

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0148-20\_\_

SPONSOR: Mark A. Freeland

**TITLE: An Action Relating To Resources And Development; Amending RDCO-054-19 To Waive 100% Of The Compensation For The Grant Of Right-Of-Way To Continental Divide Electric Cooperative, Inc., For The Echo Canyon Powerline Project Located On Navajo Nation Trust Lands In Mariano Lake Chapter Vicinity (McKinley County, New Mexico)**

***Date posted: July 2, 2020 at 12:19 PM***

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**LEGISLATIVE SUMMARY SHEET**

**Tracking No.** 0148-20

**DATE:** June 26, 2020

**TITLE OF RESOLUTION:** PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; AMENDING RDCO-054-19 TO WAIVE 100% OF THE COMPENSATION FOR THE GRANT OF RIGHT-OF-WAY TO CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC., FOR THE ECHO CANYON POWERLINE PROJECT LOCATED ON NAVAJO NATION TRUST LANDS IN MARIANO LAKE CHAPTER VICINITY (MCKINLEY COUNTY, NEW MEXICO)

**PURPOSE:** Approving an amendment to Resolution RDCO-054-19 which approved a grant of Right-of-Way to Continental Divide Electric Cooperative, Inc. for the Echo Canyon Powerline Project on Navajo Nation Trust Lands in Mariano Lake Chapter, McKinley County, New Mexico. Continental Divide Electric Cooperative, Inc., requests a 100% waiver of the assessed consideration of \$194,227.88.

**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:                       
Website Posting Time/Date:                       
Posting End Date: 07.07.2020  
Eligible for Action: 07.08.2020

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

3 INTRODUCED BY

4   
5

6 (Prime Sponsor)

7  
8 TRACKING NO. 0148-20

9  
10 AN ACTION

11 RELATING TO RESOURCES AND DEVELOPMENT; AMENDING RDCO-054-  
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 ECHO CANYON POWERLINE PROJECT LOCATED ON NAVAJO  
15 NATION TRUST LANDS IN MARIANO LAKE CHAPTER VICINITY  
16 (MCKINLEY COUNTY, NEW MEXICO)

17  
18 BE IT ENACTED:

19  
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 RDCO-054-19 approved a  
30 grant of right-of-way to the Continental Divide Electric Cooperative, Inc., for  
Echo Canyon Powerline Project on, over and across Navajo Nation Trust Lands in

1 Mariano Lake Chapter vicinity, McKinley County, New Mexico. RDCO-054-19  
2 is attached as **Exhibit A** (without attachments).

3 B. Resources and Development Committee Resolution RDCD-97-18 limited the  
4 amount of a waiver of consideration to no more than 50% for utility companies.  
5 Pursuant to RDCD-97-19, RDCO-054-19 waived \$97,113.94 which is half of the  
6 assessed consideration of \$194,227.88.

7 C. The Continental Divide Electric Cooperative, Inc., requests an amendment of  
8 Resolution RDCO-054-19 authorizing a 100% waiver of the assessed  
9 consideration of \$194,227.88.

10  
11 **Section Three. Approval**

12 A. The Resources and Development Committee of the Navajo Nation Council hereby  
13 amends Resolution RDCO-054-19 SECTION THREE as follows:

14 "B. The Resources and Development Committee of the Navajo Nation  
15 Council hereby waives valuation and waives compensation of ~~\$97,113.94,~~  
16 ~~which is fifty-one hundred~~ percent of the assessed \$194,227.88 for the  
17 right-of-way project for 20 year term, because it has been determined that  
18 accepting the agreed-upon compensation and waiving valuation is in the  
19 best interest of the Navajo Nation pursuant to Title 25 CFR § 169.110.

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