

Navajo Nation officials meet with Navajo farmers regarding hemp production

Written by gallupsun

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Navajo Nation President Jonathan Nez, Attorney General Doreen N. McPaul, and Navajo Nation EPA Executive Director Oliver B. Whaley met with Navajo farmers in and near Shiprock, N.M. on Sept. 3 to hear their concerns regarding the alleged illegal growth and production of hemp in numerous farm plots in the area.

On June 11, the Navajo Nation filed a lawsuit in the District Court of the Navajo Nation, Judicial District of Shiprock, New Mexico, against Dineh Benally, Native American Agriculture Company, and Navajo Gold Company. The Navajo Nation alleged that the defendants are illegally growing, producing, manufacturing, transporting, licensing, and selling industrial hemp within the exterior boundaries of the Navajo Nation. The Navajo Nation also alleged that the defendants were unlawfully issuing Navajo land use permits to foreign entities to grow and cultivate industrial hemp on the Navajo Nation.

"We made an unannounced visit to see the farms firsthand and to listen to local residents, many of whom shared very serious concerns based on their personal experiences. We saw the hemp farms for ourselves and we also witnessed many visitors, non-Navajo workers, commuting through the communities and in the fields," Nez said. "The Navajo Nation has stringent public health emergency orders in place that restrict visitors to our lands due to the threat of COVID-19 and I along with the Navajo Nation Police Department conducted a checkpoint to further investigate violations and enforce the emergency order.

"Neighbors and community members have raised many issues and concerns with the hemp fields, the local farm board, and others that need to be addressed and we need public safety, the courts, and others to work together to resolve many of these matters so that our Navajo people feel safe and able to use their fields," he said.

Many of the concerns brought forth by local farmers include the alleged unlawful use of water from the San Juan River, the safety of children and families, questionable farming permits, contamination of soil and water due to the use of chemicals and pesticides, heavy traffic in residential areas, non-Navajo workers residing in the local communities, and more.

"We appreciate those who have come forward and expressed concerns and made formal complaints related to the hemp farms operating in their communities. We are currently investigating all relevant environmental issues as well and will take appropriate action pending a

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conclusion of our findings in these areas,” EPA Director Whaley said.

As a part of the lawsuit filed in June, the Navajo Nation also filed a motion for a temporary restraining order and a request for a preliminary injunction in order to ensure that these defendants are prevented from continuing their unlawful operations at the expense of both the Navajo people and government. The Shiprock Judicial Court has yet to schedule a hearing on the motion filed.

“We hear the concerns and we know that many families are dealing with these activities on a daily basis. The Nation has been investigating numerous complaints, tips, and warnings about these illegal activities happening on Navajo lands while coordinating with our Federal partners. It is unfortunate that in the middle of a global pandemic the Nation is forced to take this action against one of our own, who seeks to enrich himself in blatant disregard for the laws of the Nation,” Attorney General McPaul said.

In 2018, the Navajo Nation Council amended the Navajo Nation Code to broaden the definition of marijuana and made clear that industrial hemp was not permitted on the Navajo Nation until the Navajo Nation created a regulatory system and obtained permits for it. The Nation has been diligently studying the impacts through the only legally authorized exception for a pilot research project operated by the Navajo Agricultural Products Industry in compliance with federal law. The Navajo Nation Council has never authorized any commercial production and distribution of hemp.

“We understand the economic potential of hemp production, but it has to be done safely and in accordance with the laws of the Navajo Nation. We appreciate all of the farmers who came out today to voice their concerns and we remain committed to addressing the concerns and seeking solutions that benefit our communities,” Nez said.

The Navajo Nation Council and the Navajo Nation Office of the President and Vice President have reiterated that growing, cultivating, and marketing industrial hemp is and always has been illegal within the Navajo Nation.

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