

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0056-21\_\_

SPONSOR: Charlaine Tso

**TITLE: An Action Relating to Resources and Development; Approving the Red Mesa Tapaha Solar Project Lease for the Navajo Tribal Utility Authority to Construct and Operate a Solar Generation for Red Mesa Tapaha Solar Project, Red Mesa Chapter Vicinity, Navajo Nation (San Juan County, Utah)**

***Date posted:*** March 25, 2021 at 9:45PM

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**LEGISLATIVE SUMMARY SHEET**  
**Tracking No. 0056-21**

DATE: March 25, 2021

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE RED MESA TAPAHA SOLAR PROJECT LEASE FOR THE NAVAJO TRIBAL UTILITY AUTHORITY TO CONSTRUCT AND OPERATE A SOLAR GENERATION FOR RED MESA TAPAHA SOLAR PROJECT, RED MESA CHAPTER VICINITY, NAVAJO NATION (SAN JUAN COUNTY, UTAH)

PURPOSE: The purpose of this legislation is to approve the Red Mesa Tapaha Solar Project Lease between the Navajo Nation and the Navajo Tribal Utility Authority.

**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: VSR/dhuse

Website Posting Time/Date: \_\_\_\_\_

Posting End Date: 03-30-2021

Eligible for Action: 03-31-2021

PROPOSED STANDING COMMITTEE RESOLUTION

24<sup>th</sup> NAVAJO NATION COUNCIL -- Third Year, 2021

INTRODUCED BY

\_\_\_\_\_  
(Prime Sponsor)

TRACKING NO. 0056-21



AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE RED MESA TAPAHA SOLAR PROJECT LEASE FOR THE NAVAJO TRIBAL UTILITY AUTHORITY TO CONSTRUCT AND OPERATE A SOLAR GENERATION FOR RED MESA TAPAHA SOLAR PROJECT, RED MESA CHAPTER VICINITY, NAVAJO NATION (SAN JUAN COUNTY, UTAH)

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. The Navajo Tribal Utility Authority seeks approval of the Red Mesa Tapaha Solar Project Lease, attached as **Exhibit A**, which includes a sublease for a portion of the land for the construction and operation of a 70MW solar generation facility, related

1 facilities and an access road that connects to BIA N5062 for the Red Mesa Tapaha  
2 Solar Project located in the Red Mesa Chapter vicinity, Navajo Nation (San Juan  
3 County, Utah).

4 B. The proposed Red Mesa Tapaha Solar Project Lease contains 700.09 acres, more or  
5 less, Navajo Nation, State of Utah, is described in **Exhibit B**. Five hundred fifty  
6 (550) acres are to be subleased to NTUA Generation-Utah, LLC which is a wholly  
7 owned entity of NTUA.

8 C. The Red Mesa Tapaha Solar Project will address the energy needs of both NTUA and  
9 the sixteen municipal members of the Utah Associated Municipal Power Systems  
10 (“UAMPS”). UAMPS has agreed to purchase 66-megawatts of the 70-megawatt for  
11 a period of 25 years. The remaining 4-megawatt will be purchased by NTUA and  
12 distributed by NTUA to serve its customers throughout the Navajo Nation.

13 D. A portion of the output from the Red Mesa Tapaha Solar Project shall be utilized to  
14 service the Navajo Nation and NTUA will need to have an interconnection facility to  
15 connect to NTUA’s utility system. NTUA’s utility system is required to meet the  
16 federal reliability requirements established by Federal Energy Regulatory  
17 Commission and North American Energy Reliability Corporation to operate a  
18 modern, safe reliable electric system

19 E. Red Mesa Chapter Resolution RMC-07-041519, attached as **Exhibit C**, dated April  
20 15, 2019, supports the Red Mesa Tapaha Solar Project.

21 F. The Right-of-Way Agent has obtained the necessary consents from the affected land  
22 users (grazing permittees) which are attached as **Exhibit D**.

23 G. The Biological Resources Compliance Form is attached as **Exhibit E**; the Cultural  
24 Resources Compliance Form is attached as **Exhibit F**; the Traditional Cultural  
25 Property (TCP) Record is attached as **Exhibit G**. The Biological Survey Report is  
26 attached as **Exhibit H**.

27 H. The proposed Red Mesa Tapaha Solar Project Lease has been reviewed through  
28 Executive Official Review Document Number 015806 which is attached as **Exhibit I**.

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30 **SECTION THREE. APPROVAL**

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- A. The Resources and Development Committee of the Navajo Nation Council hereby approves the lease and sublease, attached hereto as **Exhibit A**, to the Navajo Tribal Utility Authority to construct, operate and maintain the Red Mesa Tapaha Solar Project as described herein. The location is more particularly described on the survey map attached hereto as **Exhibit B**.
- B. The Resources and Development Committee of the Navajo Nation Council hereby authorizes the President of the Navajo Nation to execute any and all documents necessary to affect the intent and purpose of this resolution.