

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0023-20_____

SPONSOR: Charlaine Tso

TITLE: An Action Relating to Resources and Development; approving the Grant of Right-of-Way to Emery Telecom/Transcon Environmental located on Navajo Nation Trust Lands in Aneth Chapter Vicinity (San Juan County, Utah)

Date posted: January 23, 2020 at 6:29pm

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0023-20

DATE: January 16, 2020

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION;
AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE
GRANT OF RIGHT-OF-WAY TO EMERY TELECOM/TRANSCON ENVIRONMENTAL
LOCATED ON NAVAJO NATION TRUST LANDS IN ANETH CHAPTER VICINITY
(SAN JUAN COUNTY, UTAH)

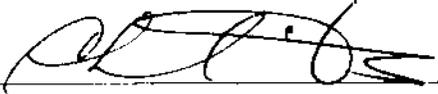
PURPOSE: Approving the Grant of Right-of-Way to Emery Telecon/Transcon Environmental, Inc. for the Utah Education Network (UTEN) San Juan Phase I Fiber Optic Project on Navajo Nation Trust Lands in Aneth Chapter vicinity (San Juan County, Utah).

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: 2800
Website Posting Time/Date: _____
Posting End Date: 1/28/20
Eligible for Action: 1/29/20

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 24th NAVAJO NATION COUNCIL -- Second Year, 2020

3 INTRODUCED BY

4 
5 _____

6 (Prime Sponsor)

7
8 TRACKING NO. 0023-20

9
10 AN ACTION

11 RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE GRANT
12 OF RIGHT-OF-WAY TO EMERY TELECOM/TRANSCON ENVIRONMENTAL
13 LOCATED ON NAVAJO NATION TRUST LANDS IN ANETH CHAPTER
14 VICINITY (SAN JUAN COUNTY, UTAH)

15
16 BE IT ENACTED:

17
18 SECTION ONE. AUTHORITY

- 19 A. Pursuant to 2 N.N.C. § 500, the Resources and Development Committee was
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 Rights of Way.

23
24 SECTION TWO. FINDINGS

- 25 C. Emery Telecon/Transcon Environmental, Inc., Salt Lake City, has submitted a right-
26 of-way (ROW) application for Utah Education Network (UTEN) San Juan Phase 1
27 Fiber Optic Project on, over and across Navajo Nation Trust Lands in Aneth Chapter
28 vicinity (San Juan County, Utah). The application request is attached hereto and
29 incorporated herein as **Exhibit E**.
30 D. The proposed right-of-way is described in map and description attached hereto and

1 incorporated herein as **Exhibit B**.

2 E. State of Utah Department of Transportation, which is the right-of-way permit holder,
3 "has agreed to approve the permit application to install fiber along UDOT's right-of-
4 way (ROW) through the Navajo nation, along SR 162, in the vicinity of Montezuma
5 Creek. The State of Utah Department of Transportation memorandum dated May 2,
6 2019 is attached hereto as **Exhibit C**.

7 F. The environmental studies and archaeological clearances, including the Finding of No
8 Significant Impact (FONSI), are attached as **Exhibit D**.

9 G. Aneth Chapter resolutions supporting the Utah Education Network (UTEN) San Juan
10 Phase 1 Fiber Optic Project are attached as **Exhibit F**.

11 H. The application for the Right-of-Way as submitted by the Emery Telecon/Transcon
12 Environmental, Inc., has been reviewed Executive Official Review process, including
13 review by the Department of Justice and "Approved" or found "Sufficient.". See
14 documents included in Executive Official Review Document No. 013152, attached as
15 **Exhibit G**.

16
17 SECTION THREE. APPROVAL

18 A. The Resources and Development Committee of the Navajo Nation Council hereby
19 approves the Grant of Right-of-Way to Emery Telecon/Transcon Environmental, Inc.
20 for the Utah Education Network (UTEN) San Juan Phase 1 Fiber Optic Project on
21 Navajo Nation Trust Lands in Aneth Chapter vicinity (San Juan County, Utah). The
22 location is more particularly described on the survey map attached hereto as **Exhibit**
23 **B**.

24 B. The Resources and Development Committee of the Navajo Nation Council hereby
25 approves the right-of-way subject to, but not limited to, the following terms and
26 conditions incorporated herein and attached as **Exhibit A**.

27 C. 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