

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0143-19_____

SPONSOR: Wilson C. Stewart, Jr.

TITLE: An Action Relating To Resources And Development; Rescinding RDCAP-010-19 Which Amended The Water Use Fee Structure And Approving Amendments To The Navajo Nation Water Use Fee Structure

Date posted: June 11, 2019 at 2:35pm

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0143-19

DATE: June 6, 2019

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; RESCINDING RDCAP-010-19 WHICH AMENDED THE WATER USE FEE STRUCTURE AND APPROVING AMENDMENTS TO THE NAVAJO NATION WATER USE FEE STRUCTURE

PURPOSE: The purpose of the resolution is to rescind RDCAP-010-19 and approve amendments to the Navajo Nation Water Use Fee Structure.

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 -- First Year, 2019

INTRODUCED BY

Wilsane Stewart

(Prime Sponsor)

TRACKING NO. 0143-19

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; RESCINDING RDCAP-010-19 WHICH AMENDED THE WATER USE FEE STRUCTURE AND APPROVING AMENDMENTS TO THE NAVAJO NATION WATER USE FEE STRUCTURE

BE IT ENACTED:

Section One. Authority

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

Section Two. Findings

- A. Resolution RDCAP-010-19 AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; APPROVING AMENDMENTS TO THE NAVAJO NATION WATER USE FEE STRUCTURE is attached as **Exhibit A**.
- B. In 1997, by resolution RCAP-65-97, **Exhibit B**, the Resources Committee established a water use fee structure.
- C. In 2010, by resolution RCJA-04-10, **Exhibit C**, the Resources Committee further amended the Navajo Water Use Fee Structure.

1 D. Due to continuing inflation, the rising cost of administration, and the increased
2 costs to operate and maintain the Nation's water delivery systems the Navajo
3 Nation Water Resources Department recommends amending the Navajo Water
4 Use Fee Structure.

5 E. The Executive Review Form Document Number 011212 and Navajo Nation
6 Department of Justice Document Review Request Form are attached as
7 **Exhibit D** and shown to be "sufficient."
8

9 **Section Three. Rescinding RDCAP-010-19**

10 The Resources and Development Committee of the Navajo Nation Council hereby
11 rescinds RDCAP-010-19.
12

13 **Section Four. Approving Amendments to the Navajo Nation Water Use Fee**
14 **Structure**

15 A. Resources and Development Committee of the Navajo Nation Council hereby
16 approves the amendments to the Navajo Nation Water Use Fee Structure as
17 follows:

- 18 1. The Commercial Water Use Fee \$1.00 per 1,000 gallons;
- 19 2. The Government Agency Water Use Fee 50¢ per 1,000 gallons;
- 20 3. The Construction, Industrial and Mining Water Use fee \$6.00 per 1,000
21 gallons;
- 22 4. Rescinding the waiver of the collection of the water use fee from
23 commercial water users using less than 40,000 gallons of water during any
24 three-month billing period;
- 25 5. Applying the Navajo Nation Sales Tax to the total water rate cost.
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