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)

Date posted: September 24, 2019 at 5:25 PM

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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.
PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL -- Fourth Year, 2019

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. _0282-19_

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
SI PHON WITHIN THE SAN JUAN IRRIGATION REHABILITATION PROJECT
LOCATED WITHIN THE SHIPROCK CHAPTER VICINITY (SAN JUAN COUNTY,
NEW MEXICO)

Section One. Authority

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

Section Two. Findings

A. The Terms and Conditions for the replacement of a steel siphon within the San Juan
Irrigation Rehabilitation Project is found at Exhibit A.
B. The proposed “Helium Siphon, San Juan River Navajo Irrigation Project” Legal
Description is attached as Exhibit B.
C. The Finding of No Significant Impact (FONSI) and other Environmental and archaeological studies have been completed and are attached hereto as Exhibit C.

D. The Navajo Nation Department of Water Resources Helium Siphon Final Conceptual Design Report is attached as Exhibit D.

E. The Shiprock Chapter Resolution 05-15-16-044-SHIP “Supporting the replacement of the helium siphon as part of the San Juan River Navajo Irrigation Rehabilitation Project” is attached as Exhibit E.

F. The request for a temporary construction easement has been reviewed by the appropriate Departments and Divisions and found legally sufficient by the Department of Justice. See Exhibit F.

Section Three. Approval

A. The Resources and Development Committee of the Navajo Nation hereby approves the request for 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, subject but not limited to the Terms and Conditions attached hereto and incorporated herein as found at Exhibit A.

B. The Resources and Development Committee of the Navajo Nation hereby approves a waiver of the requirement for a bond, insurance or alternative form of security on the part of the Grantee, based on the determination that the project benefits the Navajo Nation and such a waiver is in the best interest of the Navajo Nation, pursuant to Title 25 CFR § 169.103 (f) (2).

C. The Resources and Development Committee hereby approves waiving valuation and waiving compensation for the temporary construction easement because it has determined that accepting the agreed-upon compensation and waiving valuation is in its best interest of the Navajo Nation, pursuant to Title 25 CFR § 169.110.

D. The Resources and Development Committee of the Navajo Nation Council hereby authorizes the President of the Navajo Nation to execute any and all documents necessary to affect the intent and purpose of this resolution.