



25TH NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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RDC approves addendum to Painted Desert Power solar project legislation



Left to right: Navajo Power CEO Brett Isaac, Navajo Power Executive Chair Clara Pratte, and Resources and Development Vice Chair Casey Allen Johnson.

WINDOW ROCK, ARIZ. - During a recent regular meeting, the Resources and Development Committee approved Legislation No. 0269-25, an addendum to RDCJY-28-25, which authorizes a lease between the Navajo Nation and Painted Desert Power, LLC for the development of a 750-megawatt photovoltaic solar and battery storage project in the Coalmine Canyon area.

RDC Vice Chair and legislation sponsor Casey Allen Johnson said RDCJY-28-25 was originally approved in July 2025 and returned to the Committee to address concerns related to lease rental payments.

"The addendum increases the rental rate from \$65 per acre per year to \$545 per acre per year, with a two percent annual escalator beginning on the first anniversary of the commercial commencement date," Vice Chair Johnson said.

Navajo Power Chief Executive Officer Brett Isaac explained that Painted Desert Power, LLC is a subsidiary of Navajo Power formed specifically to develop the project. He said delays in advancing the lease were largely due to Navajo Nation leasing requirements and the Navajo Energy Policy of 2014.

"We followed the most current information available to revise the rental rate," Isaac said. "Last July, an established tax rate was not in place because the existing tax code does not align with how projects of this scale are typically taxed."

Isaac said that through coordination with the Navajo Department of Minerals, the Department of Justice, and the Office of the President and Vice President, a pilot agreement was developed to establish a revised rental structure.

"We reassessed missing data, evaluated dual taxation impacts, and developed a pilot template that allowed us to raise the rental rate while still meeting funding objectives," Isaac said.

Committee members raised concerns regarding tax code assessments, public outreach, and grazing consent. Council Delegate Shawna Ann Claw requested formal communication from the Navajo Nation Tax Commission confirming resolution of tax-related issues and reported concerns from Western Navajo Agency residents regarding grazing permit ownership.

"Concerns have been raised that chapter meetings were not attended and that individuals were not contacted about the project," Delegate Claw said. "There are also reports that some consent forms were later withdrawn and not addressed."

Isaac responded that his team attended more than 70 community meetings and, beginning in 2020, worked with the Navajo Land Department to complete a field compliance checklist identifying 18 grazing permittees.

"Some individuals listed were deceased, which is why certain consent forms reflect Land Department verification instead of signatures," Isaac said. "This is a unique situation we are addressing within the limits of Navajo Nation law."

RDC Chair Brenda Jesus questioned discrepancies between the original list of 18 grazing permittees and the current requirement of 12 consents. She also noted receipt of Western Agency Council resolutions requesting further review of the project.

Chair Jesus noted that the Minerals Department previously conducted a vetting review and determined the proposal did not meet certain criteria, though that finding did not prevent the project from moving forward. Chair Jesus noted that several committee members have opposed the legislation.

Isaac stated benefits to the project include Painted Desert Power's technical assistance and support to communities, including residential solar installations through Navajo Power Home in the Western Navajo Agency and near the project's location.

The Committee voted three in favor and one opposed to approve Legislation No. 0269-25. The Resources and Development Committee serves as the final authority for this legislation.

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