

Lisa McGee, WY Bar No. 6-4043  
Wyoming Outdoor Council  
262 Lincoln Street  
Lander, WY 82520  
(307) 332-7031  
lisa@wyomingoutdoorcouncil.org

**UNITED STATES DISTRICT COURT  
DISTRICT OF WYOMING**

STATE OF WYOMING, et al. )  
)  
Petitioners, )  
) Civil Case No. 2:16-cv-00285-SWS [Lead]  
v. )  
) [Consolidated With 2:16-cv-00280-SWS]  
UNITED STATES DEPARTMENT OF )  
THE INTERIOR, et al. ) Assigned: Hon. Scott W. Skavdahl  
)  
Respondents, ) **DECLARATION OF RUSSELL**  
) **BEGAYE, PRESIDENT OF THE**  
and ) **NAVAJO NATION**  
)  
WYOMING OUTDOOR COUNCIL, )  
CENTER FOR BIOLOGICAL )  
DIVERSITY, CITIZENS FOR A )  
HEALTHY COMMUNITY, DINÉ )  
CITIZENS AGAINST RUINING OUR )  
ENVIRONMENT, ENVIRONMENTAL )  
DEFENSE FUND, ENVIRONMENTAL )  
LAW AND POLICY CENTER, )  
MONTANA ENVIRONMENTAL )  
INFORMATION CENTER, NATIONAL )  
WILDLIFE FEDERATION, NATURAL )  
RESOURCES DEFENSE COUNCIL, SAN )  
JUAN CITIZENS ALLIANCE, SIERRA )  
CLUB, THE WILDERNESS SOCIETY, )  
WESTERN ORGANIZATION OF )  
RESOURCE COUNCILS, WILDERNESS )  
WORKSHOP, AND WILDEARTH )  
GUARDIANS. )  
)  
Applicants for Intervention. )

I, Russell Begaye, President of the Navajo Nation, hereby declare as follows:

1. I am the elected President of the Navajo Nation and the Chief Executive Officer of the Navajo Nation Executive Branch. The Navajo Nation is the largest American Indian tribe within the geographic boundaries of the United States. The Navajo Nation spans more than 27,000 square miles, which is slightly larger than the State of West Virginia. The Navajo Nation has more than 300,000 enrolled members, with over 180,000 of those members physically living on the Navajo Nation.

2. The Navajo Nation possesses significant and valuable oil and gas resources. The Navajo Nation has sovereign authority over these resources which have belonged to the Navajo Nation from time immemorial. Pursuant to the Fundamental Laws of the Diné, the Navajo Nation government upholds a sacred obligation and duty to respect, preserve, and protect our resources.

3. As President of the Navajo Nation, I support the Bureau of Land Management's Rule on Waste Prevention, Production Subject to Royalties, and Resource Conservation ("BLM Methane Waste Prevention Rule"), published at 81 Federal Register 83008 and oppose efforts of certain states and industry to enjoin the rule.

4. The U.S. Bureau of Land Management (BLM) manages and regulates oil and gas drilling on the Navajo Nation. The Agency manages these resources pursuant to its trust responsibilities to the Navajo Nation. Thus, the agency must act as a trustee and manage these operations for the benefit of the Navajo Nation.

5. As President of the Navajo Nation, I believe that the BLM Methane Waste Prevention Rule assists BLM with its trust responsibilities to assure that the Navajo Nation receives royalties from development of its oil and gas resources. It would be contrary to BLM's trust responsibility to allow Navajo Nation resources to be unreasonably wasted, particularly when best practices, precautions and use of gas-capture technology can be cost-effectively employed and are not overly burdensome to the industry. Royalties from these operations are

important to the Navajo Nation, which suffers from unemployment and poverty rates significantly above nation averages.

6. Gas capture from oil and gas operations will not only provide additional revenue to the Navajo Nation, but it will also result in less air pollution from leaking, venting and flaring. Public health is a critical issue on the Navajo Nation. Venting and flaring from oil and gas operations may cause pollution that could harm Navajo people living in the vicinity of the oil and gas operations.

7. As President of the Navajo Nation, I do not believe that the BLM Methane Waste Prevention Rule will significantly impair the Navajo Nation's ability to manage its oil and gas sovereign resources. The rule will help minimize the waste of our sovereign resources and help protect our people.

8. As President of the Navajo Nation, I oppose the efforts of certain states and industry to enjoin operation of the BLM Methane Waste Prevention Rule.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9<sup>th</sup> day of January 2017.



Russell Begaye, President  
The Navajo Nation