

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0142-20__

SPONSOR: Edmund Yazzie

TITLE: An Action Relating To Resources And Development; Amending RDCAP-008-19 To Waive 100% Of The Compensation For The Grant Of Right-of-Way To Continental Divide Electric Cooperative, Inc., For The Red Willow Powerline Project Located On Navajo Nation Trust Lands In Mariano Lake Chapter Vicinity (McKinley County, New Mexico)

Date posted: June 30, 2020 at 11:46 AM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0142-20

DATE: June 26, 2020

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; AMENDING RDCAP-008-19 TO WAIVE 100% OF THE COMPENSATION FOR THE GRANT OF RIGHT-OF-WAY TO CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC., FOR THE RED WILLOW POWERLINE PROJECT LOCATED ON NAVAJO NATION TRUST LANDS IN MARIANO LAKE CHAPTER VICINITY (MCKINLEY COUNTY, NEW MEXICO)

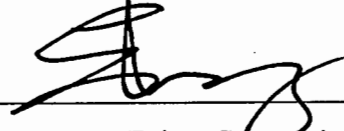
PURPOSE: Amending Resolution RDCAP-008-19 which granted a Right-of-Way to Continental Divide Electric Cooperative, Inc. for the Red Willow Powerline Project on Navajo Nation Trust Lands in Mariano Lake Chapter, McKinley County, New Mexico. The Continental Divide Electric Cooperative, Inc., requests an amendment of Resolution RDCAP-008-19 authorizing a 100% waiver of the assessed consideration of \$288,917.29.

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: 07-05-20
Eligible for Action: 07-06-20

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. 0142-20

9
10 AN ACTION

11 RELATING TO RESOURCES AND DEVELOPMENT; AMENDING RDCAP-008-
12 19 TO WAIVE 100% OF THE COMPENSATION FOR THE GRANT OF RIGHT-
13 OF-WAY TO CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC., FOR
14 THE RED WILLOW POWERLINE PROJECT LOCATED ON NAVAJO NATION
15 TRUST LANDS IN MARIANO LAKE CHAPTER VICINITY (MCKINLEY
16 COUNTY, NEW MEXICO)

17
18 BE IT ENACTED:

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20 **Section One. Authority**

21 Pursuant to 2 N.N.C. Section §501 (B)(2), The Resources and Development
22 Committee of the Navajo Nation Council has the authority to grant final approval
23 for all land withdrawals, non-mineral leases, permits, licenses, rights-of-way,
24 surface easements and bonding requirements on Navajo Nation lands and
25 unrestricted (fee) land. This authority shall include subleases, modifications,
26 assignments, leasehold encumbrances, transfers, renewals, and terminations.

27
28 **Section Two. Findings**

29 A. Resources and Development Committee Resolution RDCAP-008-19 approved a
30 grant of right-of-way to the Continental Divide Electric Cooperative, Inc., for the

1 Red Willow Powerline Project on, over and across Navajo Nation Trust Lands in
2 Mariano Lake Chapter vicinity, (McKinley County, New Mexico). RDCAP-008-
3 19 is attached as **Exhibit A** (without attachments).

4 B. Resources and Development Committee Resolution RDCD-97-18 limited the
5 amount of a waiver of consideration to no more than 50% for utility companies.
6 Pursuant to RDCD-97-19, RDCAP-008-19 waived \$144,458.65 which is half of
7 the assessed consideration of \$288,917.29.

8 C. The Continental Divide Electric Cooperative, Inc., requests an amendment of
9 Resolution RDCAP-008-19 authorizing a 100% waiver of the assessed
10 consideration of \$288,917.29.

11
12 **Section Three. Approval**

13 A. The Resources and Development Committee of the Navajo Nation Council hereby
14 amends Resolution RDCAP-008-19 SECTION THREE as follows:

15 "B. The Resources and Development Committee of the Navajo Nation
16 Council hereby waives valuation and waives compensation of
17 \$144,458.65, ~~which is fifty~~ one hundred percent of the assessed
18 \$288,917.29 for the right-of-way project because it has been determined
19 that accepting the agreed-upon compensation and waiving valuation is in
20 the best interest of the Navajo Nation, pursuant to Title 25 CFR § 169.110.

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