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

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 et. seq.
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

24th 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)
application for continued operation and maintenance of a 6 5/8-inch gas pipeline Paradox Midstream, LLC, Montezuma Creek North Pipeline. This right-of-way is on, over and across Navajo Nation Trust Lands in Aneth Chapter and Red Mesa Chapter (San Juan County, Utah).

B. The Terms and Conditions for the right-of-way are attached as **Exhibit A**.

C. The proposed right-of-way is described in map and description attached hereto and incorporated herein as **Exhibit B**.

D. The Navajo Natural Heritage Program granted conditional approval in October 8, 2020 memorandum is attached as **Exhibit C**.

E. The Historic Preservation Department Cultural Resource Inventory Determination Form provided a notification to proceed dated January, 20217 which is attached as **Exhibit D**.

F. The Biological Resources Compliance Form dated October 8, 2020 is attached as **Exhibit E**.

G. The Environmental Assessment on behalf of Paradox Midstream LLC, Montezuma North Pipeline dated October 9, 2015, revised September 28, 2020, prepared by Permits West is attached as **Exhibit F**.

H. The right-of-way application request is attached hereto and incorporated herein as **Exhibit G**.

I. The Paradox Midstream, LLC, agent asks the Resources and Development Committee to waive the appraisal requirement for the Paradox Midstream, LLC, right-of-way. The letter is attached as **Exhibit H**.

J. The application for the right-of-way as submitted by the Paradox Midstream, LLC, has been reviewed Executive Official Review process, including review by the Department of Justice and “Approved” or found “Sufficient.”. See documents included in Executive Official Review Document No. 015290, attached as **Exhibit I**.

SECTION THREE. APPROVAL

A. The Resources and Development Committee of the Navajo Nation Council hereby 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,
Montezuma Creek North Pipeline on Navajo Nation Trust Lands in Aneth Chapter and
Red Mesa Chapter vicinity (San Juan County, Utah). 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
approves the right-of-way subject to, but not limited to, the following terms and
conditions incorporated herein and attached as **Exhibit A**.

C. 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.