

WRITTEN TESTIMONY

U.S. House Subcommittee on National Parks, Forests and Public Lands
Legislative Heritage on H.R. 2181, the Chaco Cultural Heritage Area Protection Act of 2019

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Chair Haaland and distinguished Members of the Subcommittee, thank you for this opportunity to share with you why I support HR2181: Chaco Heritage Area Protection Act of 2019. Thank you as well for taking the time to visit Chaco cultural National Historical Park and the surrounding Greater Chaco region on April 14, 2019. I applaud your commitment to learning first-hand about the issues facing this leaguered cultural landscape and dedicating to exploring solutions to ensure meaningful protections for this area.

To'di'ch'ii'nii (Bitter Water clan), Bit'ahnii (Within-his-cover) My name is Samuel Sage. I am an US Army Military Police Veteran. I am from Counselor Chapter community. Counselor Chapter is where I work.

Growing up on my homeland was wonderful, clean and noise free. Early mornings sun raise, cool breeze from the east would bring the smell of rain, wet dirt. It was quiet. You could hear a vehicle off in the distance, along roosters crowing from your neighbors, who were five miles away. Nights were beautiful, stars were bright and sparkling. It seems like you could actually reach up and touch the stars. Navajo traditional medicine people and herbalists had no problems gathering plants for medicinal purpose. The plants grew every year and wildlife were abundant.

In 2003, I found out the Bureau of Land Management (BLM) were not consulting with our local chapter government. BLM were ready to approve their Resources Management Plan, which they had revised without tribal consultation.

In 2004, Counselor Chapter, which I was the President at the time, joined a Lawsuit with San Juan Citizen Alliance VERSUS US DOI Gale Norton for BLM failing to consult with Native American Government and communities.

2006, the outcome of the lawsuit did not go our way. Judge stated BLM did everything correctly. Later, BLM-Farmington Field Office under the leadership of Steve Heinke made a 10-point agreement to consult with Navajo Nation and communities. To this day the agreement was not honored and has gone nowhere.

2013 Full scale hydraulic fracturing over ran our community under the title "Exploratory Drilling". This event devastated our community. The sudden increase in truck traffic; truck drivers had no regard for the safety of the local community members, school buses, Emergency vehicles. The local dirt roads were never built for heavy truck traffic. They were wagon trails

turned into bladed gravel roads. Increase in dust was being stirred up by the traffic. The conditions became worst during inclement weather and impassable. After the drillings and pump jacks were set up the quality of the air changed. Because the majority of the wells were leaking, the air smelled like rotten eggs. Certain valleys became worst. Bright lights from the flaring were so bright and the noise of the drilling rigs was constant. None of these impacts were explained to the community members by BLM. Industry just quietly moved into the community and started their destructions.

In 2014 Indian Allotment Landowners and their heirs were approached by BLM Contracted Land Agents to obtain signatures for consent for Oil & Gas Development. The Land Agents' conversation with the Allotment Landowner and Heirs would go like, "I need your signature for Oil & Gas Development. If you sign this is how much money you are going to get". (10K-400+K)

Of course, when money is mentioned people jump to sign. No explanation was ever given that this was a one-time thing. This type of event by BLM & Industry turned families against each other, along with community members.

Some of the community elders were abused, threatened with bodily harm over the money they received by their own family members. One elderly lady had a hard time cashing a large amount on her check. Banks wouldn't help her. She ended up at car dealership. She was thinking if she purchased a vehicle she would get some cash back. Instead the dealership took the check and she ended up with six (6) vehicles. Some adult children and grandchildren got power of attorney to handle their finances, which turned out the money being all spent. Little or none went to benefit the parents. There are approximately four killings unresolved as a result of money. The saddest thing was the people that received a large amount of money went back to the Farmington Field Office-Indian Individuals Minerals Office asking when they will receive another check, after all their money was spent.

In March 2018, BLM deferred the sale of 25 lease parcels covering more than 4,000 acres in Rio Arriba, San Juan, and Sandoval Counties. Citing Cultural resources concerns, BLM stated in a press release:

Secretary of the Interior Ryan Zinke announced Thursday that he directed the BLM to defer its scheduled Farmington Field Office lease sale so the agency could complete an ongoing analysis of more than 5,000 cultural sites in the proposed leasing area.

To date, BLM has yet to complete its analysis of cultural sites in the Greater Chaco region. What's more, BLM has proceeded to lease in the region despite its acknowledged need for more rigorous cultural surveys.

In December 2018, BLM proposed to lease additional lands for oil and gas development in the Greater Chaco region. After public uproar, BLM withdrew selling lands in the Farmington Field Office, they kept selling lands in Sandoval County, which is part of the Rio Puerco Field Office, many of which are within 20 miles of Chaco Cultural National Historical Park. BLM did this after previously deferring the sale of lands in Sandoval County. BLM sold leases even though it

had yet to complete the analysis of cultural sites BLM indicated it needed to complete in to justify leasing in the Greater Chaco area.

March 2019, BLM proposed to lease more than 11,000 acres in the Greater Chaco region, including Farmington and Rio Puerco Field Offices for oil and gas development. The public responded with another opposition, including the filing of more than 30,000 protest letters. BLM deferred only nine parcels totaling 1,500 acres that happened to be within 10 miles of Chaco Cultural National historical Park. Again, BLM proceeded to sell lands that it previously deferred in the Farmington and Rio Puerco Field offices. BLM sold these leases even though it had yet to complete the analysis of cultural sites that BLM indicated it needed to complete in order to justify leasing in the Greater Chaco area. BLM continues to push to open up more lands for oil and gas development in Greater Chaco.

Today, BLM is moving forward with this lease sale despite acknowledging a need to pause in order to fully account for the impacts to cultural sites in the region.

BLM has failed to properly follow their own process in obtaining informed consent for oil development, they failed to consult with families and the community in the leasing process, and there were no ethnographic studies or cultural resources inventories of the area before leasing.

Above all, BLM and Industry tells us how safe fracking is. There have been television commercials stating how safe fracking is. We had a large 36-storage tank facility holding oil and produced water explode and catch fire. The fire burned for five (5) days, spewing toxic smoke. Industry conducted their own investigation. Their findings were never made public or to the community members living in the area.

In April 2019, it was discovered of 2 WPX pipeline failures in Southwestern area of Counselor community in the Greater Chaco area. 300 barrels of oil and 100 barrels of produced water were spilled. The neighboring Navajo Chapter and Counselor were not notified. Industry, again investigated the cause and reports not made the local Navajo governments.

The life of our community has been changed and is now unbalanced. People now regret they agreed to lease their land for this new type of fracking and drilling. Everyday, we see the oil and gas being pumped from the ground, the water spilling out and contaminating the land, our cattle walking in the waste-water pits and the elders and children getting sick more. There are much the oil companies should do to mitigate this damage –

- To restore our roads
- To save and protect our water
- To fence off wastewater
- To stop leaks and reduce toxic air emissions
- To be honest with every allotment owner and explain the dangers and risks they are taking.

Today, our traditional medicine people and herbalist are having a hard time locating and gathering plants for medicinal purposes. The plants are no there, in the area. They have to travel to the mountains to gather the plants. Early mornings are no longer quiet, you can hear truck traffic, pump jacks, drilling rigs and clinking of metal pipes. Bright lights, dust in the air, along with the smell of rotten eggs. Wildlife have left the area. In some areas the vegetations are drying

up. Community members are complaining about the ground rumbling and shaking after midnight to early in the morning. While the cities are enjoying the benefits of the extraction and we are left with the negative impacts.

I believe the Chaco Protection Act will help our ancient land as well as our living communities. Thank you.