



## EXECUTIVE ORDER NO. 10-2014

### CREATING THE ENERGY POLICY IMPLEMENTATION TASK FORCE FOR THE PURPOSE OF IMPLEMENTING THE NAVAJO NATION'S ENERGY POLICY OF 2013 UNTIL SUCH TIME AS THE NAVAJO NATION COUNCIL CREATES THE ENERGY OFFICE

February 21, 2014

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#### WHEREAS:

On October 22, 2013, the Navajo Nation Council overwhelmingly adopted the Navajo Nation's Energy Policy of 2013 through Resolution No. CO-50-13. Sections 8 and 9 of the Energy Policy of 2013 set forth principles relating to the exploration, development, sustainable management, and use of energy resources for large-scale energy development for power exportation and small scale energy development for use on the Navajo Nation. President Shelly's April 19, 2011 Energy Advisory Committee (EAC) appointment letter indicated that the purpose of the EAC was to develop guidelines and procedures for energy companies and developers soliciting the Nation and to provide assessment and strategy reports for the President. Since the Energy Policy has been passed, the EAC, in its current capacity, is no longer necessary. This Executive Order will supersede any document previously signed relating to the EAC.

Through the passage of the Energy Policy of 2013, the Council directed the Department of Justice and the Office of Legislative Counsel to collaboratively develop the appropriate statutory and regulatory language for the creation of an Energy Office. *See* Section 13 of the Energy Policy. The Energy Office will, among other things, act as a clearinghouse for evaluating energy related projects.

Because the Energy Office has yet to be created, the Nation currently lacks a defined procedure for tapping into the market-place to bring new renewable energy production technologies; additional development in the area of natural resource extraction; and advanced, new and cutting edge fossil fuel technologies to the Nation. These technologies include, but are not limited to, wind, solar, biomass, hydropower, geothermal and advanced alternative coal technologies; as well as additional development in coal, natural gas, and mineral extraction.

I am exercising my power to issue this Executive Order to begin implementing the Council's directives included in the 2013 Energy Policy. *See* 2 N.N.C. § 1005(C)(14). Through this Executive Order, I appoint an Energy Policy Implementation Task Force (EPITF). In addition, I direct the EPITF to develop open and transparent procedures that will allow the Nation to tap into energy markets for large scale energy development; to tap into new and emerging uses from continued natural resource extraction; to develop projects to provide power to Navajo Nation residents; and to tap into new and emerging markets that are responsibly developing renewable energy and fossil fuel resources for new and different uses.

**THEREFORE**, I hereby direct that:

1. The following shall serve on the Energy Policy Implementation Task Force (EPITF):
  - a. Executive Director of the Division of Natural Resources as Chair of the EPITF;
  - b. Attorney General of the Navajo Nation;
  - c. Executive Director of the Division of Economic Development;
  - d. Executive Director of the Environmental Protection Agency;
  - e. Executive Director of the Office of Navajo Tax Commission;
  - f. Director of the Minerals Department;
  - g. Director of the Department of Water Resources;
  - h. Executive Director of the Navajo-Hopi Land Commission;
  - i. Executive Director of the Navajo Nation Washington Office.
2. The Division of Natural Resources shall continue to provide administrative support to the EPITF.
3. Within thirty days of this Executive Order, the EPITF shall have open and transparent procedures in place for the Executive Branch's review of all energy projects. Energy projects include large scale energy development for exportation off the Navajo Nation, small scale energy development for Navajo Nation, and new uses for fossil fuel resources.
4. The Office of the President and Vice-President shall execute documents related to energy projects only upon the recommendation of the EPITF.
5. The EPITF will cease to exist once the Energy Office to be developed as directed in the Energy Policy of 2013 is created and funded.

Executed on this 21th of February, 2014



Ben Shelly, *President*  
**THE NAVAJO NATION**

**ATTEST:**



Harrison Tsosie, Attorney General or  
Dana Bobroff, Deputy Attorney General  
**THE NAVAJO NATION DEPARTMENT OF JUSTICE**