Comment PH-03

NAVAJO-GALLUP WATER SUPPLY PROJECT
PLANNING REPORT
AND
DRAFT ENVIRONMENTAL IMPACT STATEMENT

PUBLIC HEARING
May 24, 2007

St. Michaels Chapter
St. Michaels, Arizona

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THURSDAY, MAY 24th, 2007, 6:20 P.M.

MR. BENSON: Thank you very much for being here tonight. We're here tonight to hear your comments on the Navajo-Gallup Water Supply Environmental Impact Statement, Draft Environmental Impact Statement.

In 2001 there were scoping meetings that were held here as part of the Environmental Impact Statement process. Whenever the federal government is going to commit money to a project, by law there has to be an Environmental Impact Statement. And it's associated with a process where the public has an opportunity for input.

And the Environmental Impact Statement addresses the impacts on the environment, water, land, air, the people. And we had a meeting here back in 2001. And now that the Draft Environmental Impact Statement has been completed, we're here to hear comments from the public on that Draft Environmental Impact Statement.

I'd like to ask right now if we can just continue in English? Is that all right? Okay. We'll continue in English, but if anybody should come in and they need an interpreter, we have an interpreter here.

I'd like to begin by introducing some of the officials, elected officials that we have here with us tonight. Ray Berchman, Navajo Nation Council Delegate from Saint Michaels and Oak Springs. Perry Wilson,
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1 President of Crystal Chapter. Jeff Kiely, Deputy Director, Northwest New Mexico Council of Governments.
3 And if more people come in that need to be introduced that are officials, we will introduce them.
4 Now, I'd like to introduce the panel here that you will be addressing your comments to.
5 And the Environmental Impact Statement concerns the Navajo-Gallup Water Supply Project. It's a project that is meant to bring San Juan River water to the Navajo Nation in the state of New Mexico.
6 There are two pipelines in this one project. One pipeline runs between Shiprock and Gallup with laterals coming to Window Rock, which would serve the water system in this area, including Saint Michaels, Fort Defiance. I believe the water system goes to Navajo to Oak Springs as well.
7 And off the main trunk line coming from Shiprock there will be a lateral going to Dalton Pass. And there's
already a water line from Crownpoint to Dalton Pass, so
the water will continue to communities around Crownpoint
through that lateral.

The Cutter Lateral runs along the eastern edge of
the Navajo Nation. The water will be taken out of Cutter
Reservoir, which is a small reservoir built for the Navajo
Indian Irrigation Project. And the pipeline will run from
Huerfano, Nageezi, Torreon, Ojo Encino, Pueblo Pintado to
Whitehorse Lake.

The project also involves groundwater as well.
And there will be groundwater development in the area
between these two pipelines.

The people up here that you'll be addressing your
comments to are Carol DeAngelis, Area Manager, Western
Colorado Area Office of the Bureau of Reclamation in Grand
Junction. Susannah Thomas is the Hearing Officer, and
she's with the Regional Solicitor, Salt Lake City.

Bernadette Tsosie, regional hydrologist, Navajo
area, Bureau of Indian Affairs. Rege Leach, he's the
Project Team Leader, Bureau of Reclamation, Western
Colorado Area office, Durango. Tanya Nims is the court
reporter taking down your comments. And Joanna Austin-
Manygoats is our interpreter.

And right now Susannah Thomas, the Hearing
Officer, will tell you the rules that we'll follow this
THE HEARING OFFICER: Good evening, and thank you for coming to this meeting tonight on this project. A public meeting is being conducted pursuant to the National Environmental Policy Act, which we refer to as NEPA. And the purpose of this meeting is to hear your comments, thoughts, and views on the proposed project.

The representatives of the federal government here today are prepared to take your comments and thoughts back to the decision-makers for this project. And while we are prepared to take your questions with regard to factual matters, we are not here to engage in discussions about the relative merits of this project or its alternatives as discussed in any of the discussions.

Simply put: We are here to listen.

Whether you choose to make your comments orally or provide us your comments in writing, they will both be considered equally. We will address all comments as part of the Final Environmental Impact Statement process.

We are aware that there is a connection between the project that is the subject of tonight's meeting and the overall settlement of the Nation's water rights claims on the San Juan River. We are also aware that there has been legislation introduced by Senators Bingaman and Domenici that would resolve the water rights settlement in
part by authorizing the construction of this project.

But as of this time, the administration has taken no official position with regard to the settlement. And because this meeting is about the project and not about the settlement, we ask that you direct any comments and concerns you have about the overall settlement to your elected officials.

We have, as mentioned, Joanna Austin-Manygoats here to interpret in Navajo for those who do not understand English or for those who prefer to speak in Navajo. So if you come up if you could let us know if you'd like that service, she'll be happy to help you out with that.

This meeting will end around 9 o'clock tonight so that everyone can get home at a reasonable hour. In order to do that, we ask that you limit your presentation to about 10 minutes. And we have Mr. Benson here to be our timekeeper, so if you could please observe his time notices, we would appreciate that.

What we will do tonight is we will hear from people in order of the list as they have signed in to speak. And before you begin your comments, we'd appreciate it if you could please come up here and use the mike so that our court reporter can hear you and that we can be sure to hear you too. And if you could state your
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1 name.
2 And then after we hear the comments from
3 everybody on the list, if time permits we will then
4 provide an opportunity for anyone else who may have
5 comments to come up. And, again, just state your name and
6 observe our timekeeper.
7 So without any further adieu, we will begin. Let
8 me get my list here. We will begin with Mr. Kee Ike
9 Yazzie.
10
11 STATEMENT BY KEE IKE YAZZIE
12
13 MR. YAZZIE: Good evening, Honored Panel, Council
14 Delegates, Chapter Officials and the community of Saint
15 Michaels and other residents of the Navajo Nation.
16 My name is Kee Ike Yazzie. I'm the
17 Administrative Services Officer for the Navajo Department
18 of Diné Education. And I'm here on behalf of Dr. Tommy
19 Lewis. I have a prepared statement which regards schools,
20 dormitories, and children.
21 The Department of Education strongly supports the
22 proposed Navajo-Gallup Water Supply Project because it
23 will benefit 165 schools, public schools, BIA-funded
24 schools, church schools, private schools located at
25 Shiprock, Crownpoint, Gallup, Window Rock, and Saint
26 Michaels area.
27 And the growth rates are as follows. Currently
we have 65,789 students in this region in grades K through 12. And the number will reach approximately 88,550 students over a 10-year period at the growth rate of 3 percent per year. Enrollment will reach 174,700 students by the year 2040 at the current growth rate of 3 percent per year.

We anticipate 15 new schools over the next 10-year period to accommodate the current growth rate that will bring the total number of schools to 185. We anticipate 45 new schools by the year 2040 to accommodate the current growth rate. It will bring the total number of schools to 210.

These schools are heavily dependent on water supply in order to offer a safe and clean learning environment. These schools cannot operate without water supply; therefore, alternative water sources are very critical and important for the benefit of our children and the future generation. Thank you.

I'll submit this written statement to you now.

THE HEARING OFFICER: Thank you, Mr. Yazzie.

Next, we'd like to hear from Mr. Ray Berchman.

STATEMENT BY RAY BERCHMAN

MR. BERCHMAN: Good afternoon and good evening.

For the record my name is Ray Berchman. I'm a member of the Navajo Nation Council serving Oak Springs and Saint
Before I go any further, one of our chapter officials from here, Saint Michaels Chapter, is here with us. She wasn't introduced. I guess she'd get mad if we don't introduce her, Effie Ashley.

I'd like to thank everybody from Water Commission and also the panel here. I don't know how your policy goes regarding your public hearing. Navajo Nation usually does it different. They invite all the chapter -- public for their opinions, questions, and everything. It seems like this public hearing is just to give the comment.

Recently, in our last chapter meeting, the people were having -- kind of questioning this public hearing that would be here this evening. And at the same time the public not here because of the kids' graduation this evening in Window Rock. The majority of the people from here, their kids goes to Window Rock High School.

So according to the last meeting that we had, we kind of discussed the public hearing, what is it about, and mostly the proposed project, the Navajo-Gallup Water Supply Project. And I think Mr. Michael Benson mentioned that to try to keep us separated with the Navajo water settlement. And I believe the Navajo Nation Council already approved that.

So the question we have is that we understand
we're in a water crisis. At this time we're being served by NTUA. And I believe we have 18 wells here in Window Rock, Coal Mine, and Navajo area, combined to a total of 26 -- I believe 26 wells. So the community is in need of water at this time.

And the report from NTUA is that their water supplies is declining at this time due to the H, the well that was drilled in Coal Mine area back in 1950's. So some of those wells has collapsed and is pretty expensive.

And they are pumping into Window Rock Reservoir here. And we have -- we're being supported by two areas, I believe, from Navajo, View Point, Water Well, which is alluvium. And I believe its water level is declining also.

The main producer we have is down in Hunters Point. The people try to keep that separate from Window Rock. And then in-house it was decided to run and hook up with Window Rock. So we're pumping our water from Hunters Point and the people wants to keep their port and at the same time Window Rock wells are drying up.

So these are some of the things at least to be mentioned to the people which we need to have water supply come in from Gallup to feed Window Rock, Fort Defiance, and Navajo and towards the switch of Hunters Point and Oak
Springs. Oak Springs and Hunters Point are now separate, but the plan is to intertie one area to feed the valley. And another connection where the chapter is working on is to -- to run the water line to some people up the road on the Highway 264 up in the mountains, at which we can't because of the elevation and the -- and the plan, we're lacking some fundings for that part, so. I believe all the community is known that -- about a water shortage, so the chapter is supporting the Gallup water supply for the area of Saint Michaels and Hunters Point, Oak Springs, which we represent. Those are some of the comments that I like to share with you and also from of the people. But the questions -- some of the questions remains unanswered, is the settlement part, which I don't think we would get into that at this time, the question from the constituents from Saint Michaels. That's all I want to share with you. Thank you.

THE HEARING OFFICER: Thank you, Mr. Berchman. As of this time we don't have anyone else signed up, so if anybody would like to come and address our panel here, we'd be happy to hear from you. And we're just going to be here for a while sitting here, so you're welcome to come up and talk to us.
STATEMENT BY STANLEY POLLACK

MR. POLLACK: Good evening and welcome to Saint Michaels Chapter. My name is Stanley Pollack, P-O-L-L-A-C-K. I am an attorney with the Navajo Nation. I work on water rights matters. I'm also a resident of Window Rock, Arizona. I've lived here for almost 22 years.

Window Rock has a declining water supply that, as Mr. Berchman pointed out, we are in desperate need of getting a renewable, reliable, sustainable source and supply of water for this area.

The San Juan Lateral -- excuse me. The PNM Diversion Alternative that's identified in the Draft Environmental Impact Statement for this project is the preferred alternative of the Navajo Nation. It's an alternative that I urge the secretary to issue a record of decision for.

Whether or not there is a New Mexico settlement of the Navajo Nation's water rights claims, the pipeline should be built. The Treaty of 1868 promised the Navajo people a permanent homeland on these lands here. Without a reliable supply of water, a permanent homeland will not be possible.

Whether or not the settlement goes through, I believe it's the federal government's obligation to
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1 provide such a water supply to the people on the Navajo
2 Reservation.
3
4 With that, I just want to thank the Bureau of
5 Reclamation and the Department of the Interior for holding
6 the hearing. I also want to thank especially the team
7 that put together the Draft Environmental Impact
8 Statement. I know it was a colossal undertaking. I know
9 it's a very complicated document. There are a lot of
10 different components that needed to be put in.
11
12 We were concerned that it might not be published
13 on time. We received a commitment from the Department of
14 the Interior that it would be published on March 30th.
15 And it was published on March 30th. So I really want to
16 express my appreciation to the Department for all their
17 hard work in getting this out.
18
19 THE HEARING OFFICER: Thank you, Mr. Pollack. We
20 appreciate that. We've had a few more people come in, so
21 I'm going to turn it back over to Mr. Benson.
22
23 MR. BENSON: Mr. Raymond Maxx, Navajo Nation
24 Council delegate from Tuba City. We're honored to have
25 you here.
26
27 Are there any other elected officials here that
28 we'd like to recognize, please introduce yourselves.
29
30 Thank you.
STATEMENT BY BRENNA CLANI

MS. CLANI: I'll just say a few words. My name is Brenna Clani, B-R-E-N-N-A, C-L-A-N-I. I'll speak in my individual capacity. I work for the Navajo Nation, but I'll be speaking just from my own experiences. I'm actually a graduate of Gallup High School. I graduated from Gallup High in 1994, and I grew up in Gallup. My dad had started working with the Bureau of Reclamation. I'm originally from Upper Fruitland. My family are farmers along the San Juan River. My mom currently farms about eight acres of land from using water from the San Juan River.

Having grown up in both areas, the need for water -- the need for water is just so important. Growing up in Gallup, I just saw so many things that made me wonder why -- why there was not an emphasis on water infrastructure on the Reservation.

In public rest rooms, at the places that I shopped, and gas stations, I would see people washing their hair, washing their babies. It was just a really sad sight to see on the weekends in Gallup people bathing themselves.

And I think as a result of that you had a lot of the chapter houses build showers so that people can bathe there. I've seen people and kids take showers in chapter
houses because they don't have running water in their homes. And I just think it's just such a shame to see that.

I've seen that growing up all my life. And I think that's the reason why I'm currently working in the field that I'm working in, which is water rights, to bring water to people. The reality of, you know, it's just hard to see some of these things when you're not living here on a daily basis.

But, you know, you always hear about people hauling water, but there's also people washing their hair and washing their clothes in these public rest rooms. And when you go to Gallup you always see signs in the bathrooms that the rest rooms are for customers only or that the toilets are closed because they're broken.

And I think that's because of the people needing to just wash their hands and become clean. But I just had to share that experience. I was thinking about this at the Gallup hearing. I remembered that.

And one of the other things that I remember too is I've gone to public school in both Gallup and I went one year here in Window Rock and I went back to the schools in Gallup. But I remember the taking all the Navajo kids out of the classroom checking for lice. And I had never experienced that before prior to that.
But I guess they were checking -- they would check my hair, both me and my sister and all the other kids in the classroom. They would have these combs and check your teeth and check your feet.

And I couldn't figure out why. And I told my mom. I said, "They were checking our hair for bugs." But I guess it was for health reasons. I think a lot of the kids there they were worried they couldn't clean themselves or they just didn't have the water there to bathe themselves.

But I support this project, and I think it's just really important. And I just wanted to share that experience with you. That it is a reality; that these things do happen. That people are not very conscientious because a lot of times in the press they are just talking about hauling water. But there's other things out there that people don't necessarily see in which I've experienced firsthand and which is why I think this project needs to be built.

THE HEARING OFFICER: Thank you, Ms. Clani. Is there anyone else at this time?

STATEMENT BY RAYMOND MAXX

MR. MAXX: I don't have a loud voice, so let me go ahead and try this microphone. It's sensitive.

There's a short somewhere.
I was introduced earlier, Raymond Maxx from Tuba City. It's way on the western side of the Navajo Nation. I represent Tuba City, Coal Mine Canyon as a Council Delegate. And I thank the Bureau for coming out and holding hearings in Navajo and taking comments and statements on the project.

I know this project that we have, you know, supported and approved, the settlement being of the governments, would benefit a lot of people. And, you know, we supported it with legislation. So that should send a message that, you know, this needs to be done. And we had a long debate and discussion on certain details and interests and concerns. And even though there's pros and cons, about the same, we supported it. So, you know, you can take that message back. And it should be approved, you know, all the way signed by the President.

And I don't want to see this project derailed through this legislative process by other entities from other states, other parties. This is a concern that we have.

And when we talk about water, there's a lot of, you know, interest in the water. Because, you know, out there in main stream people talk about water as gold, as being valuable. To us, you know, we don't think about
And, you know, we consider everything equal. You know, water, sky, the air, and the fire as something that will give life. The plants, the animals, and Mother Earth. So we don't really have, you know, a hierarchy where there's one supreme being. Everything is equal.

And, you know, we have ceremonies that would, you know, correct the harm or the violation of the, you know, laws that pertain to a concern like water. So if you violate the spirit or the laws of the water, we have ceremonies to address those.

And that just shows you how we think about water and how we consider it life. And a lot of our elders kind of get after us sometimes. We treat water as a negotiating tool sometimes. And they don't like to see us talk about it as something to say like a commodity, a resource.

So we have to kind of overcome these obstacles to get to where we are. So it's really, you know, nothing that -- that we did, you know, with just going into it just like free will. We have to consider a lot and address a lot to get to where we are right now.

So even with all those concerns by our traditional folks, this water will, you know, give life to
the Navajo land. And as you have heard, you know, our people haul water to survive right now, to make a home a home. And we don't have the luxury to shower everyday and, you know, waste water.

That's like it was expressed earlier, a lot of our -- for myself, I didn't know what a shower was until I went to boarding school. And that's probably the first time I ever took a bath or a shower.

And before that, we were brought up to conserve everything, even a tin can. It couldn't go to waste.

And, you know, we could make a barrel of -- a 50-gallon barrel of water last three weeks, even a month, that was provided for like a family of six or seven.

So, you know, we try to encourage, you know, our elders when they get modern plumbing -- like in our case, in my area we have the relocation. And when some of our elders are moved and they get housing benefits and they get their modern homes, they don't know -- it's kind of funny when you look at them. They don't want to turn on the faucet because it's going to go down and to them it goes to waste.

And so even then we try to encourage them to use the modern facility and enjoy what you have. They didn't have these before. So it takes them a long time to, you know, adjust.
So hopefully, you know, the remote areas will get water, and they can stop hauling the water. With the gas prices these days, boy, it’s tough on hauling the water. So, you know, with the spirit of the agreement, take it. You know, don’t let anybody derail it. I understand there’s some parties out there that are trying to do that already. You know, take a strong message to the powers to be, people that would consider it, and hopefully they'll approve it right away the recommendations that we're giving.

So, thank you. And I notice a lot of people to thank, you know, this settlement and the work that was done. A lot of thanks goes to a lot of people. And when it's finally done and we get water and actually see wet water, then we'll show our gratitude then. Thank you.

THE HEARING OFFICER: Thank you, Mr. Maxx. We appreciate that. Is there anyone else here at this time who would like to make any comments? Mr. Barney.

STATEMENT BY ALFRED BARNEY

MR. BARNEY: My name is Alfred Barney. I'm from -- represent Red Lake Chapter, just up the road 15 miles from here. And I also represent Sawmill Chapter, which is another 15 miles west of here.

(At this time, Mr. Barney spoke briefly in Navajo.)
MR. BARNEY: I appreciate being here. I apologize for being late. And, you know, like everybody else, I'm on the road most of the time. So I know the meeting was going on today. And my issue is that as a delegate and a representative of these chapters, I support the water line project and -- which means that it's going to give us what we need in the long run.

But I also have a concern on your drawing. Where the main pipeline is just going up to Saint Michaels, ends here. And I would like to recommend if there was a way that we can take it back up north, just a little bit further up, by Sawmill, which is only supplied by one well.

And it was up on the mountain where most of the region is mainly rock area. And they told us that they couldn't really dig any more wells because of all of the rocks or something, platform. And so we got Red Lake and Crystal up on -- in 12.

So I think as well as said before, water is life. And we'd like to sustain that water as much as we can to give us a better living. And I guess everybody said that the Navajo Nation is in need of water, where most of the families are still without water.

And with that I would like to see this project go through. And I know this is just an Environmental Impact
Statement but, you know, the concern that we have is our concern; and we would like to make this an issue, things that we can work with.

So with that, as a leader, I support the water line project. And I hope that it goes through soon and people can start utilizing this benefit. So with that, I would like to see if you can do a study where we can bring it a little bit closer to Red Lake, Crystal, and Sawmill.

And I know there's an infrastructure already between here and Crystal where you might just backfeed through those lines. But up in Sawmill there's no other line coming in. It's a small community where we're trying to be self-sustainable.

So that is my issue. And I know that the community people wanted me to come here and try to say something for them so they can get some benefits for this water line project.

THE HEARING OFFICER: Thank you, Mr. Barney.

Anyone else?

STATEMENT BYlena Fowler

MS. FOWLER: I'm Lena Fowler. I'm the Vice Chair of the Navajo Nation Water Rights Commission. And thank you for coming. You have all come from different directions, and you're making visits to various communities just to hear the -- to be patient and sit
there for -- from 6:00 to 9:00. That's a lot of patience for five minutes.

I thank you for your time and thank you. Thank you from the community and our leaders from various communities. I'm very happy that for they are all here.

We need -- we need water today. We need water in our communities, not only in this area, but throughout Navajo. But we do need water. This Navajo-Gallup Water Supply Project will really help us and the Cutter Lateral on the Eastern Navajo.

We have a drought as you know that's going on. We have been dealing with this for many years now. We have the water quality issues in these areas also. The water we need, we don't have treatment centers that -- so we need to make sure that we have quality water that comes to the communities.

Currently, we mine water. NTUA and some BIA wells that provide water to communities, they are mining water; and so, therefore, we're reducing water. We haul water. I have been making chapter visits and meeting with various organizations in this region. And people are hauling water.

We visit the Gallup water point and people by the truckloads -- I mean, trucks of water are being hauled out of there everyday. And which means that they have to buy
gas. Gas price is high. They have to buy new vehicles.

And so for people it becomes a family financial issue. And so a lot of times what happens is that since Navajos need vehicles, we're taken advantage of when we do buy vehicles with the high interest rates and everything else. So it just really becomes a bigger issue than just water. Just it's like a snowball effect.

We haul water for our families. We haul water for our livestock. So to sustain ourselves and our livestock is to feed ourselves. So we need the water for our family, so that we can stay healthy. It becomes a health issues.

We visit families that have -- that are supposed to have water to -- because they have a major health issue, but they can't have that, the water that is supposed to be required to take care of themselves, take care of their health issues.

So they end up having to go to the hospital even more so; therefore, the hospital care costs goes up. And we're supposed to be drinking eight cups of water a day, and we can't have eight cups of water a day in certain aspects.

We're supposed to be able to grow our own food so we can have -- eat healthy and not have all the pesticides and everything else that is out there. So that becomes an
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issue. And we don't have the water to farm or even have a
garden so, therefore, it's just -- it becomes a social
issue that we're facing here.

We have our children that -- that go to school.

Some of the schools do not have the water. They don't
have enough water. So that becomes an issue at the
schools.

We have economic development. Every politician
campaigns every campaign season on creating jobs and
economic development. Well, there is an issue there
because we don't have the infrastructure. And we don't
have the water to run through the infrastructure, even if
we put all kinds of pipelines everywhere so -- and
everyone mining water.

And NTUA in some certain communities, they are up
to capacity. So it's just like you turn this way, you
turn that way, and it's just we're all caught in a trap.

We support this. I support this project because
it provides sustainable water supply, a safe water
supply. And I believe that it will better the lives of
the Navajo people, and it will reduce healthcare costs.

And it will also -- it's also -- the other aspect
of this is that it has created partnerships between the
city of Gallup, the state of New Mexico, and other
nonNavajo communities and families.
And this is not just for Navajo Nation, but it will provide water to communities off Navajo. So we have the San Juan and we have the Cutter Lateral. I've traveled to various countries throughout the world. And what we have here I've seen in other countries. You go to villages in Peru and Russia and these places. They are in the same situation that we're in. But we are in the United States. But we are not in Phoenix. We're not in Tucson or some rural community outside of Indian country. We're in Indian country, and we don't have the water. And we are a lot like -- living a lot like indigenous people of the world that are in need of water and just basic needs to take care of themselves and the family. So I'd like to see that change. And I think this will bring us just the well-being of the Navajo Nation. It will uplift the Navajo Nation because it's good for all Navajos. I'm from Tuba City, Arizona. I'm not from this area. From Tuba City, so. But I see a lot of the same needs there as we do here, and here water pipelines are going to be coming through. Thank you.

THE HEARING OFFICER: Thank you, Ms. Fowler.

STATEMENT BY PERRY WILSON

MR. WILSON: Good evening to the Gallup Water Project Panel here this evening and then also to the
visiting staff here at the community of Saint Michaels. 

(At this time, Mr. Wilson spoke briefly in Navajo.)

MR. WILSON: I came here to get my concern and also the support from my community in reference to the water settlement that we have a panel for a public hearing this evening. The concern we have is water is life for all the human beings that we have we are considered as a Navajo Nation and for community members here for the Navajos.

So on behalf of my community we are concerned about and support an effort for the water settlement for getting the water to the Navajo Nation. The San Juan River Basin has support in other communities throughout the state of Arizona, California for the past many centuries, so we need to have this water being utilized with the Navajo people, which have every right to have that respect for the Navajo people to utilize the water here on the nation.

The reason behind it is there's a lot of it, even for many years, but 10-plus years we have a -- the national drought in our southwest here. It does have a big dictation over what we have a need for this water situation here and reason being for our livelihood as a Navajo Nation.
Healthwise, educationalwise we need this water to support it in effort to our livelihood, that we have the betterment of our lives here in our Navajo Nation, for our growing vast Navajo people here. So it starts with the infants up to the elderly. And now at this present time we're a growing nation everyday. We have newborns as well, so.

As well as for our farming efforts too, we have sort of dwindled down in farming, create our own small gardens for our own self and family. We haven't done it because of lack of moisture in our area.

In the wintertime we don't have the abundance of snow that we used to have snowfall annually, as well as the rainfall here in the summertime. So these are the things I see and probably people can testify to that behalf.

As well as some of the comments I hear and sit and listen to as the way we have lived in our lives. As I have seen a lot of these things in life, we don't have that abundance of rain to get a necessity to have running water in our each home, our hogans.

So now we see some of those things begin to prosper throughout our -- the way we live. And now we need to upgrade our things and put back the trust responsibility to the government themselves saying, "Hey,
you were supposed to provide us our education, health, and healthcare -- provide us for these water situations that we have."

So the support of this water issue is bringing water to the Reservation is a must for all of us right now. So these are the concerns I have. And so that's why I'm saying in our community we need to be included as like some of their constituents that have spoken here, Crystal, Sawmill, and Navajo and even down here in Saint Michaels area. We do have the water here.

These are the issues that I have. I'd like to thank you for the process you folks have made as well as the Navajo Nation and going forth with this project. I hope the sooner we get some of these resolved here and get this thing through the Senate and to the President of the United States to sign it back into our hands, we can try to get forward to do these settlement with our water needs on the Reservation.

So I thank you very much this evening.

THE HEARING OFFICER: Thank you, Mr. Wilson.

STATEMENT BY JEFF KIELY

MR. KIELY: I'm Jeff Kiely. I live in Gallup. And I've been inspired by some of my friends and colleagues this week to speak at one of these hearings, and this seems to be a good time for me.
I have just been reflecting that for the 30 years that I've been working with the Navajo people in this area and with the other peoples of this region, half of that time, 15 years, have been spent working on this project with some of the best people I have ever met in the world.

These are technical people, legal people, public policy officials. They have been Navajos, Jicarilla Apaches, and people from many other walks of life. It is probably the most complex project I have ever witnessed or been a part of. I've been a part of a lot of them.

I am an inlaw to the Navajos. And so I have -- in that capacity, I have been called upon to haul water for my mother-in-law. And I have visited virtually every one of the 110 chapters of the Navajo Nation. I have worked in many of them providing community development technical assistance.

And it has begun to occur to -- it has become clearer and clearer to me that this project represents an equity issue. I'd like to give you an anecdote. Sometime back I was running an operation on a rural Navajo property that didn't have running water and most of the area residents did not have running water.

And I had a visitor, and the visitor was a water operator from the City of Albuquerque. He's a water

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1 engineer. And he was used to with a flick of the switch
2 moving millions of gallons from one channel to another.
3 And so I asked him, I said, "Would you like a cup
4 of water?"
5 And he said, "Sure."
6 And I said, "Get in." And we got in the truck.
7 Had a bunch of 5-gallon drums in the back, a 55-gallon
8 drum in the back of the truck. We drove three and a half
9 miles to the well, the local well.
10 And I asked him to stand by the pump and start
11 pumping the water. And I got the 5-gallon drums and the
12 55-gallon drums out. He pumped the water into them. We
13 put them back in the truck, drove back to the campus.
14 I got a cup, and I poured a little bit of water
15 from one of the drums into the cup. And I said, "Here.
16 Here's your cup of water." I said, "That's the level of
17 effort it takes for people in these lands to get a cup of
18 water. And you live in a circumstance that is as
19 different from that as possible."
20 I also recently had occasion to take a trip south
21 of the border into Mexico to Rocky Point area. And a lot
22 of connections started to happen in my mind. We heard
23 last night in Crownpoint that some of the local residents
24 there talked about we can't keep good professional people
25 from outside because they want facilities that have water
like swimming pools, things like that.

And it occurred to me -- and we heard many other comments in which you heard about people coming to Gallup because that's where stuff happens, that's where infrastructure is, that's where water is. And down in Rocky Point, Mexico I saw the same thing. They are putting up resorts there, multimillion dollar resorts there.

And the Mexican people are watching all these people come in from North American, park their cars, and go into this exclusive area and play in water and have showers whenever they want to and everything. And yet the lives of these people have remained totally unchanged.

And then I come back here to northwest New Mexico, and it just hit me that we're experiencing a very similar thing. The rural Navajo people are seeing people flock into Gallup and play with water and leave and so on. But the water is still not coming to those communities. So they are not experiencing that kind of opportunity.

Over the years I have really felt a sense of grief over the loss of self-sustaining agriculture among many Navajo families. Out of the six or seven or eight families that I'm directly related to, now there is only one of them that is maintaining any level of self-
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1 sustaining agricultural activity.
2 And whereas the Navajo-Gallup Water Supply
3 Project is primarily municipal/industrial, it's still an
4 issue of water is life for the people of that area. And
5 it occurred to me also because I am a champion of rural
6 America that this is a precious rural population in this
7 part of the world.
8 And, you know, as reflecting on former Senator
9 Leonard Tsosie's comments last night about what would
10 happen if the United States Government denied this
11 project? What else would it deny in the lives of these
12 people?
13 And it seems to me that we would not only be
14 depriving the people of the Navajo Nation and city of
15 Gallup and all of the neighboring communities, we would be
16 denying America of this precious culture, of this precious
17 people who live in these lands.
18 Because we're seeing an out migration of our
19 young people. My two kids who are enrolled members of the
20 Navajo Nation are not thinking of staying home because the
21 opportunities are elsewhere. I would like to see America
22 commit to preserving the opportunity to have culture and
23 economy and opportunity and prosperity in this part of the
24 world. And water is central to that.
25 I had a couple of things, sort of themes that
I've noticed that I wanted to reflect on. And one is that in the past there has been a lot of mistrust and resentment between peoples in this area, prejudices, mistreatment of people in-between communities, racism, institutional racism, economic racism. We've seen lot of that.

I have sensed a shift. And I'm very sensitive to these issues myself being married to a woman within the Navajo community, being very active in all cultures in this area. I've sensed a shift. And I think this project, the Navajo-Gallup Water Supply Project, has been as important as any other thing I've seen to begin to build bridges and to heal relationships.

And we are now beginning to speak about a thing called the water commons. The water commons. This is water; it's life to all people regardless of their background, their color, their culture, their heritage. We're beginning to speak of the water commons.

The Gallup regional water system is being developed now as a service to the water commons, not just to the people of Gallup, which in the next couple of decades will be 50 percent Navajo people anyway. But we're beginning to speak about serving all people in that area.

So the Navajo-Gallup Water Supply Project
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it's built is going to have an infrastructure in the Gallup area that will move water through its wonderful system and move it out to Navajo communities. Unheard of 5 years ago, 10 years ago, 20 years ago. Unheard of. We have broken ground, laid pipe, and are looking forward this summer to water actually flowing in the homes of people living along Boardman Avenue in Gallup, just right on the edge of the city limits in Gallup. Gallup didn't have to do that, but now they want to do it as part of this partnership.

I think that on our steering committee for the Navajo-Gallup Water Supply Project, we've seen agencies, entities, state governments, tribal governments, city governments, bureaucracies. We've seen everybody come together. It's one of the most unified groups I have seen.

So I think that it's imperative that we advise our elected officials and our administrative officials in the United States Government, "Do not fail in this endeavor. Not here. Not now. And not on our watch."

Thank you.

STATEMENT BY RAY GILMORE

MR. GILMORE: Good evening from the Navajo Nation. I decided to talk, not wait until Farmington.
Sometimes I think about why people from Mexico come to America. Because of the opportunities. They are looking for jobs. Probably looking for a good place to live. And America is supposed to be the world of opportunity. Pursue your dream. Democracy. The world's greatest nation.

But here in America, in Arizona here, sometimes San Jose, Saint Michaels, Arizona -- I started saying Saint Michaels, Navajo Nation to express sovereignty. So also I have in my mind as I'm sitting back there listening to comments being made, as well as in Gallup and Crownpoint, there are graduations going on within the Navajo Nation and outside the Navajo Nation, Gallup, Crownpoint, Farmington. We have our Navajo children going there and graduating.

Where are they going? Well, there's two graduations here close to Window Rock. One is Window Rock High School, Window Rock Junior High, and then down the road, Sanders. Just there's an area known as New Land. Graduation going on. Navajo students graduating by the thousands. Where are they going?

Well, they may have a problem finding a job here. The opportunities are not all that like the rest of the world. They may not find a home because home for them -- like testimony given over in Crownpoint last
night, some houses were denied by HUD because there's no
water available. This is no different here.

So that's what's going through my mind this
evening as I'm sitting here. I welcome you to Saint
Michaels, Navajo Nation.

This land was set aside as Reservation for the
Navajo people in 1868. As part of the Treaty of 1868,
when the Indian Reservations were set aside, enough water,
sufficient amount of water to make the Reservation livable
for permanent homeland for them, for the Indian people,
was considered. Whether they are explicit or implicit in
the treaty, they are there, reading between the lines.

In order to have a permanent homeland -- and this
Saint Michaels, Window Rock, Oak Springs, Sawmill, Fort
Defiance, Red Lake, and other communities, includes the
Window Rock area, also like Crownpoint and Lake Valley,
Shiprock, and other communities in the New Mexico portion
of the Navajo Nation, that is Navajo homeland. And then
all this way to the west.

Two speakers you heard this evening, one is
Council Delegate from Tuba City, my brother Raymond Maxx,
and also my paternal relative Lena Fowler serving as
representative from Tuba City Agency. And I'm the
Chairperson of the Navajo Nation Water Rights Commission.

In order to have this homeland on our
Reservation, we need a sustainable supply of water, quality of water. The Navajo-Gallup project provides the best hope to provide a long-term water supply for the Navajos in New Mexico and in the Window Rock area.

You're welcome to go see Window Rock just across the valley. It will take you about maybe 10 to 12 minutes to drive there. If you haven't been there, take a look.

That's the headquarter.

We have two council members here. Mr. Berchman, he said something and he left. And Mr. Raymond Maxx. We have 108 chapters -- or 110 chapters and council delegates representing those chapters on the Navajo Nation.

The Navajo Nation Water Rights Commission is authorized -- or rather, given mandate to pursue the water rights on behalf of the Navajo Nation aggressively within the three states, New Mexico, Arizona, and Utah. And we're doing it.

This is one important piece of the settlement in New Mexico. And as I said, it is the best hope not only for Navajo and for Jicarilla Apache Nation and Gallup, there are other nonNavajo people. Their interests are protected in the settlement agreement.

So the Water Rights Commission supports the project as an important component of the overall Navajo Nation water development plan. We encourage each chapter,
110 chapters, on the Navajo Nation to begin -- or some of them already did -- thinking and planning and putting a chapter water development plan together.

I believe I said this one time in Gallup that some families along the Boardman Road to the university where we were a couple evenings ago -- and this is the quotation coming from my younger brother Mike Benson. He heard a comment by a young lady there living in a trailer that she bought a washing machine hoping that the water is coming soon.

And all these years her kids were going somewhere. Right in Gallup going to school. But water has to come from somewhere within city limit. Rain, snow, windy, hot. They had to haul water to bring it into the trailer.

The Navajo Nation Water Rights Commission is committed to working collaboratively with our neighbors. I believe our neighbor is the city of Gallup, Jicarilla Apache Nation. We're neighbors to each other here on the Navajo Nation.

We may be seeing or heard about the boundaries between us, state lines, chapter boundaries, BIA boundary lines, but I have trouble recognizing it. What are they for? I think some of those lines just hinders our effort, laws, and policies.
Those neighbors in New Mexico along the San Juan River, city of Farmington, Bloomfield, we consider them as our neighbors; and their interests are protected. And we need their support, just like we are supporting them. And through the settlement agreement, I think it's fair. I think it's -- it's in the best interest of mankind out here. Just a human thing to do, to help each other, respect each other, work together, and make something happen.

The Jicarilla Apache Nation also wants to develop a regional water supply for the region in the northwest New Mexico and Navajo Nation. So we're speaking for -- I'm speaking on behalf of the Navajo Nation as chairperson and the chapters out here.

I've been to several chapters out here in Arizona and New Mexico with Chairperson of the Navajo Nation Water Rights Commission, other Water Rights Commission members, Water Management Branch, Mr. Benson, when the settlement was being put together. The documents were made public.

My sister also, Bernadette, I accompanied her.

I pick up a lot and I learned a lot. And I begin to understand that these -- we are in a situation that we are in dire need for water because in the next few years or decade, the prediction is that the amount of moisture we get from above, or the snow or the rain, may be less
than drought, what happens to us in the southwest to our water, our food, fresh water.

So we're thinking that far ahead with others and coming together and make this project to happen. We support that. We welcome you to Saint Michaels. Thank you for your time.

THE HEARING OFFICER: Thank you, Mr. Gilmore. Is there anyone else? Please.

STATEMENT BY KATIE GILBERT

MS. GILBERT: Hello. My name is Katie Gilbert. I am also a member of the Water Rights Commission for the tribe. There are seven commissioners. I'm one of them. There's a couple others here that you heard from. I just would like to say -- I would like to first of all start out by reiterating some of the comments that were made last night at the Crownpoint Chapter House.

We did have a public hearing there. And in that same spirit there was a lot of Navajo individuals, elderlies. There was a lot of community residents from throughout the Crownpoint area, the Smith Lake area, the Casamera.

Some of those individuals will benefit directly from the water pipeline. And some of those individuals are -- live kind of aways from the main watering centers that will take place. But those community members that
won't directly benefit will still indirectly benefit. And their spirits as far as support for this project was really positive. So in that same spirit.

I am from Sanders, Arizona. I actually grew up pretty close to I-40. Sanders is about 20 minutes south of here and right alongside the I-40, which runs from I guess east to west. I did grow up like 15 minutes away from I-40. But just 15 minutes from I-40, we did have to haul water.

I grew up in the Sanders community. The Navajo community is Burnt Water, Arizona, the Wide Ruins, Ganado. You might have toured some of those places just within the last week. I grew up in those communities. And my parents raised us -- my family there in the community of Burnt Water, Wide Ruins, just kind of in that neck of woods. Can't really -- there's not a word for where I grew up. We just kind of grew up in Burnt Water, in that area. But we did have to haul water.

I grew up watching my grandparents haul water. I grew up watching my uncles, my aunts, and my relatives -- everybody hauled water. So I guess I have observed that firsthand. I probably have wrestled a 55-gallon drum myself in one of those times. But I just want to say that that's where I'm from.

And according to this project, you know, there's
two main lines, regional preferred alternatives, for this pipeline project. Even though my community is away from that, I still have -- I'm very supportive of this project.

I think that this project will, you know, create infrastructure from that. Because the project is so close to us, we will see the benefits of the project and we will also get, you know, the benefits of some of that project. So, that's where I'm from.

I just want to also add that that was my experience growing up. And then, of course, I moved away from home after graduating from high school. As our chair said, we see a lot of our young people graduating tonight. They will also leave.

But I grew up on the Reservation and then moved off the Reservation, got my college degree. And I really find it hard to move home because there's no water distribution system at my -- near my home. I would have to probably haul water again.

And I probably could afford to, but I'm a school teacher by profession; and school teachers don't make a lot of money. So I would probably end up spending a disproportionate amount of my income on hauling water and that -- my desire is not to do that.

You know, my desire is to be able to live off the

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Reservation. And I don't encourage that, but I just feel like I had to make that hard choice of living off the Reservation and living in a border town where I feel like I can, you know, develop, build a life and build a family and whatnot.

So I just want to just kind of reiterate some of those points that I heard from other elderlies that kind of share a similar story to my story. So that's my experience and my background as far as hauling water.

Like I said, I'm a water commissioner and by profession I'm a high school teacher. So I work with high school students, and I've been a teacher for many, many years. And I guess that's where my biggest concern is.

I watch a lot of young people. I hear from a lot of young people. And their first desire is to not go back to the Reservation. And so my concern is the migration rate, the high migration of our young people.

I would like to say that I know it is -- I know it's a heartfelt desire on the parts of our young people, our young community to return to the Reservation and offer their resources after they leave the Reservation. So though the migration rate is rising and increasing, I still believe that our young people will return home to build a life and build a home and have families here. Because I'm like that myself. I'll
probably return to a hogan near where I grew up when I'm all old and gray, even though I'm already there. But a little bit older and gray.

But I just -- well, I guess I just observe a lot of young people having the desire to leave the Reservation. And I think that the building of this pipeline is very timely. The building of this pipeline will make it to where our young people will be able to see that there is a pipeline and see that there is, you know, some infrastructure being -- taking place. And I think that our young people will, you know, when they see that, they'll be motivated. And they'll be able to return home.

And which their desire to come home and benefit from the pipeline will -- and then, you know, it will -- subsequently, it will increase the growth of our nation. It will boost our economic development because our young people will come home and use their resources and their education here on their homelands.

And having our resources and having an increased capital of our young people will also catapult other things like economic development growth in this area. So that's my concern is just migration rate.

So I just would really like to -- from my observation, from my perspective I feel like this
pipeline, these major pipelines will -- will kind of reverse our migration rate. You know, it will kind of slow it down because I know it's in the heart of the young people to, you know, to be home and to be here, to have their families here.

Another concern is -- I'm a math teacher and I've taught math for many years. But I also have -- have to supplement my lesson planning with water education. So I take my students whenever I get a chance to the river, the San Juan River. I teach in Kirtland, New Mexico, which is two hours north of here.

But where our school is situated like 10, 15 miles from -- or I'm sorry, 10-, 15-minute walk from the river. And so I take my students to the river, and we do water quality testing. We test for chemical parameters. And that's to expose the students to the water quality and the education in water quality and whatnot.

And when I take my students to the river, you know, that exposure, the students begin to understand that, hey, the water quality is poor here. The water quality is -- is poor. And that along with our elders recognizing that from last night our -- just listening to the elders at Crownpoint last night, many of those elders are also aware that the water quality is bad.

So the young people understand water quality with
the education that I give them and also our elderlies understand the water quality is really bad. We have an increased awareness of the fact that our water quality isn't all that good. So we need to supplement it with the surface water. Our groundwaters in this area we understand from our own education and our own awareness as well as education of our water resources people -- we have a lot of water resources folks here that have informed us and given us technical knowledges on the poor water quality. So, you know, understanding all that, I think that, you know, we all understand the importance of bringing surface water because our groundwaters are contaminated. And since we're dependent on our groundwater, we are glad that we -- anticipate the coming of this water pipeline, this surface water. So because of that reason too we're in support of it.

I also want to say that I know that just kind of being on the Water Commission for over several years, I've learned that there's major pipelines, like there's a -- the Utah state has a proposal to build a pipeline from Lake Powell to the southern -- along the southern part of the state to communities like Saint George. That's a major pipeline that's being built to give water to rural
residents from the Colorado River.

And then there's other pipelines that take water from the Colorado River to -- well, there's the one biggest pipeline project in Arizona is the water that goes from -- is it Lake Meade or Lake Powell? I think it's Lake Meade. It goes to the Phoenix area to build those big, huge urban centers, metropolitan centers, you know? Those people have the benefits of this water pipeline.

So I think it's only timely and I think it's only right. I think it's, you know, opportunistic for us to have our pipeline from the San Juan River being piped down to Gallup.

So just seeing all these major pipeline proposals for other states -- and in other states, I think that, you know, as far as some of these -- somebody said something about equity issues. This pipeline will, you know, we can benefit from this pipeline. It will increase our population. It will increase our economic growth.

So I know my thoughts are kind of scattered. I was also ready to speak up in Farmington. But my thoughts are kind of scattered, but I hope I brought out a couple of points, those points being that our -- it will stop the migration rate of our young people off the Reservation.

Because the pipeline is, you know, it's just great timing that it's happening now. Also the water
quality of our groundwater is bad and we need to
supplement it with surface water.
And then also that this is an opportunity for us
to have this pipeline so that we can build our communities
and build our homes and build our permanent homes here
and, you know, and be able to stay home and be home.
That's -- that's what I'd like to share.
And like I said, my thoughts are kind of
scattered, but I hope that -- I hope that I put across a
couple of points that I have wanted to share with you
folks.
So my last word is just that this pipeline will
empower us, and I think we can empower ourselves. Thanks
for your time. Thanks for coming out. And you've seen
firsthand the stories of our elders. You've seen
firsthand some of the small water projects. And I'm
really thankful. Thank you.
THE HEARING OFFICER: Thank you, Ms. Gilbert.
STATEMENT BY KENNETH BEGAY
MR. BEGAY: I too decided to go ahead and speak
here because I feel it's appropriate to do so here. My
name is Kenneth Begay. I'm 100 percent Navajo. A gut
eater, I guess you can say. I told a friend one time in
Colorado that Navajos, they consume the entire sheep. He
looked at me. He said, "Everything?"
"Yeah. Everything that I can cook and digest, yes." So, anyway.

I guess I am speaking as a Navajo citizen, tribal member, and also as an employee of the Navajo Tribal Utility Board. I came about in the Four Corners area around Tees Nos Pos. And I've lived here, schooled here, worked here all my 50-plus years on Navajo. I'm very happy to be here on Navajo.

And I myself as a child had to carry buckets of water so we can fill our water barrel up in the Four Corner area when I was young. And just imagine the hot weather and the cold weather that we had to carry buckets of water two miles from the well back to the house.

I was about 22 years old before my dear mother was able to enjoy the convenient of running water in her house. And then basically the question, why is this? And there's probably people along your project, this project here, that still years and years without running water at their home. And, basically, why the hardship for our people?

And basically we call the United States the land of opportunity, and yet we don't have this convenient for some of our Navajo people. I was somewhat a inlaw in Burnham one time, and I remember we used to have a -- we had a water line there. And it was ran by a chapter there...
I remember that water was really bitter. I guess it had a lot of sodium in it or something. And basically we would consume it because it was there. And one time I was over visiting my doctor and he asked me, "Why do you have this scar here?"

"Well, I took my gallstone out."

And he says, "How old were you?"

And I says, "I was about 22."

And he said, "Gosh, that's really young, too young to have a gallstone removed."

I kind of speak back -- back to those times. Right now I'm being treated for high blood pressure. And I don't mean to speak of my illness on everyone, but perhaps these are causes of our illness and health issues because of the quality of the water we don't have.

In my young days, I remember water was pretty plentiful. I remember a time when we went planting this time of the year while -- the harvest time. It was a joyful time, a time when I used to herd sheep in Red Mesa area. Basically, we had the livestock dams were overflowing after a very hard rain. And to this day we just don't have those no more. And you can see the need for water. Water is life.

I've been down around Phoenix and part of the
Colorado -- not Colorado, either way along the Colorado River that -- between Arizona and California. And every time we drive by there you see the agriculture down there as far as abundance, I guess.

And yet some of this water is coming off the Navajo. And yet when we come back here, we don't have that water. And I think this nation, at least the Navajo Nation, and I speak for Gallup because, you know, Gallup helped me to live a life. And I appreciate that. And I think it's deserving to bring the project in.

Of course as an employee of the NTUA, I guess I speak as an employee, maybe for my employees, and perhaps for my customers. I don't know if you've ever seen the movie The Good, the Bad, and the Ugly where the movie started with a kid on a donkey going around in circles, you know, trying to get water to come out of the well and move to I guess a pipeline.

Last night I was coming back from Crownpoint and I says, "How would I tell what our system looks like."

And I says, "Gosh, this is how it is." And then, "It's not fair. I really don't think that's fair." I'd sure like to get rid of that donkey and put a big motor on it and move the water; that's what I'd like to see. I think our customer would appreciate that.

You know, the other district up in Shiprock area,
they are very fortunate because they buy water from City of Farmington. And I'd like to serve my people up here in the same -- in the same way. Good quality water. And I think in my opinion the project is certainly bringing a lot of opportunity for everybody, not only the Navajo Nation but everybody that's surrounding the Navajo Nation, at least on this side. So I really encourage you to keep on top of this and keep the project moving forward.

One other issue that sort of bothers me a lot is a lot of our wells are shutting down because either we're at that point in the water level where we're beginning to see some contaminants in our water system. And basically that's -- that's a big concern.

And we have to spend more money just to filter them out or we just have to shut them down and have work one or two of our wells as far as maybe 24 hours a day, 7 days a week, you know. So these are some of the issues that I'd like to at least present here.

I can go on and on, but I think you've heard quite a bit the last two evenings and of course this evening. You know, I don't think elders should suffer having to haul water. Period.

You know, just looking back at my mom, you know, she was probably getting into her 50's before she had even
enjoyed a convenient of running water. And, again, it's just probably sooner along with the project.

And I think one gentleman also indicated last night that we would like to enjoy the convenience as people do off Navajo. The green lawn, I think that's sort of what we relate to. I'd like to see that.

A guy says, "I live two miles from Crownpoint, and I don't even have a connected water system -- or connected to a water system." And a lot of economic development can be happening also.

But yet we have to tell either the Nation or the project sponsor that we don't have enough to serve your project, it shouldn't be. It shouldn't be. We need to progress as a nation, the whole nation and surrounding neighbors.

Contamination, it's happening. We've got so many regulations hitting us left and right. And we struggle to maintain within those limits. But if you -- if your water is down to the level where there's no way you can filter those contaminates, we have no choice but to shut it down.

So this project hopefully can replace some of those wells. Maybe we can start using those wells to start doing our planning for our livestock, and then that's an idea.
Comment PH-03 – continued

1 Last, I want to speak -- I'd like to say that I
2 think a majority of the people that came up here spoke
3 from the heart. You know, this is what we struggle with.
4 We need to be treated as people too.
5 You know, the United States Government promises.
6 And sometimes we kind of I guess in a way have ill
7 feelings when Native Americans sort of speak the fact
8 that, "Here's the treaty. Please honor as you promised."
9 I feel the same too. And, again, in the land of
10 opportunity, why is our Navajo people suffering in this
11 manner?
12 And last, as I was saying, we spoke from the
13 heart. Please, deliver our message and our concern from
14 your heart to the United States Government. Thank you.
15 THE HEARING OFFICER: Thank you, Mr. Begay.
16 
17 STATEMENT BY TERESA SHOWE
18 
19 MS. SHOWE: My name is Teresa Showe, and I work
20 for the Navajo Department of Water Resources. And I guess
21 I'd like to tell you about my experiences living here in
22 the Navajo Nation.
23 Actually, I grew up with a faucet. I grew up in
24 Los Angeles, California. My parents relocated from the
25 Navajo Reservation in the '50s to Los Angeles. I came
26 back as a teenager to the Navajo Reservation in Ganado,
But now I haul water. I've been hauling water because we moved to a location in Fort Defiance where my husband lives. And I just promised us a water line ever since we moved there. The water line is in, but the water is not in the pipe yet.

I tell my kids many, many times we live in the best place in the world. We have no tornados. We have no tsunamis. We don't have major floods. But we just don't have no water. We don't even have smog here.

My dad and -- I've met many retirees. They like to come home. But there's no infrastructure. There's no water for them. So, you know, I think the water line will benefit many, many Navajo people. You know, I haul water for many years.

I have relatives who are poor because maybe of alcoholism or other circumstances. You know, so they don't get their water from a tap. They get it to the nearest livestock well. And on those livestock wells it says, "Do not haul water for domestic purposes."

But they are poor. And with the price of gasoline nowadays, they have to go to the nearest source. So we may see an increase in health problems.

One of my friends and I are farmers down in Ganado. We have a -- we used to have a harvest festival there, and it was pretty wholesome. And, you know, it
concluded a couple years ago. But he and I -- we invested
in a water dunker.

We haven't brought it out of the shed because
people -- it's been a drought year; people say, "You're
going to waste water." So we can't even bring that water
dunker out. I mean, it's a fun time of the year during
harvest, but it's just parked in the garage there.

I think, you know, for -- there's not many of us
urban Indians, so to speak, that come home; but there are
a few of us. And we do live with different hardships
because we did not grow up here like our relatives did.

And we aren't looked upon differently in some
cases. Some cases they think we're more educated. But we
share just the same hardship as they do at a different
time frame.

As a farmer, you know, I just do it because I
can't speak the language. So one of my -- I guess my
contributions to the Navajo Nation is growing corn,
traditional corn. So it's not that, you know -- so
because corn is very important to the culture along with
the other crops. You see it on the Navajo Nation flag and
other areas. So that's my contribution.

And, of course, the corn here doesn't use as much
water but it does need water. And, you know, I try to
continue proliferating that particular piece of the
1 culture. It's not a hobby. You know, I think it's part
2 of us. It's who we are.
3 And I think this water line I know, as Mr. Kiely
4 has said, it's not for agriculture. But I think a lot of
5 small gardens, home gardens will be sprouting up behind
6 people's yards just to keep the culture alive. Thank you.
7 THE HEARING OFFICER: Thank you, Ms. Showe.
8 Anyone else that would like to speak? Yes, please come.
9 FURTHER STATEMENT BY ALFRED BARNEY
10 MR. BARNEY: Thank you for giving me the
11 privilege again. Like I said before, my name is Alfred
12 Barney. And since this is a public hearing on the
13 Environmental Draft Impact Statement, I would like to -- I
14 was going through your book here. And I had a concern on
15 it. And the thing is like I said before, I'll support the
16 project.
17 And when these two are completed in 2040, where
18 it says it's going to serve 250,000 people along the
19 pipeline, and with the way your estimate cost is, there's
20 always a good and a bad to everything. And most of the
21 things you see here is the good side.
22 I would like to see something on the negative
23 side. All it says it will impact the habitats, the
24 wildlife and the plants. But looking through your --
25 looking at the project costs and constructionwise, all it
Comment PH-03 – continued

1 says is the treatment plant and so many miles of
2 pipeline. And it doesn't say if it's going to be
3 underground or above ground, in the air, you know.
4 And I would like to stress that more safety
5 precautions are put into the planning. See, you're going
6 to be serving 250,000 maybe up to 300,000 people. And if
7 this water line, the pipeline, isn't secure or safety
8 precaution from the bad people, you're going to close
9 300,000 people.
10 So we'd like to see all the safety devices that
11 can be implanted into this system. And we don't know what
12 size the pipeline is going to be and regulators going to
13 be installed. Or maybe you might have some substation in
14 it.
15 But, you know, I would like to stress that more
16 safety elements are put into the system to protect
17 everyone that's going to be utilizing the system. And as
18 the Hearing Officer, Commissioners, I would like to
19 appreciate and express, you know -- request to the
20 Department of the Interior Secretary to push on this
21 project, support our projects.
22 And I think it would be better -- it would help
23 too if our Water Commissioners from here can do a petition
24 drive where we can send it to our leaders, governors or
25 legislatures, senators, and everything. So that will be
1 to get more support on this project.
2
3 (Mr. Barney spoke briefly in Navajo at this time.)
4
5 THE HEARING OFFICER: Thank you, Mr. Barney.

6 (Mr. Barney spoke briefly in Navajo at this time.)

7 THE HEARING OFFICER: Would anyone else like an opportunity to give us their comments? We'll turn the time back to Mr. Benson for a moment.

8 MR. BENSON: No. I would like to say something.

9 THE HEARING OFFICER: Oh, you'd like to speak.

10 So, I'm going to give Mr. Benson the floor to speak, then.

11 STATEMENT BY MICHAEL BENSON

12 MR. BENSON: I'm going to give myself all the time I need.

13 Michael Benson is my name. I am a voter at Two Grey Hills Chapter, one of the chapters to be served by this project. And I fully agree that this project is needed. But I wanted to take this opportunity to practice answering some of the racist ideas that will come up in the Farmington area.

14 One of the things that those people will say and that they are saying is that even if we build those large pipelines, it won't do much good for the Navajos because there's no local water lines to take water to the homes.

15 I guess if you're a racist, you don't think rationally. What do they think? Do they think that when
those pipelines come, the Navajos are just going to sit there and look at them? No. We're going to use water like everybody else does. When they see water, when water is available, we'll use it.

You heard at the hearings last night at Crownpoint, people from, oh, three, four chapters saying that if there was a water supply, they would get a housing project from HUD. That tells you that if the water was there, there would be homes built with plumbing and water coming out of faucets to keep people healthy, to live in a modern way.

And the Navajo people want to live that way. They like living rurally, but then you heard them say they want these housing projects. Maybe they'll have their ranches, but they'll have these houses with modern conveniences that they'll live in as well.

There's a project that was built right across the road called Karigan Estates, and I understand that it filled up right away. And now there's a waiting list. So Navajos will come from their rural areas. And they don't mind living close to each other where there's water systems.

So if the pipe -- the big pipelines are built, there will be more housing projects built by HUD. And Navajos are smart. They'll do things with that water.
The Navajo Nation is using its own money to build water lines now.

Recently, the Navajo Nation Council funded a long water line to Navajo Mountain in Arizona and Utah. And that's going to cost $1.5 million. That shows the resolve of the Navajo Government, to take water to where Navajos live.

So if these big pipelines full of water come, we'll know what to do with it. And if these people around Farmington weren't racists, they would see that we're just like them. We think. We can do things. And when this water comes, we'll use it. We'll build our economy. We'll build homes with running water. And our people will be healthier.

I've been asking people that I work with, I say, "We need to sit down and talk back -- figure out a way to talk back to these people that are saying that we don't need these water lines." And we haven't done it. And just tonight I came up with some of these thoughts.

And it's racism. You know, what do they think? They think we are not like them. They think that if there's water in a big pipeline we won't know what to do with it.

Yet you've been hearing all these NTUA personnel. Last night, you heard like three or four of
them. You notice how technical they were. They know what
to do with water. So don't believe those racists in
Farmington.

THE HEARING OFFICER: Thank you, Mr. Benson.

Well, it appears we've heard from everybody here who would
like to speak, but is there anybody else? Please come up.

STATEMENT BY EFFIE ASHLEY

MS. ASHLEY: Good evening, Panel. Thank you for
coming here. My name is Effie Ashley. I'm a
representative of this chapter, Secretary/Treasurer. And
I'm thankful that you all came here tonight for this
public hearing regarding the water line. And we'll be
appreciative if you could help us bring the water line to
here and first of my brother's place, Alfred Barney.

And I have great concern for the other
communities if they can't get the water line as well as we
do. So I'm in support -- what I'm saying is I'm just in
support of this project. So on behalf of my people, I've
been thanking you for making the connection with whoever
that will be working on this, so -- worked very hard.

And then it's been going on -- I hear about this
topic for some time. It's on again, on again, you know.
And so I was kind of concerned about it, but I was very
happy the fact that you came here and you've come here,
so.
I just want to tell you about my background, my story as a young girl, how hard a hardship it was to have to haul water, even just to do laundry. Where a young girl, we -- my cousins and I, we -- they are on the southwest of -- at Navajo Nation fairgrounds. That's where my mother's homestead is and my grandfather and my other relatives.

And so my cousin and I used to build a fire and -- right along the wash and then after the rain, we would get the water from the wash and beat it up and then boil water and then do our laundry there and put our clothes there on the -- on the fence and then to dry. So I remember this very well.

And at the time I was -- I didn't consider it as a hardship because I was a young girl, and I enjoyed being with my relatives and sharing chores at that time.

As I got older, it was such a hardship how my grandfather and I had to get on the wagon to go a long ways from -- it's about two or three miles through Saint Michaels over here, mission. There is an old windmill -- or where we used to get water there, just my grandfather and I.

So I remembered those times that I spent with my grandfather, which was a joyous time but then at the same time as a hardship though.
And I went off the Reservation to a boarding school up in Utah and -- where -- where I took showers and slept in a warm bed. That was a -- really a treat, and that was life. So, I stayed there. Well, I went there, completed my primary program is what they called it in Utah at the time.

And I got married there and start having children. I have six kids now, but they are all grown now. I have grandchildren, great grandchildren, so. And when my six children left, they were older. I decided to come back. My intention was always to come back because my Mabel was buried here.

And my ex-husband didn't want to come and move back here because he said there was nothing. No water, no jobs, no nothing. But my desire was to come back. Like I said, my Mabel was buried here, and I'm from here. Even though there was nothing here. Just nothing but dirt and weeds and no water. Nothing here. I still wanted to come back, so I did.

After 25 years, I came back here and got a job in Fort Defiance and went there and worked for General Dynamic for several years. 1998 there was a big layoff, so I was one of them and by that time I got my homesite there, my late father's homestead.

So, my spouse and I build a hogan. And we had to
he haul water from over here in the mission from the well.
2 We didn't mind. That was life for me. I didn't have to
3 mind hauling water but because only I didn't have to do
4 it; he had to do it. He didn't mind. He didn't
5 complain.
6 And but we wanted to build a house, and so we
7 could have running water. So which we did. And then of
8 course to build this house it took us a long time, just
9 when money was available to buy materials to buy things
10 for the house and finish building it.
11 After 10 years maybe we finally got it completed,
12 but right along after we got our hogan built, we -- I
13 started working with IHS. I keep -- I keep going over
14 there and trying to move fast and bring the water line to
15 us. But they said that we had to have a house. So which
16 we had to work on it, you know, to start building.
17 Finally, at two years ago, they brought the water
18 line to us. So we completed the house recently and then
19 about a year ago, but since then, we haven't actually
20 moved in there because the winter was still here and it
21 was cold. And we just stayed in the hogan.
22 But whenever I go into the house, take a shower,
23 you know how you first turn on the water, the water is
24 cold? So I try to preserve that cold running water first
25 until the hot water comes on, and I save that water.
That's how conservative I am. Water is so precious to me.

And as far as for the hogan, he's there, goes and get the water from the well. And then there's, of course, there's the price issue with the NTUA where they cost so much where it's just cheaper to get the water from the well. So we still haul water.

And then -- but now there's the gas issue, the price of it. So but we still haul water, you know, to water our trees and stuff like that. But we won't dare and waste our house water on such thing. We even put a washing machine in the house, but I have never turned it on. I still take my laundry to the laundromat.

So I'm just making a point of how precious water is here. So, just grateful for that. It's now finally going to become a reality that you actually will bring it to Saint Michaels here. So I'm very proud. And then hopefully that we'll be able to share with other communities from there.

And this is that I just share my life stories of this hardship of having -- not having any water. Of course, my children -- I have five still living in Ogden, Utah. And then one in Fort Pierce, Florida, where there's a lot of water right next door, the beach.

And then every time I go to Utah to visit my
children, my grandchildren will be playing on the lawn or
spraying water on each other; and I kind of kidded
jokingly and say to them, "Don't waste water. You waste
water here and I don't get any down in Arizona." So they
just laugh.
And I'm just trying to make the point that my
people will appreciate it. You know, they all have a hard
time. Some people don't even have a bathroom addition.
That is another problem here with our communities.
Because there's no bathroom addition, then you can't bring
the water line to their homes. So there's one thing after
another.
They are talking about infrastructures, the water
line, and stuff like that, but we have to get the fundings
first. If there's no funding, we can't work on these
projects.
(At this time, Ms. Ashley spoke in Navajo.)
MS. ASHLEY: This is all I wanted to share with
you, my short story on my life as a young girl hauling
water. Water is very precious for us. It's going to be a
reality. And I thank you again tonight.
THE HEARING OFFICER: Thank you, Ms. Ashley.
Anyone else who would like to speak?
FURTHER STATEMENT BY KEE IKE YAZZIE
MR. YAZZIE: Again, my name is Kee Ike Yazzie.
I'm a member of this chapter. And I went to school here at Saint Michaels Catholic School. I live here and I work here. And I'm over 50 years old.

And I would like to say ditto to everything that the people said. Two gentleman alluded to the Treaty of 1868. To me, that 1868 is a reality today. It's still a reality, even though the Treaty of 1868 was signed between the Navajo Nation and the government, 140 years almost. It will be 2008 next year.

As a college-educated person, as a professional person, that's still a reality today. I have relatives that still haul water, that still live in a rural area. When the census takers came to take a census -- if you look at a census paper, it said in there, do you have indoor plumbing; do you have a rest room; do you have a garage; do you have a cell phone; do you have a computer?

They use those concepts to say that we were living in poverty. We weren't up to standards. My grandmother, my relatives to this day, if you go to their hogan with the earth and floor, built out of logs with a dirt roof, with a wood stove, her house is clean. Her dishes are clean. Her bedding in the west side is clean. Her blankets are clean. She doesn't have mice infestations. She doesn't have bugs. We have people still living in that condition, but we are not poverty
But the reality of 1868 within our own country still prevails. All what the people have said tonight, it's a reality. And yet this power line goes down to Tucson, Phoenix, to California, Nevada, Las Vegas. Now the people of Texas want our water.

They have a water commission within the state of Arizona -- I don't think the Navajo Nation is a part of that commission -- to sell the San Juan, the Colorado River water to all these states.

The Treaty of 1868 is still a reality today. We do not have roads. We do not have a infrastructure. We want to build our own Navajo Nation, but we can't because the infrastructure is missing.

We do not have roads for the bus transportation for our children. They miss school. They miss out on homework. They miss out on the opportunities of education. Yet they say our children are ignorant.

We just do not have the opportunities that the outside society have. They have access to libraries, to water, to parks, to restaurants, swimming pools, libraries. That's the reality of the Navajo Nation. But we still live it today.

Water is a luxury to us. In the wintertime we used to melt the snow to heat it, to bathe ourselves, to
wash our dishes. Haul the water to drink. We still do that today.

When the thunderstorms come in the summertime, we get the shampoo, the soap, and the wash rag; and we would shower under the thunderstorms outside on the porch.

That's how we live. But yet I believe that our culture has sustained us.

The prayers and songs of our people who went to Ft. Sumner in 1864 to 1868, marched a 300-mile trek, a forced march by United States Government to our people. We said our prayers and our songs. Even our headman went to Washington, D.C. He said, "Do not take us anywhere else, like the Indians of Oklahoma and Florida." With that, we were given back our homeland.

So it is very, very important that the non-Indian people understand that. We're not different. You cut your hand. I cut my hand. My blood is red. I use the rest room. I eat. I need to nourish myself. We're just unique as Indian people, and we didn't ask to be that way. We didn't ask to be put on Reservations.

We were asked to fight for everything we have. And we're still fighting to this day. We have to sue the BIA because they were doing restructuring. They wanted to move the offices to the border towns. We have the most schools run by the BIA on the Navajo Nation.
The Yankton Sioux Tribe, the Pueblos of New Mexico sued the BIA because they did not consult the people, and that's in the Treaty of 1868. They promise a teacher for every 30 students. They promise us livestock. They promise us water.

To this day we are still fighting for the basic needs that the non-Indian people enjoy today, and that's the reality. And I believe this water project, it is a partnership, for we share that water with non-Indian people.

And I believe Mr. Benson alluded to that racism. We have our professionals. We have teachers and lawyers, scientists, and electricians. We have NTUA people. We know what to do. All we ask is for that opportunity. The government wrote the laws, the policies, the regulations. They have the court system. They interpret the law, the rules the way they want to.

Yet we have to get the money that could go for helping our people in education, social services, the law enforcement. Yet we have to pay for lawyers to fight for what is rightfully ours as Navajo people. We are still fighting to this day. And that's the reality.

The Treaty of 1868, yes, it was 130 years ago, but it's still a reality today. And I want you folks to understand that. We need this water project. We need
each other. We're all human beings who want to enjoy the fruits of what America has to offer. And we are still fighting to this day. Thank you.

THE HEARING OFFICER: Thank you, Mr. Yazzie.

Is there anyone else who would like to make any comments here? Okay. We'll stick around for a little bit longer. We have a lot of information in the back, if you haven't seen that yet, and probably still some refreshments back there.

We appreciate you very much for coming tonight and giving us your comments. We're really grateful to have had this opportunity to be here and we wish you all a safe journey home. Thanks.

(The hearing adjourned at 8:37 p.m.)
CERTIFICATE

I, Tanya M. Nims, a Certified Court Reporter, do hereby certify that the Proceedings of the above-entitled project were reported by me stenographically on May 24, 2007, and that the within transcript is a true and accurate transcription of my shorthand notes.

I further certify that I am neither an attorney nor counsel for, nor related to or employed by any of the parties to the project, and that I am not a relative or employee or any attorney or counsel employed by the project hereto, or financially interested in the project.

____________________________
TANYA M. NIMS, RPR
Certified Court Reporter #168
License Expires: December 31, 2007