

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0220-21\_

SPONSOR: Mark A. Freeland

**TITLE: An Action Relating to Resources and Development; Approving the Grant of Right-of-Way to Paradox Midstream LLC, for Paradox Midstream, LLC, Montezuma Creek North Pipeline Located on Navajo Nation Trust Lands in Aneth Chapter and Red Mesa Chapter Vicinity (San Juan County, Utah)**

***Date posted:*** October 28, 2021 at 9:25AM

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**LEGISLATIVE SUMMARY SHEET**

**Tracking No.** 0220-21

**DATE:** September 17, 2021

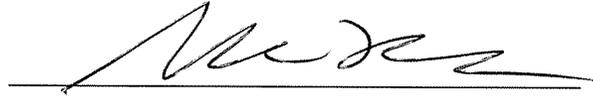
**TITLE OF RESOLUTION:** PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE GRANT OF RIGHT-OF-WAY TO PARADOX MIDSTREAM LLC, FOR PARADOX MIDSTREAM, LLC, MONTEZUMA CREEK NORTH PIPELINE LOCATED ON NAVAJO NATION TRUST LANDS IN ANETH CHAPTER AND RED MESA CHAPTER VICINITY (SAN JUAN COUNTY, UTAH)

**PURPOSE:** The purpose of this legislation is to approve the grant of right-of-way to Paradox Midstream LLC for continued operation and maintenance of a 6 5/8-inch gas pipeline Paradox Midstream, LLC, Montezuma Creek North Pipeline on Navajo Nation Trust Lands in Aneth Chapter and Red Mesa 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.**

PROPOSED STANDING COMMITTEE RESOLUTION  
24<sup>th</sup> NAVAJO NATION COUNCIL -- Third Year, 2021

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0220-21

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE GRANT OF RIGHT-OF-WAY TO PARADOX MIDSTREAM LLC, FOR PARADOX MIDSTREAM, LLC, MONTEZUMA CREEK NORTH PIPELINE LOCATED ON NAVAJO NATION TRUST LANDS IN ANETH CHAPTER AND RED MESA CHAPTER VICINITY (SAN JUAN COUNTY, UTAH)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. Pursuant to 2 N.N.C.§ 500, the Resources and Development Committee was established as a standing committee of the Navajo Nation Council.
- B. Pursuant to 2 N.N.C. §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. Paradox Midstream LLC, Houston, Texas, has submitted a right-of-way (ROW)

1 application for continued operation and maintenance of a 6 5/8-inch gas pipeline  
2 Paradox Midstream, LLC, Montezuma Creek North Pipeline. This right-of-way is on,  
3 over and across Navajo Nation Trust Lands in Aneth Chapter and Red Mesa Chapter  
4 (San Juan County, Utah).

- 5 B. The Terms and Conditions for the right-of-way are attached as **Exhibit A**.
- 6 C. The proposed right-of-way is described in map and description attached hereto and  
7 incorporated herein as **Exhibit B**.
- 8 D. The Navajo Natural Heritage Program granted conditional approval in October 8, 2020  
9 memorandum is attached as **Exhibit C**.
- 10 E. The Historic Preservation Department Cultural Resource Inventory Determination  
11 Form provided a notification to proceed dated January, 20217 which is attached as  
12 **Exhibit D**.
- 13 F. The Biological Resources Compliance Form dated October 8, 2020 is attached as  
14 **Exhibit E**.
- 15 G. The Environmental Assessment on behalf of Paradox Midstream LLC, Montezuma  
16 North Pipeline dated October 9, 2015, revised September 28, 2020, prepared by Permits  
17 West is attached as **Exhibit F**.
- 18 H. The right-of-way application request is attached hereto and incorporated herein as  
19 **Exhibit G**.
- 20 I. The Paradox Midstream, LLC, agent asks the Resources and Development Committee  
21 to waive the appraisal requirement for the Paradox Midstream, LLC, right-of-way. The  
22 letter is attached as **Exhibit H**.
- 23 J. The application for the right-of-way as submitted by the Paradox Midstream, LLC, has  
24 been reviewed Executive Official Review process, including review by the Department  
25 of Justice and “Approved” or found “Sufficient.”. See documents included in  
26 Executive Official Review Document No. 015290, attached as **Exhibit I**.

27  
28 SECTION THREE. APPROVAL

- 29 A. The Resources and Development Committee of the Navajo Nation Council hereby  
30 approves the Grant of Right-of-Way to Paradox Midstream LLC for continued  
operation and maintenance of a 6 5/8-inch gas pipeline Paradox Midstream, LLC,

1 Montezuma Creek North Pipeline on Navajo Nation Trust Lands in Aneth Chapter and  
2 Red Mesa Chapter vicinity (San Juan County, Utah). The location is more particularly

3  
4 described on the survey map attached hereto as **Exhibit B**.

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

8 C. The Resources and Development Committee of the Navajo Nation Council hereby  
9 authorizes the President of the Navajo Nation to execute any and all documents  
10 necessary to affect the intent and purpose of this resolution.