



# THE NAVAJO NATION

OFFICE OF THE PRESIDENT & VICE PRESIDENT

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## Navajo Vice President Ben Shelly joins Gov. Richardson for signing of \$5.4 million Eastern Navajo Water Pipeline

**SANTA FE, N.M.** – Navajo Nation Vice President Ben Shelly joined New Mexico Governor Bill Richardson for the signing of \$5.4 million Eastern Navajo Water Pipeline legislation on Friday.

Last week, the U.S. Senate passed House Resolution 146, which includes the Navajo-Gallup Water Supply Project, and moves forward to the U.S. House of Representatives for consideration.

Sponsored by Sen. John Pinto and co-sponsored by Rep. W. Ken Martinez, SB 723 authorizes \$5.4 million to the New Mexico Environment Department to administer funds for the construction of a water pipeline from Ojo Encino to Torreon, the first phase of the Eastern Navajo Water Pipeline.

“With water comes life. With water brings hope,” Vice President Shelly said. “Bringing running water to the eastern Navajo Nation is a part of

the Navajo Nation’s efforts to increase infrastructure development. The \$5.4 million authorized in SB 723 ties into a \$28 million investment sourced from federal, state, and Navajo Nation funds, to bring running water to our Navajo people. By moving this project forward, we are also demonstrating to the U.S. Congress that we are serious about water.”

When completed, the Eastern Navajo Water Pipeline, also known as the “Cutter Lateral Project,” will support the proposed Navajo-Gallup Water Supply Project.”



*Navajo Nation Vice President Ben Shelly joined New Mexico Governor Bill Richardson for the signing of \$5.4 million Eastern Navajo Water Pipeline legislation on Friday. Sherrick Roanhorse Photo*

Governor Richardson said he was pleased to sign the bill because it clears up a funding source for a important project.

“In the past, I have worked with members of the House and Senate to secure funding for this project to bring dependable water supplies to many communities and

schools across Northwest New Mexico on the Navajo Nation," he said.

In 2006 and 2007, Council Delegate Leonard Tsosie, then a New Mexico senator, sponsored similar Eastern Navajo Water Pipeline legislation to authorize \$5.4 million sourced from severance tax bonds to the New Mexico Water Trust Board.

For two years, legal constraints over the waiver of sovereign immunity stalled talks between the Navajo Nation and WTB's fiscal agent, the New Mexico Finance Authority.

"The trust board statutes required the execution of a limited waiver of sovereign immunity as a condition of receiving the grant," Governor Richardson said. "This caused an extended debate between the New Mexico Finance Authority and the Navajo Nation. Time was running out on getting this critical money released. The Navajo Nation and the state agreed to fix this allocation on a one time basis."

On March 4, Vice President Shelly, Assistant Attorney General Luralene Tapahe, Division of Natural Resources' Water Management Branch staff, and Council Delegates Tsosie and George Arthur held discussions with N.M. Indian Affairs Department Cabinet Secretary Alvin Warren, Bill Hume of the governor's office, Chief of Staff Regis Pecos of Speaker Ben Lujan's Office, Senators Pinto, Lynda Lovejoy, and George Munoz, and Representatives Martinez, Sandra D. Jeff, Patricia Lundstrom, and Ray Begaye to create a solution to move construction forward.

"Many of our hard working senators and representatives, especially those who represent Navajo constituents, worked with Senator Pinto and Representative Martinez to move this bill forward in 10 days, and I commend all of them for their efforts," the Vice President said. "Through the Speaker of House of Representatives Ben Lujan's support, SB 723 moved quickly through the legislative process and the Navajo Nation appreciates his unwavering support for projects that benefit the livelihood of the Navajo people.

"From our team, the Navajo Nation Department of Justice, Navajo Nation Council Delegates David Rico, Danny Simpson, and Leonard Tsosie, and the Division of Natural Resources provided the support needed to move this significant legislation forward. Most importantly, appreciation is extended to the Navajo Chapters that provided the seed money for the Cutter Lateral Project."

During the legislative process, Vice President Shelly provided testimony in the House Taxation and Revenue Committee to support the bill's passage.

"By pushing SB 723 through the legislative process, the Navajo Nation exercised its sovereignty," the Vice President said. "We worked with the State of New Mexico to find a solution that does not infringe on Navajo Nation sovereignty. Though our good relationship with the State of New Mexico, we were able to come up and agree to a solution that ensures that the right of each sovereign is respected. This process provided an example of the genuine government-to-government relationship the State of New Mexico and the Navajo Nation share."

With the SB 723's passage, interest was expressed by Vice President Ben Shelly, Representative Martinez, and the governor's office to work toward a long term fix to address sovereign immunity waiver issues.

"Now without this particular allocation hanging over the discussion, the state, the tribes, and pueblos, are going to be able to analyze the sovereignty waiver requirement together as it should be," Governor Richardson said. "The New Mexico Finance Authority has (had) its reasons...urging retention of the waiver requirement. I wouldn't want to set that aside that without consideration."

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