

To: Jackson, Ryan[jackson.ryan@epa.gov]
Cc: Perry Riggs[priggs@nwo.org]; Ethel Branch[ebranch@nndoj.org]
From: Jackson Brossy
Sent: Wed 8/30/2017 2:10:50 PM
Subject: Letter from Navajo President to Sec. Pruitt Re: Gold King Mine Spill.
[Ltr to Scott Pruitt USEPA re Claims for GKM Spill.pdf](#)

Dear Mr. Jackson:

Attached is a letter from my boss, the Navajo Nation President to Secretary Pruitt regarding the Gold King Mine spill and the spill's impact on Navajo families. As you are aware, it has been more than two years since the spill and the Navajo Nation is directly downstream with more than 100 miles of land along the impacted river.

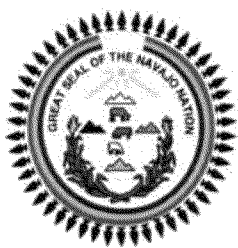
Additionally not mentioned in the letter, the Navajo Nation President often has business in Washington, DC and incidentally will be in town on Sept. 6. If there is time next week, or at a future date, I am sure a meeting between would be helpful. Alternatively, the Navajo Nation is more than happy to host Secretary Pruitt on our lands in New Mexico, Arizona and Utah at a future date when convenient.

Thanks,

Jackson

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Jackson S. Brossy
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THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

August 29, 2017

Scott Pruitt, Administrator
United States Environmental Protection Agency
Office of the Administrator, Mail Code: 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Pruitt,

We understand that you are reconsidering claims made to the EPA arising out of the Gold King Mine spill of August 5, 2015. We write to request that you fully compensate the members of the Navajo Nation for the significant losses they suffered from the spill.

As you are aware, the EPA and other potentially responsible parties caused over three million gallons of acid mine drainage to spill from the Gold King Mine near Silverton, Colorado. The spill contained harmful toxins such as lead and arsenic that were released into the Animas River, by way of Cement Creek, which then flowed into the San Juan River. The San Juan River, which is a major source of water for the Navajo Nation, flows through 215 miles of rich farmland in the Navajo Nation. Navajo Farmers and ranchers rely on the San Juan River for their livelihoods. The Gold King Mine spill has caused severe economic hardship and negative resource impacts, as well as spiritual and cultural losses.

In the immediate aftermath of the spill, former EPA Administrator Gina McCarthy, along with other EPA representatives, testified before Congress and promised that the EPA would take responsibility for the spill. The Navajo Nation sent numerous follow-up requests to the EPA, asking that it keep those promises to ensure the health and safety of the Navajo people. In reliance on the previous administration's promises, Navajo farmers and ranchers, along with the Navajo Nation, submitted FTCA claims with whatever documentary support they had. Yet despite the EPA's repeated assurances, the previous administration's last act was to deny claims filed by Navajo farmers and ranchers, claiming the EPA was not authorized to pay claims because its negligent and reckless work at the mine was considered a "discretionary function." This is legally and morally unacceptable.

Now, more than two years after the spill that contaminated their lands, their crops, and their animals, Navajo farmers and ranchers, and indeed the Navajo Nation itself, are still

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uncompensated. I am encouraged by your stated commitment to securing compensation for damages for all people impacted by the Gold King Mine spill. But, as I am sure you appreciate, the Navajo people are looking beyond words and seek action. Please consider the previous claims promptly and provide much needed economic recompense to our people. **The Navajo Nation and the Navajo people deserve full, fair, and fast recovery.**

We hope that the EPA under your leadership will work with the Navajo Nation to make good on its promises to be accountable to those affected.

Sincerely,

THE NAVAJO NATION



Russell Begaye, *President*



Jonathan M. Nez, *Vice President*