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TRIBAL COUNCIL LISTENING SESSION

Window Rock, Arizona

May 19, 2017

8:04 a.m.

REPORTED BY:

DANIELLE C. GRIFFIN, RPR

Certified Reporter

Certificate No. 50296

PREPARED FOR:

U.S. DEPARTMENT OF INTERIOR

(Original)

1 TRIBAL COUNCIL LISTENING SESSION was taken on
2 May 19, 2017, commencing at 8:04 a.m. at Nakai Hall, Window
3 Rock, Arizona, before DANIELLE C. GRIFFIN, a Certified
4 Reporter in the State of Arizona.

5
6 APPEARING:

7
8 AS MODERATOR:

9 CENTRAL CREATIVE

10 By: Ms. Kristin Darr
11 24 West Camelback Road
12 Suite A-479
13 Phoenix, Arizona 85013-2529

14 For the United States Department of Interior:

15 U.S. DEPARTMENT OF THE INTERIOR
16 BUREAU OF RECLAMATION

17 By: Ms. Leslie Meyers, P.E.
18 Ms. Sandra Eto
19 Mr. Kevin L. Black, Sr.
20 6150 West Thunderbird Road
21 Glendale, Arizona 85306-4001

22 U.S. DEPARTMENT OF THE INTERIOR
23 BUREAU OF RECLAMATION

24 By: Mr. David M. Palumbo, P.E.
25 1849 C Street, Northwest
 MS-7069-MIB
 Washington, D.C. 20240-0001
 Ms. Joanna Austin-Manygoats
 Navajo/English Interpreter

1 MS. KRISTIN DARR: Good morning, everybody.
2 It's Friday. Come on. It is Friday. Hey, we'll get
3 started. I know it's 8:00 o'clock, but I'm just going to
4 wait for 15 minutes. We will get started here shortly.
5 Okay? So hang in there with me.

6 Mr. President, are you ready? You are ready?
7 Okay. Why don't you welcome everybody.

8 PRESIDENT RUSSELL BEGAYE: All right.

9 (Native language spoken.)

10 Good morning, everybody. Thank you for being
11 here at the listening session. I believe this is the last
12 one; right? Yeah, this is the last one. Your last chance
13 to give your comments today. And then -- so it's really
14 good to see -- to have our top guys from the Department of
15 Interior here. Mr. Palumbo, he's been really there,
16 attentive and helping us in the discussion and everything
17 all from the beginning (native language spoken). So he's
18 been there for us.

19 Leslie Meyers also critical in terms of
20 hearing some of the things that you guys have to say.

21 (Native language spoken.) And then our
22 reporter trying to learn Navajo over here.

23 (Native language spoken) Moderator, thank
24 you.

25 As always, welcome to Window Rock, capital to

1 the Navajo Nation Nakai Hall. And then we always begin
2 with prayer. (Native language spoken.)

3 So Mr. Platero, I believe, is going to be
4 coming up to say our prayer.

5 (Prayer spoken.)

6 MS. KRISTIN DARR: I see you. Can you hear
7 me now? Yes. Okay.

8 All right. Good morning, everybody. My name
9 is Kristin Darr. And I am your third-party neutral
10 moderator for this listening session. Most of you know me.
11 For those of you who I have not met, my job is to make sure
12 that the Department of Interior gets to listen to you.

13 And before that we're going to do a short
14 presentation. Dave actually is going to do a short
15 presentation, and then we'll get into the listening
16 session. And I will explain more about that and so will
17 he. Okay?

18 So, Dave.

19 MR. DAVID PALUMBO: Good morning, everybody.
20 It's good to see many of you again. And it's good to see
21 many new faces.

22 Thank you, President Begaye, for the
23 hospitality for attending so many of these listening
24 sessions. It's very valuable to see you here. Thank you.

25 I wanted to explain a few things as we get

1 started. This is a presentation we've given at each of the
2 listening sessions, and today's listening session is the
3 fourth and final listening session of this tour regarding
4 the Navajo Generating Station.

5 The purpose of the listening session, as
6 Kristin said, is to hear you. We have a reporter. We have
7 Navajo translator here. We want to make sure that we have
8 a record of your position regarding the future of Navajo
9 Generating Station.

10 And Leslie and I will be taking notes, but
11 we'll also have the transcripts available to us, and we
12 will be setting up a website that we'll post all of the
13 transcripts onto as well as this presentation and other
14 relevant materials.

15 So in terms of process, you all know as
16 you've signed in to fill out a speaker card. We're going
17 to be limiting the comments to three minutes to make sure
18 we can accommodate as many people as possible. We also
19 have an email address set up NGS@USBR.gov that you can
20 submit your comments in writing whether they were the same
21 thing that you have spoken here today, whether they're a
22 supplemental or additional information that you would like
23 to share with us. And we'll be accepting those comments,
24 for a 30-day period until the 18th of June.

25 We're not responding to comments here today

1 nor from what comes in on the record. But again it will
2 help the Department of Interior to the extent that we have
3 decisions to make and understand what your positions are.

4 Again, Kristin has done a great job keeping
5 us on track, getting as many people in as we can. She'll
6 be moderating the session. Again, the court reporter will
7 be here to record the conversation.

8 A little bit of history behind NGS. NGS is a
9 2,250 megawatt coal-fired power plant. It's located on
10 tribal trust lands of the Navajo Nation outside Page,
11 Arizona. There's three units there, each 750 megawatts.
12 The current lease which was signed in 1969, December 22nd
13 1969, expires on December 22nd, 2019.

14 The coal for Navajo Generating Station is
15 supplied from Kayenta mine, approximately 80 miles from
16 Navajo Generating Station. There's a dedicated railroad,
17 electric railroad between the mine and the plant. That
18 mine is located on Navajo Nation lands as well as Hopi
19 tribal lands.

20 The original lease, the original 50-year
21 lease had a provision in it that allowed for a
22 discretionary 25-year extension from 2019 through 2044.
23 And because of that discretionary extension, the Department
24 of the Interior started an EIS in 2014 to analyze the
25 impacts of continued operation. We published a draft EIS

1 at the end of 2016 or towards the end of 2016. That EIS
2 would be picked up should operations continue past 2019.

3 This chart just describes the ownership
4 shares in Navajo Generating Station or the participants
5 that are part of Navajo Generating Station. The Department
6 of the Interior, Bureau of Reclamation, has a 24.3 percent
7 interest in Navajo Generating Station. Salt River Project
8 actually owns that for the use and benefit of the United
9 States. And Salt River Project is also considered the
10 operating agent for Navajo Generating Station.

11 In February the non-U.S. owners had a vote.
12 And they also issued a statement. With respect to the
13 statement, they indicated that they were not going to
14 continue operations at the plant post 2019, after
15 December 22nd, 2019.

16 They did indicate that they would be willing
17 to operate the plant through the end of 2019 if certain
18 agreements are reached by July 1st of this year. I'll talk
19 a little bit about those in just a moment.

20 So when that announcement came out by Salt
21 River Project and the non-U.S. owners, the United States,
22 the Department of the Interior began a process in early
23 March, March 1st. We brought together parties to discuss
24 how we should be proceeding. And we embarked on three
25 parallel paths that aren't necessarily mutually exclusive.

1 And I'll just quickly go over those three parallel paths.

2 The first path, very important, was getting
3 to the end of 2019 with operations at NGS. That requires a
4 negotiation and agreement between the Navajo Nation and
5 Salt River Project. The Navajo Nation and the Salt River
6 Project have been working diligently on that agreement, and
7 we're expecting some positive news in the next couple of
8 days with respect to the advancement of that agreement
9 towards a council resolution and an execution by
10 President Begaye.

11 So that process is ongoing. The Department
12 of Interior is there to help to make sure that any
13 questions that we need to provide answers to we can do so
14 in realtime.

15 The second activity that is ongoing is
16 operations past 2019. The current owners have indicated
17 they're exiting because of economic reasons so there's an
18 initiative underway to find out how to explore ways in
19 which the plant could operate economically post 2019. That
20 activity is going on. That also requires an exploration of
21 finding new ownership as well as finding load or customers,
22 if you will, for the power of the Navajo Generating
23 Station. So that's the second of the three parallel paths.

24 The third parallel path is also very critical
25 for us is making sure that we minimize negative impacts

1 through economic development for the Navajo Nation and the
2 Hopi tribe should the plant shut down irrespective of the
3 what time that is, whether it's 2044 or 2019, we are
4 working diligently to find alternate ways in which economic
5 development can be promoted in northern Arizona for the
6 benefit of the Navajo Nation and the Hopi tribe.

7 And with that, we're going to go ahead and
8 start the listening session. I'm going to turn it back
9 over to Kristin. And, again, the email address is up here,
10 and we will be getting out information on the website. So
11 you can find that when we publish all the documents from
12 these listening sessions. Thank you very much.

13 MS. KRISTIN DARR: Okay. Those of you over
14 at the table, I'm ready for some cards.

15 And while they're getting those ready for me,
16 for those of you who don't know, there are speaker cards at
17 the table, the sign-in table. We'd like to have you fill
18 out one of these cards to indicate that you'd like to speak
19 at this microphone.

20 I will call a speaker, and I will call the
21 speaker that's on deck behind them. I will give you an
22 indication when you have reached three minutes. And we're
23 really trying to ask that everybody stay as close to three
24 minutes as possible, so we can hear from as many of you as
25 possible.

1 We're going to prioritize people who we have
2 not heard from yet. We've been keeping track of all of the
3 speakers, as we said, this is the fourth session. So we're
4 going to prioritize speakers who have not spoken yet.

5 If you have already spoken and submitted a
6 card, once we get through the speakers that have not
7 spoken, then we'll do that first come, first serve. And
8 we've been sorting those in order in which she received
9 them.

10 Our Navajo interpreter Joanna is here. And I
11 want to stress that it's an interpreter, not a translator.
12 So she's going to tell us basically what you're saying, but
13 not interpret word for word in the interest of time. We
14 are going to go back to the audio transcripts, and we will
15 get the word-for-word interpretation, but we're not going
16 to do that here.

17 So does everybody understand that? It's for
18 time sake only, she'll be summarizing basically what you've
19 said if you choose to speak in Navajo.

20 Was anybody else born besides me in 1969, the
21 year that this lease was signed? I'm the only one.

22 MR. DAVID PALUMBO: I was.

23 MS. KRISTIN DARR: You were. Okay. So Dave
24 and I were born the year that this lease was signed. I
25 just -- that hit me. And I wanted to tell you all how

1 honored I have been to be here to work with you all. And
2 what an honor and a joy it was to travel across from Page
3 across to Kykotsmovi and then in Window Rock today. It's
4 very beautiful.

5 And I'm very grateful, and I'm grateful to
6 all of you that have been so nice to me, because this is
7 not an easy job to cut you off in three minutes. I know
8 you have a lot you want to say. So thank you very much.

9 And thank you also for helping us set up, for
10 helping me get stuff out of my car yesterday and bring it
11 in. You guys, you've been great. So thank you very much.

12 And with that, did I forget anything, miss
13 anything? All right. We are going to get started then.

14 Our first speaker is going to be Roland Lee,
15 followed by Barry Grass. Oh, I've got to get my timer.

16 Thank you, sir. Go ahead.

17 MR. ROLAND LEE: Good morning. My name is
18 Roland Lee. I work for Peabody Coal.

19 AUDIENCE MEMBER: We can't hear you.

20 MS. KRISTIN DARR: Sir, speak up if you can
21 because they can't hear you. I know. Our system is not
22 that loud.

23 MR. ROLAND LEE: Are you going take that off
24 my time?

25 MR. KRISTIN DARR: No.

1 MR. ROLAND LEE: My name is Ronald Lee, and I
2 work at Kayenta mine. I work as a safety specialist. And
3 I like to say that I'm a disabled veteran, and I've been in
4 the military for 32 years and came out. Because of my
5 injury, I was put out to pasture.

6 And what I'd like to say is that the mine
7 gave me an opportunity to continue to service to my people
8 and to my the country and my community. So I got brain
9 farts. Excuse me.

10 This mine closure is going to affect a lot of
11 people. I live down here in Window Rock area, so I travel
12 across the reservation during the week and work up there
13 and come home. And this mine closure is going to affect
14 the whole reservation and also the outside communities,
15 border towns, where we do a lot of our businesses, spend
16 the money that we earn out there, not just the mine
17 closure. It's going to affect also the power plant.

18 So with that respect, sirs and madam, you
19 know, work hard at this at keeping this mine open and the
20 power plant open. It's going to hurt, like I said, the
21 communities out here throughout the reservation and the
22 border towns.

23 With respect to the people that oppose the
24 power plant, I would say if you don't like our electricity,
25 our coal, turn off your power, turn off your water, so...

1 then you can stand by that if you're not using the power.

2 That's all I got to say. I appreciate the
3 time that you guys listen to me.

4 MS. KRISTIN DARR: Thank you. Thank you.

5 Okay. And I have an idea if you are having a
6 hard time hearing back there, there's some seats right up
7 here. Come on. I will not bite you. Don't be shy. Don't
8 be shy.

9 Barry, and then Juanita Tallis.

10 MR. BARRY GRASS: Good morning, everybody.

11 Do you want these guys up front? I can get
12 them all up here.

13 Good morning. I'd like to say good morning
14 to the Department of Interior, the president of our Navajo
15 Nation, for the opportunity to speak today.

16 My name is Barry Grass. I'm from Shonto,
17 Arizona. I'm born from Bitter Water, or edge water. I'm
18 edger water. I'm born for Bitter Water.

19 (Navajo language spoken.)

20 I've been a coal miner for 36 years. I know
21 a lot of the individuals here. I work with them on a daily
22 basis. I think over the past week, you've heard a lot of
23 different stories about the effects the closure would have
24 on people, the community. There's a lot at stake. I
25 really hope that when the decision is made by all the

1 individuals involved, that we consider, we consider all
2 that's been said. All that could be lost.

3 MS. KRISTIN DARR: Barry, I'm sorry. I'm
4 going to interrupt you. I've stopped your time, just for a
5 moment.

6 Folks, in the back that are talking are
7 making it difficult for everybody to hear. So if you could
8 just think about that and consider us.

9 Thank you. Go ahead.

10 MR. BARRY GRASS: So just keep that in mind
11 when decisions got to be made, you know, that the effects
12 it will have on everybody involved. You've -- like I said
13 earlier, you've heard the impact it will have monetarily.
14 You've heard the impact it will have on the people
15 themselves and the communities. So take that into
16 consideration.

17 In closing, I know there was a study done
18 last month about the economics of NGS taking into the
19 consideration of the proposal -- coal reduced proposal and
20 the analyses done, natural gas analyses done. And from
21 that study, it was determined that NGS would still be one
22 of the lowest viable cost generating resources in the area.
23 And just keep that in mind.

24 I'd like, again, to thank you for the
25 opportunity to speak. And consider all that when the

1 decision is made. Thank you.

2 MS. KRISTIN DARR: Thank you, sir.

3 Juanita. And then Ben Blackhorse.

4 MS. JUANITA TALLIS: Good morning. My name
5 is Juanita Tallis. I'm from Monument Valley. I work for
6 Peabody as a loader operator. My clan is (Navajo language
7 spoken).

8 I believe we need to work together and
9 cooperate. I believe we need to have Peabody energy and
10 NGS to continue to operate. The operation between the
11 Peabody Energy and NGS has been going for many years.

12 Peabody Energy has supplied assistance to the
13 Navajo and Hopi tribe. We don't have to travel far to go
14 to work. We provide for our family. Peabody Energy and
15 NGS has provided educational assistance to the Navajo and
16 the Hopi tribes.

17 That the closure of both companies will
18 impact both tribes and local communities. Working together
19 and cooperating, like from the past year, Peabody Energy
20 and NGS and the owner will all benefit in the future.

21 And we need (Navajo language spoken).

22 THE INTERPRETER: Joanna. There's been some
23 conflictive. Can you hear me? Conflictive situation among
24 the people here. They tend to talk against each others,
25 and we need to be aware of that. We've also have

1 ceremonies done to keep our lands healthy, and I think that
2 will continue when we continue the work at the mine and the
3 plant. Those prayers help the people as well as the land.

4 And the other thing related to that is we're
5 losing a lot of our medicine people, or medicine men. But
6 prayer, prayer is a strong element that will keep us going.
7 Thank you.

8 MS. KRISTIN DARR: Okay. Thank you.

9 Ben, and then Troy Honahnie. Troy? Okay.

10 MR. BEN BLACKHORSE: (Navajo language
11 spoken.) Good morning, everyone. My name is Ben
12 Blackhorse.

13 Bureau of Interior, Meyers, Palumbo, thanks
14 for coming down. President Begaye, all my brothers, coal
15 miners. Okay. I live in Kayenta and have worked with
16 Peabody for the past 39 years. I am here to say my part.
17 And I thank you for giving me this opportunity to speak
18 about keeping the NGS open, also Kayenta mine.

19 My family has benefitted from Peabody with
20 having year-round employment, good health insurance, and
21 good pay to help my children prosper in their educational
22 endeavors. This company has served my family well,
23 including others.

24 Peabody needs to stay open because coal is
25 one of the most important sources of energy for mankind

1 providing an easy way to generate energy. Coal is a
2 reliable source of power. Peabody is a source of jobs and
3 revenue on the Navajo and Hopi reservation.

4 Peabody is a huge federal energy project that
5 powers most of the southwest. America gets 40 percent of
6 its electricity from coal. Australia, China, Germany, are
7 all preferring the use of coal and is the rising state of
8 natural gas. Overall, global coal use rose 3 percent last
9 year faster than any other fossil fuels according to the
10 statistical review of world energy.

11 Use of coal for energy has risen last year in
12 America, Europe, and Asia.

13 In closing, I will say without coal, it will
14 not only affect our ways of life here, but it will also
15 affect our state's economy, other tribes and other NGS
16 participants. Thank you.

17 MS. KRISTIN DARR: Thank you.

18 Okay. Troy, and then Jean Yazzie.

19 MR. TROY HONAHNIE: Good morning. Before I
20 begin and make my statement, I want to thank the Department
21 of Interior, Navajo Nation, President Begaye for allowing
22 this session to occur this morning.

23 So I'm going to read a statement that was
24 prepared.

25 My name is Troy Honahnie, Jr. And I

1 currently serve as an assistant and advisor to
2 Chairman Herman Honanie.

3 I want to thank the Department of Interior.
4 I want to thank the Department of Interior for hosting this
5 listening session today to discuss the importance of the
6 Navajo Generating Station.

7 This is a complex issue with many
8 stakeholders, and the Hopi tribe understands and respects
9 that. However, I hope that everyone can understand what is
10 at stake for the Hopi tribe. This is a zero-sum game for
11 the Hopi and without NGS. I'm not sure how we will
12 continue to survive.

13 The Hopi tribe is economically poor and
14 landlocked tribe with little access to the outside world.
15 Economic development on the Hopi reservation is incredibly
16 difficult due to its remote nature and lack of basic
17 infrastructure. The Hopi reservation suffers from an
18 unemployment rate of over 60 percent.

19 The only meaningful economic resources
20 available to the Hopi tribe are the vast coal reserves on
21 the reservation. The revenues generated from coal account
22 for almost 85 percent of the Hopi tribe's general fund.
23 Unfortunately the only customer we have access to is NGS.
24 And if it closes, it will be devastating to the Hopi tribe.

25 President Trump promised to save coal jobs

1 while also promising to remember Indian Country. The
2 United States owns almost a quarter of NGS. And as an
3 owner of the plant this is the single best opportunity for
4 the administration to keep its word to both Indian Country
5 and coal country.

6 The federal government has a legally binding
7 trust responsibility to the Hopi tribe because of its
8 status as a federally recognized tribe. The United States
9 Court, Supreme Court, described its obligation in the
10 seminal case when it declared the federal government has
11 charged itself with moral obligations of the highest
12 responsibility and trust toward tribal nations.

13 The trust responsibility is a sacred
14 obligation and duty. The federal government trust
15 responsibility to the Hopi tribe in the present situation
16 is heightened because of the nexus of federal ownership of
17 NGS.

18 Since the federal government is a partial
19 owner of NGS, it cannot blindly agree that the plant should
20 be shuttered for economic reasons. Shutting down NGS
21 requires direct federal action that is in opposition to the
22 trust responsibility owed to the Hopi tribe and the Navajo
23 Nation.

24 A few facts will illustrate the devastation
25 that the Hopi will suffer from NGS if it is closed. The

1 Hopi tribe utilizes its coal revenues from Kayenta mine to
2 bolster and supplement the insufficient federal funds we
3 receive to provide essential government services. The
4 Kayenta mine is a primary source of revenue for the
5 operation of the Hopi tribal government, and the primary
6 source of revenue to pay the employees of the Hopi tribe.
7 Loss of revenue from the Kayenta mine will result in a
8 severe curtailment of Hopi governmental functions. Hopi
9 tribal citizens can hardly afford a reduction in
10 governmental services and programs.

11 The Kayenta mine created approximately 200
12 million in direct economic benefits in 2015, and over 800
13 million in direct and indirect benefits.

14 This includes dollars for royalties, business
15 payments, taxes, water fees, wages and benefits, capital,
16 outside services and scholarships.

17 The majority of the earned income of Hopi
18 tribal citizens is spent off reservation in the surrounding
19 communities, which will be hard hit by that loss of
20 purchasing power.

21 These figures illustrate the grim picture
22 that the Hopi tribe and this region faces if NGS closes.
23 NGS is the lifeblood of the economy for the Hopi tribe and
24 the surrounding communities. If NGS closes, everyone in
25 the region will suffer, but few will suffer as much as the

1 Hopi tribe.

2 My heart feels strong that so many people
3 have gathered here today to confront this situation to look
4 for common solutions. The Hopi tribe is willing to be a
5 part of that solution.

6 Thank you for all your time today and for
7 allowing me to make this statement on behalf of the Hopi
8 tribe and its tribal citizens. Thank you.

9 MS. KRISTIN DARR: Thank you.

10 All right. Jean. And then after Jean, is
11 Nathan Gray.

12 MS. JEAN YAZZIE: Hello. My name is
13 Jean Yazzie.

14 Good morning. My name is Jean Yazzie. I'm
15 with Peabody. I've been employed 20 years. And I
16 appreciate the opportunity by the Department of Interior,
17 sharing why NGS and Kayenta mine are important to live at
18 the tribe people is.

19 Many in the state since the plant began
20 operating more than four decades ago, NGS has been serving
21 them power and economic development in energy of the state
22 or local citizen and of Navajo tribe and Hopi.

23 My concern on this, to keep Peabody and NGS
24 going with revenue to the people, sending students to
25 college, and help community around the Navajo Nation. If

1 this shut down where are we going to get the same
2 opportunity. People that live close to the mine has their
3 home built or been located.

4 You have your help from the mine. Come on,
5 give our kids a chance. As for me, I am set up for the
6 future. We need the same thing so our kids and grandkids
7 to have the same opportunity. Keep the mine and NGS going.
8 Think about the solar that are effective in the winter
9 time. Thank you. Have a good day.

10 MS. KRISTIN DARR: Thank you.

11 Okay. Nathan, and then Herb Yazzie.

12 Where's Herb?

13 MR. NATHAN GRAY: I want to ask you for your
14 mic. I think your mic's better.

15 MS. KRISTIN DARR: It's because I have a loud
16 mouth, and you people don't. And that's why mine's better.

17 MR. NATHAN GRAY: Hello. My name is Nathan
18 Gray from Hard Rock, the center of the reservation. I've
19 been working here for five years now. I work with the
20 reclamation department. Before I worked with drilling and
21 shooting.

22 And I've been in the area for going on 11, 12
23 years now. And this is home for me. You know, I wouldn't
24 know how to take it if I had to go find another job
25 tomorrow. But I would, I would find it. You know, I grew

1 up around a couple of people that are against the mine, you
2 know. And they know who they are. I grew up around them,
3 like I said, grandfather and grandmother, they're Navajo.
4 And my dad's white. So you know, I like to keep this mine
5 going.

6 I work in reclamation, so I know how the land
7 is reclaimed, and it's reclaimed in the right manner. It
8 does take a lot of technique, learning how to run different
9 types of equipment and knowing what to do. But if you
10 don't know what you're doing, why speak against it?

11 (Navajo language spoken.)

12 You know there's ways (Navajo language
13 spoken).

14 MS. KRISTIN DARR: That's three minutes.

15 MR. NATHAN GRAY: Thank you. Pardon me.

16 MS. KRISTIN DARR: No, no, no. That's fine.

17 Thank you.

18 Joanna, was there anything to add?

19 THE INTERPRETER: In the Navajo way, the
20 teachings are you have to take it upon yourself to do it.
21 That's the teaching of my grandfather and my grandmother.
22 So we have to take it upon ourselves to work at these
23 complex issues.

24 Let's not come against each others. You have
25 to go out there, get the job. The job will strengthen you

1 and stabilize you. Some don't think that way. I think he
2 said Cactus Valley -- and I didn't get the rest of it.
3 Water is there. Water is available. So take it upon
4 yourself.

5 MS. KRISTIN DARR: Thank you.

6 Herb Yazzie? Where's Herb?

7 Oh, there you are. And then Steven Tallas.

8 Steven? Okay.

9 MR. HERB YAZZIE: (Navajo language spoken.)

10 Your first responsibility is the safety of
11 your citizens. That's your first responsibility. We keep
12 telling you, we are dying from this. It's been over 50
13 years. Assume your responsibility.

14 There was a phrase used this morning of moral
15 responsibility of the highest order. Well, you need to
16 take that to heart on behalf of the residents. That's your
17 responsibility. We all know from the very start this whole
18 operation, the destruction of Black Mesa was for the
19 benefit of other people, not the Navajo people.

20 MS. KRISTIN DARR: And that's three minutes.

21 MR. HERB YAZZIE: The last point I want to
22 make is: This morning, last night, tonight, there will be
23 prayers said. There will be songs sung, sacred songs,
24 sacred prayers, and they will all say Mother Earth, Father
25 Sky.

1 This blessing that we have is pursuant to
2 immutable laws. And we have desecrated the earth all
3 contrary to these immutable laws. Now we hear the
4 scientific community telling us it's a matter of fact, it's
5 true, it's here. There's global warming. It is effecting
6 not just the Navajo people, but everybody.

7 And it's our moral obligation to not
8 participate, further participate in the destruction of
9 Mother Earth and the violation of our traditional laws.
10 Thank you.

11 MS. KRISTIN DARR: Thank you.

12 Joanna, was there anything to add?

13 THE INTERPRETER: I want to thank all of you
14 that have gathered here and greet you as you have come here
15 to listen to the comments.

16 I'm concerned. There are two areas of my
17 concern. The first one is, it was mentioned the year of
18 1969. But it was earlier than that in the early '60s that
19 communities started suffering. That's 50 years ago now.
20 People were struggling, suffering from health ailment and
21 health issues.

22 The mining has health effects, health issues
23 associated with the mining. Many of our children have been
24 affected, slowing dying and passing on. 50 years of
25 unfulfilled promises of our people. Thank you.

1 MS. KRISTIN DARR: Okay. Thank you.

2 Steven, and then Leonard Bail, Baile? Okay.

3 MR. STEVEN TALLAS: Good morning, ladies and
4 gentlemen. My name is Steven Tallas. I'm from Rough Rock,
5 Arizona. I'm a recent graduate from NAU environmental
6 engineering, and currently I work at Peabody as an
7 environmental scientist for a year and a half.

8 And I want to share three points on why NGS
9 should be operational. I just want to start off, and I
10 just want to say I'm an active environmentalist. I love
11 the environment. I went to NAU, and I know a lot about it,
12 the science behind it. And one of my points is, is
13 reclamation at the mine -- reclamation is amazing. Oh, my
14 goodness. I wish I could take you all over there right now
15 to see the vast grass and the animals and wildlife.

16 There is so much that's going into it right
17 now. And last week I planted over, like, 20 trees. I
18 mean, it's active and it's -- and if I could bring a sheep
19 here who grazes on there to testify and how good and lush
20 that reclamation is, I would, but I can't.

21 AUDIENCE MEMBER: Sheep don't talk.

22 MR. STEVEN TALLAS: That's one of the points.

23 Second point is jobs for recent graduates.
24 So Navajo Nation tells us young guys, yeah, go out there
25 and get an education and come back to the Navajo Nation for

1 jobs, but in many cases that's not the case. I was
2 grateful enough to land a good environmental engineering
3 job with Peabody, and been working for a year and a half
4 and learning a lot of -- a lot of good information.

5 And most of any peers where I graduated with
6 can't say the same. They ended up in, like, Cincinnati,
7 Ohio; Texas; Oklahoma. And they live in Navajo Nation, and
8 they want to come home, but there's no jobs. And NGS and
9 Peabody provides that opportunity for us to come back home
10 and be with our grandparents and be with our little
11 brothers and just be in our homeland. And that's the
12 second point.

13 And the third point that I want to share is
14 the economic benefits to the entire nation.

15 So each and every one of us at NGS/Peabody,
16 we have family members and extended family and family,
17 like, I have my little brothers, mom, parents, and we all
18 support them. And so it's just not going to affect that --
19 the 365. It's going to affect -- and it's going to be
20 thousands. And I suggest that we should keep it going and
21 keep the jobs and the economy running. Thank you.

22 MS. KRISTIN DARR: Thank you.

23 If I stand up, that means you've got 30
24 seconds left. I'm going to give you that hint now on the
25 last day. That's what that means. Okay.

1 Leonard and then Edward Dee. Okay.

2 MR. LEONARD BAILE: Good morning. My name is
3 Leonard Baile, and I'm on the (Navajo language spoken).

4 NGS and Peabody Western Coal Company and
5 employees provided energy resource to the whole southwest
6 United States over four decades. In support continuation
7 of NGS and Peabody Western Coal, the beneficial through
8 economic stability to federal -- federal funds, state
9 funds, tribal nations, governmental funds through revenues.
10 Disruption to closure of NGS will cripple, demoralize
11 everybody that benefits, from newborn to elderlies.

12 As an employee for the Peabody Western Coal
13 Company going on 43 years, we contribute over a hundred
14 thousand dollars plus to workers, our communities, schools,
15 chapters, educational trip for our children, individuals
16 throughout the world. And it goes on.

17 Speaking of contribution, recently we
18 contributed to one of -- a family in New Mexico. I'd just
19 like to address this and communicate it to you -- this is
20 back in September 10, 2016, prior to the peacemaking --
21 regarding to a dysfunctional family, daily livelihood, the
22 article is about the family and domestic violence involving
23 one family.

24 The Navajo Nation traditional court system
25 and peacemaking program became involved to resolve, mend

1 domestic conflicts within the household to restore harmony,
2 life values, engagement to identity, pride and cultural
3 standards. The photos in the newspaper, an adolescent
4 sitting on a wood carpenter sawhorse with a plastic steer
5 roping horse -- I mean, steer roping they had attached,
6 mending his cowboy boots with a hay twine.

7 MS. KRISTIN DARR: And that's three minutes.

8 MR. LEONARD BAILE: Through emotional and
9 disturbing. So this prompted a caring group of coal miners
10 to offer the contribution to this circumstance, the
11 individuals of employees from Peabody Western Coal Mine
12 miners, members of the United Mineworkers contributed to
13 this. So these type of contributions that we deal with.

14 And also in closing, we encourage the Navajo
15 Nation leaders to approve -- to approve NGS up to 2044.
16 That was the goal set back in 1969. And, therefore, the
17 goal set for the life of the mine is 2044. As president,
18 United States President, President Obama, in his state of
19 the union address to anybody for innovation in technology,
20 the technology which is our students that we're trying to
21 be involved in. Thank you.

22 MS. KRISTIN DARR: Thank you.

23 I'm just trying to be fair. So work with me
24 here.

25 Edward Dee, and then Jessie Chief. Got you.

1 Okay.

2 MR. EDWARD DEE: Good morning. Good morning.
3 Thank you to the Department of Interior, office of the
4 president the vice-president, and President Begaye. Thank
5 you. I'd like to have -- in three minutes I would like to
6 make three objectives with the audience in mind.

7 The first is I want to reference the press
8 release from May 10th, 2017, from the Institute of Energy
9 Economics and Financial Analysis that basically said
10 this -- I'm sure some of you have read this, and that is
11 this: Basically, the title of the report is, "End of an
12 Era for Navajo Generating Station," vast subsidies would be
13 required to keep the aging plant online. The question is
14 this: Who, whether it be the federal government, the
15 Navajo Nation, certainly not an NGO, but who has that type
16 of money?

17 The projection between 2017 and 2019 is
18 \$414 million. So who's going to pay that? That's question
19 one.

20 And if the lease is extended to 2029 or 2030,
21 the projections there is 2.- -- just right around
22 \$2 billion, \$2 billion and 20 million, I believe it is.
23 Who's paying for that? Where is that money coming from?

24 So that's covering both one and two here,
25 with my audience in mind, of DOI and Navajo Nation.

1 Secondly, what I have in mind is this: A lot
2 of the speakers here from the mine. The communities up by
3 Black Mesa, Kayenta and surrounding area. So it kind of
4 comes to mind that the adaptive cycle, this is basically
5 through resiliency theory called the Dynamics of Ecosystem.
6 So there goes through a period, whether it be nature,
7 society, culture, what have you. We all go through this
8 cycle. One is we go through an exploitation cycle,
9 conservation, release, and then reorganization.

10 And so I can't help but think that we have to
11 think in that regard to say, hey, the life of the mine is
12 coming to an end. We realize that the ongoing exploitation
13 of natural resources, the extraction of it has had its time
14 and days to think outside that track, outside that mine.
15 And so I think that's basically something that the entire
16 nation as a whole, Navajo Nation, with all its residency in
17 place, we need to think along that path.

18 I say that because of my past and my
19 background is on sustainability. I'm a Ph.D. candidate
20 from Arizona State University, as well as employed with
21 Navajo Nation through the office of government development.
22 So I think this is the time. This is a critical time,
23 using that resiliency theory where, hey, we've exploited
24 it. It's -- now, we went through conservation period, it's
25 crashing on us right now, folks. We're going through that

1 release cycle.

2 So go ahead Google it. It's resiliency
3 theory. It's a system that goes like a figure eight. So
4 it's just something that's studied. And it's something
5 that's real nature and society Ecosystem.

6 And thank you for your point and time.

7 MS. KRISTIN DARR: Thank you, sir.

8 Jessie Chief, and then Darrell Tso. Darrell.

9 MR. JESSIE CHIEF: Good morning. First of
10 all, before I begin to speak, I'd like to thank the DOI and
11 then also the Navajo tribe.

12 At the beginning of the year, there was --
13 all of the stockholders got together and they sat down, and
14 the plan was to go ahead and shut down. And thank you for
15 voting no and also for the Navajo tribe, thank you for
16 voting no that we today that we are still working.

17 And three minutes that is very little time.
18 You know, earlier there was an individual that brought up a
19 rubber stamp. This is a rubber stamp. You know, I wish we
20 could sit down and smoke a peace pipe and talk about this.

21 I am a dozer operator. And I'm glad and I am
22 happy to say I don't have a bachelor's degrees. I don't
23 have a master's degree. But one thing that I can say is I
24 can master million dollars of equipment along with all of
25 my coworkers here, they master in what they do and who they

1 are.

2 And then falling short of my degree, you
3 know, I am a full-blooded Navajo, a registered Navajo
4 voter. And then also a voter for the United States. And
5 then as a miner, I look at myself as an orphan to my tribe,
6 a stepchild to my tribe.

7 Through that everything that is trickling me
8 from the federal government and everything that the tribe
9 offers, the scholarship, the financial assistance, the
10 emergency fund, et cetera, us miners we are denied from all
11 those programs.

12 So again, I am happy to say that it is this
13 ten finger that struggle that has made all this possible
14 along with my coworkers here. That it was us. It was
15 these people. They are resilient, and they are dedicated.
16 And these guys, my coworkers, are the ones that got up in
17 the morning, and those are the guys that are dedicated that
18 kept Americans lit.

19 And I am proud to say this. And then because
20 of my affiliation with the UMWA, I am happy to say, we sat
21 across the table. It was us bargaining, negotiating. And
22 through that, I am happy to say that amount of pay, I am
23 happy to scale, and the comfortable vacation. And then the
24 pension plan, and then also comfortable, very comfortable
25 with the hundred percent medical plan that, you know, we

1 enjoy all that.

2 And I see that she got up again. So to make
3 this thing -- shorten it up, you know, the closure of this,
4 it's going to be very devastating if we close the NGS. So
5 one point that I want to go ahead and stress is, since the
6 other stockholders are going to be bailing out or they're
7 going to say turn their back on us, you know, the Navajo
8 tribe, especially Interior or Department of Reclamation,
9 you guys take the rest of the pie.

10 So it cannot be only 2019, but to 2044. And
11 thank you.

12 MS. KRISTIN DARR: Thank you.

13 Darrell, and then Patricia Osif.

14 Patricia? There you are. Okay.

15 MR. DARRELL TSO: (Navajo language spoken.)

16 MS. KRISTIN DARR: Thank you. For those of
17 you who've come in since the beginning, I want to remind
18 you that our Navajo interpreter is interpreting, not
19 translating. So it's just a summary. It's not a
20 word-for-word translation. We'll go back to the
21 transcripts and do the word-for-word. And that's just in
22 the interest of time.

23 So, Joanna.

24 THE INTERPRETER: (Navajo language spoken.)

25 The topic that's before us today is something that's very

1 complex. I want to thank the people that work for the
2 Peabody Coal Company who have contributed a lot to the
3 community, for example, the chapter houses. They
4 contribute funds to the programs like the elderly program,
5 the veterans program. And we are very thankful for that.

6 What other funding will we get? There are no
7 other fundings.

8 Many years ago there was talk about
9 continuing the operation of Mohave Generating Station. And
10 that went -- that went and shut down the plant. There is
11 nothing there. As a sovereign nation, we have had a lot of
12 opportunities.

13 And people now are waiting to see what will
14 happen. People from the outside are waiting to see what
15 will happen to NGS. What will happen to the Navajo Nation?
16 How will they handle the impacts? And many other obstacle
17 that relates to the shutdown or the closure of the mines.

18 I have a good education, but I don't work for
19 the tribe or the community. I am an activist who speak on
20 behalf of my people. I took that job because I want to
21 protect my people, to show them what is really out there.

22 I also want to thank President Begaye for
23 sitting here and listening to us. Your job as well is to
24 protect the Navajo people. Do not let the outside
25 community sway you from that path.

1 I remember my relatives because I've
2 relocated to (native language spoken).

3 I have relatives up there that continue to
4 work for the plant and the mine. The strength of the
5 Navajo and Hopi Nation have been divided. We need to bring
6 those two tribes back together for its strength.

7 This issue is very complex. Therefore, needs
8 the strength of both nations to continue on, to make the
9 best possible decisions, to strategize, to continue the
10 programs, and to continue the operation of the mine and the
11 plant. Thank you.

12 MS. KRISTIN DARR: Thank you.

13 Okay. Next is Patricia, and then
14 Murphy Oliver. Murphy?

15 AUDIENCE MEMBER: Murphy's going to turn it
16 down, because of his throat.

17 MS. KRISTIN DARR: Murphy's got a sore
18 throat.

19 AUDIENCE MEMBER: Laryngitis.

20 MS. KRISTIN DARR: Laryngitis. Okay. So
21 then after Patricia is Virginia Moore. Okay.

22 MS. PATRICIA OSIF: Good morning. Thank you
23 for having these hearings. My clan is one who walks
24 around. I'm born for bitter water. My maternal clan is
25 deer water, and my paternal is three people clan

1 (phonetic).

2 I work for the school, and I understand that
3 majority of these people that are talking are from Peabody
4 Coal. But for me, I work for the school. I work in the
5 career technical education department. And I work with
6 programs that are welding, agriculture, software
7 development, construction, early childhood education,
8 marketing, business, nursing. And there are other programs
9 at Monument Valley High School.

10 These programs that I work with assist many
11 families in our department. For example, agriculture, we
12 help the people of our communities to work with the
13 community with their animals and to give them vaccinations.

14 If this SRP is shut down, it's going to be a
15 great impact on our school district. Also, if this hearing
16 was advertised, the school district, the majority of the
17 teachers, the students would be here today.

18 I want to know -- let you know that the funds
19 that are provided directly from the union members, Peabody
20 they help the school district as far as what Mr. Baile
21 talked about.

22 And this session would have been, like I
23 said, very impact with teaches, staff members, everybody
24 from our community and not just our communities, it would
25 be the surrounding communities of Chilchinbeto, Monument

1 Valley. This decision that you are going to make is going
2 to really impact on our future.

3 Please consider our students at Monument
4 Valley High School and surrounding schools. I appreciate
5 you for allowing me to talk. Thank you.

6 MS. KRISTIN DARR: Thank you.

7 Okay. Virginia, and then Gwen Cody.

8 MS. VIRGINIA MOORE: Good morning, everybody.

9 (Native language spoken.)

10 I also work for the Department of Interior,
11 but I'm not here as a representative of the Interior. I am
12 here as a Navajo citizen in concern. I used to work for
13 the Navajo Tribal Utility Authority, and I used to
14 be their -- to do a lot of financial analysis. I work as a
15 financial analyst and a rates analyst, establishing utility
16 rates.

17 In order to establish utility rates, you have
18 to do a lot of study. And we did the cost of service
19 study. What does it cost to serve a residential customer?
20 What does it cost to serve commercial customer and
21 industrial customer?

22 The utilities rates into in NTUA is known to
23 have the lowest residential utility rate in the area.
24 Because I work with other utilities in the area to see what
25 our rates were compared to theirs.

1 So what I want to point out is that NGS and
2 the Kayenta mine are the large power users. And when you
3 look at the cost to serve the different customer classes,
4 NGS/Kayenta mine, the industrial customers cover the cost
5 for a lot of other customer classes. So there's that
6 subsidization.

7 So if NGS closes, Kayenta mine closes, the
8 large power users are gone. The revenue is gone, the
9 subsidization goes away, and that could mean utility rate
10 increases for everybody, even the people that oppose it and
11 their families. So you need to think about this.

12 It's going to affect the utility rates. It
13 may not happen immediately, but it could happen. It could
14 lead to that if NGS is closed.

15 And we need to be thinking about elders that
16 are fixed income. It's going to affect their utility rates
17 too. It will affect businesses, the commercial customers,
18 but businesses just pass that on to the customers. So
19 we're going to be impacted in many ways. It's going to
20 affect, impact everybody, not just the workers and their
21 families. Thank you very much.

22 MS. KRISTIN DARR: Thank you.

23 Gwen, and then Crystal Tulley-Cordova.

24 Crystal?

25 MS. GWEN CODY: Good morning. My name is

1 Gwen Cody. I'm with Northern Arizona University out of
2 Flagstaff. And I want to thank you all for being here and
3 taking part in this listening session. It's great that we
4 have this opportunity to speak our concern.

5 I'm actually here on behalf of our Native
6 American students who attend NAU, and I want to thank
7 Steven Tallas for speaking on behalf of his peers.

8 We have here -- I'm also with the
9 Franke College of Business School. We have received about
10 79 Navajo students who have taken or received scholarships
11 through our Johnson Scholarship Foundation to attend the
12 business -- to get business degrees. And so that when they
13 graduate, they can come back to their nation, to Navajo
14 Nation, and -- to work on the nation.

15 And with NGS shutting down, that's -- there's
16 going to be no opportunity for them. And I'm not just
17 speaking for Navajo. I'm speaking also for the Hopi
18 students too. And we have a large percentage of Navajo
19 students and Hopi students who attend NAU, and also ASU and
20 U of A.

21 But for those students, you know, they want
22 to come home. And I have a son who graduated -- graduated
23 from NAU as well, and he works at Peabody Coal. And he has
24 an engineering degree as well. And, you know, this was an
25 opportunity for him to come back to the nation and work for

1 the Nation if that shuts down as well, you know. He's
2 going to have to take his family elsewhere.

3 And I also speak for the families. A lot of
4 men and women here who are main providers for their family.
5 If NGS shuts down, then they have to go outside of the
6 Navajo Nation and seek work leaving their families behind.
7 I've seen it. I grew up in LeChee chapter. That's where I
8 grew up, I went to school at Page High School. I've seen
9 that when folks cannot get a job, they have to leave the
10 Navajo Nation or they have to leave their town to find work
11 that can -- that they can have enough money to support
12 their families.

13 That's just what I wanted to say. You know,
14 we have -- I'm speaking for our students, our Navajo
15 students, our Hopi students that have to come back to the
16 reservation and they want to come back and work for their
17 nation. They want to come back and work for their people.
18 And, you know, we cannot -- we cannot allow this to happen
19 because this will devastate everybody. And I just want to
20 thank you.

21 MS. KRISTIN DARR: Thank you.

22 Crystal, and then Joe.

23 MS. CRYSTAL TULLEY-CORDOVA: (Navajo language
24 spoken.)

25 Hi. I'm a student at the University of Utah.

1 I'm a Ph.D. student there. I'm currently home because I'm
2 conducting research on the Navajo Nation related to water
3 across the Navajo Nation.

4 And I come to you today with the
5 understanding of economics and our current state of
6 economics within the United States and also the Navajo
7 Nation. With that understanding, knowing the inevitable
8 future of resource extraction and being able to understand
9 that coal is a finite resource, and so when NGS closes down
10 is an un-estimated time of when that would occur, whether
11 it be 2019 or later on in the future.

12 But what I am here to advocate for is for
13 basic understanding that Department of Interior would
14 understand that the water rights that are there from the
15 aquifer as well as the Colorado River should remain with
16 the Navajo Nation. And to be able to have a smooth
17 transition on the western side of the Navajo Nation,
18 there's a lot of homes without running water. And so as
19 that occurs, we need to have water that is good water for
20 those communities that live in that area.

21 And I also advocate on behalf of having a
22 smooth transition with environmental cleanup. For many
23 times we haven't had environmental cleanup that has been
24 done in a sound way, especially with the Department of
25 Interior acting on our behalf. We need to be to have

1 quality assurance and quality check because we want be able
2 to have an area that is there like similar to when before
3 NGS was there.

4 And so to be able to have that would be great
5 for our people. And not only that, we need to have a
6 smooth transition for all the many workers that have worked
7 there for decades. Some people have worked there for a few
8 years, but I know many people, Navajo people, who have
9 dedicated their lives to NGS.

10 And we need to have a smooth transition for
11 those people who have worked there, but also for their
12 families. And to be able to have a smooth transition,
13 would be able to benefit everyone, especially the economy
14 of the Navajo Nation.

15 So I talk to you today to be able to have
16 those things in mind, to be able to think about the water,
17 to think about the environment, but to also think about the
18 people now but also in the future. Thank you.

19 MS. KRISTIN DARR: Okay. Thank you.

20 Joe Malala; is that right? Because I was
21 going to say I knew who you were. I remember you.
22 Melvin Taylor will be next.

23 MR. JOE MALALA: Good morning, everybody.

24 MS. KRISTIN DARR: Good morning.

25 MR. JOE MALALA: My name is Joe Malala, and I

1 work for Peabody Coal. I'm a heavy equipment mechanic, and
2 a little story about myself. That's why my last name is
3 Malala, because I'm originally from the island of Samoa.
4 And when I was young in the island, we had big engines that
5 drive generators, and that's how we make our utilities.
6 There was no solar introduced. There was no wind. But I'm
7 sure there's a lot of wind over there, but it was the
8 engine that drives the generators to make utility for the
9 island.

10 So when I grew up, I was raised by the old
11 people. So I know how to raise livestock. I farmed the
12 lands. I grew a lot of bananas and coconuts when I was
13 growing up. So it's no different from what you guys do out
14 here. Sheep, to this day, I'm an in-law to Kayenta.

15 But when I walk out of the airplane, all I
16 want to do is find an education. That's what I'm teaching
17 my kids today. Grew up. Learn something, learn a trade,
18 learn whatever you want to learn. By the end of the day,
19 you want to transfer that education and that knowledge that
20 you were taught 18 years of your lives from your parents,
21 from your teachers, whoever, the church, tradition,
22 whatever. I grew up the same way.

23 By the end of the day, you got to transfer
24 all of that to find a job, to make a living. And then with
25 NGS close, and the mine going to go follow that, there goes

1 all the jobs.

2 How are we going to provide for our family
3 now? How can we say, "Let's go here and here"? By the end
4 of the day, we're going to travel away to find jobs.
5 There's nobody going to make a living sitting on the couch
6 at home or sitting under a tree. At the end of the day,
7 either we're dealing with livestock or we're dealing with
8 farming, at the end of the day, we were working.

9 I work at the solar. I work at the coal. I
10 work at all the other mines. At the end of the day, we
11 need all this energy.

12 Look how many of us in here. We all need
13 light. We all need water. At the end of the day, we want
14 to lead the easy life, not the hard like the old days.
15 We're living today and tomorrow and our kids would do the
16 same.

17 So it's just a little message. Take it to
18 consideration. Thank you to the Department of the Interior
19 for your time and thank everybody and the coal miners. I'm
20 here with you all the way until we find a better solution.
21 We're good to go. Thank you.

22 MS. KRISTIN DARR: Melvin Taylor, and then
23 Allen Martin. Allen Martin.

24 MR. MELVIN TAYLOR: I was busy talking to one
25 of my old friends over there. I lost my other notes the

1 other day, so I've got to make a new one today.

2 My name is Melvin Taylor, and I've been
3 employed at Peabody and Kayenta mine for the past four
4 years, but I have been in the coal mining industry for 35
5 years. I hope to make it longer in one area and not have
6 to travel.

7 As natives on the reservation, we are wards
8 of the government, which means the government has
9 stewardship for us and is supposed to be looking over our
10 best benefits.

11 A short quote by Thomas Jefferson: "All men
12 are created equally in the pursuit of life, liberty, and
13 pursuit of happiness."

14 This may be true for most of America, except
15 in this Third World country, as I call it, the reservation.
16 I am privileged to work for Peabody Coal. That has
17 afforded me to pursue what Thomas Jefferson had quoted.
18 Because owners of natural -- Navajo Generating Station did
19 not meet their profit margin because of natural gas in
20 other power plants, they decided to disrupt the pursuit of
21 happiness.

22 As Hopi Chairman Honanie stated, there is a
23 human factor and economic factor. Human factors such as
24 daily livelihood are local government concerns,
25 electricity, water, livestock, et cetera. Economic factor,

1 the economic factor is the disruption of the southwest, it
2 will affect Northern Arizona to central Arizona. It will
3 affect the Navajo Nation by about 22 to 25 percent. The
4 Hopi tribe will be affected by approximately 85 percent.

5 The Navajo tribal workers will be affected
6 like back in 2009, 2012, when the McKinley mine closed, the
7 Navajo tribe was probably affected by about 36 million back
8 then. Then back then we asked the tribal officials for
9 help, but no help was given. I don't think the council
10 members were affected.

11 Since this listening session has gone on,
12 I've only heard from one council member from LeChee. If
13 the council members livelihood were to be affected, I bet
14 you would see them here and hear from them, but they're
15 not. I wish they could have listened to all the pros and
16 cons of this session.

17 There are many concerns. There are many
18 numbers and graphs and statistic studies that have been
19 brought up. But all those statistic studies and concerns
20 will mean nothing because more people will leave the
21 reservation.

22 MS. KRISTIN DARR: We're at three minutes,
23 Melvin.

24 MR. MELVIN TAYLOR: Okay. I'm a proud worker
25 at Peabody. I'm a laborer, a vehicle equipment operator,

1 EMT, high angle rescue rope worker, and a firefighter. And
2 to have all the tax dollars leave the reservation in
3 Arizona, the rest of us will have to start hunting jobs
4 again, and we will help other parts of the United States
5 with their taxes and revenues.

6 So we'd like to keep our revenues pretty much
7 close to the reservation to help all the economics of the
8 reservation. Thank you.

9 MS. KRISTIN DARR: Thank you.

10 Okay. Allen Martin, and then Nathaniel
11 Brown. Nathaniel? Okay.

12 I think we're going to have to raise this one
13 up. What do you guys think?

14 MR. ALLEN MARTIN: Testing, testing, one, two
15 three. Go, go, go, go.

16 Welcome, Washington people, state people, and
17 reservation Indian nation leaders and people, and all of us
18 here.

19 In the constitution it says, "We, the
20 people," but that does not apply to the Indian Nation. We
21 are neglected afterthoughts. The Washington people, they
22 have made the laws to benefit them, to benefit the
23 mainstream society. They gave us this land here as a
24 wasteland. But in the end, it was diamond country here.
25 It was rich with coal, with oil, with uranium, with water.

1 They didn't see that. Now they want to take
2 that from us. And that's why I came here as a concern.

3 We have two mothers. Our born mother that
4 borne us, to teach us, raise us. And then our other mother
5 is Mother Earth like the say, it gave us -- you give us
6 heat. You give us coal. You give us our natural things,
7 the water, the rain, and it provides for us. That's why we
8 call it Mother Nature.

9 And we -- we are all in this together as one
10 people, supposed to be. But through education, my people,
11 my Indian people, from our work, from Salt River, from K
12 mine, we can educate our people to make things right for
13 the laws that they've made for themselves to benefit them.
14 And we're at that state where we are now. They have
15 awakened the sleeping giant, just like the Japanese said.

16 And through education, we can get what we
17 need, what we want. And we're not feeling sorry for
18 ourselves, because we are -- we are indigenous people, and
19 we're self-sufficient, self-determined and self-motivated
20 to be -- raise a family to be -- to stand proud. And SRP
21 and K mine, they're one, and one can't go without the other
22 one, and we want to keep going.

23 And then there's also human rights here, too.
24 We have a right just like white people, black people,
25 yellow people; if they have green people, they have a

1 right, too. And just like we want to exercise that to
2 enjoy the American dreams from our jobs. And we want Salt
3 River and K mine to keep going.

4 MS. KRISTIN DARR: And that's three minutes.

5 MR. ALLEN MARTIN: Three minutes. Okay. All
6 this that the laws were made, were broken treaties and
7 broken promises and broken contracts, and we want to make
8 it right for us. And also at the last, keep it open, so we
9 can educate our people, so we can fight our fight.

10 I know that in a war situation, there's going
11 to be casualties, and this is what we're talking about.
12 We're feeling sorry for our casualty, but we walk with a
13 proud, stand up, right people.

14 And I encourage my people to go forth and
15 be -- have determination, be self-sufficient, and be
16 motivated as a positive influence for my concern. Thank
17 you very much. And my name is Allen Martin. I'm a Peabody
18 person, and I'm a union person, UMWA, right here, and I'm
19 proud of it. Thank you.

20 MS. KRISTIN DARR: Okay. Thank you.

21 Nathaniel Brown, then Marie Shepherd.

22 MR. NATHANIEL BROWN: (Native language
23 spoken.)

24 Kayenta, Chilchinbeto, and Dennehotso are the
25 communities that I represent. I'm the elected 23rd Navajo

1 Nation council. My community of Kayenta and Chilchinbeto
2 are directly impacted in so many different ways.
3 Representing these communities and the surrounding areas, I
4 sit on the health and education and human services
5 committee as well as many other committees.

6 So obviously, we travel to D.C. a lot
7 lobbying for any type of economic development and self
8 sustainability. And I think we try to do this to the best
9 of our abilities, keeping in mind, we as Diné people, were
10 the (native language spoken) Diné individuals (native
11 language spoken) people. And doing this, securing our
12 language.

13 And I think I have families, I still have
14 families that work there. I have family who have land that
15 are around Peabody on the Kayenta mine, and the old Black
16 Mesa mine.

17 So my family, they graze up there. We go up
18 there and make firewood, medicinal plants.

19 And I would like to applaud Peabody, their
20 reclamation, for doing their job in helping us and my
21 family to secure a lot of these areas. Right now we have
22 our cows up there, and they're fenced off, and they're
23 protected. So we moved them.

24 But I'm looking at some of those things. The
25 other -- talking to the mineworkers and talking to some of

1 the grassroots individuals, I'm hearing a lot of good
2 things. I'd like to hear both sides. And it's really
3 important, especially being a representative for Kayenta,
4 Chilchinbeto, and Dennehotso. And the majority of the
5 people that we have talked to are families, not directly
6 individuals that work there, but maybe parents,
7 grandparents, children, grandchildren of a Peabody
8 employee.

9 It's not just the nation that benefits from
10 the mine. It's actually the kids, including myself, and my
11 nieces and nephews that have gone to college. And I think
12 because of Peabody and NGS, we are able to stand here with
13 education, with career background.

14 So that's what I'm looking at. And I'm
15 looking directly -- I've talked to many people right now
16 living in the community that I live in Kayenta. So I was
17 raised in Kayenta. I went to school there. And Black Mesa
18 is my backyard also. I've climbed the rocks there. We
19 have helped farming, so -- (native language spoken.)

20 But on behalf of the nation and our people,
21 the other thing that I would implore to Peabody and the
22 reclamation is our cultural sites that we stand behind in
23 the preservation of protecting our sacred sites, and some
24 of those areas where we give our offering because our
25 people still do that.

1 So as long as we have that oversight. And I
2 think with Peabody/NGS, being in my position, getting
3 constant reports, we get privileged information that I'm
4 comfortable with all the checks and balances that are
5 happening. So (native language spoken).

6 And then the other big thing, my last point
7 would be, how many families will be impacted? How many
8 families will be directly impacted. And then down the line
9 when the father or the mother has to leave for a job away
10 from the Navajo Nation. So (native language spoken).

11 With 70 plus percent unemployment rate on the
12 Navajo Nation, this is going to be impacting. So I'm glad
13 that we have President Begaye here with us. We have
14 numerous leadership. We have some Arizona state senators
15 here with us.

16 (Native language spoken.)

17 Thank you for being here.

18 (Native language spoken.)

19 THE INTERPRETER: We have a lot of individual
20 projects that we tend to. Those are our projects as
21 individuals. And activities that go along with keeping up
22 with the activities and the projects, but we're not losing
23 those.

24 One of my main concerns is water, the study
25 of water, quality water versus contaminated water, and the

1 vegetation.

2 Are there studies being made on the
3 vegetation surrounding the mine?

4 I believe that they have a good reclamation
5 monitoring program, because we toured that area where it
6 was -- where the land was reclaimed. They do a good job of
7 reclaiming the land up there along with the monitoring
8 program.

9 Recently I was in Phoenix area, and I came
10 upon a copper mine. The copper mine area was very
11 disturbed.

12 MS. KRISTIN DARR: Excuse me. Hey, folks,
13 can we be respectful and listen? Okay. Thank you.

14 THE INTERPRETER: The land was not properly
15 reclaimed. You could see only the stumps and the
16 vegetation sparsely in the area. So I feel that our
17 reclamation, our mining reclamation program is better than
18 what I saw down in Phoenix. Let's see -- I think he went
19 on from sacred sites.

20 MS. KRISTIN DARR: Okay. Thank you. And
21 thank you all. It gets very hard to hear when people are
22 talking, so maybe take it outside. And thank you for being
23 nice to me.

24 The next speaker is Marie Shepherd followed
25 by Earl Tulley. Where his Earl?

1 Tulley. Okay. I'm sorry. Just so I know
2 where you are.

3 You have the mic. Okay. I forget.

4 MS. MARIE SHEPHERD: (Native language
5 spoken.)

6 Thank you for the department to having this
7 listening session. Mr. President, Navajo Nation, and all
8 the rest of the constituents here, that are here.

9 I'm going to talk a little bit about our
10 activities at Peabody. So I worked for Peabody for five
11 years as an environmental manager. Prior to that, I've
12 worked at McKinley mine for 17 years.

13 I'm going to talk in Navajo primary, talk
14 about what I'm involved in at the mine.

15 (Navajo language spoken.)

16 MS. KRISTIN DARR: We're at three minutes.

17 MS. MARIE SHEPHERD: (Navajo language
18 spoken.)

19 Thank you for listening to us.

20 MS. KRISTIN DARR: Thank you, Marie.

21 THE INTERPRETER: Greetings and introduced
22 by clan. She's from the Ganado area. Thank you to DOI for
23 the listening session here.

24 I've been working with the Peabody Western
25 Coal for five years. I've also worked with the McKinley

1 mine for 17 years as an environmental manager. I would
2 like to say this piece in the Navajo language.

3 I have oversight on the reclamation program.
4 We have -- we have a monitoring program that is in place
5 just like -- I can't read my own writing.

6 There are a lot of rules and a lot of
7 regulations that we have to comply with. The way we
8 reclaim the area is we start with refilling the large
9 holes, and then we cover the spoils, covering with topsoil.
10 And we don't just do this the way we think we should do it.
11 There are rules and guidelines that we have to follow.

12 For example, the species in the area,
13 vegetation species have to be similar to what was there
14 before. The topography has to be the same that was in the
15 area. We have to replant trees, and it's a lot of work.
16 We replant shrubs, and we have to monitor the air, the
17 water and other species. For example, livestock grazing is
18 an activity that we monitor. We have to make checks on the
19 elks and the deer that graze there as well. This is my
20 oversight of the program.

21 We don't just -- in the mining activities, we
22 don't just dig just to dig the coal out. We have to have a
23 permit, which is critical in the mining area or in the mine
24 lands that are to be mined.

25 This is what I want you to understand because

1 there are a lot of activities that go into reclaiming the
2 land as well as mining. You don't just do what you want to
3 do outside the laws.

4 We have a lot of native people working there.
5 We also got more native graduate students. So I'm very
6 happy that I had the opportunity to work with the mines
7 that I've worked with. Thank you.

8 MS. KRISTIN DARR: Okay. Mr. Tulley.
9 Earl Tulley followed by Robyn Jackson.

10 Where's Robyn? Is Robyn here? Okay.

11 MR. EARL TULHY: Good morning. I'll make my
12 comments in English. And one of the first factors that I
13 do have is that the time for this particular activity, the
14 time started back in 1969. We knew that there would be a
15 game ending time. And here we are at the two-minute
16 warning basically wondering what we're going to do. What
17 is the strategy that's going to be taking place.

18 But the use life of the mine as well as the
19 plant was already set. And the first order that was
20 executed from Navajo Nation in the form of legislation of
21 the Navajo Tribal Council was issued December 11th, 1969.

22 And that is very, very important. And during
23 that particular time, we all had the opportunity to make a
24 plan as to what was going to happen when the sun did set on
25 us. And that's very, very important.

1 I'm here to share as to what does not happen
2 if you do not have a plan.

3 What does not happen is the legacy of uranium
4 here on the Navajo Nation. There was no exit plan. There
5 was no plan established as to what type of reclamation
6 would be done. And, likewise, if there was a mass exodus
7 of the plant as well as the mine. Navajo Nation is going
8 to be saddled with what do you do.

9 How did you take care of the areas that have
10 been disturbed? There is mention, get it back as close as
11 possible to the existing conditions. You can't reestablish
12 what was existing. Mother Nature only has one particular
13 plan, and once we disturb that, we cannot get it back to
14 what it originally was.

15 So what we have to do is have a particular
16 plan. Not only how the economic impact is going to happen
17 on this particular region, but we have to understand what
18 about the health impacts of the workers, of the community
19 members, and then also those that are nonhuman as well, the
20 vegetation and the wildlife that is out there. How much of
21 that have we disturbed, and also the aquifers as well.

22 One of the areas that I believe that is
23 really, really important for us to understand is is that
24 what is going to be the price that Peabody mine and Navajo
25 Generating Station and its partners, what is their

1 contribution going to be?

2 And that is something that is really, really
3 vital for us to understand is to understand what that exit
4 plan is going to be? How do we train the workers that are
5 presently there? How can they get a new job and, perhaps,
6 get a severance package for those that are currently
7 employed. Thank you.

8 MS. KRISTIN DARR: Thank you.

9 We have some folks join us. I just want to
10 do a check. We've got one hour left. I have more cards
11 than we can accommodate in an hour. So that's why we're
12 keeping the comments to three minutes, and be fair to
13 everybody who's spoken up until now.

14 Robyn Jackson. And when I stand up that
15 means you've got 30 seconds left, for those of you who are
16 new to the process. These guys know. Okay.

17 MS. ROBYN JACKSON: (Navajo language spoken.)

18 I am from Wheatfields, Arizona. And this is
19 I appreciate the Bureau of Reclamation putting this on.
20 Really what I want to say are just the main points that, as
21 a young person, I am concerned about the future of our
22 land. I'm tired of the history of exploitation that has
23 gone on with our natural resources and with our people.

24 And if you look at what's going on, if you
25 pay attention to what's going on, you can see that there is

1 this economic reality of natural gas being cheaper, and
2 that's why the utility owners have abandoned Navajo
3 Generating Station. That's why they are abandoning coal.
4 That's what's going on. There are a number of power plants
5 throughout the southwest in the area that are closing down,
6 a lot of units have already shut down from a lot of local
7 power plant.

8 So I really would encourage everyone to
9 understand this and to just figure out a way to deal with
10 this reality. And also there is this worry that not enough
11 people are taking part in dealing with, and this is climate
12 change.

13 And we in the southwest have to take care of
14 our water. There's a whole history of with NGS and Peabody
15 mine taking water from the Navajo aquifer and the Colorado
16 River. And the climate change we're going to have to deal
17 with water scarcity, water contamination.

18 The man who spoke before me talking about all
19 the abandoned uranium mines, and then there's the Black
20 Mesa pipeline that still needs to be reclaimed, clean up on
21 the Navajo portion.

22 So we really have to just deal with this, all
23 these realities and figure out the best way for our people
24 to go forward. We need to invest and start building
25 renewable energy. The Navajo people really need that

1 access to the transmission lines so that they can do that.
2 After years of exploitation, the utility owners really need
3 to work with our people on this.

4 And also after decades, 50 years of the mine
5 and power plant, there's a lot of pollutants, contamination
6 that has happened to the air and to the water. And there
7 really should be some type of health compensation for these
8 communities. Additionally, we should look at retirement
9 and health benefits packages to the people who worked at
10 these places.

11 So my big concern is clean up. Black Mesa
12 mine hasn't been fully reclaimed on the Navajo portion.
13 And I -- I don't know what's going to go on with SRP and
14 the Navajo Nation, but we need to deal with really what's
15 going on and find out the best way to move forward. So
16 those would be my comments. Thank you.

17 MS. KRISTIN DARR: Three minutes on the dot.
18 She's good. Okay.

19 The next speaker is Adella Begaye followed by
20 Lori Goodman.

21 And again, we're giving priority to speakers
22 who have not yet spoken to us this week. Okay.

23 Is that too tall for you, because my
24 technical support there, Marie, can help you. There you
25 go. All right.

1 MS. ADELLA BEGAYE: Okay. My name is
2 Adella Begaye. I'm from Wheatfields, Arizona. I just want
3 to let people know that this is all about money, all about
4 economy. And coal is costly, so that's why it's going out.

5 And we need to as the workers and also our
6 leadership, they need to have a vision beyond their
7 outstretched hand. They need a vision to see after it
8 closed down, that we need our land reclaimed. We need our
9 water reclaimed. We need -- a lot of these things that
10 have been destroyed and have been contaminated, we need it
11 to be put back at the best so we can have our future
12 generations, the miners' children, our children, our
13 grandchildren, the miners' children, what are you going to
14 leave them with?

15 I know money is great right now, but there
16 are people out there that I know I'm speaking for. People
17 that live out in the communities that cannot -- they don't
18 have the luxury of coming in on a bus at their employer's
19 expenses.

20 I know I'm voicing -- I have a voice for them
21 to say, we want to get our land back and have the coal mine
22 closed so we can transition to renewable energy. And
23 renewable energy is the answer because the whole world,
24 that's where it's turning. And we need to look beyond, you
25 know, our outstretched hand and look into the 50, 20 years

1 down the road, even a hundred, 500 years down the road.

2 Thank you.

3 MS. KRISTIN DARR: Thank you. Okay.

4 MS. LORI GOODMAN: Hi. My name is
5 Lori Goodman, and I'm Dilkon Chapter voter.

6 And I want to talk about why NGS is closing
7 and has to close. It is not the environmentalists that are
8 doing this. It is not the EPA environmental regulation
9 that's doing this. It is all about money. NGS is not
10 competitive in the declining energy market. It does not
11 make any economic sense for SRP and CAP to continue paying
12 for more cost of electricity from NGS where there are
13 cheaper sources elsewhere.

14 And we all remember -- we went through these
15 meetings just a couple of years ago where SRP, NGS was
16 begging, begging to keep NGS open through 2044. Well, what
17 happened? The market for coal dropped. And the first
18 thing they did was, we got to get out of here now. And so
19 that is what's happening.

20 SRP owns 42.9 percent; Bureau of Reclamation,
21 24.3; APS, 14 percent; Nevada Power, 11.3; and Tucson
22 Electric, 7.5. So for those that are saying this is
23 environmentalists that want to shut this down, no. These
24 people are losing money, and they want it stopped. They
25 want to stop the bleeding.

1 First and foremost, it needs to make economic
2 sense to them. Right now in 2016 CAP and SRP state they
3 paid 38.5 million more for electricity from NGS. And that
4 is what this is all about. And if we want to keep NGS open
5 from 2019 and beyond like we are hearing, there will be
6 additional expenses.

7 That would mean pollution control would have
8 to kick in. And we're talking millions of dollars more to
9 meet the regional haze air pollution rules. As of now, NGS
10 is just producing 60 percent of their 2,250 megawatts. And
11 they're not even running full right.

12 So to keep NGS open, it would cost from 2017
13 to 2019, \$414 million. From mid 2017 to 2022, like being
14 spoken of, at some place, 740 million to \$1 billion. And
15 those are numbers from the Arizona Corporate Commission
16 giving those numbers.

17 So to make it work, to keep NGS open, Navajo
18 Nation would have to give the coal for free, and that is
19 not going to happen. We have to be thinking about our
20 future. The future generation. And we cannot, absolutely
21 cannot dip into the permanent trust fund. That would be
22 absolutely a horrible thing to do. So thank you.

23 MS. KRISTIN DARR: Thank you.

24 Speaker Bates.

25 And just so you all know, I'm not going to

1 cut off your elected officials at three minutes. I
2 wouldn't feel comfortable doing that. I'm sure they want
3 to hear from you, so everybody keep their comments brief.
4 So you go for it.

5 SPEAKER LORENZO BATES: Usually we get five
6 minutes, and I'm used to five minutes. But being speaker,
7 five minutes doesn't apply to the speaker.

8 MS. KRISTIN DARR: I noticed.

9 SPEAKER LORENZO BATES: Mr. President, good
10 morning, sir. (Native language spoken.)

11 I represent the other side of the mountain.
12 Okay? Well, I appreciate the hearings that you have had up
13 to this point. But the purpose of me coming up here is to
14 enlighten the group as well as yourselves where we are at
15 in the process.

16 As of today, the legislation, the final
17 version of the lease agreement has yet to come before our
18 legal council to start the drafting. We have been drafting
19 what we have gotten in terms of the draft. So until -- we
20 need to get it drafted. So we are working off of that.
21 And once the final version gets before us, before
22 legislative, then we can amend it accordingly so that we
23 have something to draft.

24 The last date that I got as of yesterday was,
25 hopefully, it will come before us on Monday. And so once

1 the legislation is drafted, there's a five-day comment
2 period before it gets considered by the first committee.
3 Depending on the heading -- or depending on how it's
4 written will determine how many of the standing committees
5 it will go before.

6 Automatically, it will go to Resource and
7 Development Committee, because they're dealing with -- with
8 the resources of the Navajo Nation. It will go to the
9 Budget and Finance Committee because you're talking about
10 the dollars that come to the nation. And then possibly it
11 will go to the Health, Education Services Committee because
12 you're talking about jobs. And then finally the (native
13 language spoken) committee and then council.

14 So given that the deadline of May 1st wasn't
15 met, we basically lost 19 days to work through the process.
16 And the deadline for a decision is July 1st. So we will be
17 spending the entire month or most of, I should say, the
18 month of June getting it through the process. And that
19 takes into consideration any work sessions, any further
20 considerations that council wants or the extending
21 committees need to take. And then get -- and then get it
22 in front council prior to July 1st.

23 I'm of the understanding today that it has
24 been considered, but not considered by the board . And
25 that is to take place June 6th, I believe, at that time

1 from SRP.

2 Am I correct?

3 AUDIENCE MEMBER: Yes.

4 SPEAKER LORENZO BATES: June 6th. So once
5 that board, those boards consider it, and then it would
6 have been approved on that side, but council still has to
7 make some determinations.

8 There are many challenges that council will
9 have to take into consideration. Navajo Nation, the
10 negotiating team has worked diligently in terms of
11 negotiating what would be in the interests of the Navajo
12 Nation. But at the same time, like any other transaction,
13 there are asked and there are asked from the other side.
14 And the ask from the owners for what Navajo Nation is
15 asking is what will be considered.

16 Be mindful that this legislation is only --
17 well, let me rephrase that. This legislation contains two
18 perspectives.

19 One is keeping it open to the end of 2019.
20 The other is the decommissioning. It's part of the packet.
21 And that decommissioning portion is the ask of Navajo to
22 the owners, and the conditions from the other party in
23 recognizing the ask from Navajo. That's the first step.

24 The second step is beyond 2019. Does NGS,
25 does Peabody continue beyond 2019? But in order to

1 consider that, this first phase has to be decided upon.
2 Then we go into that. And even that has much more moving
3 pieces in making that determination. We've negotiated back
4 and forth for the last several months.

5 Beyond 2019, there are just as many, if not
6 definitely more challenges. And because the owners have
7 said, "We are done at the end of 2019," there obviously has
8 to be a new owner to operate NGS.

9 But the single most challenge, even if an
10 owner was identified, is selling that power. It's a
11 baseload facility right now. That power that is generated
12 has a place to go.

13 Owners leave, that baseload goes away. So
14 there has to be a place to go for that -- for the coal that
15 you, the miners here, deliver and is burned, generate
16 electricity, that power has to go to be sold someplace.

17 Now that's a huge challenge that has to be
18 considered. But nonetheless, the president and myself are
19 committed to getting this first process done. His team,
20 legislative have been working on this. We are both
21 committed. We are also committed to looking beyond 2019.

22 But recognizing those challenges that are
23 associated with it beyond 2019. We have until October 1.
24 It was September 1. Correct me if I'm wrong SRP. We had
25 to inform the owners of NGS as to whether or not we were

1 able to go beyond 2019.

2 As a result of the discussions in Phoenix
3 this past week, last week, they've extended that to
4 October 1. So once council considers, let's just presume
5 that council passes it, the president signs it, immediately
6 that beyond 2019 has to begin to go down that path to
7 address all of the moving pieces in keeping it open beyond
8 2019.

9 So that's the process as of right now for
10 this first phase. And the second process in the event
11 council passes it.

12 Now, obviously, you've all heard, the
13 listening committee here has heard that it impacts the
14 nation in terms of revenue, in terms of jobs, not only for
15 Navajo, but Hopi.

16 But it goes beyond that, it also impacts the
17 entire state of Arizona because Arizona receives taxes.
18 Those will go away if Peabody goes away and NGS goes away.
19 The border towns, Page, Kayenta, Tuba City, they will all
20 feel the impact because there will no longer be a revenue
21 stream from you folks in this room because you're all going
22 to be going elsewhere in the event it closes, working
23 someplace else.

24 So those are the challenges in terms of the
25 first phase and obviously moving down, down the bigger

1 picture.

2 So I thank you for allowing me to speak this
3 morning. And how long beyond three minutes, five minutes?

4 MS. KRISTIN DARR: I didn't even time you.

5 SPEAKER LORENZO BATES: Will you be able to
6 come work for me? All right. Thank you very much. Thank
7 you.

8 MS. KRISTIN DARR: I didn't want to run the
9 battery out.

10 Okay. Thank you, Mr. Speaker.

11 Next is Tommy Yazzie, followed by Dana
12 Eldridge.

13 MR. TOMMY YAZZIE: Hello. My name is Tommy
14 Yazzie. I'm a retired, 37 years at NGS. And my son works
15 there now. He's a maintenance specialist. And he likes to
16 continue working there to whenever it decommissions.

17 And I just like to say maybe go with the
18 original plan. Shut down one unit and leave the two units
19 operating. Decommission one unit and keep the two
20 operating, so up to 2019. And in the meantime, you know,
21 start getting it ready for the renewal, maybe a solar field
22 there because -- solar field there somewhere. And they can
23 use the infrastructure there, like power lines and water
24 there.

25 And during the overhauls of these plants,

1 they -- NGS employs like a thousand people, mostly from
2 Navajo Nation.

3 And I'm for renewals, too, you know, you know
4 they can maybe build a wind turbines up on Black Mesa, you
5 know, a lot of winds there. And employ some of these
6 miners there. Thank you for listening. Thank you.

7 MS. KRISTIN DARR: Thank you.

8 Dana Eldridge, and than Anna Frazier?

9 Where's Anna?

10 MS. DANA ELDRIDGE: (Native language spoken.)

11 I came here today to speak to you, my people, in the spirit
12 of (native language spoken). There has been a lot of
13 division over these issues. These companies, these
14 corporations, these governments want our people to turn
15 against each other. They want our people to fight each
16 other because they only want what's under our feet. They
17 don't care what happens to us. They don't care what
18 happens to our people, our children, our future
19 generations, our water, all these things that sustain us.

20 And I came here to speak to you as my
21 relatives, as my people, as my people, because I know
22 you're here for your well-being, for the well-being of your
23 families, for the well-being of your communities. That's
24 why you're here because you care about the lives of your
25 children. So do I. So do all these people that are out

1 here. We all want the same ultimately. We're all in this
2 together. We're all in this together.

3 That is who we are first and foremost, and I
4 ask you in kindness and love and compassion to please
5 remember that. Let's not fight each other over this.
6 These corporations, these companies, they don't care about
7 us.

8 I have relatives that work at Navajo
9 Generating Station that have been there for a long time.
10 They are now very sick. They are now very sick with all of
11 the health damages that they've received from working with
12 the chemicals in the plant. What happens to them? They
13 got pushed out.

14 Look at what happened with Peabody Coal
15 Corporation. They strategically declared bankruptcy so
16 that they wouldn't have to pay the retirement benefits of
17 all of their workers, so they wouldn't have to do the
18 health compensation of all of the their workers.

19 AUDIENCE MEMBER: You're wrong about that.

20 MS. DANA ELDRIDGE: I care about you, my
21 relatives. I care about what happens to our land. I care
22 about what happens to our people. We have to think, too,
23 about the essential element. (Native language spoken.)

24 These are the things that provide us with our
25 life. These are the things that provide us with our

1 well-being. Together if our people work together, we can
2 overcome this difficulty. We can overcome this hardship.
3 This is fear.

4 MS. KRISTIN DARR: At three minutes.

5 AUDIENCE MEMBER: This is fear that they're
6 trying to instill in us. Fear that we will not know what
7 to do. It's fear. But we can overcome this. We have all
8 the strength and ingenuity and courage and compassion and
9 bravery and intelligence to find a creative solution by
10 working together. That is what our ancestors prayed for.
11 That is what they prayed for, for us to return home back to
12 our sacred mountains and continue to be Dine, for the next
13 generations to come.

14 MS. KRISTIN DARR: We need to move on to the
15 next speaker, please.

16 MS. DANA ELDRIDGE: (Native language spoken.)
17 Please let us work together. Let us not fight. Let us not
18 have negative words. Let us not be discouraged.

19 AUDIENCE MEMBER: Thank you.

20 AUDIENCE MEMBER: Three minutes.

21 MS. KRISTIN DARR: Thank you.

22 Our next speaker is Anna Frazier followed by
23 Daryl Long.

24 MS. ANNA FRAZIER: Thank you. (Native
25 language spoken.) Thank you for us being here. Good

1 morning, everyone. Thank you for the opportunity to speak
2 here this morning.

3 My talk has to do with I support the closure
4 of Peabody Coal and Navajo Generating Station. My reason
5 for that is because I've seen the people that have been
6 relocated when the Peabody Coal came in. And I've seen and
7 I've worked with them, and a lot of them are our relatives,
8 my relatives (native language spoken).

9 And so a lot of them were displaced.

10 (Native language spoken).

11 That's what happened. The livelihood of our
12 people that used to live on Black Mesa were injured, and
13 they had to move away. They lost their land. They
14 suffered. And now, there has to be forgiveness and whatnot
15 for these people so that they can come back and reestablish
16 their homes and the way of life of our people.

17 So that's what I had to say. And then also
18 that we are a resilient people. What I heard is that, you
19 know, this is very devastating. This is something really,
20 really bad. Yeah. It's bad, but Navajos (native language
21 spoken). This is not the end of the world.

22 And you know as you -- life is -- you know,
23 life you can lose your job. You can get down to the bottom
24 of life, but there's always a way out.

25 (Native language spoken.)

1 Years and years ago our people were -- their
2 livestock was taken away, and they survived. And we can
3 survive again. We have a lot of young people that are
4 educated, and a lot of your children you probably sent on
5 to school because you made a lot of money, you know,
6 working for Peabody and NGS. And that's how your children
7 are going to come back.

8 So I just wanted to say that, you know, we
9 have to look forward.

10 MS. KRISTIN DARR: Okay. And that's three
11 minute.

12 MS. ANNA FRAZIER: Because you know the
13 energy that's been -- it has a (native language spoken).
14 It's not good for our health and our waters especially.
15 Thank you.

16 MS. KRISTIN DARR: Thank you.

17 Daryl and then Kern Collymore.

18 MR. DARYL LONG: Hello. My name is Daryl
19 Long.

20 (Native language spoken.)

21 I just want to make a couple points here.
22 Kayenta mine does not pump water to Phoenix from the Navajo
23 aquifer. The Black Mesa pipeline at one time did pump
24 water to Laughlin. That is no more. The water K mine uses
25 is solely for the communities and dust control. We do not

1 pump it anywhere else.

2 People mistake -- people are talking like we
3 still pump water to the valley. Water to Phoenix, it comes
4 from the Colorado River.

5 No doctorate, no master, no Ph.D., no
6 university piece of paper means that you are more
7 important, nor harder working than I am. I am proficient
8 in my craft. Solely raising sheep, herding sheep at a full
9 time does not pay the bills. I don't care if you're the
10 best shepherd in the world. It does not pay the bills.

11 Families have to make a living. We are not
12 going back to the old days. They talk about going back to
13 the old days. That's not going to happen. We are too used
14 to the luxuries we have today.

15 Whether you are a protestor or not, once
16 again, I see no wagons outside, no donkeys, no horses. I
17 see vehicles powered by gasoline and diesel fuel. We can
18 uphold traditional values while still moving forward. We
19 have to adapt and advance. That means continuing to mine
20 and even more efficiently -- at an even more efficient rate
21 and provide more utilities for Navajo people.

22 We have all benefited, bottom line. If you
23 live on the reservation, you have benefited. My elders
24 talks about balance. Too much of anything is bad. Balance
25 is the key. We have degrees. We have internship up there,

1 but in our own way.

2 MS. KRISTIN DARR: Daryl, can I interrupt you
3 for just one moment. I'm stopping your time.

4 Side conversations around the room are making
5 it difficult to hear. So we just ask that everybody be
6 respectful and listen. Thank you.

7 MR. DARYL LONG: We have degrees. We have
8 internship in our own way. We are professionals. They
9 look at us as if we somehow just inherited our job title at
10 the mine. It's a job each of us has wanted. We made it a
11 priority to work there.

12 The test administered weeds out the
13 individuals who are unfit -- when I got interviewed, I got
14 interviewed with over 200 applicants. That's why we are so
15 passionate. It took me four years to get up there. It
16 took me being a service man, a dozer operator, and then
17 finally being a mechanic. That was my dream. That's what
18 I wanted to do, and I did it.

19 Once again, it's about balance. In this case
20 being able to operate at least to 2029 giving time for
21 revenue and at the same time building renewable projects,
22 that's the balancing act. Going cold turkey holds no
23 water.

24 Instead let us continue while the Navajo
25 Nation figures the lost revenue situation out. When the

1 giant monster-like looking turbines begin to rise, the bird
2 chopping will begin. When the miles and miles of solar
3 panels start to replace and relocate people there will
4 still be protestors protesting the change.

5 MS. KRISTIN DARR: That's three minutes.

6 MR. DARYL LONG: They will simply change the
7 protest angle for another. That's the easy thing to do.
8 No one is ever going to be a hundred percent happy. There
9 is not a one-fix solution for this problem.

10 Let us appreciate what we have and look to
11 the future. At one time the U.S. government tried to
12 exterminate us. Now we are here working together. Thank
13 you.

14 MS. KRISTIN DARR: Thank you, sir.

15 Okay. Just a reminder that we're trying to
16 stick as close to three minutes as possible. I'll stand up
17 at two minutes and 30 seconds indicating that you've got 30
18 seconds left.

19 Kern Collymore. Thank you.

20 MR. KERN COLLYMORE: (Native language
21 spoken.)

22 I am from an island in the Caribbean,
23 Trinidad Tobago. (Native language spoken.)

24 I'm married into the Bitter Water clan, but
25 I'm from the Caribbean, so I like to talk a lot.

1 So I want to say how, you know, our
2 communities, this is something that we all realize our
3 communities have been paying the price of mining and
4 extraction industries for a long time.

5 You talked about relocation with solar
6 panels. And relocation has been going on for a long time,
7 a lot of our communities have been dealing with this. All
8 right?

9 This company has made trillions of dollars,
10 trillions off of us. All right? And we are still driving
11 down dirt roads. We are still hauling water. We still
12 have little kids dying because of rollovers. All right.

13 And you're asking us to continue that. They
14 have made trillions off of us.

15 Why are we being the ones asked to look at
16 the extension of the expansion plans. We have known since
17 the '80s that oil is dying industry and that coal is a
18 dying industry. They should have been planning since then
19 for you. They should have been teaching you since then,
20 since the '90s, since the 2000s. This has been coming for
21 a long time. And now you're asking us to continue with it.

22 We don't see the benefits. They have made
23 trillions. Are these people here going back to Chinle?
24 Are they going back to Klagetoh? They go back to their
25 homes. My kid is drinking uranium in his water in Sanders

1 because of the mining. All right. Where is that company
2 at?

3 And Black Mesa we have our families who have
4 been there for generations, before Bilagaanas came here,
5 and they have to get relocated for a mine company, and
6 they're telling me to continue this.

7 You know, we talk about the skills that
8 you've learned, the company teaches you. And I feel like
9 that's a great thing and that they should be teaching you
10 skills, but for exactly this transition economy. They
11 should be teaching you how to make the solar panels. They
12 should be teaching us about wind turbines, but they're not.
13 All their doing is digging Mother Earth and asking us to
14 wait longer.

15 And, again, they have made trillions of
16 dollars. Not millions, not billions, trillions since the
17 '80s. That's 40 years.

18 Where is that in our communities? We have
19 grandmas and grandpas dying of cancers we've never heard of
20 before. Never heard of before. And then we're going to
21 say it's for a couple of paychecks, we want to keep 400
22 jobs while there are 300,000 of us on the reservation.

23 MS. KRISTIN DARR: And that's three minutes.

24 MR. KERN COLLYMORE: Right now in your
25 unemployment program on the Navajo Nation there are

1 201,000 -- I'm sorry -- there are 2,197 young adults
2 between the age of 18 and 35 that are in the Navajo Nation
3 are unemployed, just in one program. And you're telling to
4 me to continue this. All right.

5 MS. KRISTIN DARR: Okay. Can you wrap up,
6 sir?

7 MR. KERN COLLYMORE: Trillions of dollars
8 they've made off of us. Trillions.

9 AUDIENCE MEMBER: You're getting paid too.

10 MR. KERN COLLYMORE: Please tell me by who.
11 Yep, there's lots of money in Lupton, isn't there.

12 MS. KRISTIN DARR: Okay. Thank you. Okay.
13 Happy Friday, everybody. And we have -- we have just
14 enough time for a few more speakers.

15 Our next speaker is Mikayla Johnson, followed
16 by Alyssa James. Mikayla?

17 MS. MIKAYLA JOHNSON: (Native language
18 spoken.) Today I'm here to give my opinion on the Navajo
19 Generating Station. I am all for having NGS open until
20 2019 as long as we are planning ahead for a better way to
21 produce energy. Renewable, perhaps, should be the first
22 option.

23 I live on 305, which is a range unit north of
24 Hard Rock. I live in a hogan with three of my siblings.
25 My relatives also live on 305. They have the same

1 hardships as I.

2 We have animals that we have to look after.
3 And in order to do that we have to feed and water them,
4 though. Where do we get the water from? We either get the
5 water from our local chapter house, which is Hard Rock, or
6 we have to haul it from other places, such as Piñon chapter
7 or Peabody well.

8 As for the food, we have to -- we usually
9 allow our sheep and animals to graze. But because of
10 little water, the grass out at our house is not growing as
11 much, and our animals are overgrazing. Therefore, we have
12 to bring in hay from various places, such as, Chinle,
13 Window Rock, or Gallup, T and R (phonetic).

14 Despite all these hardships, I would like to
15 see the grasses grow taller as it used to be, and water
16 would come out of springs, like the way my grandmothers
17 tell me in stories. I could only -- I only hope I could
18 see that day.

19 Thank you all for your time, and I hope you
20 take my words into consideration. Not only do you make
21 decisions for the present, but for the future as well to
22 help the owners in Navajo Nation leaders make the right
23 decision, a sustainable decision. (Native language
24 spoken.)

25 MS. KRISTIN DARR: Thank you.

1 Okay. Next is Alyssa James followed by
2 Raeanna Johnson.

3 Alyssa.

4 MS. ALYSSA JAMES: (Native language spoken.)

5 Every Saturday I help my Grandma,
6 Doreen Herder, herd her sheep. It's very exciting and
7 enjoyable. Sometimes we find petrified rocks. It's fun
8 climbing rocks and stuff. I love finding rocks and
9 watching the sheep.

10 MS. KRISTIN DARR: Excuse me. I'm sorry. We
11 can't hear because of side conversations. So thank you all
12 for listening to our speaker.

13 MS. ALYSSA JAMES: I have an opportunity to
14 have some time with my grandma and see the land that I'm
15 coming from, the land that will always be ours for
16 generation to the next and on and on. Being outside on the
17 land is the life that I appreciate. If we take care of our
18 environment, we can continue to have a healthy livelihood.

19 Instead you leaders are pleading that Navajo
20 Generating Station stay open for the money and jobs.
21 Navajo -- or -- into our atmosphere. We breath this air,
22 and the plants and animals breathe this air as well. I
23 have read that there is no safe way to dispose of coal ash.
24 It is toxic and bad for our bodies and the environment.

25 I will be living the consequences of your

1 choices and decisions, and for that I want you leaders to
2 start thinking about what happens if Navajo Generating
3 Station closes.

4 Besides the money and jobs, what other
5 positive things can we get out of this situation? We can
6 gain our water rights. We can receive water that comes
7 from the Colorado River to use for drinking water.

8 When my family goes on vacation to
9 California, we see solar panels and wind turbines on the
10 way. Perhaps we should consider bringing renewable energy
11 to the Navajo Nation. Renewable energy is better than
12 using fossil fuels because it does not pollute our
13 environment.

14 Please consider using renewable energy so our
15 environment stays healthy. Thank you. (Native language
16 spoken.)

17 MS. KRISTIN DARR: Okay. Thank you.

18 Raeanna, and then Adrean Augustine. Is that
19 Adrean?

20 AUDIENCE MEMBER: Yes.

21 MS. KRISTIN DARR: Okay. Raeanna.

22 MS. RAEANNA JOHNSON: (Native language
23 spoken.)

24 Now, is the time to use your influence and
25 your funds to set the Navajo Nation on a new path, one that

1 is economical and sustainable. You have kept the Navajo
2 Nation locked into coal for decades. The result of this
3 are depletion and contamination of our water sources, the
4 pollution of our air and Superfund sites all across the
5 Navajo Nation.

6 Poverty in the western definition has kept
7 Navajo Nation making desperate decisions. Decisions that
8 have never brought us to prosperity, but has degraded our
9 way of life and our resources for years.

10 I am hopeful that the Navajo Nation and the
11 Bureau of Reclamations will take this opportunity now to
12 make a pathway forward for people like me who want to
13 finish school and have a career but also want to keep my
14 culture and language. I don't plan to live off the
15 reservation permanently. I love my home, and look forward
16 to returning after I get done with school.

17 Here in the high desert we get about 8 inches
18 of rain. We cannot waste our water, nor can we pollute our
19 land or skies. Every pollution released into the sky or on
20 the ground impacts our water. But we have operated like
21 this -- we have operated like the resources are abundant
22 and unlimited. Please don't make anymore decisions based
23 on desperation or corporate bottom line.

24 Make the next decisions so that I can be sure
25 of a permanent home on Black Mesa. Invest your time and

1 resources on transitioning Navajo Nation to a renewable
2 economy. Thank you for taking the time to listen to me.

3 MS. KRISTIN DARR: All right. Thank you.

4 Adrean Augustine, and then John Begay.

5 MR. ADREAN AUGUSTINE: Hello. My name is
6 Adrean Augustine. And I am here because I support NGS and
7 the coal miners that are here.

8 I've heard a lot over the past few days about
9 the economic impact and everything that is going to be
10 affected, and I agree with it. I am not in the coal
11 industry. I'm not in the energy business. What I am in is
12 the trading post business. I see both sides and a lot of
13 the same faces that come to these meetings from both sides.

14 And what I can say is, if you shut down NGS
15 and the coal mine, it will affect everybody across the
16 reservation as the recession did to all the tradesmen and
17 people that travel for jobs.

18 The whole point in NGS and the coal was to
19 keep jobs here on the reservation. And if you take apart,
20 dismantle, or do whatever you want to do to that plant, it
21 will destroy the economics not only northern Arizona, but
22 across the southwest.

23 The reason being is because it will affect
24 everything from truck drivers to trading posts, to the
25 cities that support everybody in northern Arizona. It will

1 affect the coal miners. It will affect the local
2 economies. It will affect the subsidies that go to both
3 tribes. And you know, it's just -- what it is basically
4 is, you know, is to be destruction on a huge scale.

5 There's a lot of things that I have in going
6 through my head. And as I've listened to everybody speak
7 here. And I can't say that in three minutes, but what I
8 can say is that I support NGS. And I believe that coal is
9 a gift to the native people.

10 Everybody here sees it as the enemy.
11 Something that's bad. But the way I see it, and there's a
12 lot of others, is it's a gift. What we can do with it is
13 we can bring ourselves out of the Dark Ages, the old ways
14 and into the future.

15 We can use it to better the reservation and
16 do what our president would say. Learn the art of the
17 deal, and maybe we can distribute, not only to the NGS, but
18 to other people across the world. That would be a great
19 economic benefit for the Navajo people, the Hopi people,
20 and we would also be getting more subsidies from it.

21 It is up to us to march into the future with
22 coal. Coal has its benefits. Wind energy, you know, if
23 you wanted to replace the Navajo Generating Station with a
24 solar plant, it would take 6,000 acres. 6,000.

25 MS. KRISTIN DARR: That's three minutes.

1 MR. ADREAN AUGUSTINE: Think about that. My
2 suggestion is, is for the future people to run it, if NGS
3 doesn't, maybe the Bureau or the Department of Energy could
4 take it over as well as the Navajo Nation. Thank you.

5 MS. KRISTIN DARR: Thank you.

6 Okay. We have three more speakers. We have
7 three more speakers, and then we'll have closing remarks
8 from President Begaye.

9 John Begay, Shannon James, and Devin James
10 are our final speakers.

11 John.

12 MR. JOHN BEGAY: Hello. My name is John
13 Begay, and I would like to tell you what I -- a little
14 sliver of what my daily life consists of as being a miner
15 of Peabody Coal.

16 First thing I do, I work from when I get up
17 in the morning to about 2:00 a.m. That's when I go to
18 sleep. And the first thing I do in the morning is I drop
19 to my knees and I pray to my God, thank you, for what he
20 has given me, a job.

21 And I thank my family. And I pray for a
22 miracle. When I do that, my wife walks in, this beautiful
23 woman. And I say, "Woman, you look good. Most days you
24 look good, but today you look really, really good."

25 Okay. And then she says, "Your breakfast is

1 ready." Now that's a miracle. I give her a hug. I give
2 her a kiss. My kids, my son and daughter, I also give them
3 a hug and a kiss. And I thank them. And then I do my
4 mom's daily chores. She's old. She's a sheepherder. She
5 takes care of the sheep. She weaves. She lives off the
6 land. That's how they were raised.

7 So I -- she's too old now to do all that. So
8 I take care of that. I make sure that her house is warm.
9 I take out the ashes. I feed the dogs for her. I take
10 the -- tend to the sheep for her. The lambs -- are lambing
11 and baby goats, I take care of that for her. The water,
12 the hay and all of that. Okay?

13 And this is what this job has given me, a
14 chance to hug my family each and every day. And I hug them
15 and I kiss them.

16 Most people on the other side say the air is
17 bad. The water is bad. The soil is bad. Everything that
18 surrounds the mine is bad. But I have been inside, the
19 heart of it, inside of it, and I have none of the medical
20 problems that it says it produces.

21 I drink Peabody water. My -- my in-laws have
22 a farm. And that's what we eat, corn, squash, whatever
23 that live off the land. And I also try to do my best as a
24 worker, as a miner. I am a son. I am a father. I am a
25 grandfather, and I am also a first responder, a firefighter

1 and a rope rescue.

2 This is what the mine has given me. This is
3 what my job has given me. And I'm also a shepherd, and
4 I raise cattle.

5 And I'm going back to my traditional ways,
6 and I'm about ready to retire. And I am thankful, and I
7 like to thank you for listening to me. And thank you very
8 much.

9 MS. KRISTIN DARR: Thank you. Three minutes
10 on the dot. Good job.

11 Shannon, and then Devin James. And then
12 we'll hear from the president.

13 MR. SHANNON JAMES: (Native language spoken.)

14 I'm just going to get straight to the point,
15 you know. We can sit here all day and come back with, you
16 know, counterarguments and counter speeches against each
17 other. But I'm just going to get straight to the point of
18 what I have to say, basically three things is.

19 Number one, we have to go to renewable
20 energies right now at this moment.

21 Why? Brings us to our number two point. We
22 are getting left behind in the renewable energy market,
23 which is the future. And number three, my final point. We
24 have to get into the renewable energy market again. It's
25 happening right now. And people are transitioning, and

1 we're getting left behind.

2 And from -- even though you miners want to
3 keep mining, you know, we have to get into the renewable
4 energy market now. And it's -- we have no other choice.

5 (Native language spoken.)

6 MS. KRISTIN DARR: Thank you.

7 And our final speaker, will be Devin James.
8 Devin.

9 MR. DEVIN JAMES: Can you guys hear me?

10 Good afternoon, Department of Interior,
11 Navajo Nation, President. My name is Devin James. And
12 I've worked for Peabody for eight years. I am a third
13 generation to my family, my (native language spoken) was a
14 drag line operator, and my father was a preparation
15 supervisor, and I am an HR representative.

16 I am the front -- I stand at the front row
17 when it comes to job opportunities. Every job that comes
18 available to the public, we get about over a hundred
19 applicants per position.

20 I get to interact with all these applicants
21 that are working in other states. I've met a gentlemen
22 from Maine, from the Navajo reservation. And I just got
23 off the phone the other day with a guy from Shonto working
24 in Arkansas.

25 We have a lot of people out there that are

1 hungry for jobs. They want to come back home. And just
2 the other day we offered a job to a gentleman in the
3 Department of Human Resources. And his reaction,
4 speechless. I never seen a man jump up for joy and shook
5 my hands and every person in the department.

6 The value of the job is very important,
7 critical. It provides for their families, our families.

8 And there's two perspectives that I want to
9 bring out is my years of employment is, I worked in the
10 coal loadout at the facility for the public. The coal
11 loadout had a lot of people depend on that for coal to
12 provide for their family. You know, selling coal out to
13 residents like Ship Rock or bring coal home to bring warmth
14 to their home.

15 And when I used to work in that department,
16 we used to have people line up 10:00 p.m. the day before to
17 start getting in line to start purchasing coal the next
18 following business day. And the demand is there for the
19 people. And the jobs, again the jobs.

20 It's -- it's important. All of us know and
21 have been there, working out there. But being home is our
22 primary focus. And I enjoy my job every day. All these
23 employees uphold their job good. And there is not a day
24 that I regret going to work. I love my job. We all love
25 our job.

1 And again, it's -- thank you. Thank you for
2 your time. And on behalf of Peabody, thank you very much.

3 MS. KRISTIN DARR: Thank you, sir.

4 All right. Well, thank you, everybody. We
5 got through another three hours together.

6 Mr. President, it's time for you to close.

7 PRESIDENT BEGAYE: Yes. Great to hear
8 everyone. And since I became president, Day One,
9 everything that I've heard, whether it's one-on-one
10 conversation, chapters meetings or meetings like this, is
11 all right here. So I love technology. I love things that
12 we're doing that's happening.

13 But I just want to tell you that we are
14 focused on three things.

15 But let me say before that we work hard,
16 negotiate long, long hours to get NGS contract renewed to
17 2044. At that time, I was council delegate, and I went to
18 every meeting. I attended every back door meeting, all the
19 private session, closed door session, public sessions.
20 I've debated on the floor of the council. I did all of
21 that for a number of months. And there were things that
22 NGS wanted that I was not willing to give up.

23 Water is one. Navajo Nation preference,
24 employment preference was another one. Navajo Business
25 Opportunity Act, I wanted all of those inside the

1 contracts. But that didn't happen. I got outvoted by
2 members of the -- by my colleagues. And so -- but we all
3 worked hard.

4 When we voted and approved the lease that
5 will go to 2044 is that we all walked out agreeing that,
6 yes, some of us, all the things -- we didn't get everything
7 we wanted, but we did get, I believe, everything that NGS
8 wanted, we gave it to them. All the owners got everything
9 that they wanted.

10 And so I'm thinking that within a month,
11 maybe two months, the owners will sign off on it. They
12 will agree to it. They got everything they wanted. But
13 then started moving forward, slowly 2014, there's no
14 signage on the contract. Five of them are supposed to sign
15 off on it, but it kept going. And then soon we heard that
16 LA was going to get out of coal-generated electricity.

17 So that came up. And then as we start moving
18 forward again, we heard Nevada legislators voted to not use
19 coal-generated electricity, specifically pointing to NGS.
20 Meaning that Nevada Energy said, "We don't want energy from
21 NGS."

22 So that was specifically mentioned. Not the
23 LA one. LA was just anything that's coal generated. So
24 I'm hearing these things, but I'm still pushing on to get
25 this thing signed by the owners.

1 So the owners told me Nevada is out. They
2 don't want to sign. I met with them. They said as long as
3 we're not obligated through beyond 2019, we're ready to
4 sign. So we got that thing settled, and then started
5 meeting with other owners. They were really excited about
6 moving forward, I believe.

7 And then a meeting with APS. APS was the
8 first one that said, "I don't think we're going to sign."

9 And I said, "We gave you everything that you
10 wanted. You asked for. You should put your name on there.
11 And let's move forward."

12 But that didn't happen. So next thing we
13 know, they're saying, "It costs this much to operate NGS,
14 and we're getting this much money here." And so that
15 conversation completely changed everything.

16 So immediately I said, "You know, it sounds
17 like the owners don't want to continue. They are not going
18 to live up to the things that they said they were going to
19 when we signed the lease and passed that lease in 2014."

20 And so I immediately established three
21 things, a task force.

22 One, I said, "Let's see if they can find a
23 way to move full operation to 2019 and then decommission
24 it." Conversation with who was going to do that also began
25 taking place.

1 The second task force that I developed was if
2 we go beyond 2019, then we need to get ready on how that's
3 going to take place, whether it's new owners, all of that
4 to 2029. Because the reason I say 2029 is 2030 is when the
5 retrofit is supposed to take place 30 to 300 to \$500
6 million. It's going to be expensive. So that's what we
7 started talking about.

8 The third thing, the third task force was how
9 do we -- to close this thing down if we don't go to 2029,
10 how do we transition? And I need monies coming in through
11 the Navajo Nation, and where are we going to get jobs? And
12 what do we do beyond NGS closing? So that's the third
13 group. So we had three groups working.

14 But the focus went over to the first group as
15 the Speaker mentioned earlier. It went to the first group,
16 which was, how do we move to 2019? And I appreciate the
17 owners, especially SRP saying, "You know, I think we can do
18 that. I believe we can move to full operation 2019 and
19 then decommission afterwards."

20 Now, I know NGS is here, and I want to say
21 that when we met the second time in D.C., the SRP people
22 said, "You know, we're going to try and put everybody --
23 we're going to try to get everybody that works at NGS a
24 place to work."

25 And I looked over there, and they were just

1 sitting several seats down. And I said, "You know, is that
2 true that you NGS workers will all get jobs someplace?"

3 So when I got the mic, I gave my appreciation
4 to the chairman of SRP, to the folks that were there, and I
5 said, "I appreciate you guys making a commitment that NGS
6 workers will have jobs even if NGS closes down. So I just
7 want to say thank you for making that commitment." And so
8 I said, "I'm going to make sure that I'm tracking that."
9 So I said that in that meeting.

10 So the first group up to, I believe, we had a
11 lot of back and forth over water, over cleanup, over a lot
12 of critical issues. (Native language spoken.)

13 So we had a really, really hard discussion
14 and even up into yesterday, last night talking about some
15 of these critical areas because we've never closed down a
16 plant, the power plant, ever on Navajo. This is the first
17 time.

18 And so our biggest thing is when this cleaned
19 up, we want to make sure it is cleaned up. That there's no
20 contamination of groundwater in the future, that all the
21 issues that we know that may come up in the future is all
22 resolved. This is NGS.

23 And so who's going to do monitoring? Who's
24 going to make sure that the contamination 30 years from
25 now, that's going to take place, who's going to be

1 responsible for all of that?

2 So all of those things discussing all of
3 that, all of these things we're able to work out all the
4 kinks, the languages, and brought the council in yesterday.
5 They met. Nine of them showed up. We were hoping for 24,
6 but 9 council delegates attended that session to give them,
7 this is what we agreed to, this is what's on the table.
8 Now you guys have to have to drop it, legislate it.

9 But it's ready to be dropped. It's ready to
10 be dropped, and so we're hoping -- I was hoping that we
11 would do that today.

12 And then, but then there's conversation that
13 it may happen on Monday. But the sooner we do it, whether
14 it's today or Monday, it needs to be done, and it needs to
15 be done quickly.

16 This is the first part. I'm just making sure
17 that you guys understand this is to 2019. Appreciate SRP
18 agreeing to 2019, and then start working hard on it. So
19 July 1 deadline we believe we can make it. If there are
20 delegates here, I -- we have done this before and we move
21 this into emergency legislation, and it just goes right to
22 Naabik'iyati' into council and rather than going through
23 the committees. And we've done that. We've done that.
24 We've always done that.

25 Because the questions are asked in one

1 committee, and the next one, and the next one. Those same
2 questions come up at Naabik'iyati' and the same questions
3 that come up at Naabik'iyati' comes up in the council. So
4 we waste a lot of time. Because I was a member of the
5 council. That's why I'm saying that.

6 So you asked the question. There are four
7 times depending on what committee you're a member of, so
8 rather than repeating ourselves and listening to each other
9 again over the same things, let's just get right to it, let
10 Naabik'iyati' handle it, and then go on to council and
11 debate it twice.

12 So this is a suggestion by what goes through
13 committees. That's okay, too. But at least be done as
14 soon as to possible.

15 (Native language spoken.)

16 When this legislated and then it comes over
17 to my office for consideration -- and I'm going to say
18 this, is that if it comes over and they make amendments on
19 what our team has been working on over weeks 24/7 they're
20 talking about this, past midnight, early mornings, a lot of
21 discussions taking place over this first phase, not the
22 second or the third, but the first phase, which is 2019 and
23 then decommissioning.

24 And the reason why, again, is to make sure
25 that the cleanup is done correctly, properly and we are

1 able to make sure that it goes all the way into 35 years of
2 monitoring that thing.

3 So that's where we're at. And so we're just
4 now waiting for it to be tracked to turn over to council
5 and let them debate it. And then when it comes over and
6 there's some major changes and we disagree with that, we
7 have the option to veto that legislation and send it back
8 to council and say, "Wait a minute, guys, we agreed to this
9 and this and that positioning ourselves for Phase 3 for the
10 third part," which is the ability to move to renewable, to
11 wind, to solar. We already have those conversations. It's
12 in the works. We're making -- we're having conversation,
13 beyond conversation. We're negotiating deals with
14 companies that want to come in and utilize what's in the
15 agreement all the way to the fullest.

16 And like I said, we'll be able to get more
17 monies to the nation than we are from NGS and Peabody
18 combined if we're successful in getting that part done.
19 That's the third one. But I just want to stay on this
20 first part, which is the 2019 and decommissioning.

21 So if it comes over and the owners, NGS
22 owners says, you know, "President, they did this, this,
23 this, and that," and so the owners already said, "We're not
24 going to agree. We're walking away. We're closing shop.
25 Everybody is going to go home, no jobs beginning the middle

1 of July, and Peabody workers will go home, NGS workers will
2 go home beginning July, because this took place."

3 And after we have that conversation, because
4 I'll have ten days to agree to that, and if the owners are
5 saying that, and we believe that what we negotiated fair
6 and square, we all agreed on it. Meaning my team, members
7 of the council, that we work hard on this and agreed to
8 that, I will most likely veto that thing because it's dead
9 anyway. Workers will lose their jobs anyway. So send it
10 back to -- let's see if we can come back to the table and
11 revisit that. (Native language spoken.)

12 Because we want to make sure that we run full
13 operation to 2019. We need that time frame to transition,
14 and then decommission afterwards, whether it takes two or
15 three years.

16 So that's the first over here. So we're
17 ready to go. And as soon as council drops it, I'm hoping
18 today, they're saying Monday. And then hopefully, we can
19 expedite the process and get it done with so that we can --
20 but we're already working on Phase two -- or the two, the
21 second track, I should say. (Native language spoken.)

22 As the Speaker said, one, who's willing to
23 buy and become owners of the plant to 2029. Secondly,
24 who's going to buy that? And so our team, we're already
25 out there shopping. Who's going to the buy it? And part

1 of the thing is that there are some changes that are taking
2 place out there in the marketplace that I think we'll be
3 able to sell the power to. SRP is willing to look at
4 buying the power from our -- or buying part of that. Some
5 of the other owners.

6 And then, so there's -- so there's potential
7 buyers, possibly, but it's going to be a challenge. I will
8 tell you that right now. Because you have to, not only be
9 able to become a owner, but be able to sell it. So those
10 two go hand in hand. (Native language spoken.) But we're
11 working on it, and we've talked to some good companies, and
12 are looking at the possibility of becoming owners and
13 operating through 2029.

14 The third part, if all of that goes away,
15 then what happens over here. And this is where I'm asking
16 the Department of Interior, we have -- we're creating
17 mechanism on how to make that happen.

18 One is we development first on any Indian
19 nation development corporation, which is a tax exempt,
20 federally tax exempt, state tax exempt mechanism by which
21 we can put companies under there, whether it's Navajo owned
22 companies or other companies and get manufacturing plants
23 to Navajo going to technology, into high tech, those types
24 of things.

25 And so that's going to come before DOI for

1 their signature. When they say, yes, then companies are
2 waiting.

3 I mean, we're flying around the country,
4 sitting down with companies that want to take advantage of
5 that opportunity. (Native language spoken.)

6 So that's going to happen, and we're moving
7 as fast as we can with that part to create jobs that are
8 sustainable that will carry our people into the next
9 generation and generations to come.

10 So that's working -- that's the third group
11 over here working on that. Again, like I said, we're also
12 talking with companies that are willing to help us develop
13 solar energy. Not only that, but to build, to manufacture
14 solar panels right here on Navajo.

15 But that technology's continually changing.
16 The solar panel of a year ago is different from the solar
17 panel of today with the two new technology that's coming
18 in.

19 So we're working hard on it. We are hoping
20 that we'll get more than what we're being offered put on
21 the table. Because if we're able to do that, I know that
22 we can really develop Navajo Nation in the whole area of
23 renewables and be able to sell that power. We can sell it
24 not just to a company out there, not to a city but we can
25 sell it actually to like Walmart, to Google, to these -- to

1 companies like that because they are now buying these
2 energy one on one.

3 One company buying energy from one source.
4 And we can -- we're making those offers even today. That's
5 what we're working on is saying, "If we develop this, are
6 you willing to come and partner with us with whether
7 it's" -- and cities also, like Santa Clara just made a deal
8 with another company to buy energy from them using solar.

9 And the casinos in Vegas, they're buying,
10 they're making deals on buying energy from companies that
11 are making these things.

12 So we want to be there. We want to be in
13 that game. We want to be able to sell to the casinos, to
14 individual industry, to cities and towns, and so that will
15 create more jobs on our end, on this side, Navajo.

16 So we're not just standing still. We're not
17 just waiting, we're not just working hard over here to get
18 NGS to go to 2019 or to 2029, but we're also over here
19 working on developing -- transitioning to a new economy for
20 Navajo.

21 And we want to continue to have a portfolio
22 that's diverse (native language spoken). And the way some
23 of the cities are doing, like Tucson. Tucson said, natural
24 gas is not really dependable source of energy. They get it
25 from Texas all the way piped across the Navajo into Tucson,

1 Phoenix. And so we at one time said, "You know, we may
2 just put a little spigot on the -- on the natural gas
3 that's coming over to Tucson and to Phoenix, and so that
4 you guys can pay us for getting gas through our Navajo
5 Nation land through these pipelines, and you pay us for
6 it." And so (native language spoken).

7 Because, like I said, the natural gas that's
8 used in the valley, it all comes from outside the state.
9 And so, you know, so those are some dynamics that we're
10 (native language spoken).

11 So remember, one, trying to get it to 2019.
12 Council will take a hold of that, they'll debate it, and
13 come over, sign off on it, and make sure that we fully
14 operate, so we can have time to transition.

15 At the same time when that signature goes on
16 there, we're already out there meeting with people that
17 want to become owners, entertaining that possibility. And
18 I met with several of them already myself.

19 Thirdly, if everything -- well, even if
20 things work out or don't work out -- is transitioned over
21 to renewables, and we want to be in the game with
22 renewables. But again, there's some -- there's some
23 challenges even in renewables. (Native language spoken.)

24 So we're looking at how you create
25 renewables, not just in one place, but multiple places.

1 Looking at wind (native language spoken). But the biggest
2 thing we want to get into is high technology and be able to
3 build drones and be able to build airplanes, car parts on
4 Navajo. And we have a railroad that runs across Navajo
5 Nation land partly. We can ship product, produce around
6 the world.

7 But we're building that foundation. And as
8 soon as council can vote on it and approve it, send it to
9 DOI and it comes back, and we're ready to roll into
10 developing this whole area that Navajo has not been before.

11 So we're strengthening, leveraging the monies
12 that we have. We're not able to issue out bonds. We never
13 had that before until now. These are federal bonds. Now
14 with this new one we'll be able to issue private bonds.
15 And every municipalities out there, whoever they are, if
16 they're really growing, they're issuing out bonds, private
17 and federal bonds. That's how they build up their cities.

18 But now we're able to do the federal issuing
19 of bonds. And that happened last year, and then now this
20 coming year, we'll be able to do the private one. That's
21 how we build the nation.

22 So we're not dealing with just one area, but
23 all the scope of what we need to do to move the Navajo
24 Nation forward. That's why when I look at all of those
25 things, all the conversations, all the negotiations pulled

1 together, that's why I can say I think I believe Navajo
2 Nation will be one of the largest employers in the
3 southwest.

4 We're working hard, get this thing 2019 and
5 maybe beyond to 2029. That would be great. And then at
6 the same time broaden our portfolio to include all the
7 other things that I just mentioned. That's how we're doing
8 it. We're just not going to focus on one area and we've
9 got to have balance in everything that we do.

10 Next week, maybe today, maybe Monday it's
11 going to be dropped. And then public comments, and then
12 comes over to -- they vote on it, and it comes over to us
13 for consideration. But again, just remember, what I just
14 said is that if it's, if the owners is going to turn it
15 down like they did the 2013-14 agreement, then I'm going to
16 have to really look at it seriously.

17 I have ten days to meet with council, go back
18 over where the disagreements are again, veto that thing,
19 run it back through, and let them redo it so that we can
20 continue working until 2029, 2019. That's really
21 important. We have to have those two years for us to
22 transition if it's going to close down.

23 A lot of challenges. But as people have been
24 saying in these hearings, we're resilient. We can make it.
25 We're smart, and we can have a broad, broad portfolio and

1 be able to move this nation forward.

2 (Native language spoken.)

3 Water, and I just can't -- you know, and over
4 here we're talking about water, the contractual agreement.
5 And, you know, that's a big fight. And in this agreement
6 there are some water there. We need a whole, whole lot
7 more. And that's where some of the -- some of the -- some
8 of the negotiation is taking place. That's really
9 important, water. The Colorado River and LCR. All of
10 those combining into one source, not just one part but all
11 the parts.

12 (Native language spoken.)

13 We're negotiating on all these areas.

14 And again, thankful to DOI. And we'll be
15 back in D.C. next week meeting with Mr. Cason. So we have
16 that scheduled already, I think and be able to sit down
17 with the D.C. folks and talk about some of these issues. I
18 think that's what they've asked us. So we'll be back over
19 there this coming week.

20 Thank you for being here, Mr. Palumbo, Bureau
21 of Reclamation.

22 Leslie Meyers, thank you.

23 And the rest of staff, thank you. And then
24 thank you. (Navajo language spoken.)

25 God bless all of you. Thank you.

1 (Listening Session concludes at 11:25

2 a.m.)

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3 BE IT KNOWN that the foregoing proceedings were
4 taken before me; that the witness before testifying was
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6 foregoing pages are a full, true, and accurate record of
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8 I CERTIFY that I am in no way related to any of
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11 [] Review and signature was requested; any
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original transcript.

12 [] Review and signature was waived/not
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13 [X] Review and signature not required.
14

15 Dated at Phoenix, Arizona, this 10th day of June,
2017.
16

17 

DANIELLE C. GRIFFIN, RPR
Certified Reporter
Arizona CR No. 50296

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