

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0212-22_

SPONSOR: Raymond Smith, Jr.

TITLE: An Action Relating to Resources and Development Committee and Naabik'iyáti' Committee; Requesting the State of Arizona to Utilize State Revenue Sources, and Federal Revenue Sources to Prioritize the Study, Design and Construction of the Querino Bridge in Northeastern Arizona, Apache County Near Interstate 40 and Houck Community

Date posted: November 02, 2022 at 8:55PM

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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.

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0212-22

DATE: October 27, 2022

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE; REQUESTING THE STATE OF ARIZONA TO UTILIZE STATE REVENUE SOURCES, AND FEDERAL REVENUE SOURCES TO PRIORITIZE THE STUDY, DESIGN AND CONSTRUCTION OF THE QUERINO BRIDGE IN NORTHEASTERN ARIZONA, APACHE COUNTY NEAR INTERSTATE 40 AND HOUCK COMMUNITY

PURPOSE: The purpose of this legislation is to request the State of Arizona to utilize state revenue sources, and federal revenue sources to prioritize the study, design and construction of the Querino Bridge in Northeastern Arizona, Apache County, near Interstate 40 and Houck community. The Querino Bridge is important to the Houck community and the surrounding communities. The Apache County Supervisor District Two requested federal assistance to U.S. Senator Kyrsten Sinema for federal funds to refurbish or replace the Querino Bridge.

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: 11-06-22
Eligible for Action: 11-07-22

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

3 INTRODUCED BY

4 
5 _____
6 Primary Sponsor

7
8 TRACKING NO. 0212-22

9
10 AN ACTION

11 RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND
12 NAABIK'ÍYÁTI' COMMITTEE; REQUESTING THE STATE OF ARIZONA TO
13 UTILIZE STATE REVENUE SOURCES, AND FEDERAL REVENUE SOURCES TO
14 PRIORITIZE THE STUDY, DESIGN AND CONSTRUCTION OF THE QUERINO
15 BRIDGE IN NORTHEASTERN ARIZONA, APACHE COUNTY NEAR INTERSTATE
16 40 AND HOUCK COMMUNITY

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

1 relationships between the Navajo Nation and such departments. 2 N.N.C. §§ 164 (A)(9),
2 700 (A), 701 (A)(7).

3
4 **SECTION TWO. FINDINGS**

5 A. The Querino Canyon Bridge is picturesquely situated over a rugged and beautiful
6 canyon just outside Houck, Arizona. Designed by the Arizona Highway Department;
7 the bridge is a representative example of early highway truss design: 77 feet long, 20
8 feet wide, and comprised of a concrete-decked steel trestle with three Pratt deck trusses
9 supported by steel piers. Concrete abutments support the bridge from below and steel
10 lattice guardrails typical of the period line the roadway. The State built the bridge in
11 1929 as part of a grand rehabilitation and relocation of Route 66 across northern
12 Arizona. The project included several bridges, drainage construction, and at least 25
13 miles of roadway. The largest of these multiple efforts, the bridge over Querino Canyon
14 formed an integral link on one of America's primary arteries. This section of the
15 highway became a county road during the 1960s after construction of Interstate 40. The
16 Querino Canyon Bridge remains intact, carrying local traffic on Navajo Nation land. It
17 was listed in the National Register of Historic Places in 1988. The Querino Canyon
18 Bridge crosses Querino Canyon 3.8 miles southwest of Houck, AZ as part of Old
19 Highway 66; (see <https://www.nps.gov/places/querino-canyon-bridge.htm>); and

20 B. The Querino Canyon Bridge is used by the Navajo people, Arizona residents, tourists,
21 Houck Chapter residents, nearby Navajo chapter residents, and nearby communities.

22 C. The State of Arizona utilizes the following funding sources for road studies, and to
23 maintain and construct roads throughout the State:

- 24 1. Annual State Operating and Capital budgets to fund programs, services, and
25 infrastructure - such as education, public health and safety, roads and bridges;
26 and
- 27 2. State Transportation Funds composed of revenue from excise tax, gasoline and
28 use-fuel taxes, motor-carrier taxes, vehicle-license taxes, motor vehicle
29 registration fees, and other miscellaneous fees; and
- 30 3. State bonds issued to cover large infrastructure projects; and

1 4. Federal highway funds for the construction of Arizona highways, roads and
2 streets; and

3 D. The State of Arizona received federal funds, which include the following Acts:

4 1. The Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136,
5 134 Stat. 281 (2020), which, at Title V, §5001, entitled “Coronavirus Relief
6 Fund,” and

7 2. The American Rescue Plan Act of 2021, Pub L. No. 117-2 also called the
8 COVID-19 Stimulus Package or American Rescue Plan, (March 11, 2021), and

9 3. The Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, 135 Stat. 429
10 (2021), also known as the Bipartisan Infrastructure Framework (BIF) or
11 Bipartisan Infrastructure Deal (November 15, 2021); and

12 E. Roads throughout the Navajo Nation is a very important infrastructure for the safety of
13 all residents within and near to the Navajo Nation, tourists traveling throughout the
14 Navajo Nation, commercial vehicles traveling within and throughout the Navajo Nation,
15 all businesses (retail, commercial and industrial) and their development throughout the
16 Navajo Nation, Navajo, communities, Navajo chapters, and the Navajo people who
17 utilize the roads for life necessities (food, medicine, wood for home heating, water
18 hauling, health and elderly care, education, etc.). The Navajo Nation is 27,000 square
19 miles and roads are an important infrastructure for the Navajo Nation and the Navajo
20 people; and

21 F. On May 20, 2022, Honorable Delegate Raymond Smith, Jr., Honorable Delegate Kee
22 Allen Begay, Jr., and Apache County Supervisor Dist. 2 Alton Joe Shepherd, testified
23 at Arizona’s State Transportation Public Hearing and Board Meeting, which was held
24 in person or via telephonic or Webex, and requested funds to replace the Querino
25 Bridge, (See:[https://aztransportationboard.gov/sites/default/files/docs/2022/07/arizona-
26 state-transportation-board-agenda-220715.pdf](https://aztransportationboard.gov/sites/default/files/docs/2022/07/arizona-state-transportation-board-agenda-220715.pdf)); and

27 G. By a letter dated May 19, 2022, Apache County Supervisor Dist. 2 Alton Joe Shepherd
28 requested federal assistance to U.S. Senator Kyrsten Sinema for federal funds to
29 refurbish or replace the Querino Bridge, the letter is attached hereto as **Exhibit A**; and
30

1 H. It is in the best interest of the Houck Chapter, Tse Si Ani (Lupton) Chapter, Nahata
2 Dziil, Fort Defiance Agency, surrounding Navajo chapters and communities, the Navajo
3 Nation, and the Navajo people that the Navajo Nation requests the State of Arizona to
4 utilize state revenue sources, and federal revenue sources to prioritize the study, design
5 and construction of the Querino Bridge in northeastern Arizona, Apache County, near
6 Interstate 40 and the Houck Community.

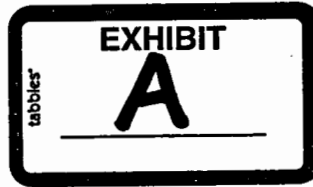
7
8 **SECTION THREE. APPROVAL**

9 The Navajo Nation hereby requests the State of Arizona to utilize state revenue sources, and
10 federal revenue sources to prioritize the study, design and construction of the Querino
11 Bridge in northeastern Arizona, Apache County, near Interstate 40 and the Houck
12 Community.



APACHE COUNTY BOARD OF SUPERVISORS
DISTRICT 2

ALTON JOE SHEPHERD



May 19, 2022

Senator Kyrsten Sinema
3333 E. Camelback Rd, Suite 200
Phoenix, AZ 85018

RE: REQUEST FOR FUNDING ASSISTANCE

Dear Honorable Senator Sinema,

Ya'ateeh. I am writing to request assistance to seek federal funding to refurbish or replace the Querino Bridge, Structural Number 08071 as listed in the national bridge inventory. The bridge is located in northeastern Arizona, Apache County near Interstate 40 & Houck community. The bridge is part of County Road 7250 and is a segment of the old Route 66. The bridge was built in the 1930's and spans 270' over the Querino Canyon. ADOT performs bi-annual inspections with the last inspection being in July of 2020, the last inspection yielded a sufficiency rating of 19.30 and a Bridge Condition rating of poor. See attachment of report. The bridge is listed with the National Historic Preservation.

The community of Houck is very concerned about the safety of the bridge as each time the I-40 has a backup or an accident occur, the freeway traffic finds its way across the Querino bridge. The semi-truck traffic weighing 26-40 tons exceeds the recommended bridge capacity. Although the bridge is signed with a 3 ton weight limit, intended for passenger cars. Diverted freeway traffic inevitably finds its way across the bridge. The potential for a serious collapse is great and the mental and emotional stress posed from the community members is great, your intervention on this issue is urgently needed.

Apache County District 2 is committed to working together with the Navajo Nation Government, Houck Chapter Government in find a solution to this challenge. We are asking your help in passing legislation to provide federal funding for the preservation of this historic bridge. Please feel free to contact me or my staff, Flora Nez, Chief of Staff at my Ganado office, 928-755-3881, fnez@co.apache.az.us, for any additional information. I look forward to hearing from you soon.

Ahehee'

Alton Joe Shepherd
Apache County Supervisor Dist. 2

Attachment-Structure Inventory Appraisal

Cc:Apache County D2 File
Ferrin Crosby, Apache County Engineer
Raymond Smith, Navajo Nation Council Delegate
Fred Footracer, Houck Chapter President

"Better Roads, Better Communities"

GANADO ADMINISTRATION OFFICE

P.O. Box 899
GANADO, AZ 86505
PHONE: 928-755-3881
FAX: 928-755-3226

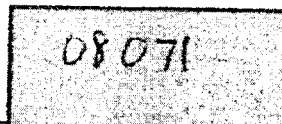
FORT DEFIANCE DISTRICT OFFICE

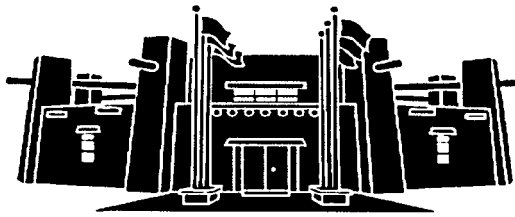
P.O. Box 1170
FORT DEFIANCE, AZ 86504
PHONE: 928-729-2141
FAX: 928-729-2147

BRIDGE GROUP

Structure Inventory and Appraisal

Structure Number: 08071		Structure Name: Querino Canyon Br		Feature Under: Querino Canyon	
Route: 0 MP 0		Road Name: IRR Old US 66		Agency: Apache Co	
				Location: 3.0 mile N of Cedar Pt TI	

LOCATION INFORMATION		DIMENSIONS		PROPOSED IMPROVEMENTS	
N1-State Code	049	N32 Appr Rdwy Wdth (feet)	18	N75-Type of Work	31 1
N2-State Hwy District	Northeast	N46-Max Span Length (feet)	77	N76-Length of Str Imp (feet)	301
N3-County Code	Apache	N49-Structure Length (feet)	269	N94-Br Improv Cost (x1000)	\$381
N4-Place Code	Unknown	N50a-Lt Curb/Swik Wdth (feet)	0.4	N95-Rdwy Improv Cost (x1000)	\$165
N16-Latitude	35 Deg 16 Min 20.00 Sec	N50b-Rt Curb/Swik Wdth (feet)	0.4	N96-Total Project Cost (x1000)	\$1151
N17-Longitude	109 Deg 15 Min 70.00 Sec	N51-Br Wdth Curb-Curb (feet)	20.0	N97-Year of Cost Estimate	2020
N99-Border St Code - % Resp		N52-Deck Width Out-Out (feet)	21.1	CONSTRUCTION PROJECT DATA	
N99-Border Bridge Number		N112-NB:SB Length?	Y	N27-Year Built	1931
INVENTORY ROUTE DATA		VERTICAL & HORIZONTAL CLEARANCE		N106-Year of Reconstruction:	
N19-Detour Length (miles)	6	N53-Min Vert Over Cir (feet)	99.99	A204-Orig Project Number:	FAP 63-A
N23-Totl	3	N54-Min Vert Under Cir (feet)	N 0.00	A205-Orig Project Station:	2055+19.93
ROADWAY RECORD ON UNDER		N55-Min Lat Under Cir Rt (feet)	N 0.0	A223-TRACS Number	
N5 Inv Rte 1 4 0 03000 0		N56-Min Lat Under Cir Lt (feet)	0.0	A225-Deck Area (sq. feet)	5576
N28-Lanes	2 C	SERVICE, TYPE, and SPAN INFORMATION		INSPECTION	
N10-Inv Rte Min Vert Cir (feet)	99.99	N42-Service Type	1 5	N90-Inspection Date	06/01/2020
N11-Inv Rte M'lepoint	0.00	N43-Str Type Man	3 9	N91-Insp Freq (months)	24
N26-Functional Class	07	N44-Su Type Appr	0 0	A207-Inspection Quarter	3
N29-Avg Daily Traffic	500	N45-Number of Main Spans	5	Inspection Type	FC In-Depth
N30-Year of ADT	2012	N46-Number of Appr Spans	0	A228-Next Insp Date:	June 2022
N47-Inv Rte Totl Horiz Cir (feet)	20.0	CONDITION RATINGS		CRITICAL FEATURES	
N0-Defense Hwy	0	N58-Deck	6	N97A-Fracture Critical	Y 24
N1-Parallel Bidge	N	N59-Superstructure	6	N92B-Underwater Insp.	N
N102-Direction of Traffic	2	N60-Substructure	4	N92C-Special Insp	N
N103-Hwy System	0	N51-Channel	7	N93A-Date Fract Crit Insp	06/01/2020
N109-Percent Truck Traffic	1	N52-Culvert	N	N93B-Date Underwater Insp	
N110-National Truck Network	0	APPRAISAL RATINGS		N93C-Date Spec Insp	
N114-Future ADT	510	N57-Struct Evaluation	2	A234-Steel In-Depth Insp Freq(months):	24
N115-Year of Future ADT	2032	N58-Deck Geometry	3	CULVERT INFORMATION	
A200-Is N5 the Pncd Rte?	Y	N59-Underclearance Rtg	N	A217-Culv Barrel Height (feet)	0
RESPONSIBILITY		N71-Waterway Adequacy	8	A218-Culv Length (feet)	0
N21-Maint Responsibility	02	N72-Appr Rdw Align	8	A219-Culv Fill Height (feet)	0
N22-Bridge Owner	02	N36-Traffic Safety Features	0 0 0 0	BRIDGE RAILING	
A229-Agency	Apache Co	BRIDGE SCOUR DATA		A206a b.c.	
NAVIGATION		N113-Scour Critical Rtg	3	Bridge Rail Type	600
N38-Navigation Control	0	A202-Foundation Type	33	Geometric Conform, and	
N39-Nav Vert Cir (feet)	0.00	A220-Found Embed (feet)	1	Structural Conform	
N40-Nav Horiz Cir (feet)	0.00	A221-Scour Countermeasure	050	SUFFICIENCY RATING	
N111-Nav Pier/Abut Prot		LOAD, RATE, and POST		Sufficiency Rating	S 19 30
N116-Nav Min Vert Cir (feet)		N31-Design Loading	2	BRIDGE CONDITION	
GENERAL DATA		N41-Open, Post, Close	P	Bridge Condition	Poor
N33-Bridge Median	0	N53-Method Used for Oper Rtg	1	A300 - GENERAL COMMENTS	
N34-Skew	0	N64-Operating Load Rtg/Factor	7	A300 This is historically significant structure and any repairs should be coordinated with the State Historical Preservation Officer.	
N35-Structure Flared	0	N55-Method Used for Inv Rtg	1		
N37-Historical Significance	1	N66-Inventory Load Rtg/Factor	3		
N107-Deck Str Type	1	N70-Bridge Posting	0		
N8-Wear Surf Prot System	1 C 0	N103-Temp Str Designation			
N81-Wear Surf Thickness (inches)		A211-Posted Limit (Tons)	3		
		A222-Date of Load Rtg	01/29/2011		
		A233-Posted Vert Clr NB:EB (ft-in)	0-0		
		A233-Posted Vert Clr SB:WB (ft-in)	0-0		



MEMORANDUM

TO: Honorable Raymond Smith, Jr.
Klagetoh, Wide Ruins, Houck, Lupton, Nahata Dziil

FROM: Mariana Kahn
Mariana Kahn, Attorney
Office of Legislative Counsel

DATE: October 28, 2022

SUBJECT: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE; REQUESTING THE STATE OF ARIZONA TO UTILIZE STATE REVENUE SOURCES, AND FEDERAL REVENUE SOURCES TO PRIORITIZE THE STUDY, DESIGN AND CONSTRUCTION OF THE QUERINO BRIDGE IN NORTHEASTERN ARIZONA, APACHE COUNTY NEAR INTERSTATE 40 AND HOUCK COMMUNITY

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.