

**RESOURCES AND DEVELOPMENT COMMITTEE OF THE
25th NAVAJO NATION COUNCIL**

REGULAR MEETING

**Monday, May 20, 2024
10:00 a.m.**

APPROVED AGENDA

PRESIDING: Honorable Brenda Jesus, *Chairperson*
Honorable Casey Allen Johnson, *Vice-Chairperson*

LOCATION: **Navajo Division of Transportation**
#16 Old Coalmine Road, Naat'áanii Board Room
Mentmore, New Mexico 87319

via Telecommunication

Call-In Number: 1-669-900-6833
Meeting ID: 732-628-2566
Passcode: 86515

1. Call Meeting to Order; Roll Call; Invocation; and Announcements:

<input type="checkbox"/> Brenda Jesus (C)	<input type="checkbox"/> Casey Allen Johnson (VC)	<input type="checkbox"/> Shawna Ann Claw
<input type="checkbox"/> Rickie Nez	<input type="checkbox"/> Danny Simpson	<input type="checkbox"/> Otto Tso

2. Recognizing Guests and Visiting Officials:

3. Reviewing and Approving the Agenda:

M: S: V:

Roll Call Vote: Claw () Jesus () Johnson () Nez () Simpson () Tso ()

4. Reviewing and Approving Journal(s): May 13, 2024 (Regular Meeting)

M: S: V:

Roll Call Vote: Claw () Jesus () Johnson () Nez () Simpson () Tso ()

5. New Business:

A. CONSENT AGENDA

Legislation #0100-24: An Action Relating to the Resources and Development Committee; Confirming Dustin K. Johnson to Serve on the Navajo Agricultural

Products Industry Board of Directors for a Term of Three Years Representing District 19. *Sponsor: Honorable Danny Simpson*

Legislation #0101-24: An Action Relating to the Resources and Development Committee, and Budget and Finance Committee; Approving a Change to CAP-35-18, Exhibit D, Project No. 60 and Project No. 62, for the Benefit of the Dennehotso Chapter. *Sponsor: Honorable Shaandiin Parrish*

Legislation #0102-24: An Action Relating to the Resources and Development Committee, the Budget and Finance Committee, the Naabik'iyáti' Committee, and the Navajo Nation Council; Approving \$1,108,500 from the Fish and Wildlife Enterprise Fund for the Navajo Nation Department of Fish and Wildlife for the Department's New Fish Hatchery Project. *Sponsor: Honorable Shawna Ann Claw*

Legislation #0103-24: An Action Relating to the Resource and Development Committee; Confirming Ernest Diswood to Serve on the Navajo Agricultural Products Industry Board of Directors for a Term of Three Years Representing District 13. *Sponsor: Honorable Nathan Notah Co-Sponsor: Honorable Lomardo Aseret*

Legislation #0104-24: An Action Relating to the Resource and Development, Budget and Finance, and the Naabik'iyáti' Committees, and the Navajo Nation Council; Approving \$4,000,000 from the Unreserved, Undesignated Fund Balance ("UUFB") for the Navajo Nation Department of Justice Water Rights Litigation Unit to Continue Litigating and Protecting the Navajo Nation's Water Rights; Waiving 12 N.N.C. §820(E), §820(F), §820(J), and §820(L). *Sponsor: Honorable Carl R. Slater Co-Sponsor: Honorable Crystalyne Curley*

Legislation #0107-24: An Action Relating to Resource and Development and Naabik'iyáti' Committees and the Navajo Nation Council; Approving the Rio San José Stream System Water Rights Settlement Agreement; and Approving a Limited Waiver of Sovereign Immunity to Allow Certain Actions to be Brought in State of New Mexico Court. *Sponsor: Honorable Crystalyne Curley*

Legislation #0109-24: An Action Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees and the Navajo Nation Council; Approving the Northeastern Arizona Indian Water Rights Settlement Agreement; Approving a Limited Waiver of Sovereign Immunity to Allow the Navajo Nation to be Joined as a Party in Certain Actions; Consenting and Conditionally Approving Associated Rights-of-Way and Waiving Associated Taxes Required Under Navajo Law; Requesting Waivers of Sections Contained in 25 C.F.R. Part 169; and Approving the Side Agreement Concerning C-Aquifer Pumping. *Sponsor: Honorable Crystalyne Curley Co-sponsor: Honorable Germaine Simonson and Carl R. Slater*

Main Motion:

Motion: Honorable Casey Allen Johnson
Second: Honorable Shawna Ann Claw
Vote: 5-0-1; Motion Passed; Chairperson Not Voting

- B. **Legislation #0099-24:** An Action Relating to the Resources and Development Committee; Approving the Navajo Nation Fiscal Recovery Funds, Division of Community Development (DCD), Community Housing and Infrastructure Department (CHID), “DCD/CHID ARPA Housing Application and Eligibility Criteria”. *Sponsor: Honorable Brenda Jesus*

M: S: V:

Roll Call Vote: Claw () Jesus () Johnson () Nez () Simpson () Tso ()

6. **Old Business:**

- A. **Legislation #0060-24:** An Action Relating to the Resources and Development Committee; Approving a Waiver of Consideration for the Navajo Tribal Utility Authority (“NTUA”) for Certain Tribal Authorization Accesses and Telecommunication Tower Site Leases; and Amending Certain Tribal Authorization Accesses and Telecommunication Tower Site Leases Granted Since June 3, 2020 to Waive Consideration, including any Consideration Assessed But Not Yet Paid by NTUA to the Navajo Nation. *Sponsor: Honorable Otto Tso*
Co-Sponsors: Honorable Crystalayne Curley, Shaandiin Parrish, Brenda Jesus and Carl R. Slater

M: Danny Simpson S: Shawna Ann Claw V:

Roll Call Vote: Claw () Jesus () Johnson () Nez () Simpson () Tso ()

7. **Receiving Reports:**

- A. Report from the U.S. Environmental Protection Agency Region 9 Office on the Public Comments Received on the Recommended Cleanup Alternative for All Seven (7) Eastern Agency Abandoned Uranium Mines (AUMs) Sites (2nd Phase Consultation). *Presenter: Michael Montgomery, Director, Superfund and Emergency Management, Region 9 Office, U.S. Environmental Protection Agency*

M: S: V:

Roll Call Vote: Claw () Jesus () Johnson () Nez () Simpson () Tso ()

8. **Close of Meeting; Announcements; Adjournment.** _____

M: S: V:

Roll Call Vote: Claw () Jesus () Johnson () Nez () Simpson () Tso ()

THE AGENDA IS SUBJECT TO CHANGE: *The public is advised that the Navajo Nation Council Agenda and the Agendas of the Standing Committees are not final until adopted by a majority vote of the Navajo Nation Council or the Standing Committee at a Navajo Nation Council or a Standing Committee meeting pursuant to 2.N.N.C. §§163 and 183. Navajo Nation Council Rule of Order No. 7 and Standing Committee Rule of Order No. 8.*

**RESOURCES AND DEVELOPMENT COMMITTEE
OF THE
25th NAVAJO NATION COUNCIL
SIGN IN SHEET SHEET/ROLL CALL
REGULAR MEETING**

Date: May 20, 2024

10:00 a.m.

Place: NDOT – Mentmore, NM

Meeting Started at: 10:17AM Meeting Ended at 5:50P.M.

<u>RDC MEMBERS</u>		<u>TIME IN</u>	<u>TIME OUT</u>	<u>SIGNATURES</u>
Brenda Jesus	(C)	<u>9:56AM</u>	<u>5:50P.M.</u>	<u>[Signature]</u>
Casey Allen Johnson	(VC)	<u>10:31AM</u>	<u>5:50P.M.</u>	<u>[Signature]</u>
Shawna Ann Claw		<u>10:50AM</u>	<u>4:41P.M.</u>	<u>[Signature]</u>
Rickie Nez		<u>9:55AM</u>	<u>5:50P.M.</u>	<u>[Signature]</u>
Danny Simpson		<u>10:04AM</u>	<u>5:50P.M.</u>	<u>[Signature]</u>
Otto Tso		<u>10:11AM</u>	<u>4:04P.M.</u>	<u>[Signature]</u>
Rodney L. Tahe, Legislative Advisor				<u>Rodney L. Tahe</u>
Leonard F. Mose, Legislative Assistant				<u>[Signature]</u>
Mariana Kahn, Legislative Counsel				<u>Mariana Kahn</u>
April Quinn, Legislative Counsel				<u>[Signature]</u>

OTHER DELEGATES:

11:15AM - 11:30AM

1. <u>[Signature]</u>	5. <u>[Signature]</u>
2. <u>[Signature]</u>	6. <u>[Signature]</u>
3. <u>[Signature]</u>	7. <u>[Signature]</u>
4. <u>[Signature]</u>	8. <u>[Signature]</u>

PEASEE PRINT
LEGIBLY

RESOURCES AND DEVELOPMENT COMMITTEE OF THE
25th NAVAJO NATION COUNCIL

Visitor Sign-In Sheet

Place: NDOT – Mentmore, NM

<u>VISITORS/GUESTS</u>	<u>TITLE/DEPARTMENT</u>	<u>EMAIL ADDRESS</u>
1. <u>Will Duncan</u>	<u>Manager / USEPA</u>	<u>duncan.will@epa.gov</u>
2. <u>Mike Montgomery</u>	<u>SEMO Director / USEPA</u>	<u>montgomery.michael@epa.gov</u>
3. <u>Edwina Diswood</u>	<u>self</u>	
4. <u>Ernest Diswood</u>	<u>Self</u>	<u>ediswood@yahoo.com</u>
5. <u>Brian Thomas</u>	<u>DGM / NTUA</u>	<u>Brianth@ntua.com</u>
6. <u>Peter Donchuk Jr</u>	<u>Mgr</u>	<u>pdonetel@fmi.com</u>
7. <u>Danielle Huang</u>	<u>Remedial Project Mgr / USEPA</u>	<u>huang.danielle@epa.gov</u>
8. <u>Nona Baheshone</u>	<u>DURAC</u>	<u>wbaheshone@navajo-nmns</u>
9. <u>Brandon Ashley</u>	<u>DISA</u>	<u>Brandon@disausa.com</u>
10. <u>Lance Fosse</u>	<u>ENLCO</u>	<u>lfosse@enlco.com</u>
11. <u>JoAnne Martinez</u>	<u>Homestake</u>	<u>joannemartinez@barrick.com</u>
12. <u>Elizabeth Rudolf</u>	<u>Homestake</u>	<u>elizabeth.rudolf@barrick.com</u>
13. <u>Dustin Johnson</u>	<u>Self</u>	<u>dlcj83@msn.com</u>
14. <u>Chad Baker</u>	<u>Parsons Behle + Latina</u>	<u>cbaker@parsonsbehle.com</u>
15. <u>DANIEL LATIN</u>	<u>HOMESTAKE</u>	<u>DLATIN@BARRICK.COM</u>
16. <u>John Montoya</u>	<u>NLE Manager FFW</u>	<u>jmontoya@nndfw.org</u>
17. <u>Glenn Selby</u>	<u>Fish Biologist NNDFW</u>	<u>gselby@nndfw.org</u>
18. <u>CONNIE RUBENS</u>	<u>All-Terrain</u>	<u>connie@all-terrainlaw.com</u>
19. <u>Crystal Tully-Cordon</u>	<u>Prin. Hydrologist NNDWIR</u>	<u>tully-cordon@navajo-nmns.gov</u>

	<u>VISTORS/GUESTS</u>	<u>TITLE/DEPARTMENT</u>	<u>EMAIL ADDRESS</u>
20.	Chris	Green Spec	NNEPN
21.	Veronica Bladett	DOT	vebladett@ndoj.org
22.	Jason John	Water Resources	jasonjohn@navajo-nsn.gov
23.	Marty Ashley	NTUA	Martina@ntua.com
24.	Shannon Bernette	NTUA	Shannonbernette@ntua.com
25.	Daniel Watts	NTUA	danielw@ntua.com
26.	Karen Bedonie	NAMLED	Karenbedonie@navajo-nsn.gov
27.	Lydelle Davies	Cyprus Amx/WNI	neotribalcommunications@gmail.com
28.	Ethel Brunch	DOT	
29.	Ettie Anderson Abush	GUM	emhuth@navajo-nsn.gov
30.	Stephen S. Pitty	NNEPM	S.e.pitty@navajo-nsn.gov
31.	GABRIEL A. FREELAND	LDA	gabriel.freeland@navajo-nsn.gov
32.	Michelle Espino	DOT-WRU	myazzie@ndoj.org
33.	Dawn Begez	NEPA-SP	dawnkbegez@navajo-nsn.gov
34.	Larry Turner	Demolition/Churn	Larryturner15@gmail.com
35.	Jay R DeGroot	Pres Mariano Lake	(505)406-9275
36.	Albin Mithu	DCD	
37.	Antasha Upshaw	NTEC	antasha.upshaw@navajo-nsn.gov
38.	Sonlatsa Jim	Office of the Speaker	sonlatsa.jim@navajo-nsn.gov
39.	Julia Richards	Donnell/Churn	richardzjulio03@gmail.com
40.	Patrick Delgai	Navajo/CHID	pdelgai@nuchiid.org
41.	Rex P Kente	DCM/NTUA	rexk@ntua.com

	<u>VISTORS/GUESTS</u>	<u>TITLE/DEPARTMENT</u>	<u>EMAIL ADDRESS</u>
42.	Maricelyn Smith Williams	Chapter Manager	msmith.williams@nmchapters
43.	Debbie Rogers	LDA - Hon. B Jesus	debbie.rogers@navajo-nsh.gov
44.	Priscilla Tom	USEPA	tom.priscilla@epa.gov
45.	Warren J. Roan	NNEPA / WRCD	warrenjroan@navajo-nsh.gov
46.	K. Belzowski	AAG / DOT	kbelzowski@ndotj.org
47.	Johnny Johnson	Teiicah Chapter	jjsandema@yahoo.co
48.	Mihio Manus	OOS	mihio.manus@navajo-nsh.gov
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<u>VISTORS/GUESTS</u>	<u>TITLE/DEPARTMENT</u>	<u>EMAIL ADDRESS</u>
63. DAWN		
64. MONICA FULKERSON		
65. VERA SHURLEY		
66. GUEST		
67. B ROMIG		
68. DAVE ZELLER	NAPI	
69. JV	OLS	
70. LM		
71. CYNTHIA GULDE		
72. , MANUEL RICO, JR	OOS	
73. RYAN T. BARTON	NDWR -WMB	
74. CARLYLE BEGAY		
75. TAYLOR PINTO	LDA	
76. PAM KYSELKA	GLDD	
77. BYRON BITSOUE, SR	NLD	
78. KJ		
79. AOPPELT		
80. ARNISO		
81. CHERYL CURLEY	BJA	
82. BK		
83. JACQUELINE MITCHELL		