

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0026-22\_

SPONSOR: Eugenia Charles-Newton

**TITLE: An Action Relating to Resources and Development Committee and Naabik'iyáti' Committee; Requesting the State of New Mexico to Utilize State Revenue Sources, and Federal Revenue Sources to Prioritize the Study, Design and Construction of US 64 (from US 160 at Teec Nos Pos, Arizona to US 491 in Shiprock, New Mexico) and the San Juan River Replacement in Shiprock. New Mexico**

***Date posted:*** February 10, 2022 at 10:33AM

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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.*

**LEGISLATIVE SUMMARY SHEET**

**Tracking No.** 0026-22

**DATE:** February 2, 2022

**TITLE OF LEGISLATION:** A PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE; REQUESTING THE STATE OF NEW MEXICO TO UTILIZE STATE REVENUE SOURCES, AND FEDERAL REVENUE SOURCES TO PRIORITIZE THE STUDY, DESIGN AND CONSTRUCTION OF US 64 (FROM US 160 AT TEEC NOS POS, ARIZONA TO US 491 IN SHIPROCK, NEW MEXICO) AND THE SAN JUAN RIVER REPLACEMENT IN SHIPROCK. NEW MEXICO

**PURPOSE:** The purpose of this legislation to request the State of New Mexico to utilize State revenue sources, and Federal revenue sources including the Coronavirus Relief Fund, the COVID-19 Stimulus Package, and the Infrastructure Investment and Jobs Act to prioritize the study, design and construction of US 64 (from US 160 at Teec Nos Pos, Arizona to US 491 in Shiprock, New Mexico) and the San Juan River replacement at Shiprock, New Mexico.

**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: Johnson  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 02-15-22  
Eligible for Action: 02-16-22

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 24<sup>th</sup> NAVAJO NATION COUNCIL—Fourth Year, 2022

3 INTRODUCED BY

4   
5 \_\_\_\_\_

6 Primary Sponsor

7  
8 TRACKING NO. 0026-22

9  
10 AN ACTION

11 RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND  
12 NAABIK'ÍYÁTI' COMMITTEE; REQUESTING THE STATE OF NEW MEXICO TO  
13 UTILIZE STATE REVENUE SOURCES, AND FEDERAL REVENUE SOURCES TO  
14 PRIORITIZE THE STUDY, DESIGN AND CONSTRUCTION OF US 64 (FROM US  
15 160 AT TEEC NOS POS, ARIZONA TO US 491 IN SHIPROCK, NEW MEXICO) AND  
16 THE SAN JUAN RIVER REPLACEMENT IN SHIPROCK. NEW MEXICO

17  
18 **BE IT RESOLVED:**

19  
20 **SECTION ONE. AUTHORITY**

- 21 A. The Resources and Development Committee is established as a standing committee of  
22 the Navajo Nation Council with oversight of land, environmental protection and cultural  
23 resources and authority to review and recommend resolutions to the Naabik'iyáti'  
24 Committee and Navajo Nation Council to accomplish or impact the Resources and  
25 Development Committee purpose. 2 N.N.C. §§ 164 (A)(9), 500 (C), and 501 (B)(4)(a).  
26 B. The Naabik'iyáti' Committee is established as a standing committee of the Navajo  
27 Nation Council with authority to review and continually monitor the programs and  
28 activities of federal and state departments and to assist development of such programs  
29 designed to serve the Navajo People and the Navajo Nation through intergovernmental  
30 relationships between the Navajo Nation and such departments and to coordinate Navajo

1 appearances and testimony before state governments. 2 N.N.C. §§ 164 (A)(9), 700 (A),  
2 701 (A)(7)(8).

## 3 4 **SECTION TWO. FINDINGS**

5 A. Currently, active road projects of the New Mexico Department of Transportation include  
6 the US 64 Alignment Study, Arizona to Shiprock, which is in the Study and Design  
7 Phase. Project description: CN 5101170 and 5101171, District 5, San Juan County. The  
8 New Mexico Project Overview states:

9 The NMDOT is conducting a Phase A and B Alignment Study for US 64 in San  
10 Juan County from US 160 at Teec Nos Pos, Arizona to US 491 in Shiprock, New  
11 Mexico. This stretch of highway traverses Navajo Nation lands and mainly serves  
12 rural residents in Shiprock and Beclabito, New Mexico and Teec Nos Pos, Arizona;  
13 freight trucks; tourists traveling to National Monuments, Beclabito Dome; and other  
14 recreational destinations in the Four Corners area. Initial evaluations have  
15 determined that the highway may need major pavement improvements, additional  
16 shoulders, sight distance/vertical alignment improvements, drainage improvements  
17 and up to four bridge replacements. The purpose of the Study is to evaluate existing  
18 and projected roadway conditions and develop recommendations for potential  
19 improvements. Alternatives to improve the corridor are being evaluated and  
20 investigated further. Ultimately, the study will assist with identifying future phased  
21 design and construction goals.

22 See <https://www.dot.nm.gov/projects/active-projects/>.

23 B. Moreover, previous road projects of the New Mexico Department of Transportation  
24 included the US 64/491 San Juan Bridge Replacement, Shiprock, which was in the  
25 Study and Design Phase. The Project description was: 5101011 District 5 San Juan  
26 County. Although the San Juan Bridge Replacement project was previously listed in  
27 the New Mexico active project website, there was no funds identified for the Study and  
28 Design Phase, nor the Construction Phase.

29 C. The State of New Mexico utilizes the following funding sources for road studies, and to  
30 maintain and construct roads throughout the State:

- 1 1. Annual State Operating and Capital Budgets to fund programs, services, and  
2 infrastructure - such as education, public health and safety, roads and bridges;
- 3 2. State Road Fund composed of revenue from the gasoline tax, special fuels tax  
4 on diesel, weight-distance tax on commercial trucking, vehicle registration fees,  
5 and other minor fees;
- 6 3. State bonds issued to cover large infrastructure projects; and
- 7 4. Federal highway funds for construction projects statewide and distributed  
8 according to the priorities established in the Statewide Transportation  
9 Infrastructure Plan (STIP). The STIP is a four-year, federally mandated, multi-  
10 modal transportation plan that allows New Mexico Department of  
11 Transportation, local governments, and planning organizations to identify and  
12 rank high priority infrastructure projects.

13 D. The State of New Mexico received and will continue to receive federal funds from the  
14 following Acts:

- 15 1. The Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136,  
16 134 Stat. 281 (2020), which, at Title V, §5001, entitled “Coronavirus Relief  
17 Fund,” and
- 18 2. The American Rescue Plan Act of 2021, Pub L. No. 117-2 also called the  
19 COVID-19 Stimulus Package or American Rescue Plan, (March 11, 2021), and
- 20 3. The Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, 135 Stat. 429  
21 (2021), also known as the Bipartisan Infrastructure Framework (BIF) or  
22 Bipartisan Infrastructure Deal (November 15, 2021).

23 E. Roads throughout the Navajo Nation are very important infrastructure for the safety of  
24 all residents within and near to the Navajo Nation, tourists traveling throughout the  
25 Navajo Nation, commercial vehicles traveling within and throughout the Navajo Nation,  
26 all businesses (retail, commercial and industrial) and their development throughout the  
27 Navajo Nation, Navajo, communities, Navajo chapters, and the Navajo people who  
28 utilize the roads for life necessities (food, medicine, wood for home heating, water  
29 hauling, health and elderly care, education, etc.). The Navajo Nation is 27,000 square  
30

1 miles and roads are an important infrastructure for the Navajo Nation and the Navajo  
2 people.

3 F. It is in the best interest of the Shiprock Chapter, Beclabito Chapter, Teec Nos Pos  
4 Chapter, Northern Navajo Agency, surrounding Navajo chapters and communities, the  
5 Navajo Nation, and the Navajo people that the Navajo Nation requests the State of New  
6 Mexico to utilize State revenue sources, and Federal revenue sources to prioritize the  
7 study, design and construction of US 64 (from US 160 at Teec Nos Pos, Arizona to US  
8 491 in Shiprock, New Mexico) and the San Juan River replacement at Shiprock, New  
9 Mexico.

10  
11 **SECTION THREE. APPROVAL**

12 The Navajo Nation hereby requests the State of New Mexico to utilize State revenue  
13 sources, and Federal revenue sources including the Coronavirus Relief Fund, the COVID-  
14 19 Stimulus Package, and the Infrastructure Investment and Jobs Act to prioritize the study,  
15 design and construction of US 64 (from US 160 at Teec Nos Pos, Arizona to US 491 in  
16 Shiprock, New Mexico) and the San Juan River replacement at Shiprock, New Mexico.