LEGISLATIVE SUMMARY SHEET
Tracking No. 0221-17

DATE: June 14, 2017

SUBJECT RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, REQUESTING THE BUREAU OF INDIAN AFFAIRS BRANCH OF ROADS AND THE NAVAJO DIVISION OF TRANSPORTATION ADD THE REPLACEMENT OF THE NAVAJO ROUTE 26 BRIDGE IN NAZLINI CHAPTER TO THE PRIORITY LEVEL LISTING

PURPOSE: The purpose of this legislation is to approve placing the replacement of the N26 Bridge on the priority list.

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 review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: 4:08pm 6/19/17
Posting End Date: 6/24/2017
Eligible for Action: 6/25/2017

PROPOSED STANDING COMMITTEE RESOLUTION

23rd NAVAJO NATION COUNCIL—Third Year, 2017

INTRODUCED BY

Primary Sponsor Kee Allen Begay Jr.

TRACKING NO. 022-17

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, REQUESTING THE BUREAU OF INDIAN AFFAIRS BRANCH OF ROADS AND THE NAVAJO DIVISION OF TRANSPORTATION ADD THE REPLACEMENT OF THE NAVAJO ROUTE 26 BRIDGE IN NAZLINI CHAPTER TO THE PRIORITY LEVEL LISTING

BE IT ENACTED:

SECTION ONE. AUTHORITY

The Resources and Development Committee has oversight over roads on the Navajo Nation and the Division of Transportation. 2 N.N.C. §§ 500(C), 501(B)(2)(g).

SECTION TWO. FINDINGS

A. The Navajo Route 26 Road under the Bureau of Indian Affairs Road Inventory is the main access from the west to the community of Nazlini and the only access with a bridge.

B. The Navajo Route 26 bridge has been in the Agency Bridge Replacement System for several years, necessary pre-engineering requirements having been satisfied.

C. The Nazlini Chapter has formally requested the Resources and Development Committee to approve the listing of the replacement of the bridge on the priority level listing. See Exhibit "A".

D. The Resources and Development Committee finds it in the best interest of the Navajo Nation to approve the placement of the replacement of the Navajo Route 26 bridge within the Nazlini Chapter on a priority listing.

SECTION THREE. Approval

The Resources and Development Committee of the Navajo Nation Council hereby approves placement of the replacement of the Navajo Route 26 bridge within the Nazlini Chapter on a priority listing with respect to the listed projects of the Navajo Division of Transportation and Bureau of Indian Affairs.

EXHIBIT
"A"

LUTION OF THE NAZLINI CHAPTER
NAZL-2017- 02 - 002
NAZLINI CHAPTER GOVERNMENT

LEE VINCENT BIGWATER
JOSEPH DEDMAN, JR.
JOANN DEDMAN
KEE ALLEN BEGAY, JR.
IRVIN SHIRLEY
MAYBELLE KELEWOOD

REQUESTING BIA BRANCH OF ROADS, RESOURCES & DEVELOPMENT COMMITTEE OF THE NN COUNCIL & NAVAJO DIVISION OF TRANSPORTATION TO ADD THE OLD AGING BRIDGE ON NAVAJO ROUTE 26 TO PRIORITY LIST FOR A NEW BRIDGE

WHEREAS:

1. **The Nazlini Chapter** is a Local Governance (LGA) certified chapter Per 26 N.N.C. 102 and CO-45-12 Sec 5(B), approved by Resource and Development Committee Resolution RDC-02-15, AND

2. The N26 Road under the BIA Road inventory is the main access from the west to the Community of Nazlini and the only access with a bridge, AND

3. The Navajo Route (N26) Bridge has been in Agency Bridge Replacement system for many years, and all the necessary pre-engineering requirement has been satisfied, AND

4. It was chapter belief that design and cost has been prepared and traffic study and count is recorded.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Nazlini Chapter hereby request BIA Branch of Roads and Navajo Division of Transportation to prioritize N26 Bridge to a Priority Level for replacement of aging bridge.

2. The Nazlini Chapter requests the two agency to coordinate the bridge construction project and Nazlini Chapter will assist in every steps to move this project at a faster pace.

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by the Nazlini Chapter at a duly called chapter meeting, which was held at the Nazlini Chapter, Navajo Nation, Arizona, at which a quorum was present and that the same was passed by a vote of 30 in favor, 0 opposed and 2 abstained, this 8th day of February, 2017.

Motioned by: Ann Haskie

Seconded by: Larry Benally

RECEIVED

MAR - 8 2017

Navajo Region
Division of Transportation

P. O. BOX # 7367 · NAZLINI, ARIZONA 86540-7367 · TELEPHONE (928) 755-5900 · FAX (928) 755-5903

Lee Vincent Bigwater, President

Joseph Dedman, Jr. Vice-President

JoAnn Dedman, Secretary/Treasurer

Kee Allen Begay, Jr., Council Delegate

United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Navajo Regional Office
P.O. Box 1060
Gallup, New Mexico 87301

In Reply Refer To:
Division of Transportation
M/C N370

MAY 0 5 2017

CHAPTER
Received
MAY - 8 2017

Mr. Lee Vincent Bigwater, Chapter President
Nazlini Chapter
P.O. Box 7367
Nazlini, Arizona 86540

Dear Mr. Bigwater:

This letter is in response to the Nazlini Chapter Government Resolution No. NAZL-2107-02-002 wherein the Nazlini Chapter is requesting the BIA Navajo Regional Division of Transportation (NRDOT), Resources & Development Committee (RDC), and Navajo Division of Transportation (NDOT) to add Navajo Route N26 to the priority list for a new bridge.

On January 6, 2006, Paiki completed the preliminary drawings for the Bisilah Wash Bridge and submitted for a 100 percent review. The NRDOT was in the process of reviewing the preliminary drawings; however, this project was no longer considered a priority project for the Navajo Nation. Therefore, all work conducted by NRDOT on this project ceased.

Also, during the fall of 2008, the Chinle Agency Division of Transportation completed the elevation checks, horizontal alignment, and established control points for N26 project beginning from US191 towards Navajo Route N27, which is a total distance of 15.6 miles. The completed survey data was submitted to the NRDOT and was under review until the project was taken off of the Navajo Nation Tribal Transportation Improvement Program (TTIP) as a priority project.

Additionally, the bridge inspection report conducted by Infrastructure Engineers, Inc. dated October 24, 2016 recommended the bridge structure be replaced due to several noted deficiencies.

We recommend that the Nazilin Chapter pass a Resolution and have the representing Delegate for the Chapter sponsor the resolution before the RDC and NDOT to add Navajo Route N26 back on the Navajo Nation's TTIP since the majority of the survey, design, etc. are about 100% complete.

Sincerely,

Acting Regional Director, Navajo

Enclosure

NAZLINI CHAPTER GOVERNMENT

LEE VINCENT BIGWATER
- PRESIDENT -
JOSEPH DEDMAN, JR.
- VICE PRESIDENT -
JOANN DEDMAN
- SECRETARY/TREASURER -

KEE ALLEN BEGAY, JR.
- COUNCIL DELEGATE -
IRVIN SHIRLEY
- GRAZING REPRESENTATIVE -
MAYBELLE KELEWOOD
- CHAPTER MANAGER -

May 12, 2017

MEMORANDUM

TO: Honorable Delegate, Kee Allen Begay, Jr.

FROM: Lee V. Bigwater, Nazlini Chapter President

SUBJECT: United States Department of the Interior

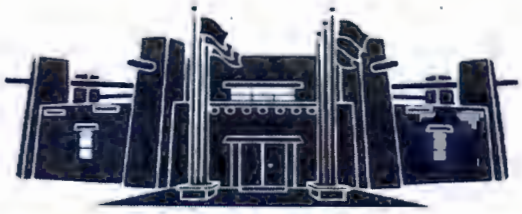
On behalf of the Chapter we would like, to get a legislation for Resources & Development Committee (RDC) approval and present Resolution NO. NAZL-2017-02-002 for Navajo Department of Transportation to have N26 bridge added on the list of Transportation Priority Project list.

Nazlini Chapter Government Resolution No. NAZL-2017-02-002 wherein the Nazlini Chapter is requesting the BIA Navajo Regional Division of Transportation (NRDOT), Resources & Development Committee (RDC), and Navajo Division of Transportation (NDOT) to add Navajo Route N26 bridge to priority list for new bridge.

The Community of Nazlini Chapter would greatly appreciate it. Attached is a letter from BIA and the Chapter Resolution.

P. O. BOX # 7387 • NAZLINI, ARIZONA 86540-7387 • TELEPHONE (928) 755-5900 • FAX (928) 755-5903

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576



Honorable LoRenzo Bates
Speaker
23rd Navajo Nation Council

MEMORANDUM

TO: Honorable Kee Allan Begay, Jr.
Navajo Nation Council

FROM: Edward A. McCool, Principal Attorney
Office of Legislative Counsel

DATE: June 14, 2017

SUBJECT: RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, REQUESTING THE BUREAU OF INDIAN AFFAIRS BRANCH OF ROADS AND THE NAVAJO DIVISION OF TRANSPORTATION ADD THE REPLACEMENT OF THE NAVAJO ROUTE 26 BRIDGE IN NAZLINI CHAPTER TO THE PRIORITY LEVEL LISTING

As requested, 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. Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§500, 501. 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.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0221-17__ **SPONSOR: Kee Allen Begay, Jr.**

TITLE: An Action Relating To Resources And Development Committee; Requesting The Bureau Of Indian Affairs Branch Of Roads And The Navajo Division of Transportation Add The Replacement Of The Navajo Route 26 Bridge In Nazlini Chapter To The Priority Level Listing

***Date posted*: June 19, 2017 at 4:08PM**

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.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0221-17

SPONSOR: Honorable Kee Allen Begay Jr.

TITLE: An Action Relating to Resources And Development Committee; Requesting The Bureau Of Indian Affairs Branch Of Roads And The Navajo Division of Transportation Add The Replacement Of The Navajo Route 26 Bridge In Nazlini Chapter To The Priority Level Listing

Posted: June 19, 2017 at 4:08PM

5 DAY Comment Period Ended: June 24, 2017

Digital Comments received:

Comments Supporting	***None***
Comments Opposing	***None***
Inclusive Comments	***None***

Policy Analyst
Office of Legislative Services

6/26/17 12:26pm
Date/Time

RESOURCES AND DEVELOPMENT COMMITTEE
23rd NAVAJO NATION COUNCIL

THIRD YEAR 2017

COMMITTEE REPORT

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

LEGISLATION # 0221-17: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; REQUESTING THE BUREAU OF INDIAN AFFAIRS BRANCH OF RAODS AND THE NAVAJO DIVISION OF TRANSPORTATION ADD THE REPLACEMENT OF THE NAVAJO ROUTE 26 BRIDGE IN NAZLINI CHAPTER TO THE PRIORITY LEVEL LISTING. *Sponsor: Honorable Kee Allen Begay; Co-Sponsor: Leonard H. Pete*

Has had it under consideration and report a **DO NOT PASS** with no amendments

Thereafter the legislation failed and will be closed out accordingly.

Respectfully submitted,

Alton Joe Shepherd, Honorable Chairperson
Resources and Development Committee of
the 23rd Navajo Nation Council

DATE: July 25, 2017
MEETING LOCATION: Twin Arrows Navajo Casino and Resort, Twin Arrows, AZ

Main Motion: Honorable Davis Filfred
Second: Honorable Jonathan Perry
Vote: 1-4-1 (CNV) **(FAILED)**