

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0282-19

SPONSOR: Rickie Nez

TITLE: An Action Relating To Resources And Development Committee; Approving A Temporary Construction Easement For The Navajo Nation Water Resources For The Purpose Of Replacing The Steep Pipe Siphon Within The San Juan Irrigation Rehabilitation Project Located Within The Shiprock Chapter Vicinity (San Juan County, New Mexico)

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0282-19

DATE: September 23, 2019

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION;
AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE;
APPROVING A TEMPORARY CONSTRUCTION EASEMENT FOR THE NAVAJO
NATION WATER RESOURCES FOR THE PURPOSE OF REPLACING THE STEEP
PIPE SIPHON WITHIN THE SAN JUAN IRRIGATION REHABILITATION PROJECT
LOCATED WITHIN THE SHIPROCK CHAPTER VICINITY (SAN JUAN COUNTY,
NEW MEXICO)

PURPOSE: Approving a temporary construction easement to the Navajo Nation Department of Water Resources, for the replacement of the steel siphon within the San Juan Irrigation Rehabilitation Project located within the Shiprock Chapter (San Juan County, New Mexico).

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: ALP
Website Posting Time/Date: _____
Posting End Date: 9-29-19
Eligible for Action: 9-30-19

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 24th NAVAJO NATION COUNCIL -- Fourth Year, 2019

3 INTRODUCED BY

4 
5 _____
6 (Prime Sponsor)

7
8 TRACKING NO. 0282-19

9
10 AN ACTION

11 RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING
12 A TEMPORARY CONSTRUCTION EASEMENT FOR THE NAVAJO NATION
13 WATER RESOURCES FOR THE PURPOSE OF REPLACING THE STEEP PIPE
14 SIPHON WITHIN THE SAN JUAN IRRIGATION REHABILITATION PROJECT
15 LOCATED WITHIN THE SHIPROCK CHAPTER VICINITY (SAN JUAN COUNTY,
16 NEW MEXICO)

17
18 **Section One. Authority**

- 19 A. Pursuant to 2 N.N.C. §500, the Resources and Development Committee is
20 established as a standing committee of the Navajo Nation Council.
21 B. Pursuant to 2 N.N.C. §501 B 2(a), the Resources and Development Committee
22 grants final approval for all, non-mineral leases, permits, licenses, rights of ways,
23 and surface easements on Navajo Nation lands and unrestricted (fee) land.

24
25 **Section Two. Findings**

- 26 A. The Terms and Conditions for the replacement of a steel siphon within the San Juan
27 Irrigation Rehabilitation Project is found at **Exhibit A**.
28 B. The proposed "Helium Siphon, San Juan River Navajo Irrigation Project" Legal
29 Description is attached as **Exhibit B**.

- 1 C. The Finding of No Significant Impact (FONSI) and other Environmental and
2 archaeological studies have been completed and are attached hereto as **Exhibit C**.
- 3 D. The Navajo Nation Department of Water Resources Helium Siphon Final Conceptual
4 Design Report is attached as **Exhibit D**.
- 5 E. The Shiprock Chapter Resolution 05-15-16-044-SHIP "Supporting the replacement
6 of the helium siphon as part of the San Juan River Navajo Irrigation Rehabilitation
7 Project" is attached as **Exhibit E**.
- 8 F. The request for a temporary construction easement has been reviewed by the
9 appropriate Departments and Divisions and found legally sufficient by the
10 Department of Justice. See **Exhibit F**.

11
12 **Section Three. Approval**

- 13 A. The Resources and Development Committee of the Navajo Nation hereby approves
14 the request for a temporary construction easement to the Navajo Nation Department
15 of Water Resources, for the replacement of the steel siphon within the San Juan
16 Irrigation Rehabilitation Project, subject but not limited to the Terms and Conditions
17 attached hereto and incorporated herein as found at **Exhibit A**.
- 18 B. The Resources and Development Committee of the Navajo Nation hereby approves
19 a waiver of the requirement for a bond, insurance or alternative form of security on
20 the part of the Grantee, based on the determination that the project benefits the
21 Navajo Nation and such a waiver is in the best interest of the Navajo Nation,
22 pursuant to Title 25 CFR § 169.103 (f) (2).
- 23 C. The Resources and Development Committee hereby approves waiving valuation and
24 waiving compensation for the temporary construction easement because it has
25 determined that accepting the agreed-upon compensation and waiving valuation is in
26 its best interest of the Navajo Nation, pursuant to Title 25 CFR § 169.110.
- 27 D. The Resources and Development Committee of the Navajo Nation Council hereby
28 authorizes the President of the Navajo Nation to execute any and all documents
29 necessary to affect the intent and purpose of this resolution.
- 30