided peaceful living,
10 and that's what Peabody does a lot more than people
11 give credit to Peabody for. They're a good neighbor.
12 Just like Jimmie said, they provide fresh potable
13 water so people can haul water to their homes. It's
14 drinkable and they provide coal that you can haul
15 back to your home for keeping your household warm in
16 the wintertime. And it's not just for local people,
17 it's throughout the Navajo Nation and the waters that
18 people come to Peabody and haul coal and low premium
19 costs, and Peabody has been a good neighbor to a lot
20 of people there and to the schools and give it to the
21 local chapters. They provide refurbished equipment
22 to them. How many companies do that? Peabody's been
23 out there. They've been setting a good example to
24 me. I'm proud to say that 40 years I lived in --
25 Peabody coal has been good. It's been a good run and

1 I hope to run another 40 years. I don't want it to
2 stop.

3 And I just want to say that there's a lot
4 of kids going off to college. There's a lot of
5 graduations going on right now. Kids coming out
6 fresh out of high school, college, junior colleges,
7 universities. They want to work up there. Let's
8 give them all the chance. Thank you.

9 MS. DARR: Mark then Avery and then
10 Walter Haase.

11 MR. DAVIS: Okay. See if I can adjust
12 this thing. Can anybody hear me? Okay. My name's
13 Mark Davis. I actually work for a company -- we
14 provide services to and equipment to the power plant,
15 so thank you for the forum and thanks for the
16 opportunity to make a public comment on the future of
17 Navajo Generating Station and the Kayenta Mine. I
18 just want to start off with a brief timeline. 1974
19 NGS Unit 1 opens and brings a clean reliable source
20 of energy to the Southwest. According to the
21 environmental lobby, we're on the verge of extinction
22 of all birds, like the ones I saw around my feeder
23 this morning, and a new ice age.

24 The late 1980s, the ice age isn't
25 happening for whatever reason, but global warming

1 sure is. That and the ozone layer is going away so
2 we're all doubled in. NGS is still generating clean
3 reliable energy for the Southwest. Late 1990s global
4 warming is now joined by water problems. The world's
5 going dry. We're all going to die. NGS is still
6 generating clean reliable energy for the Southwest.
7 The late 2000s, the evidence hasn't supported global
8 warming, global cooling, giant drought, or the end of
9 the ozone layer. Maybe people will buy the name of
10 medicine inspector of global climate change if we
11 repeat it. NGS is still generating clean reliable
12 energy for the Southwest.

13 Notice a pattern? Vague threats,
14 predictions worthy of chasing and a 40-year temper
15 tantrum versus clean reliable power. That's what the
16 dispute around NGS and the Kayenta Mine comes down
17 to. NGS and the Kayenta Mine play very important
18 roles in the economy and social fabric of Arizona and
19 the Four Corners area. These facilities provide
20 reliable affordable electrical power as well as
21 thousands of good-paying jobs. A win for everyone
22 involved.

23 Peabody's Kayenta coal is the kind of
24 coal we want. Some of the cleanest in the world.
25 Low in sulphur, mercury, and other pollutants. It's

1 been mined by native people since the 1300s for
2 cooking, heating, and other uses. There's enough
3 Kayenta to power Arizona's economy for many decades
4 to come.

5 Coal power helps thousands of people in
6 Arizona's economy with jobs that help people in rural
7 areas live the good life that they want to while
8 raising their families with benefits and income
9 comparable to what they'd have to have -- what they'd
10 have to have by moving to a city. Miners, chemists,
11 and engineers and business professionals and laborers
12 all have good paying jobs while keeping precious
13 family and successful ties that would be lost if they
14 had moved to find comparable work. Just going to
15 wrap up and say I can tell you that being an Eco tour
16 guide or a hotel janitor in Page doesn't pay \$44 an
17 hour plus union benefits and vacation but being at
18 NGS does.

19 MS. DARR: Okay. Avery then Walter and
20 then Kenneth Wilson.

21 MR. PAVINYAMA: All right. Thank you for
22 this opportunity to speak. I'd like to thank the
23 people from Washington for coming to hear our voices.
24 We are the people that run the Kayenta Mine. I'm a
25 second-generation coal miner. My father worked at

1 the Black Mesa Mine and the Kayenta Mine. He was at
2 the mine site for 41 years, and my uncle and my
3 nephew have been up here for about 38 years, so coal
4 mining is deep down in our blood. Now they're
5 retired. They're enjoying life and it feels good
6 that I worked with a lot of guys that my father's
7 worked with under their wings.

8 We are strongly supportive of keeping NGS
9 open, keeping our jobs. And our family sponsors the
10 rodeo for our community and on Thursday, that's when
11 this next session will be taking place is at our
12 hometown. And I worked with the Hopi Tribe for about
13 15 years with the water resource program so I did a
14 lot of water collection, data. And with all the
15 media talking about how Peabody's depleting our
16 water, when I look at the data, that's very untrue.
17 A lot of it has to do with misconceptions of what
18 people put in the newspapers and medias. And working
19 at the mine, I started up there with the -- working
20 alongside Steve Jones there, and Barrett took me
21 under his wing and I learned a lot from him also and
22 a lot of the other guys that I worked with. I'm very
23 thankful that they took me under their wing, but now
24 I got transferred to the Temple site so I supervise a
25 lot of the guys up there. About 25 people that I

1 supervise and I'm probably the only one up there
2 that's a supervisor.

3 But I'd like to advocate that, you know,
4 we know that a lot of things are based on money. A
5 lot of things nowadays, everything runs on money.
6 You know, happiness, you want to provide your family
7 the kind of lifestyle you live. And these jobs up
8 there that we work at, we make pretty good money. A
9 lot better than some other people, but I want to just
10 say, you know, that the government looks at all the
11 economics and try to, like Ben said, keep America
12 great. Let's take that message back to the president
13 of the United States and support the tribes.

14 They say that the revenue royalties, that
15 35 percent of the Hopi Tribe's budget and that's gone
16 to health care, education, just stuff like that that
17 the tribe runs on. So I want to say let's try to
18 keep doing whatever it is you have to take to keep
19 NGS open and coal miners working. Thank you.

20 MS. DARR: Okay. Thank you. Walter and
21 then Kenneth Wilson and Kerman.

22 AUDIENCE MEMBER: He left.

23 MS. DARR: He left. Okay. Anthony
24 Curley.

25 MR. HAASE: My name is Walter Haase. I'm

1 the general manager of Navajo Tribal Utility
2 Authority. We strongly support the continuing --
3 operation of the mine and NGS. We lost 1,000 jobs --
4 direct jobs and 3,000 total jobs is going to have a
5 disastrous effect on the Navajo Nation's economy and
6 the Hopi Tribe's economy and the Northern region of
7 the state of Arizona. It's going to impact the City
8 of Page, Winslow, Holbrook, and even Flagstaff. Our
9 people travel there all the time and spend their
10 dollars there. It's also going to affect my
11 customers. I take care of the Navajo Nation's
12 electric, water and gas and communications and waste
13 water, and the loss of the mine's income to us is
14 going to result in a 12 percent rate increase across
15 the board for electric customers. The mine now
16 provides a reduction in our costs that we pass
17 directly on to mostly our elders and our customers --
18 residential customers and that's going to have a
19 strong impact on us.

20 What I want to say is the current
21 situation most people don't understand or know, but
22 we have about 180- to 190,000 Navajos that live in
23 Navajo Nation and we have a 48 percent unemployment
24 rate right now. 38 percent of our people live below
25 the poverty line. Our per capita income is \$10,700 a

1 year. The rest of the United States enjoys \$48,000 a
2 year. We're already in a very economically depressed
3 area in the region.

4 With that said, instead of hurting our
5 local economy, we need to actually improve our local
6 economy and let it grow and help our people. So with
7 that said, Department of Interior needs to keep in
8 place and go forward with their water and power.
9 We've traditionally had it at the Navajo Generating
10 Station. It needs to continue on. It needs to grow
11 beyond just Navajo Generating Station. The Navajo
12 people and the Hopi Tribe numbers have some great
13 resources available for all the United States to take
14 advantage of. I recently discussed the best solar
15 assets in all the United States. We have good
16 resources in the Green Mountain. We also had the
17 opportunity to firm that up if we expand our horizon
18 and think about this. There's Quest Star power line
19 out there that power up about 169 watts of natural
20 gas plant that can help the reliability of an area.

21 In addition to that, we need to make sure
22 that transition access is available to the Navajo
23 people. Without that renewable plan, it does not
24 move forward and nothing else will move forward with
25 natural gas either. In addition to that, we believe

1 that we should have a multi-year construction plan
2 for solar projects so that we can keep our people
3 working in a continuous fashion. What do I mean by
4 that? A five-year plan, 100 megawatts a year to
5 employ 250 to 300 people on a construction site and
6 provide permanent jobs afterwards just like a natural
7 gas power plant will, just not as many. Most
8 importantly we need to create an incentive plan that
9 allows people to develop in this region. Thank you.

10 MS. DARR: We've got Kenneth Wilson,
11 Anthony Curley, then Annie Walker.

12 UNIDENTIFIED SPEAKER: (Speaking in
13 native tongue). But the thing is, I really want to
14 introduce Ken, a young man. His concerns -- what it
15 means to this whole thing. I work for Caterpillar
16 and we sell and service a lot of equipment to these
17 companies. Thank you.

18 MR. WILSON: My name is Kenneth Wilson.
19 I'm a student at Pepperdine University. I'm here
20 just to discuss this issue. It really hits home with
21 me. I grew up on the Navajo Nation and basically I'm
22 here to talk about climate change, I guess. We
23 cannot deny that climate change is a thing, and right
24 now we have a president who doesn't believe in that
25 and this is a serious issue. The current fact is

1 that we should go about producing energy by burning
2 fossil fuel is inefficient and we need to find
3 alternate ways to do this.

4 Also value to our community by jobs, by
5 surveillance. That's incredibly crucial. In an area
6 the reservation is now surpassed by poverty. It's a
7 serious issue. We need jobs. Even if this mine
8 closes, we need to have new business opportunities on
9 the reservation to support these people and their
10 jobs. Earlier showed me the factory that wasn't
11 properly shut down and we need to make sure if we
12 shut down a plant, we need to shut it down properly.
13 There's no repercussions for future generations. New
14 opportunities on the reservation and explore the ways
15 we use solar or we can do different ways to make
16 faster coal to get the resource out of there and make
17 sure that these jobs stay on reservation. Okay.

18 This mine may not be the best thing for
19 the environment. Okay. So if it isn't shut down,
20 the process in which we do things afterwards, we need
21 to make sure it's clean and make sure we keep the
22 jobs on reservation and that our economy can prosper.
23 The economy is based on two things. We need jobs and
24 we also need to make sure that these jobs are doing
25 the right thing. Make sure progress stays on the

1 reservation leaning on the cutting-edge of
2 technology. We need to be on the cutting-edge of
3 technology, make sure that the Navajo are getting
4 jobs in these industries that affect foundation.
5 Climate change isn't going anywhere and we need to
6 make sure that we are taking responsibility for that
7 and doing something about that. We'll all survive
8 this and get other jobs. Thank you so much.

9 MS. DARR: Thank you. Anthony then Annie
10 and then Alexander Osif.

11 MR. CURLEY: Good afternoon. My name is
12 Anthony Curley from Tuba City, Arizona. That's about
13 70 miles from Black Mesa where I travel every morning
14 to work to make a living for my family. I'm here to
15 discuss my thoughts on the possible closure of the
16 Navajo Generating Station and the Kayenta coal mine.
17 I've been employed with Kayenta Mine for six years as
18 a first class welder. Previously I traveled for work
19 mostly out of state. Most jobs lasting weeks at a
20 time. Nothing permanent which kept me away from my
21 home living in and out of motels away from my wife
22 and two kids. While working on the road I got
23 involved with substance abuse which led to many
24 losses in my family. Away from home, it didn't allow
25 me to be the father I wanted to be to my kids and a

1 husband to my wife. That all changed six years ago
2 when I was hired by Peabody. I am home every night
3 to spend evenings with my family. I'm able to attend
4 my kids' sporting events. My wife has a partner to
5 raise my two kids.

6 My son is graduating from Tuba City High
7 School this Saturday and plans to attend Fort Hills
8 College. With this job I'm able to pay for his way
9 through college. My daughter is a 7th grader at a
10 boarding school where she excels at in academics and
11 sports. For me personally I think this job has given
12 me balance and stability in my life to be a better
13 person for me and my loved ones. I've been sober for
14 four years now and I think my job has a lot to do
15 with my sobriety. Substance abuse could have taken
16 my family from me which I think is very common on the
17 reservation where substance abuse is a problem.

18 At home my family depends on me a lot. I
19 am sure a lot of families depend on people employed
20 at NGS and Peabody. I deliver coal to my extended
21 family, my wife's grandparents, my grandparents to
22 keep warm through the winter. They don't have the
23 clothes and they don't have the sources. They can't
24 flick a switch where they stay warm during the
25 winter. You know, we have to take care of it and I

1 do my part for that. I do my own part for that.

2 Peabody has also contributed many
3 donations to many families for funerals, you know,
4 trips for kids. When family members are sick or
5 anything like that, you know, they have donations
6 sheets going around and all of these employees, they
7 just take money out of their check and give it to
8 them. My daughter is headed to Hawaii for a
9 basketball tournament, and a lot of my fellow
10 employees, they're contributing money to help her
11 attend this basketball tournament which she loves to
12 do.

13 But all in all one thing I really noticed
14 about Peabody, around Peabody the grazing area, it's
15 like a buffet to these animals. You know, I live in
16 Tuba City and I drive through there. It's like going
17 through Iraq. Peabody takes care of the land.
18 They're reclaiming it really good and they care about
19 the environment. Thank you for your time.

20 MS. DARR: All right. Annie Walker then
21 Alexander Osif and then Vern -- it starts with an H.

22 MS. WALKER: (Speaking in native tongue.)
23 I lived in a community that was located at the base
24 of Black Mesa on the west side springs. And when I
25 was a child up north in that area, early in life I

1 became aware of such energies as the wind, the sun,
2 the water before I even became aware that coal
3 provided those -- also provided energy. And in the
4 morning -- I did my run every morning. I was told
5 about things that were out growing in the morning and
6 then even at noon and in the evening. And in the
7 evenings, it was stories about the different things
8 that lived with us. And so I was told that I needed
9 to be out among them in order to live a beautiful
10 life.

11 And then later on on the way to school,
12 and of course I went on with my life and eventually I
13 started a family. My two children when they were
14 really small used to go out and play among them --
15 among the landscape where people have come and built
16 up coal to take home to cook their meals or to keep
17 warm because their maternal grandparents live there,
18 but eventually as time went on, we were told that the
19 Peabody area extended throughout where they live and
20 soon they have to move and now that land is
21 desecrated. We visit there about two or three years
22 ago and we couldn't recognize the land future and
23 going back to the west side to the base of Black Mesa
24 our water ran dry. We couldn't even -- the water
25 that our livestock needs and now the water is

1 contaminated with arsenic.

2 When a person from the area dies, usually
3 they die of cancer. And so to me, Peabody did not
4 benefit me at all. None whatsoever. And, you know,
5 I hear about all these beautiful stories about what
6 Peabody did for them but not in my case. So that
7 being said, you know, I would suggest that our tribe
8 do everything possible to go in the direction of
9 using alternative energy. Like I mentioned at the
10 beginning of my testimony, you know, there's wind,
11 sun, water. You know, those are the kinds of energy
12 we have for thousands of years and our ancestors
13 depended on. So that's my statement and thank you
14 for providing this opportunity for me to say what I
15 have to say.

16 MS. DARR: Okay. Alexander then Vern
17 then AG Martin. Oh, AG. I'm trying to read this.
18 Okay.

19 MR. OSIF: I have to look at my clock and
20 see what time it was. 3 o'clock. Thank you for an
21 opportunity to talk to your Department of Interior.
22 And, again, welcome everybody to the Navajo and Hopi
23 and the surrounding nations here. I am Navajo, Hopi,
24 and Pima. Wow. I'm an employee of Peabody Coal
25 Company. I'm currently a truck driver. I drive the

1 big hauling trucks that haul coal which provides many
2 precious things that you have really in this
3 building. The clothes we wear, factory that have to
4 turn electricity on to. You guys, Peabody is good.
5 NGS is better. Okay. Like I said, I'm born for the
6 Hopi clan. The concerns with the plant closure, you
7 know, I've been employed for Peabody for over 35
8 years. Just hit my 35 mark and you look at these
9 hands and it can tell you a story. It can tell you a
10 story of the safety for the mine, the unions. I
11 guarantee you when the company side hears my name
12 coming down the hallway, they kind of have a tendency
13 to sit up in their chair and listen. That as a union
14 that we have that relationship that we have in
15 monitors.

16 The problem with the NGS is look who's
17 here. Look who's in this room. All the blue shirts.
18 That's what we represent is a lot of variety and the
19 union will not go down for that. But, again, my
20 concern's for the closure of this plant and the coal
21 mine. Let's look at a great option that we can take.
22 Let's continue this work between the two and provide
23 for the southern tribes down here the water. I love
24 going down here because my boys are all down here. I
25 love to play golf on the Peabody golf course over

1 there and I enjoy it. Thank you for the short time
2 we had. Thank you very much.

3 MS. DARR: Thank you. Yes it's a little
4 short. We're going to hear from everybody. That's
5 more than we thought we were going to do. Vern and
6 then Mr. Martin and then Vernon.

7 MR. HOUGEUR: My name is Vern Hougeur and
8 I work at Peabody Black Mesa operations for 30 years
9 until I retire and today's service consult with the
10 past Peabody's liaison for us. I want to take this
11 opportunity to thank the Department of Interior for
12 holding this meeting today. We appreciate being able
13 to speak to you today about the Navajo Generating
14 Station and it's importance to the Hopi and Navajo
15 tribes and the entire state of Arizona. I'd like to
16 focus my comments on importance of the power plant
17 and the mine operations too.

18 Let me start by emphasizing that the Hopi
19 are well -- are self-sufficient and really very
20 resilient. Hopi remain among the oldest living
21 civilization preserving our religion and culture for
22 centuries, the land and its resources. One of Hopi's
23 important resources for more than four decades, the
24 Hopi have used their energy resources for the benefit
25 of our people. As you know, Hopi and Navajo own

1 coal, fuels the power plant in Page. In turn, the
2 mine and power plant operations provides central
3 revenues representing approximately 85 percent of the
4 Hopi's annual general fund. These funds are viable
5 for government services and jobs at Hopi, and at Hopi
6 the vast majority of tribal jobs are within the
7 government.

8 In addition to revenues primarily used
9 for government services, the operation also provides
10 annual scholarships which include \$205,000 for Hopi
11 students this year. For Hopi ensuring that
12 opportunity -- that educational opportunities is part
13 of the traditional teachings. Secures also funds.
14 The Hopi Education Endowment Fund, one of the most
15 remarkable programs of its kind in the United States
16 was put in place to make sure that every Hopi student
17 can achieve the dream of a college education. The
18 endowment was established in 2000 using seed money
19 from the mining operation. It is designed in a
20 savings account with the intention it will last
21 forever. Only this income earns them more principal
22 than untouched. It has been very, very successful
23 and remains a model for other tribes.

24 Of course all of this is at risk if the
25 Navajo Generating Station is forced to shut down

1 prematurely. If the chief source of funding is lost,
2 Hopi would face very heavy burden. Navajo is also
3 facing enormous hardship. This is why we must work
4 together toward solutions to keep the Navajo
5 Generating Station operating many years into the
6 future. I urge the leadership here today to find
7 common ground that will enable us to achieve this
8 very important goal. Thank you for the opportunity
9 to speak to you here today. Thank you.

10 MS. DARR: Thank you.

11 What is your name, sir?

12 MR. MARTIN: Alan George Martin.

13 AG Martin.

14 MS. DARR: Okay. Thank you. I did read
15 it right. And then Vernon over here and then Eugene
16 Platero. Gotcha. All right.

17 MR. MARTIN: Okay. My name is Allen G.
18 Martin and I'm a greater man at Black Mesa. I came
19 to work there at Black Mesa mine site in 1976 and my
20 dad said there's something going on up there. Go up
21 there and go to work. I was out on the road doing
22 jobs away from my family like people are saying and
23 sleeping alone at night, you know. Miss that and
24 then the kids too. So I went up to the mine and I
25 got hired. This one old man, he really liked the way

1 I ran the equipment and he said, "Hey, one of these
2 days you're going to retire from here." And so I've
3 got to live up to that.

4 And what I'm saying is I enjoyed my years
5 at Black Mesa and Kayenta now and I've raised my
6 family like all the rest of my coworkers have said.
7 I have five kids and they have went on. One time
8 they asked me -- they wanted to be like me and I tell
9 them "No." I said, "No, I want you guys to be
10 educated. Go out and have -- get educated in
11 something that you will help in society."

12 So one went out and became a military
13 man. Retired now. One went out and became a
14 physical therapist and the others became teachers.
15 So they're helping society as a whole on the
16 reservation and helping as a nation as a military
17 person. So I'm very thankful for that and I got the
18 opportunity to raise them with the money I get from
19 working at Peabody. And also I live in Lechee where
20 NGS is. When you say that these days, they'll think
21 you have another woman.

22 Anyway, I appreciate this. I live in
23 Lechee where NGS is and they wouldn't give me a job.
24 I had to go out on the road and to Black Mesa. Me
25 and my little momma there, Marie, are present. We

1 had to drive 90 miles one way to get to work. I've
2 been doing it for 42 years and she's right behind me
3 about 38 or something like that. So I want NGS and
4 the mine to stay open so when I retire, somebody's
5 still working so they can pay for my pension. Look
6 at it that way. And also I want it to stay open for
7 the benefit of the young people coming up from --
8 that are coming in that are getting into the mining
9 business here at Kayenta Mine.

10 Also these guys are the best. The best
11 people, the best workers. They are professional
12 people. Their mental stabilities, their
13 determination to learn to be overtop of incoming new
14 equipment that are computerized that are joysticks,
15 the whole works. Even drag lines are like that. You
16 have to be -- almost have a masters and college
17 degree to run these things but they do it. They are
18 simply the best people to work for and I'm very proud
19 to be associated with them and I'm one of them and
20 they accepted me and they -- I have to fix the road
21 for them. I run graders. Keep them from going down
22 the lumpy roads and hauling coal. Going down the
23 road, mechanics having a nice smooth road to be on.
24 So I'm proud of these guys and I want the mine and
25 NGS to stay open for as long as possible. All this

1 technology, renewable energy, the technology of it
2 has not come up to snuff to be equal to coal.

3 MS. DARR: Okay. We need to move on.

4 MR. MARTIN: I'll just say thank you very
5 much people from Washington and from the state and
6 from Hopi and Navajo Tribe and all of us here
7 appreciate and thank you and that's it.

8 MS. DARR: Thank you. I do not want to
9 cut anybody off. I'm really trying to get through
10 all of these cards because I want everybody to be
11 able to speak and we do have a limit on how long we
12 can stay in this room. Okay? So next up is Vernon
13 Masayesva and then Eugene. Where's Eugene again?
14 And then John Begay. Okay. All right. Three
15 minutes. Okay.

16 My name is Vernon. I'm not going to tell
17 you my last name. It's too long. I've got three
18 minutes to talk. I saw former chairman. I came all
19 the way here at my own expense early this morning.
20 No one chartered a bus for me or rented a limousine
21 for me to bring here. I had to pay for it, me, so
22 I'm going to say a few things. I have a written
23 statement I will submit with the records -- with the
24 records.

25 In 1970 our world was thrown into chaos.

1 Our world turned upside down. Our sacred lands
2 destroyed. Dynamite started exploding. Water wells
3 sucking up precious water from underground. The most
4 pristine water in the world all coming out. It's
5 still coming out. After close to 50 years, the pumps
6 are still going. The dynamite are still going. Our
7 sacred lands. Our burial grounds, remains of our
8 ancestors blown apart. Our ancestral villages blown
9 apart. Is that right or for what purpose? To bring
10 water here. Water, water, water. You've got to have
11 water to grow a business. That's exactly what
12 happened with Central Arizona Project.

13 Since CAP started, the gross economic
14 product of the state of Arizona grew by over a
15 trillion dollars. \$1 trillion. How much of that
16 went to Hopi and Navajo? Zero. Not one penny, zero.
17 If you add to that the benefits from NGS and the coal
18 mining, my God, we must be -- we must be given the
19 credit for bringing up the world's economic product
20 probably by over a third. And I think it's time for
21 economic justice. We're not asking for charity. We
22 together, all of us, need to come together.

23 Black Mesa Trust was founded in 1998 to
24 save water for future generations. That was our
25 singular purpose. With that we had to end the coal

1 mining. We're close to it. Now with Navajo shutting
2 down, it's going to shut down. It's a dying horse.
3 Let's accept that. We are not celebrating. Finally,
4 our umbilical cord is going to be cut. We're going
5 to get an opportunity to do things differently. All
6 right? Differently. Chaos has been created, but out
7 of chaos can come a miracle and that we have -- we
8 were gifted with the mine, the hands, ability to
9 communicate by the creator. Let's put that to work.
10 Let's quit fighting. Come to work and together.
11 Together. All of us. Cannot only bring economic
12 justice, preserve our culture, but we can become a
13 model for the whole world of how utility, energy,
14 tribes can work together. Together we can be miners.
15 We're not taking away your jobs. We are looking for
16 future jobs, better jobs, and we have a plan to do
17 that and I will submit that for the record for anyone
18 who wants to read it. Thank you.

19 MS. DARR: Thank you very much. Okay.
20 We have Eugene here and then John Begay on deck and
21 then Jarvis Williams. Okay.

22 MR. PLATERO: Good afternoon people from
23 Washington state and Hopi Tribe, Navajo Tribe. My
24 name is Eugene Platero. I'm a welder, also a drag
25 line operator, and also I'm a father, a husband,

1 grandpa and make at -- with the wage I make at
2 Peabody coal, I support my community Kayenta and
3 other communities also and also we bring some of our
4 wages down here when there's PDRs, George Strait
5 concert, Suns game, Cardinals, but I'm a Cowboy fan.
6 But anyway, I support NGS because it's done a lot for
7 me. I've been at the mine 30-plus years and my kids,
8 taking them to school and I was on the road also
9 before I came to Peabody and I guess there's a lot of
10 traveling. There's no benefit. You have to buy your
11 own insurance, but at Peabody we have insurance. We
12 have a package that's been good to us. And being
13 there involved in family activities, birthday
14 parties, graduations, all this and that, you know.
15 But if you travel, you don't have that. You're away
16 from your family three months, four months. So I'm
17 proud to be a father and I'm proud to be a miner and
18 work for Peabody and I'm supporting the continuation
19 of the coal mine and NGS. Thank you.

20 MR. BEGAY: Hello, my name is John Begay.
21 I'm going to start before she starts my clock. It
22 kind of really hurts when you get to speak last.
23 You've got to say -- the only thing you have to do is
24 introduce yourself. That's it and you're out of
25 here. People said what you're going to say already,

1 right? Okay. I worked out of state for quite a
2 while, three years, and it's hard working out of
3 state. It really is hard. Your family, you only
4 come back a few days, 12-, 16-hour drive back home
5 and spend one night. That's it. Next day you're on
6 the road again back to work and that's hard. Okay.

7 When I came to work for Peabody, I
8 learned a lot of things. I learned how to drive
9 equipment, all kinds of equipment, loaders, dosers,
10 graders, big multimillion-dollar machines. Okay.
11 This has given me the opportunity to do that. If an
12 accident happened right now, you guys would be in
13 safe hands. We've got top-rate first responders
14 here, fire rescue, firefighters, rope rescue, highly
15 trained by the best. Trained by Ted Corky, educated.
16 He's top-notch. One of the best guys I know. Okay.

17 My family -- what this job has given me
18 is a chance to hug my family every day. That's what
19 it's given me. Close to home. Just right there.
20 Good roads. A lot of people benefit. I benefit. My
21 mother benefits. My wife benefits. My son benefits.
22 My daughter benefits. I'm talking from the heart.
23 This is what you're going to take away if you close
24 the mine down and a lot of these younger people. I'm
25 close to retirement age. So I hope you take that

1 back to Washington.

2 And I know that the Peabody has helped
3 all kinds of people even though they say they've
4 never been helped. The road is maintained, wide open
5 roads are maintained, highways are up there, water.
6 We get water anytime of the night, 24/7, and the
7 people that have lived there -- it was just trees,
8 mountains, uneducated sheep herders, they benefitted
9 from that. These are people that run
10 multimillion-dollars right off the sheet -- right off
11 the rate sheet. People that were uneducated running
12 million-dollar equipment. That's what Peabody has
13 given. Thank you very much.

14 MS. DARR: Three minutes exactly.

15 MR. BEGAY: I started early.

16 MS. DARR: I have a gentleman I believe
17 named Dale with the last name starting with "S"
18 representing the Hopi Tribe. Gotcha. Okay. You'll
19 be after Jarvis and then Audrey. Audrey starts with
20 an R. I got the timer.

21 MR. WILLIAMS: Good afternoon everybody.
22 My name's Jarvis Williams. (Speaking in native
23 tongue). My father's side are from Black Mesa so I
24 spent years up there and am a second-generation
25 miner, and so I've been to Peabody twice so this is

1 my second time around. I've been to Peabody for a
2 total of seven years. I've been acting, like, the
3 last three years as their tribal relations manager.
4 Thank you to the Department of Interior for holding
5 this important meeting today. I do appreciate being
6 able to speak about the Navajo Generating Station and
7 its importance to the Navajo and Hopi people and to
8 the entire state of Arizona.

9 As the discussions focus on ways to keep
10 NGS running well into the future, we must also think
11 about the mining operations, what our mining
12 operations mean for our community. I know several of
13 my fellow miners here have touched upon the community
14 benefits and I'll just echo some of those same
15 statements. Peabody has long embraced the good
16 neighbor policy with the area residents. They
17 contributed thousands of dollars to in-kind benefits
18 that have improved the quality of life for its
19 residents. Many of the services are essential. I'd
20 like to share a few of them. Free potable water. As
21 mentioned, there's two water stands out there that
22 people can pull water from and sometimes we deliver
23 water for livestock or home use. Someone mentioned
24 the lack of water. Right now there's many -- what
25 they call a many mules waterline project. This is a

1 waterline distribution project that's in its first
2 stage this year. They'll turn the water on and it
3 will serve 41 homes. There are four other phases
4 that will follow totaling about 25 million which
5 Peabody will contribute about 15 million of that. So
6 there are a lot of those things in the pipeline. I
7 still have 35 seconds left.

8 We operate the only medical plant for
9 miles with a paramedic onsite. First responders. I
10 think we stopped a wildfire there before it got bad
11 and that's because we had mine personnel trained,
12 qualified to handle that particular situation and it
13 worked. We have free coal for home heating. We have
14 a gravel project that we call the "Red Dot
15 Partnership" to partner with the county, the Navajo
16 Department of Transportation, DIA. And so we bring
17 gravel to roads that need maintenance. So there are
18 over 173 miles of roads that we maintain on a daily,
19 weekly basis.

20 So Peabody does contribute and we are
21 acting as a good neighbor and we try to provide these
22 benefits the best we can because we all are from
23 those same communities and we serve those same
24 people. So with that, I will close and I do support
25 the continued operations of NGS and I hope you all do

1 your best to work and do those efforts.

2 Mr. President, I do hope you do that as well. I will
3 hold you to those words that you mentioned earlier.
4 We do appreciate you being here and taking time out
5 of your busy schedule to share your thoughts. Thank
6 you very much.

7 MS. DARR: All right. After this speaker
8 we have Audrey and then Robert Williams and Randy.

9 MR. SINQUAH: Good afternoon. My name is
10 Dale Siquah from the village of First Mesa, council
11 representative and I'm representing Hopi Tribe. I'll
12 do my best to stay to the -- first of all, I'd like
13 to thank the Department of Interior for hosting these
14 listening sessions. We understand that the Navajo
15 Generating Station is an important issue not only for
16 the tribes but also for the whole state, and one of
17 the things, it's complex. There's many stakeholders
18 here and all of that has to be taken into account
19 when we're dealing with this situation here. We want
20 everyone to understand what Hopi has at stake here.
21 The Hopi Tribe is highly relied on -- relies on the
22 Navajo Generating Station. The funds that are given
23 to it for that and the Hopi Tribe is isolated. We're
24 landlocked. It's hard to get economic development
25 out there. We lack just very simple infrastructure.

1 One of the things that we're trying to
2 get is water regulation for arsenic and we're having
3 problems meeting that requirement. These are some of
4 the funds that are being used for projects such as
5 that. For basic human subsistence is what we're
6 looking at. One of the things that was mentioned
7 earlier was that President Trump had made a pledge to
8 save coal jobs and he also mentioned trying to help
9 tribal tribes. And he's the president of the United
10 States and we thank him for his work, and this is an
11 opportunity that he can stand by this instance right
12 here to do the best that he can, to have his
13 departments to work as hard as they can to find
14 solutions to save coal jobs and also to create
15 subsistence -- economic opportunity for the two
16 tribes by working hard and trying to find ways to
17 continue the lifetime of the Navajo Generating
18 Station. We understand from the Hopi point of view
19 that Hopi -- the U.S. government has a responsibility
20 which we hold -- we understand that the federal
21 government, just like anything, a commitment.

22 I too was -- I am a veteran and I served
23 in the military and I retired from the military and I
24 came home to help benefit people, but I also made a
25 commitment to the United States. And at that point,

1 this is where the Hopi Tribe feels that it can just
2 be explained by a supreme court decision where it
3 describes the obligation to the U.S. government to
4 the tribes and the decision is that a nation versus
5 the United States -- and I'm going to quote where the
6 federal government declared that the government has
7 charged itself with a moral obligation of the highest
8 responsibility and trust for tribal nations.

9 The trust responsibilities is a sacred
10 obligation and duty. And for many people who serve
11 the United States government in many capacities,
12 that's a personal oath and it means a lot. However,
13 we understand that the federal government trust
14 responsibilities is kind of unique here in NGS in
15 that where it's a partial owner. Almost a quarter of
16 the ownership in NGS and it gives it an opportunity
17 here to make a judgment and what it has to do, it has
18 to balance it being a partial owner for economic
19 reasons and also to trust responsibility to the two
20 tribes and that's a tough thing to shoulder and we
21 hope that you weigh these things out and one will
22 right the other.

23 And the federal government has put itself
24 in that situation and we expect them to fulfill it.
25 One of the things that the Hopi Tribe will just not

1 settle, if I understand the economics of it all.
2 However, one thing that's not being factored in is
3 the devastation that's going to happen to the Navajo
4 and Hopi Tribe people that are there. That has to be
5 put into the formula. The considerations of how
6 these tribes use these funds to Hopi, for instance,
7 our tribal government when we fall short on federal
8 funds, we use those funds to shore it up -- new
9 projects to pay personnel. To pay -- give services
10 to our villages to the people. That's where the
11 funds go. It's not a profit that's being made -- so
12 we don't own any golf courses. We don't have any
13 casinos. It's not a luxury for us. It's basic human
14 needs that we're satisfying out there and economic
15 needs too. And if this continues and our pieces --
16 our economy, the impact to the two tribes isn't taken
17 into account, it's easy to write it off as just a
18 purely economic decision made for business, but I
19 don't think that's what the federal government is all
20 about. It's not just straight dollars. It's about
21 people and that's what we're worried about here, that
22 our people are not going to be taken and put into
23 this solution to find out, to lessen the impact that
24 this thing has.

25 The Hopi Tribe suffers from about 60

1 percent unemployment. If this is taken away, it's
2 going to hit our tribal government, and our tribal
3 government is one of the primary employers on our
4 reservation. We're going to have people without
5 jobs. We're going to have to downsize and it's going
6 to have an effect on the local economy. I don't buy
7 my car on the reservation. I just bought a brand-new
8 vehicle. I bought it in Show Low. We travel 2- to
9 300 miles to make purchases. You go to your local
10 grocery store. I travel 80 miles one way to go buy
11 groceries and where do I buy it at? Flagstaff. I
12 just purchased over \$300 just to provide a meal for
13 Mother's Day for all the mothers that I know. So it
14 will impact the local economy.

15 The Kayenta Mine for the Hopi Tribe has
16 recently -- approximately 200 million in direct
17 economic benefits in 2015 and 800 million have been
18 direct and indirect benefits. This included dollars
19 for royalties, business payments, taxes, water fees,
20 wages, benefits, out services, scholarships, and
21 major income. Also, Arizona State did a study and in
22 their study they say that the state stands to lose 18
23 million in gross state product if NGS closes, if it
24 doesn't continue till 2044. In addition, Arizona
25 will lose 679 million in adjusted state tax revenues

1 leading up to 2044. The fact is you hear from the
2 owners and you hear the impact it has to them and
3 it's a little less -- they can make -- they can give
4 you -- they can operate for less, but it's not taking
5 into account the full impact that it's having to
6 everyday people here, and the miners did an excellent
7 job of representing how it affects a person. How it
8 affects their family. What good comes from the
9 operation of this mine.

10 And in closing, again, I would like to
11 thank everyone for coming here. And I think if you
12 can see, we all have different issues that we've
13 addressed here and it's going to take every bit of us
14 to come up with a solution for this and I will not
15 discount anyone who opposes because they have a
16 reason, but they need to be at the table too because
17 it's going to affect everyone and this is really what
18 it's going to take. This should not end here in
19 listening sessions. It should continue on into work
20 sessions in how we're going to build our economy out
21 on the reservation. It's going to impact the state
22 of Arizona. Thank you.

23 MS. DARR: Audry, Robert Williams, and
24 then Randy Lehn.

25 MR. RAPPLEYEA: Hello. My name is Audry

1 Rappleyea. I'm the general manager at Kayenta Mine
2 in Black Mesa. First of all, I'd like to thank the
3 Department of Interior for hosting this excellent
4 effort. I want to recognize the miners. They did a
5 great job representing us here today. I have 25
6 years of experience in the coal mining industries.
7 I've been in my current role at the Kayenta Mine for
8 five years. That's been my goal for 25 years is to
9 have an operation and run it, and it's been a great
10 honor for me to work on the reservation and be part
11 of an operation that contributes so much to the
12 Navajo Nation, the Hopi Tribe, and the people of
13 Arizona.

14 I think we all understand what's at risk
15 here. The impact to the Hopi Tribe is 85 percent of
16 their revenue for their budget. 22 percent for the
17 Navajo Nation. More importantly, you know, if you
18 look at the people here wearing blue shirts, they
19 represent about 20 percent of our workforce at the
20 mine. Currently we have about 319 folks and we
21 brought about 65 of them down here to convey the
22 message.

23 I want to set a couple things straight.
24 Kayenta Mine is a world-class operation. We have a
25 strong track record in safety, environmental

1 compliance, and sustainable practices. Last year we
2 reclaimed over 500 acres and we reclaimed 5 acres for
3 every one acre we disturbed. This year we're going
4 to exceed 500 acres of reclamation and it's going to
5 be 12 acres reclaimed for every acre disturbed. The
6 land that we leave behind, Myrata talked about it
7 early on. She grazes her sheep up there. That land
8 is 10 times more productive than the land before we
9 got there.

10 As far as water consumption, our water
11 consumption dropped about 20 percent last year. We
12 went down to about 1,200 acre-feet and that was about
13 250 acre-feet less than the year prior. I want to
14 emphasize that Peabody believes NGS will continue to
15 be competitive with natural gas and other coal-fire
16 plants over the long-haul. We've come to the table
17 with other stakeholders to help make NGS the most
18 competitive place on the planet and the region. I
19 don't know about you, but my 401(k) is diversified
20 and I think that's what we need to look for is common
21 sense solutions and there's no reason that this plant
22 can't continue to run for decades to come. There's
23 over 200 million tons of reserves left of world-class
24 low sulphur high BTU coal.

25 Last month we released a study by

1 Navigant consulting we commissioned to review plant
2 economics. The study was based on Peabody's reduced
3 price fuel and a long-term comprehensive energy
4 outlook versus prices that others have used to
5 evaluate the plant. In 2014 we sold 8.2 million tons
6 and it's progressively gone down. Last year we did
7 5.7 million, but over that time we've been able to
8 maintain a consistent flat price and that's due in
9 large part to the increased productivity and
10 efficiencies that these miners have done.

11 So on behalf of all of us at Peabody, I
12 can assure you we'll keep working towards solutions
13 to keep the plant operating for the long-term as
14 intended when this historic project was developed.
15 Thank you.

16 MS. DARR: All right. Up next we have
17 Chairman Honanie from the Hopi Tribe.

18 MR. HONANIE: Good afternoon everybody.
19 I'm certainly privileged and honored to be here this
20 afternoon and I just want you to take everybody here
21 that's -- well, that's here. I presume that
22 everybody that's in the room has got to be reflecting
23 how positive. Just like our guys in blue on the
24 streets. You know, different kind of blue out there.
25 But I know that the closure of the mine has been

1 sitting on our minds for the past few months and it's
2 one situation that came upon us really, really fast.
3 A lot of us weren't prepared. A lot of us weren't
4 expecting it and a lot of us just didn't hear of it
5 at all because in prior years, prior months, there
6 was never no mention of the mine ever shutting down.
7 There's no plan as far as we were told. And
8 basically it all came about one day and said based on
9 economics and based on other factors, it was time for
10 the closure of NGS by the owners.

11 So since then and up till now, here we
12 are today speaking our voice, speaking our respective
13 voice with respect to the operation of the mine. As
14 chairman of the Hopi Tribe, I cannot see the NGS
15 closing at this time. I think we all know that the
16 life of the mine had been slated for 2044 and here we
17 are midpoint and we are being told that it's going to
18 close. There's still resources of coal on the
19 reservation. Unfortunately, the situation is such
20 that NGS is the only provider of our coal, both Hopi
21 and Navajo. But I think Hopi especially is going to
22 be hurt the most, if I can say that. 85 percent of
23 our budget comes from royalties for tribal
24 government. So when we eliminate 85 percent of the
25 royalty in our budget, you can imagine what's going

1 to happen. Our already 60 percent unemployment rate
2 is going to go up. Government services will be
3 curtailed. Many of the programs probably will not be
4 funded again, and of course we have 12 villages
5 across the reservation who receive annual allocations
6 from annual budgeting that's probably going to
7 really, really go down if not be eliminated totally,
8 but I know they're going to put up a fight and
9 there's always a need for the villages. They want
10 the delegation so it's going to be tough negotiations
11 if we were to do that.

12 And like someone else said, our people
13 are going to be hurt very much. I said before that
14 other places that, you know, this is about survival
15 or not. This is really about survival.
16 Unfortunately the situation that we face today on the
17 reservation is that we are so isolated. We can't
18 even so much as depend on tourism. The reality of it
19 is it's just what was stated a while ago. Many of us
20 have to go to towns for goods and services. That's
21 going to be even greater hardship especially for
22 those people who are unemployed at this time.

23 We have about 250 employees within the
24 tribe who work for the tribal government and I can't
25 imagine if they were all to be laid off. Maybe not

1 all of them, but a good percentage of them are going
2 to be subject to that. And their children, their
3 families, it's going to be a real hardship. But, you
4 know, again, Navajo is going to get hit with it.
5 Navajo is going to have a hard time with it, but I
6 also think about the state. Because the state right
7 now requires and gets a certain amount of taxes from
8 the coal operations. So this is not going to be a
9 regional localized Hopi or non-Hopi.

10 We were up in Page a few weeks ago. A
11 lot of business owners, a lot of employees for the
12 private sector, but the state is going to lose a
13 certain amount of revenue for the next years. So
14 really you're here advocating on behalf of the
15 continued operation of NGS. I join you. The tribe
16 joins you. We feel that this Page hearing, several
17 local businesses were there and they held the
18 hearing, they sponsored the hearing and mutually
19 attended. Several of us attended it and my message
20 to them is it was good to see them there and I hope
21 there's somebody here from the state legislature
22 because we need to get them involved. We need to get
23 the government of Arizona involved because the state
24 itself is going to impact.

25 So I hope that many messages are going to

1 be sent and will continue to be sent to the state
2 legislature for the state and of course to the owners
3 and everyone else that are here. We need to keep
4 this plant going. So I really want to thank you all
5 for being here. I know that there's going to be
6 another hearing on Thursday, and I think I'll be able
7 to speak a little longer but I just wanted to be
8 here.

9 In Tuba City they had a graduation there
10 this morning and driving while I was coming down, my
11 grandson was one of the graduates and so were about
12 100 other students. And, you know, constantly
13 leaders, parents, everyone else always harking about
14 education. Get that education so you can get a job.
15 Get that education so you can come back to the
16 reservation and take on employment, take on teaching,
17 take on schooling, counseling, whatever profession,
18 but they need that education with our funding and
19 with our ability to provide scholarships. Keep your
20 support up, keep your voices heard, and I hope that
21 we can turn things around. Thank you very much.

22 MS. DARR: All right. Our time is up.
23 Now, I have 13 more cards. Okay. And I know you all
24 want to speak, but they are literally going to kick
25 us out of here so I've got to have our next speakers

1 be brief. Okay? Otherwise, the people at the end
2 will not get to speak because we won't be able to
3 stay. Okay? So next is Robert Williams who got
4 bumped for the chairman very graciously and then
5 Randy and then Steven.

6 MR. WILLIAMS: Good afternoon all my
7 community members and the Department of Interior and
8 all the Arizona delegates that are here and thank you
9 for being here. And I was invited to speak on behalf
10 of my coal mining department and Navajo Generating
11 Station, keep it going, keep it open, and keep it in
12 operation. Peabody, you know, we can say a lot about
13 Peabody. And, you know, we can tell a great story
14 about Peabody, what it does, and what it did. You
15 know, this is a great history and which is -- you
16 know, there's -- you know, we could go on and on just
17 like for myself. Peabody was real good to me. It
18 did a lot of things for me and, you know, which is --
19 I was -- I got on that job in 1978.

20 In 1978 when I got on the mine, I got
21 hired over at Black Mesa, the first mine that got
22 shut down, I was there for six months. And at the
23 time that I got there, there was nothing. The roads
24 were all dirt roads. It was hardly graded, nothing.
25 There was no paved road, nothing. And then I checked

1 around and there's a community and other access road
2 to the mine. There was nothing. You know, there
3 were old lots and, you know, there wasn't anything
4 graded.

5 So up to this day, you know, I see the
6 Peabody grow and help the community to reach out and
7 help the community so I can see a lot of things
8 different than what Peabody did. So I give a big
9 honor to the Peabody company. What it did for the
10 community and what it did for the workers just like
11 for me. You know, I took -- my kids all went to
12 school down in Kayenta and which is a 1978 or -- the
13 school burned down. The high school burned down.
14 Peabody stepped in and helped them rebuild that high
15 school and lot of our kids went to school there and
16 graduated from there, and from there they graduated
17 and moved on with their higher education which is --
18 you know, and then from there, you know, we had the
19 best at that school and gymnasium and whatnot.

20 You know, so we had the -- so we had a
21 routine that came out of the Valley. So when they
22 came down to the state and, you know, took us -- took
23 a lot of trophies and whatnot. So that's what -- we
24 give the credit to Peabody. So there's a lot of
25 things that we can talk about. A lot of these

1 workers they said a lot of things about Peabody and
2 other delegates too. Thank you for listening and
3 running this session. Thank you. Thank you.

4 MS. DARR: Steven Clitso and then Leonard
5 Bailey.

6 MR. LEHN: My name it's Randy Lehn and
7 I'm with Peabody. I've been with them for 32 years.
8 I started out in 1985. There's been a lot of
9 discussions about studies, 5 million plants. As we
10 know that Peabody's done a study with Navigant and it
11 shows the plant was economically viable. We've also
12 heard counters from the Sierra Club that it states
13 that it is not and also a study by NREL. So all
14 these studies are all based on one factor and that
15 factor is natural gas pricing.

16 Last week natural gas pricing went up 10
17 percent in one week. Our coal pricing hasn't
18 fluctuated by that much in four years. That plant
19 needs to continue to operate just so the state of
20 Arizona has consistent reliable diversified fuel and
21 that's all I have to say. Thank you.

22 MS. DARR: Leonard Bailey and then
23 Lawrence Oliver.

24 MR. CLITSO: Good afternoon. I'm an
25 Indian man from the Kayenta Mine. When I started in

1 '78 I was a high school senior when Peabody gave me a
2 chance to hire me on, and when I started I was a
3 laborer and Peabody gave me the chance to learn on
4 the job. So I learned doing the trade within that 38
5 years third shift and I thank Peabody. They
6 partnered with NGS and I strongly encourage you guys,
7 the Department of Interior -- Department of Interior
8 guys that you keep NGS going for years to come. And
9 when I raise my family, I got the paycheck to pay for
10 my own home for my kids to go to school and then
11 finish school and then go on to colleges and
12 universities and then I have a couple boys that went
13 on to do other schooling, but one of my sons, he's a
14 star just like me. Once he got out of high school,
15 he started working. So I just ask that you guys
16 carefully with everybody keep NGS going. Thank you.

17 MS. DARR: Leonard and Lawrence and then
18 Joe Malala.

19 MR. BAILEY: Good evening. I'd like to
20 thank the Department of Interior for being present
21 here for our session here to listen to us and what
22 kind of person we are, and I'd like to thank our --
23 my fellow workers and my employer and all the leaders
24 that are present here. Speaking of leaders, I went
25 to school in St. Johns, Arizona. The individual that

1 was mentioned in this project that was formed back in
2 the early days in the late '50s which is a legislator
3 Morris Udall and also Stewart Udall. They went to
4 school in St. Johns, Arizona and they became a great
5 leader. Not just for this country, but for also the
6 Native Americans and the individual which was a
7 legislator that he went and passed on 92 years of
8 age, Carl Hayden. And to this day, they gather us
9 here. The project that was formed and that's part of
10 the history that I remember. And so I'm glad I went
11 to that school in St. Johns, Arizona. There's some
12 great leaders that are here.

13 And also this project at NGS that put --
14 which will supply the coal to generate electricity
15 and to this metropolitan area here in Phoenix,
16 Arizona and the whole Southwest United States. So
17 I'm delighted to be part of this and I've been with
18 Peabody western coal company for 43 years and I'm the
19 No. 3 man in the seniority and I helped build Kayenta
20 Mine and I stuck with one job for 43 years and never
21 got in trouble.

22 So this issue about the -- a lot of
23 things that came about, the employment, the benefits,
24 jobs, the unemployment, federal programs, state
25 programs, the native nations program, some of these

1 are an alarming rate that the unemployment rate is
2 past 60 now and the crime rate. We see that every
3 day. The crime rate has alarmingly passed a national
4 average. Nationally, Baltimore is number one now and
5 we're in there.

6 So the revenue is declining, programs,
7 education, that's the number one source that we rely
8 on. But the revenues are here, that's declining. We
9 can't afford it. We raise our children. We raise
10 our family and these are the leaders from these
11 stations we'd like to express and beg for keep it up.
12 Keep this generating station running and also Peabody
13 western coal. All in all, let's work out a solution,
14 get the economy in line. And this new administration
15 from our federal government, the president of the
16 United States, we'd like to work with him too. Thank
17 you.

18 MS. DARR: Lawrence and then Joe and then
19 Grace Johnson.

20 MR. OLIVER: Good evening. My name is
21 Lawrence Oliver and I'm a coal operator at the
22 Kayenta Mine and also an experienced miner for over
23 30-plus years and I'd like to thank the DOI. Asking
24 to express our support for the continued operation of
25 NGS. Thank you. And I'm with the reservation. We

1 do around 40 acres per month that we reclaim,
2 topsoil, reseed, and a lot of education, also
3 traditional plants that go into it and do a really
4 good job one because there's some topsoil that we do
5 that we're putting topsoil where there wasn't any
6 topsoil. So we do a really good job with that on the
7 reservation.

8 And right now we do believe that we
9 usually have basic challenges. Right now try to
10 continue the plant right now and, of course, the
11 shutdown. Lobby hoods and the communities, you know.
12 I'm new at the Kayenta Mine, but I've been there just
13 about three years and come from a mine that closed
14 down five years ago and it's pretty much a burden to
15 most employees. When a mine shuts down, it impacts
16 businesses and the communities. They have a spouse,
17 work members that turn to alcohol and something that
18 you don't want to see and experience. So some have
19 gone through a mine shutdown already with the Mohave
20 plant decommission shut down. The Black Mesa mine
21 was shut down and a lot of these workers have to go
22 out and find jobs. Some of them were fortunate
23 enough they came over to the Kayenta Mine, and right
24 now it seems like they'll be facing another one --
25 another shut down.

1 So SRP has been preparing for this for
2 the last 10 years. You know, they've been buying
3 plants, investing in plants in the millions of
4 dollars. And right now I believe they're saying,
5 hey, put that over here and I'm sure they will be
6 over there with the customers. So we do continue.
7 Yes, we had to review our financial plans, business
8 plans for the customers and all that. But if it
9 closes, it does. Well, if it does close down, then
10 do we let it set idle or do we dismantle it? What
11 happens if there's enough surge in gas prices for
12 natural gas?

13 There's also alternative energy sources
14 that have been part of these conversations. Demand
15 power there and the requirements, it's very minimal
16 under these conditions. Something that nobody wants
17 to hear is that we do come short, you know. Where
18 arrangements are coming, we're going to be placed
19 with employees, financial assistance, low wage loans
20 for refinancing, counseling, retraining. Who's going
21 to be the responsible agency that's going to take
22 care of that? These are the issues that we build
23 under these circumstances and should be something
24 that the interested parties are considering in these
25 continuing debates. So that's something I wanted to

1 bring across.

2 I know a lot of people don't want to
3 hear, but as far as President Trump's initiative on
4 buy American and also buy U.S. products, I think that
5 extends to the power from native lands, you know,
6 because we have an obligation to Native America, you
7 know, trust responsibility so I believe that should
8 be priority and extended out to power to Native
9 Americans and Native American lands. Thank you.

10 MS. DARR: Okay. Joe and Grace and Marie
11 Shepherd.

12 MR. MALALA: Good evening everybody. I'm
13 Joe Malala. I represent coal miners. My story is
14 the life of the coal miner. Every day when we wake
15 up, we kiss goodbye to our family and we go to work,
16 we don't know if we're going to come back or not. I
17 don't know if the owners of NGS that are leaving
18 realize what we do every day. It's all about blood,
19 sweat, and tears we put into for them to make a lot
20 of money. A lot of money. I don't know if they
21 understand the magnitude. If they close this company
22 and the other company closes too, where are the
23 employees at? It's going to be a ripple effect.

24 All our kids go to school, our tax money,
25 the tax money from all this company to pay these

1 teachers, the hospital, everywhere. And believe me,
2 I bet they never thought what they're going to do to
3 the rest of the people up north, you know. We need
4 that money for everybody to survive up north, you
5 know. Both companies really benefit, but these
6 owners are really sad about what they're doing
7 because it's a disgrace for the hardworking people up
8 north. And I hope Trump penalizes them for what
9 they're doing because it's not right. Their
10 decision-making is all about money. I guess that's
11 all the business they're looking at. They don't care
12 about the regular -- the little man. The little man
13 and his family. I hope you guys take it to Donald
14 Trump and explain what these individual owners are
15 doing to us. Thank you for your time. Appreciate
16 it.

17 MS. DARR: Grace, Marie Shepherd, and
18 then Curtis Yazzie.

19 MS. JOHNSON: Good afternoon. My name is
20 Grace Johnson and I am from Black Mesa, Arizona. I
21 am a resident near Kayenta Mine. I have been
22 employed as a contractor for Peabody for 16 years and
23 2 and a half for Peabody. I do appreciate the
24 Department of the Interior holding a meeting for us
25 today and listening about the Navajo Generating

1 Station and its importance to the Navajo and Hopi
2 people and also the state of Arizona.

3 I also would like to thank Peabody for
4 giving us the opportunity to be here. What we do at
5 Kayenta Mine is an important part of the success of
6 the Navajo Generating Station. We are proud to be
7 miners. I am -- we are about our jobs and we focus
8 on safety and operational excellence in our areas of
9 work. We also recognize the importance of the power
10 we help create for families and businesses and the
11 power that moves the Central Arizona Project water
12 across the state for the benefit of other tribes and
13 agriculture users.

14 I wanted to talk about the operational
15 side first and then get to a little bit of the
16 personal. Kayenta Mine has operated for decades
17 under lease agreements with the Navajo Nation and
18 Hopi Tribe. We shipped 28 million tons of low
19 sulphur coal to the Navajo Generating Station this
20 past year. As you know, we are the sole fuel
21 provider for the plant. Safety is Peabody's first
22 value and core to our mission. We deliver a strong
23 safety rating. 0.88 incident per 200,000 hours
24 worked last year. In fact, it is safer to work at
25 Peabody mine than at most major industries.

1 The Kayenta Mine injected nearly 430
2 million in direct and indirect economic benefits into
3 the economy last year. This also includes
4 approximately 455,000 in scholarships for Navajo and
5 students from the mining power plants. Based on
6 respect for the land and tribal cultural ways,
7 Peabody agreed to restore mine lands on Black Mesa.
8 Even before the law required it, reclaimed lands are
9 as much as 10 times more productive for livestock
10 grazing and native range and have nutritional value.

11 Restoration programs and community
12 outreach activities on Black Mesa have been
13 recognized by the U.S. Department of the Interior for
14 good neighbor practices and Reclamation excellence.
15 Just for the community and as a local resident there,
16 you know, like we talk a lot about water issues and I
17 am a resident there and we -- you know, we do haul
18 water. We should be getting water soon. But we get
19 24/7, 365 days a year, we can get water and it's just
20 a few miles down the road and these are even open on
21 holidays. And roads again, mentioned earlier, you
22 know, are maintained for the residents. School buses
23 -- school bus routes, they're out early in the
24 morning. At 5 o'clock in the morning we see them on
25 the road, you know.

1 And you know, like there's violence in
2 the area where we have security onsite in the mine
3 area. So we do have security in the area and we do
4 have, like, ambulance, child service. We do have the
5 paramedic and even, you know, personal experience
6 from that. I have a nephew who was run over by a van
7 and he's still with us today because of the paramedic
8 there onsite who took him to the clinic and he is
9 still with us to this day.

10 I am a daughter of a coal miner. We lost
11 him several years ago, but my mother is a survivor
12 and she has great benefits and we owe to my father
13 what he has left for her. I am a single parent and I
14 do have children who I have raised, you know, because
15 with the job I have there. I have a home there and
16 I'm not only asking just for myself but for the
17 younger generation. There's a lot of young people
18 out there. So that's who -- I hope, you know, NGS
19 stays open for the kids, my children. Thank you.

20 MS. DARR: Marie, then Curtis, then Larry
21 Mallahan. Let's try to keep them to, like, two
22 minutes because we're going to get kicked out and I
23 really want to get everybody in here. So out of
24 respect to other people, because some of the people
25 out there are telling me I'm letting you go too long,

1 so it's hard to cut you off.

2 MS. SHEPHERD: Marie Shepherd.

3 (Speaking in native tongue.)

4 Peabody -- I'm the senior environmental
5 manager at Peabody. I have worked there for five
6 years, and prior to that I have -- including my years
7 at Peabody, I have 22 years of experience in mining.
8 I've been born and raised on the Navajo Nation and I
9 understand a lot of the issues out there. One of the
10 key items that I work is in the area of environmental
11 management. Respect for the air, water, and land is
12 part of my culture and heritage. It is important to
13 me as a member of the Navajo Nation to make sure we
14 are managing resources in a respectful and
15 sustainable way that will leave a lasting legacy for
16 the next generation. I have extensive training in
17 engineering environmental and I am proud that we mine
18 coal at Kayenta Mine in an environmentally respectful
19 manner.

20 Our mine has earned many awards for
21 reclaiming mine lands in a way that is -- that also
22 preserves cultural -- our cultural ways. I'd
23 emphasize that all of our activities are done in the
24 best way for the tribes. More than 8 percent of the
25 land we have mined have been reclaimed thus far. We

1 use state of the art technology and seed makes us to
2 return land to conditions that took place 10 times
3 more productive for livestock raising than the range
4 prior to us mining it.

5 So we have mined over -- reclaimed --
6 over 15,000 acres have been restored for raising
7 wildlife habitat and plant cultural cultivation to
8 date. Last year we reclaimed at a ratio of 5 to 1 as
9 mentioned by other folks here versus the land we have
10 disturbed. Many of the locals say they can tell
11 which lands are reclaimed because they are the
12 greenest and the hardiest. We collaborate with area
13 residents to promote good range management practices
14 and work with them to restore lands available for
15 grazing their livestock.

16 Our team has established award-winning
17 programs to restore cultural plant use for municipal
18 uses and ceremonial needs. This is an important
19 program to preserve cultural practices. Again, I
20 would like to -- in closing I'd like to thank the
21 department for being here to listen to our voices,
22 and there's always folks that say -- that talk a lot
23 about the destruction that might be associated with
24 mining, but there is a back end there, that we have a
25 lot of people working at the restoration end and

1 making sure that we restore the land better than when
2 we first arrived. So thank you for your time.

3 MS. DARR: Curtis Yazzie, Larry Mallahan,
4 and Daryl Long.

5 MR. YAZZIE: Good evening everyone. My
6 name is Curtis Yazzie. I've worked at Kayenta Mine
7 for six years now and I'm from Black Mesa. I live
8 right where they started mining back in 1970, early
9 '70. When I was a little kid, I used to ride my bike
10 out there. Big mining equipment, gotten used to
11 that. It was a dream of mine to work at the mine and
12 six years ago was able to do that, get a job with
13 Peabody.

14 And as a father -- I have three children
15 and it's my responsibility to provide for them. With
16 the job I have, I'm able to do that. I have a son in
17 college. I have two younger daughters that are going
18 to school. I am encouraging them to pursue higher
19 education and I'd like to work close to where I live.
20 And it fills my heart with joy when I'm able to see
21 my children's every single need and that I'm able to
22 attend their school activities and to attend their
23 sporting events and raising some future Valley
24 Mustangs.

25 And I'd like for you guys to really

1 consider keeping Navajo Generating Station in
2 operation for many years to come. And I got hired
3 with some Navajo people and they're currently very
4 good workers and I've learned a lot from them. My
5 fellow brothers and sisters and our Hopi brothers.
6 They said they need to keep the generating station
7 open. Also they're dependent on it and so are we
8 are. We support our families. They do a lot for our
9 community because I live there local. Right there
10 where the mine's at. They keep the roads clear
11 during the winter. They plow roads early in the
12 morning. The reclamation people do a good job. They
13 put gravel on the roads to keep -- prevent accidents.

14 Also, all the local people get their
15 roads graded. We get water up there. We have access
16 to drinking water for ourselves and for the
17 livestock, and I'm beginning to get back into
18 livestock that my parents used to do. And I really
19 enjoy teaching my children and hopefully in the
20 future they can come back and take over for me once I
21 get old and my life changes, retirement at Kayenta
22 Mine. Thank you for your time.

23 MS. DARR: Larry then Daryl Long then
24 Irwin Smith.

25 MR. MALLAHAN: Good afternoon. I'd like

1 to thank the Department of Interior for allowing us
2 to have this listening session or inviting the
3 employees to come out here. Just a couple of things
4 I'd like to cover. The benefits from mining at this
5 current, but in the past we have a lot of money going
6 into the general fund. 22 percent, 85 percent.
7 Those are money that goes into service.

8 My question is, if the mine shuts down
9 and NGS shuts down, who's going to come up with that?
10 Who's going to cover that void for the services for
11 our people? You've heard here already the benefits
12 that we want as workers, but what about the rest of
13 the tribe? Where is that money going to come from?
14 If this generating station shuts down this year or in
15 two years, who's going to cover that? That's taking
16 a quarter of all the services for the Navajo Tribe
17 and just shutting it down. 85 percent for the Hopi
18 Tribe. Who's going to cover that? Time is of the
19 essence here to make that decision to say we need to
20 keep that generating station going and Navajo
21 Generating Station is an efficient power plant. It's
22 different than other power plants. It's a super
23 critical power plant. It's more efficient.

24 You know, some of the benefits from coal
25 mining, the scholarships have benefitted from that.

1 We talk about technology. How are our kids going to
2 fix that technology if there's less money in
3 scholarships? NGS, Peabody, they contribute to that.
4 Knowledge, you can't put a price on that. Education,
5 you can't put a price on that. We need to keep that
6 mine open, that power plant going. That's what I'm
7 asking. Time is critical. It's a short time. You
8 better make that decision. I realize there's a lot
9 of different thoughts that came. That's democracy.
10 Thank you for the opportunity to speak our minds.
11 Thank you.

12 MS. DARR: Daryl and then Irwin Smith and
13 then Andrew Lane.

14 MR. LONG: Yeah, I've been sitting here
15 long. The miners at Kayenta Mine are the very fabric
16 of the Navajo Nation. Most of us don't have a
17 traditional four-year college degree, no masters, no
18 doctorate. We do what we have to do and we work hard
19 for it. Hard work is engrained in our DNA. For
20 whatever reason, the Navajo people gravitated to
21 vocational trades such as welding, iron working,
22 operating, carpentry, masonry, and mechanics, and
23 often general labor.

24 I'm not saying that we all specialize in
25 formal fields because we also do that, but it is not

1 the secret about the workforce impact that we have on
2 construction industrial workforce. I represent the
3 younger generation at Kayenta Mine. We're
4 outnumbered but we are still around and more to come.
5 I am 27 years young and I want to live on my land in
6 the sacred mountains. I am in the process of
7 building my future. Let us build our future. Give
8 us enough time to build. I am a second-generation
9 coal miner. I am also a second-generation mechanic.
10 Maybe one day I'll be a second-generation solar and
11 turbine operator, but until then, we mine it and we
12 mine it good. Thank you.

13 MS. DARR: Irwin and then Andrew.

14 MR. SMITH: Hi, good afternoon. I'm
15 Irwin Smith. I'm with Peabody coal company. I've
16 been in the coal mining industry for the past 27
17 years and I've been working various departments in my
18 career and I have learned to -- technologies in
19 different areas during my career and I'd love to see
20 Peabody coal and this year for our future keeping the
21 power plant open and the continuation to have our
22 jobs there for us 20, 30 years from now. As far as
23 the younger generation goes, they can benefit a lot
24 from, you know, this whole company and power
25 generation plant.

1 I did have an opportunity to work there
2 at NGS also and both sides of the world to give me
3 that experience and I know how, you know, it affects
4 a lot of people without no jobs. I have the
5 opportunity and I realize how important it is.
6 There's people here -- you know, you hear all day
7 their effects on the economy and their livelihoods
8 and we don't want to travel a long ways having to go
9 out and look for work. We'd like to be stable where
10 we're at another 20, 30 years. Thank you for
11 listening to us. We appreciate your time.

12 MS. DARR: We have one more comment and
13 then we all need to get out of here because we're
14 getting texts from people, "Get out of our room." So
15 one more. Andrew?

16 MR. LANE: My name is Andrew Lane, U.S.
17 Army Reserve. Most just recently graduated from
18 Arizona State University with a master's degree in
19 sustainable solutions. I want to thank everybody.
20 First off the Department of Interior for letting us
21 come speak to our elected officials. In this case,
22 the representatives thereof. I've been in Iraq and
23 Afghanistan where people there wouldn't even dream
24 about such an occasion without losing their limbs or
25 their life. The Army understands climate change as

1 does the Navy and Air Force and the Pentagon. Even
2 under our current president, General James Mattis, he
3 talks in the senate confirmation hearing about
4 climate and reality and taking climate action because
5 it's going to save troops' lives when they're in
6 combat and in training.

7 I'm all about keeping the Navajo
8 Generating Station open as well with wind and solar.
9 The last thing we need to do is burn coal. It's a
10 simple matter of science. If I can go back for a
11 second, first off referring to Navajo, hearing Navajo
12 actually on the air is humbling for me. One because
13 I vote for the Native Americans in every movie I've
14 ever seen because I believe a white man has screwed
15 the Native American so many times. And I would say
16 Peabody coal might be a British company. I don't
17 know. Might happen again, but I associate with the
18 language of Navajo. That's how we defeated -- one
19 critical ingredient how we defeated the Japanese
20 because they couldn't figure out -- Navajo and yep,
21 there she went.

22 So I want to talk a little bit about
23 Tesla. The islands of Hawaii and the island of Kauai
24 has installed 13 megawatts of solar with battery
25 storage. That's 100 percent electricity, baseline,

1 night line, whatever. It's there. And that's about
2 1.6 million gallons of diesel fuel that Hawaii no
3 longer needs in their electricity. Arizona State is
4 soon to be 150 percent powered by the sun. It's all
5 about solar. In fact, if you listen to him on
6 climate change, he says if we don't change where
7 we're going, we're going to be enforcing agony.
8 There are far more jobs in clean renewable energy,
9 far safer jobs. Take a moment and go to OSHA's web
10 page and look for fatalities in the workplace.
11 You'll find one for coal once in a blue moon, you'll
12 find a couple in Detroit from General Motors or Ford,
13 but mining, not necessarily your mining, but oil and
14 gas is extremely dangerous as well. We can easily
15 find those guys and the ladies and the deaths.
16 Whereas renewables, I can't find any and I've looked
17 for a year or two. Can't find any in a year.

18 The ocean scene is simplified. It's not
19 rocket science. We take carbons down in one of the
20 earth's crust for millions of years, we burn it and
21 put the residue back in the atmosphere, that is
22 fractionally acidifying the ocean and warming the
23 planet. If we continue to acidify the ocean, we can
24 go ahead and forget about any and all shellfish that
25 live there. That includes fish and any and all

1 creatures that interact with the shellfish, predator
2 or prey. If you like seafood, and there's about a
3 billion people on the earth who depend on the ocean
4 for their protein.

5 For people who are challenging the
6 climate science, I've explained the kids' version of
7 it, go to YouTube and look at Emily Schwart in the
8 fifth grade talking about carbon dioxide as
9 greenhouse gas and its effect in temperatures in your
10 kitchen. Coastal cities are already feeling this.
11 Miami and Baltimore in particular are feeling this.
12 You can see it in the recent documentary of years of
13 living dangerously. You know, Norfolk, Virginia is
14 having a hard time with it because it's starting to
15 cause bad trouble.

16 If we don't get renewables, India and
17 China will feed us and we will be back here -- not to
18 make fun of you guys but -- playing with coal. It's
19 not good. Most of you came here in gas cars. I came
20 in an electric car -- electric car. We need
21 electricity. We can generate electricity in a myriad
22 of ways. And this is my final statement. I deeply
23 respect Native Americans. I'd kiss all of your feet.
24 Literally, I will, your hands. But they say they
25 make their decisions thinking about generation seven

1 -- generations down the line. And so I'm going to
2 ask everyone here to think about the following
3 generations because this means clean coal because of
4 the things I've said. Thank you.

5 MR. CAMERON: I'd like to thank everyone
6 for coming out today. That was our last speaker, I
7 think. A couple points I would like to make before
8 they lock the parking lot on us here. First of all,
9 Secretary Zinke has had a great relationship with
10 Indian tribes in Montana. He feels very strongly
11 about wanting to extend a positive relationship with
12 the Navajo, with the Hopi, with the Central Arizona
13 Project tribes. The Department is doing everything
14 we possibly can, pulling out every stop, being as
15 creative as we can to think of ways to keep the
16 Kayenta Mine at NGS operating. I want to let you
17 know that.

18 Finally, there were a lot of fathers and
19 mothers talked today about how important the Kayenta
20 Mine, Navajo Generating Station has been to the
21 ability to provide for their families. I'm a father
22 myself. I really appreciate those remarks. And
23 Benny, good luck with your 1-year-old.

24 (The proceedings concluded at 4:47 p.m.)
25

WITNESS my hand this
25th day of May 2017

Janice E. Gonzales
Certified Court Reporter No. 50844
for the State of Arizona