

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0252-22_

SPONSOR: Rickie Nez

TITLE An Action Relating to the Resources and Development Committee and the Budget and Finance Committees; Establishing the Forest Carbon Enterprise Fund; and, Approving the Navajo Forestry Department Forest Carbon Enterprise Fund Fund Management Plan

Date posted: December 15, 2022 at 9:18 PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0252-22

DATE: December 15, 2022

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE BUDGET AND FINANCE COMMITTEES; ESTABLISHING THE FOREST CARBON ENTERPRISE FUND; AND, APPROVING THE NAVAJO FORESTRY DEPARTMENT FOREST CARBON ENTERPRISE FUND FUND MANAGEMENT PLAN

PURPOSE: The purpose of this legislation is to approve the establishment of the Navajo Forestry Department Forest Carbon Enterprise Fund and approve the Navajo Forestry Department Forest Carbon Enterprise Fund Fund Management Plan.

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: Johnson
Website Posting Time/Date: _____
Posting End Date: 12-20-22
Eligible for Action: 12-21-22

Resources & Development Committee
Thence
Budget & Finance Committee

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL – Fourth Year, 2022
INTRODUCED BY

(Sponsor)
TRACKING NO. 02S2-22



AN ACTION
RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE
BUDGET AND FINANCE COMMITTEES; ESTABLISHING THE FOREST
CARBON ENTERPRISE FUND; AND, APPROVING THE NAVAJO FORESTRY
DEPARTMENT FOREST CARBON ENTERPRISE FUND FUND MANAGEMENT
PLAN

BE IT ENACTED:

Section One. Authority

- A. The Resources and Development Committee exercises oversight authority over the Division of Natural Resources. 2 N.N.C. §501(C)(1). The Navajo Forestry Department is established under the Division of Natural Resources. *See*, RDCO-79-16.
- B. The Budget and Finance Committee is empowered to approve fund management plans upon the recommendation of the appropriate oversight committee and the affected division or branch. 2 N.N.C. § 301(B)(14).

Section Two. Findings

- A. The Navajo Forestry Department requests approval of the Navajo Forestry Department Forest Carbon Enterprise Fund Fund Management Plan is attached as **Exhibit A.**

- 1 B. The Navajo Forestry Department Forest Carbon Enterprise Fund Fund
2 Management Plan, **Exhibit A**, Section I. Establishment states: "This Fund
3 Management Plan (FMP) establishes a Forest Carbon Enterprise Fund (FCEF) for
4 use by the Navajo Forestry Department (NFD). The FCEF will be used to
5 administer, manage, develop, and market the Navajo Nation Commercial Forest in
6 compliance with the California Air Resources Board (CARB) Cap-and-Trade
7 Program, as authorized by CAP-17-22. The FCEF may also be used for legal
8 services related to compliance with the CARB Cap-and-Trade Program and the
9 related Carbon Development and Marketing Agreement, and the FCEF may be
10 made available for student scholarships and student fellowship costs and expenses."
- 11 C. The Navajo Forestry Department Forest Carbon Enterprise Fund Fund
12 Management Plan Purpose states: "The Forest Carbon Enterprise Fund (FCEF) will
13 be used be the Navajo Forestry Department to ensure Navajo Nation Commercial
14 Forest management activities are in compliance with the California Air Resources
15 Board (CARB) Cap-and-Trade Program, as authorized by CAP-17-22. The FCEF
16 will remain in effect unless and until all of the Navajo Nation's CARB Cap-and-
17 Trade Program obligations are terminated or otherwise discharged." Navajo
18 Forestry Department Forest Carbon Enterprise Fund Fund Management Plan,
19 Section II. Purpose, **Exhibit A**.
- 20 D. Resolution CAP-17-22 (with its Exhibit 1) approving the Carbon Development and
21 Marketing Agreement is attached as **Exhibit B**.
- 22 E. The Executive Official Review form for the Forest Carbon Enterprise Fund Fund
23 Management Plan is attached as **Exhibit C**.
- 24

25 **Section Three. Approval**

26 The Navajo Nation approves the establishment of the Navajo Forestry Department
27 Forest Carbon Enterprise Fund and approves the Navajo Forestry Department
28 Forest Carbon Enterprise Fund Fund Management Plan as attached in **Exhibit A**.
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