

**RESOURCES AND DEVELOPMENT COMMITTEE OF THE  
23<sup>rd</sup> NAVAJO NATION COUNCIL**

**REGULAR MEETING  
October 25, 2016  
10:00 a.m.**

**AGENDA:**

**PRESIDING:** Honorable Alton Joe Shepherd, Chairperson  
Honorable Benjamin Bennett, Vice-Chairperson

**LOCATION:** NDOT Administrative Complex – Nataani  
Room, Tse Bonito, NM

( ) Alton Joe Shepherd  
( ) Leonard Pete  
( ) Walter Phelps  
( ) Benjamin Bennett  
( ) Davis Filfred  
( ) Jonathan Perry

1. Call Meeting to Order; Roll Call; Invocation;  
Announcements
2. Recognizing Guests and Visiting Officials:
3. Reviewing and Approving the Agenda:

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4. Reviewing and Approving the Journal(s):

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5. Reports:

A. Report – Update on Navajo Nation Capital Improvement Projects and Project  
Listing *Presenters: Casey Begay, CIO Director*

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B. Report – Update on the 750 Feet Zone Task *Presenters: Bidtah Becker, DNR  
Director and Mike Halona, NNLD Director*

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C. Report – Update on San Juan Sand and Gravel Initiative *Presenters: Robert  
Billy Whitehorse*

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6. Old Business:

- A. **Legislation 0354-16:** An Action Relating to Budget and Finance, Naabik'Iyati Committee, and the Navajo Nation Council; Referring a Referendum Measure on Expenditure of Fund Principal Pursuant to 12 N.N.C. §905, Permanent Trust Fund, to Support the Navajo Nation Transportation Stimulus *Plan*. *Sponsor: Honorable Walter Phelps*

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(NOTE: RDC Committee had this matter added on to their 10/11/16 Regular Meeting Agenda at Chinle Chapter, Chinle, Arizona. During the discussion of the legislation, the Committee lost a quorum, thereby this matter is deferred for RDC's consideration.)

7. New Business:

- A. **Legislation # 0293-16:** An Action Relating to Law and Order, Resource and Development, Budget and Finance and Naabik'Iyati Committee and Navajo Nation Council; Approving the Master Agreement for the development of the Grant Canyon Escalade Project Approving the Funding Application of Sixty Five Million Dollars (\$65,000,000) for the Development of the Grand Canyon Escalade Project; Authorizing the Navajo Nation Hospitality Enterprise to Enter Into a Development and Operating Agreement; Accepting the Approval of the Withdrawal Of Land In the Bodaway/Gap Chapter; Approving a Covenant Not To Compete; Waiving Certain Provisions of 7 N.N.C. §§1101-1118. *Sponsor: Honorable Benjamin Bennett*

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- B. **Legislation # 0296-16:** An Action Relating to Resources and Development and Naabik'Iyati Committees; Rescinding NABIAP-24-16, The Naabik'Iyati Resolution Which Established the Navajo Nation Position with Regard to the Fort Wingate Depot Activity Land Division Between the Navajo Nation and Zuni People. *Sponsor: Honorable Edmund Yazzie*

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- C. **Legislation # 0318-16:** An Action Relating to Resources and Development Committee; Approving Amendments to the Plan of Operation for the Navajo

Nation Division of Natural Resources Administration, Department of Navajo Abandoned Mine Land Reclamation and Uranium Mill Tailings Remedial Action; Department; Natural Heritage and Historic Preservation; Land Department; Minerals Department, Parks and Recreation Department; Department of Resources Enforcement, And, The Department of Water Resources. *Sponsor: Honorable Alton Joe Shepherd*

**(NOTE: RDC held a work session on October 10, 2016 to receive an overview of the proposed DNR Departments and Programs' Plan of Operation.)**

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- D. Legislation # 0326-16:** Proposed Standing Committee Resolution; An Action Relating to Resources and Development Committee; Approving the Plan of Operation for the General Land Development Department within the Division of Natural Resources *Sponsor: Honorable Alton Joe Shepherd*

**(NOTE: RDC held a work session on October 10, 2016 to receive an overview of the proposed DNR Departments and Programs' Plan of Operation and included in the presentation was the General Land Development Department.)**

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- E. Legislation # 0329-16:** An Action Relating to Resources and Development; Approving the Navajo Division of Transportation 2016 Long Range Transportation Plan to be Submitted to the United States Department of Transportation, Federal Highway Administration. *Sponsor: Honorable Alton Joe Shepherd*

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- F. Legislation # 0331-16:** An Action Relating to Health, Education and Human Services and Naabik'Iyati; Strongly Opposing Any Plans of State Officials to Allocate Funds Appropriate to the Navajo Nation Under the New Mexico Tribal Infrastructure Act. *Sponsor: Honorable Jonathan Hale*

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- G. Legislation # 0340-16:** An Action Relating to Law and Order, Resources and Development; Budget and Finance, Health, Education and Human Services,

Naabik'Iyati Committees and Navajo Nation Council; Amending 2 N.N.C. §182, Term of Office *Sponsor: Honorable Raymond Smith, Jr.*

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**H. Legislation # 0345-16:** An Action Relating to Law and Order, Health, Education and Human Services, Resources and Development; and Naabik'Iyati Committees and Navajo Nation Council; Requesting Support From the United States Environmental Protection Agency, the state of Arizona and Apache County, Arizona for Assistance in Addressing Uranium Contamination in the Water Supply near Sanders, Arizona. *Sponsor: Honorable Raymond Smith, Jr.*

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**I. Legislation # 0347-16:** An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabik'Iyati Committee, and Navajo Nation Council; Rescinding CAP-18-14; Authorizing the Navajo Nation Chapters to Submit Proposals for the Capital Improvement Plan to the Capital Improvement Office, or its Successor; Directing the Capital Improvement Office, or Its Successor, To Develop the Capital Improvement Priority List in Full Compliance with the Navajo Nation Capital Improvement Process as Codified at 12 N.N.C. §860 et eq.; Directing the Capital Improvement office, or Its Successor, to Provide a Report to the Naabik'Iyati Committee Regarding the Capital Improvement Priority List No Later than January 12, 2017. 50. *Sponsor: Honorable Kee Allen Begay, Jr.*

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**J. Legislation # 0348-16:** An Action Relating to Resources and Development; Budget and Finance, Naabik'Iyati Committees and the Navajo Nation Council; Rescinding Resolution CJN-23-13, Exempting the Navajo Nation Oil and Gas Company from the Navajo Nation Fuel Excise Taxes. *Sponsor: Honorable Dwight Witherspoon.*

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**K. Legislation # 0349-16:** An Action Relating to Resources and Development; Approving a Right-of-Way for Be Green, LLC, to Construct, Operate and Maintain An Access Road Located in St. Michael's Chapter Vicinity, Navajo Nation (Apache County, Arizona). *Sponsor: Honorable Jonathan Hale.*

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**L. Legislation # 0350-16:** Proposed Standing Committee Resolution; An Act Relating to Resources and Development Committee; Amending the Plan of Operation for the Navajo Division of Community Development in 2 N.N.C. §1453; Approving Amendments to the Master Plan of Operation of the Division of Community Development, The Plan of Operation for the Community Housing and Infrastructure Department and the Plan of Operation for the Administrative Services Centers and Approving a New Plan of Operation For the Capital Improvement Office, Design & Engineering Services Department, and the Solid Waste Management Program. *Sponsor: Honorable Benjamin Bennett*

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**M. Legislation # 0351-16:** An Action Relating to Resources and Development; Budget and Finance; Accepting the Department of Water Resources \$3 Million Supplemental Appropriate Internal Audit Submitted by the Office of the Auditor General and Approving the Corrective Action Plan Submitted by The Department of Water Resources. *Sponsor: Honorable Davis Filfred*

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**N. Legislation # 0355-16:** An Action Relating to Resources and Development, Budget and Finance And Naabik'Iyati Committees and Navajo Nation Council; Adopting the Sihasin Fund Twin Arrows/Glittering Mountain Family Entertainment Center Economic Development Expenditure Plan Pursuant to Resolution CD-68-14 and 12 N.N.C. §§ 2501-2508., Arizona). *Sponsor: Honorable Jonathan Hale.*

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**O. Legislation # 0359-16:** An Action Relating to Resources and Development; Budget and Finance and Naabik'Iyati Committees and Navajo Nation Council; Adopting the Sihasin Fund Pasture Range and Forage Expenditure Plan Pursuant to CD-68-14 and 12 N.N.C. §2501-2508). *Sponsor: Honorable Leonard Tsosie.*

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**P. Legislation # 0360-16:** An Action Relating to Resources and Development; Approving the Navajo Nation Land Acquisition Rules and Regulations. *Sponsor: Honorable Alton Joe Shepherd*

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**Q. Legislation # 0361-16:** An Action Relating to Resources and Development; Naabik'Iyati Committee and the Navajo Nation Council. Amending CAP-26-16 By Exempting Range Units 110, 601, 602, 603, 301 from the Determination of Navajo Partitioned Land Range Unit Boundaries and Grazing Districts. Amending IGRJN-110-10 by Exempting Range Units 110, 601, 602, 603, 301 and from Eligibility Criteria for Issuance of New Navajo Partitioned Land Grazing Permits; Authorizing Kayenta Chapter and Chilchibeto Chapter Officials to Discuss with Land Users, Permittees, and Resident of Range Units 110, 601, 602, 603, 301 and 310 The Boundaries and Grazing Permits Eligibility Criteria for these Range Units; And Directing that the Kayenta Chapter and Chilchibeto Chapter Officials Provide a Report to the Navajo Nation Council on these Matters.. *Sponsor: Honorable Herman Daniels, Jr.*

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**R. Legislation # 0365-16:** An Action Relating to Resources and Development; Budget and Finance and Naabik'Iyati Committees and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of \$66,628.13 for the Joe Family Power Line Extension Project; Waiving 12 N.N.C. §820(I) and 860(C) Relating to the Capital Improvement Process. *Sponsor: Honorable Davis Filfred*

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**S.** Approving a Special Meeting “**In Lieu of October 18, 2016**” due to the Navajo Nation Council 2016 Fall Session. *DATE:* \_\_\_\_\_.

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8. Conclusion of Committee Meeting; Other Announcements; Adjournment:

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**NOTE:** *The public is advised that the Resources and Development Committee Agenda is not final until adopted by a majority vote of the Committee at a duly called Committee meeting pursuant to 2 N.N.C. § 183. Navajo Nation Standing Committee Rule No. 8.*