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**FOR IMMEDIATE
RELEASE
June 8, 2016**

Hopi Tribe Impounds Cattle That Leaves Hopi Lands Severely Overgrazed

(Kykotsmovi, AZ) – On June 7 the Hopi Resource Enforcement Services (HRES) and the Hopi Office of Range Management (ORM) impounded over 90 head of cattle that were in trespass on Hopi Range Unit #262 without incident. The Tribe has the authority to impound livestock without permits and more importantly to protect and preserve Hopi lands. Under Hopi Tribal Ordinance 43, Section 108 (B) (f), this provision protects private and public property on Hopi lands from livestock in fields or causing damage or having caused damage on reservation lands. This is the second incident within sixty (60) days in which the same individual has been cited for trespass while having received numerous violations that had gone uncorrected since 2014.

The first incident occurred April 5 when the HRES impounded sixty-six (66) head of cattle belonging to the same individual and does not have a permit to graze on Hopi Range Unit #262. Not all the livestock that were in trespass were impounded at the time since some had crossed over into the Navajo Partitioned Lands (NPL). It was estimated that 127 head of livestock have been grazing in this range unit. The carrying capacity which is the maximum stocking rate possible without inducing damage to vegetation or related sources is 28 sheep units per grazing permit that converts into 35 cows for this Range Unit. ORM met with the livestock owner on April 11 to discuss the remaining livestock that were in trespass. The Hopi Tribe agreed to allow the individuals thirty (30) days to remove the additional livestock with a deadline date of May 12, 2016. On April 13 the individual paid the trespass penalties that were imposed and the livestock were released. The individuals were informed that the livestock were not to be returned to Hopi lands. On May 9 ORM made contact with the individuals that the thirty (30) day time limit was set to expire and that after this date the Hopi Tribe, at any time, could impound livestock deemed to be in trespass.

The Hopi Tribe had been more than accommodating by giving the individuals an opportunity to remove the livestock. The individuals were afforded thirty (30) day plus an additional twenty-five (25) days. However, the individuals did not remove the livestock and continued to violate Hopi Tribal Laws and blatantly disregarded the instruction to not return impounded cattle to Hopi lands. The Hopi Tribe has a duty to ensure that its natural resources are protected and safeguarded for future generations.

The individual and family members whose livestock have been impounded have been informed since 2014 regarding requirements to be in compliance with holding a permit. In 2015, the individuals were given a second opportunity to comply with requirements of being a grazing permit holder on HPL. In 2016, “Voices of the People”, the Navajo Nation representative group made up of Accommodation Agreement permittees, did not issue a grazing allocation for the individual and family due to violations that were not corrected for more than a year, consequently any livestock owned by the individual(s) would be in trespass. The individuals were served with a five day notice on August 18, 2015, April 5, 2016, and April 10, 2016 for their livestock. A five day notice is valid for one year from date of issuance. All livestock counts carried out by the Hopi Tribe and its Programs are a requirement of the 638 contract between the Tribe and the Bureau of Indian Affairs. Livestock counts on all Hopi Lands are required annually to ensure that permittees are in compliance with Hopi Grazing Ordinance 43.

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Photo 1: Courtesy of the Hopi Tribe

Cattle at a watering pond located on Hopi Range Unit 262

Photo 2: Courtesy of the Hopi Tribe

Cattle grazing on land that has become severely overgrazed in Hopi Range Unit 262