

ALBUQUERQUE — The 25th Navajo Nation Council's Resources and Development Committee held a work session Nov. 14 to discuss several initiatives including the proposed Navajo Grazing Act, Navajo Rangeland Improvement Act, and Navajo Partitioned Lands Grazing Permits and Reissuances.

RDC Chairwoman Brenda Jesus (Oaksprings, St. Michaels) said the work session was held to solicit input on the proposed legislations and current policies and procedures from the Chapter, Farm, Grazing, and Land Board Officials.

"This is a big issue and I want to walk away from this work session feeling like something was accomplished. We need to understand the complexity of grazing permits and we need recommendations," Jesus said. "What can we do to address these issues? What is the Bureau of Indian Affairs doing to address these issues?"

Representatives from the Navajo Nation Department of Agriculture presented on the Proposed Navajo Grazing Act and the Proposed Navajo Rangeland Improvement Act.

Department of Agriculture Manager Leo Watchman Jr. said both acts were derived from the American Indian Agricultural Resource Management Act of 1993, where Congress acted to move the responsibility of agricultural resource management and grazing permitting to Native American tribes.

"We need to address if we'll continue with the current permitting system," Watchman stated. "Currently, there are probably 7,000 permits that are dormant or in probate status."

Watchman also presented issues in implementing the Proposed Navajo Rangeland Improvement Act.

Regarding enforcement of the Act, he said the farm boards would need to hire a full-time employee and compensate the position adequately. He said that currently, many permit holders

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do not pay grazing fees and if grazing fees are implemented, the permit holders would want more control. If the Navajo Nation takes over the system of permitting, he said many permit holders do not trust leadership.

“Permit holders ask what control do they have? The permit is not flexible, it’s suppressive. They have to abide by the Code of Federal Regulations. If permittees are going to pay for grazing fees, then they want more control,” he said.

Watchman advocated for permits to be issued on Navajo Partitioned Lands, where many permits have been canceled. He said laws governing the eastern Navajo Nation need to be amended to support current rangeland activity. He also advocated on behalf of implementing grazing fees.

Regarding the Grazing Act, RDC member Council Delegate Shawna Ann Claw (Chinle) said she would like to see the civil penalties clearly defined and vetted against Navajo Nation laws. She addressed the mediation responsibilities of grazing committees, not acting as “judge and jury.” Claw also raised concerns about seizures and impoundments, the length of time for impoundment, and the documentation provided to owners regarding seizures.

“Constituents are saying we’re complaining and not providing solutions. We need permit holders at the table because we’re making decisions that we’ll impose on them. Everyone has an entitlement to live off the land, so let’s find solutions for our people,” Delegate Claw said.

BIA Eastern Navajo Agency Superintendent Lester Tsosie said that in the Eastern Navajo Agency there are multiple jurisdiction and land statuses, and that the Bureau uses the CFR to interpret jurisdictional issues.

“We have jurisdictional discussions with the Land Board, and we are doing a lot of planning activities on the eastern side. We’re doing research, coordination, and outreach addressing how we will extend the grazing permits for 10 years,” Tsosie said. “We need guidance on carrying capacity, climate change, and impacts on the land. We look to Navajo Nation leadership to provide guidance in these areas.”

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Members of the RDC expressed the need for further work sessions on the Proposed Navajo Grazing Act, Proposed Navajo Rangeland Improvement Act, and Navajo Partitioned Lands Grazing Permits and Reissuances.

“The key word is improvement to the issues of grazing, range management, agriculture, and farming,” Council Delegate Rickie Nez said. “These discussions we’re having provide guidance to the RDC as to what our chapter officials and community members are experiencing at the ground level.”

