

US EPA ARCHIVE DOCUMENT

GAMERCO ASSOCIATES, LTD.
300 West Hill
Gallup, New Mexico 87301

David Albright
Groundwater Office Manager
U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street, Mail Code: WTR-9
San Francisco, CA 94105

Dear Mr. Albright:

My name is Charles High. I am the Managing General Partner of Gamerco Inc. Gamerco is the owner of approximately 26,000 (Twenty Six Thousand) acres of private land located in the Checkerboard Area of McKinley County, northwest of Gallup, New Mexico. Our property is located in a checkerboard configuration with Navajo trust lands, allotted lands and BLM lands in the immediate area.

Gamerco is concerned that EPA's determination on Hydro Resources' Section 8 property could have unintended consequences to other land owners in the Checkerboard Area. Our fee lands have never been treated by any governmental entity as anything but private land. We obtain all services from McKinley County. We do not consider our lands to be Indian Country, or part of any Indian community.

In these past few years, the Navajo Nation has made it very plain that they want to extend their sovereignty beyond the borders of the reservation. If the EPA finds that private land in the Checkerboard Area is Indian Country, then the Navajo Nation has effectively annexed our private lands, stripping us of our U.S. ownership rights.

Yet any non-Navajo, American citizen will have absolutely no representation within the Navajo Nation. As sovereign, the Navajo Nation can whimsically levy and collect taxes without providing services, can impulsively, erratically and punitively legislate land and mineral use (much as they do now), all without consideration or representation of the non-Navajo, American citizen. The only recourse will be through the Navajo tribal court, which historically is no recourse at all.

It is Gamero's position the EPA should not determine that privately held land could be Indian Country. Such a determination would create bad precedent and be contrary to the established and agreed to land status in the McKinley County Checkerboard Area. Private land has not been set aside for the Indians, and the mere presence of some trust or allotted lands in an area is not sufficient to create a dependent Indian community on land to which no one but the private owner has access or rights.

Sincerely yours,



Charles High