

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0130-24_

SPONSOR: Casey Allen Johnson

**TITLE: An Action Relating to the Resources and Development Committee;
Approving Amendments to the Navajo Nation Domestic Wastewater Regulations**

Date posted: June 13, 2024 at 5:56PM

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Office of Legislative Services
P.O. Box 3390
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LEGISLATIVE SUMMARY SHEET

Tracking No. 0130-24

DATE: June 13, 2024

TITLE OF RESOLUTION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING AMENDMENTS TO THE NAVAJO NATION DOMESTIC WASTEWATER REGULATIONS

PURPOSE: The purpose of this legislation is to amend the Navajo Nation Domestic Wastewater Regulations, including amendments concerning the following: reorganizing and clarifying the permit requirements for the construction and operation of all wastewater treatment systems, updating the operator certification provisions, adding septage removal and transportation requirements, adding requirements for the use of reclaimed water and reclaimed industrial wastewater, and updating the fee schedule for construction permits, operating permits, operator certifications, and septage removal and hauling licenses.

Final Authority: Resources and Development Committee

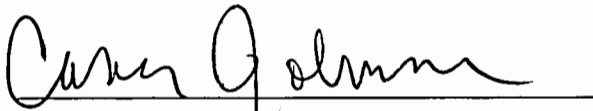
Vote Required: Simple Majority

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each Council Delegate to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD
Website Posting Time/Date
Posting End Date: 06-18-24
Eligible for Action: 06-19-24

PROPOSED STANDING COMMITTEE RESOLUTION
25th NAVAJO NATION COUNCIL—Second Year, 2024

INTRODUCED BY



Primary Sponsor

TRACKING NO. 0130-24

AN ACTION
RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE;
APPROVING AMENDMENTS TO THE NAVAJO NATION DOMESTIC
WASTEWATER REGULATIONS

BE IT RESOLVED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee of the Navajo Nation Council has oversight over environmental protection “to oversee regulation of activities on Navajo Nation lands for disposition or acquisition of resources, surface disturbance, or alteration of the natural state of the resource, including the enforcement and administration of applicable Navajo Nation and federal laws, regulations, guidelines, and administrative procedures in the development and use of resources as a good steward.” 2 N.N.C. § 500(C); 500(C)(2).
- B. The Resources and Development Committee of the Navajo Nation Council has the authority to “promulgate rules and regulations governing transportation, community development, local government units, land acquisitions for the Navajo Nation, environmental protection, and the use, sale, exchange, and development of Navajo Nation lands and/or resources, whether held in fee or in trust status. 2 N.N.C. § 501(B)(1).

1 **SECTION TWO. FINDINGS**

2 A. The Navajo Nation Environmental Protection Agency (or “Navajo EPA”) was
3 established, among other things, to “protect the public health and the environment
4 of the Navajo Nation through legislative proposals, monitoring and data collection,
5 rule making as may be authorized by the Navajo Nation Council, enforcement
6 actions, public education, obtaining funding, and other appropriate means.” 2
7 N.N.C. § 1922(B).

8 B. The Navajo Nation Domestic Wastewater Regulations were adopted pursuant to
9 Section 1371 of the Navajo Nation Clean Water Act (4 N.N.C. § 1371) for the
10 purpose of seeking to promote the health and welfare of the Navajo people and to
11 protect the environment by establishing a design review and permitting program
12 for the construction, installation, alteration, repair, extension, operation and
13 maintenance of domestic wastewater treatment systems.

14 C. Navajo EPA is proposing amendments to the Navajo Nation Domestic Wastewater
15 Regulations herein attached as **Exhibit A**.

16 D. The purpose of the amendments to the Navajo Nation Domestic Wastewater
17 Regulations includes the reorganizing and clarifying of the permit requirements for
18 the construction and operation of all wastewater treatment systems (including
19 minimum design requirements), updating the operator certification provisions,
20 adding septage removal and transportation requirements, adding requirements for
21 the use of reclaimed water and reclaimed industrial wastewater, and updating the
22 fee schedule for construction permits, operating permits, operator certifications,
23 and septage removal and hauling licenses.

24 E. The proposed amendments were posted for public review and comment in
25 accordance with Navajo EPA’s Uniform Regulations for Permit Review,
26 Administrative Enforcement Orders, Hearings, and Rulemakings Under Navajo
27 Nation Environmental Acts. The comment period closed on July 28, 2023 and no
28 comments were received.

29 F. The 164 Review Form (Document Number 021150) is attached as **Exhibit B**,
30 including a review by the Navajo Nation Department of Justice deeming the

1 amendments “legally sufficient”.

2 G. The Resources and Development Committee finds it is in the best interest of the
3 Navajo Nation to approve the amendments to the Navajo Nation Domestic
4 Wastewater Regulations.

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6 **SECTION THREE. APPROVAL**

7 The Resources and Development Committee hereby approves the amendments to the
8 Navajo Nation Domestic Wastewater Regulations herein attached in **Exhibit A**.

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