

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0267-24

SPONSOR: Vince R. James

TITLE: An Action Relating to Resources and Development; Waiving the Applicability of Resolution No. RCJY-142-92 with Respect to the Homesite Lease Application for Myra Kirsten Navaho for a Homesite Lease within the Navajo Commercial Forestry Area and within Kinlichee Chapter, Navajo Nation

Date posted: December 23, 2024 at 11:07AM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0267-24

DATE: December 20, 2024

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; WAIVING THE APPLICABILITY OF RESOLUTION NO. RCJY-142-92 WITH RESPECT TO THE HOMESITE LEASE APPLICATION FOR MYRA KIRSTEN NAVAHO FOR A HOMESITE LEASE WITHIN THE NAVAJO COMMERCIAL FORESTRY AREA AND WITHIN KINLICHEE CHAPTER, NAVAJO NATION

PURPOSE: The purpose of the resolution is to approve a waiver of Resources Committee resolution number RCJY-142-92 which placed a moratorium on the issuance of homesite leases within the Navajo Commercial Forestry Area. This request is made by Myra Kirsten Navaho for a homesite within the Kinlichee Chapter.

Final Authority: Resources and Development Committee

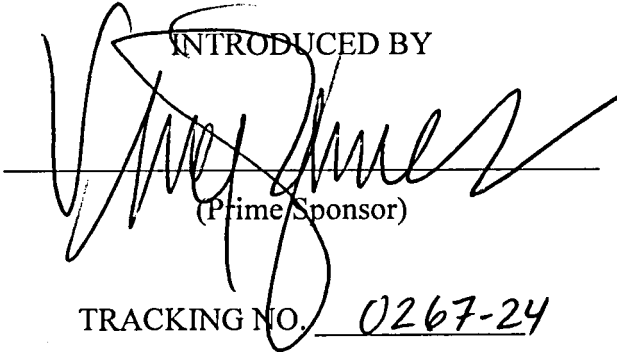
Vote Required: Simple Majority

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

5-DAY BILL HOLD PERIOD
Website Posting Time/Date
Posting End Date: 12-28-24
Eligible for Action: 12-29-24

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

INTRODUCED BY

(Prime Sponsor)
TRACKING NO. 0267-24

AN ACTION
RELATING TO RESOURCES AND DEVELOPMENT; WAIVING THE
APPLICABILITY OF RESOLUTION NO. RCJY-142-92 WITH RESPECT TO THE
HOMESITE LEASE APPLICATION FOR MYRA KIRSTEN NAVAHO FOR A
HOMESITE LEASE WITHIN THE NAVAJO COMMERCIAL FORESTRY AREA AND
WITHIN KINLICHEE CHAPTER, NAVAJO NATION

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is established as a standing committee of the Navajo Nation Council. 2 N.N.C. § 500(A).
- B. Pursuant to 2 N.N.C. §501(B)(2), the Resources and Development Committee of the Navajo Nation Council has authority to give final approval of all land withdrawals, non-mineral leases, permits, licenses, rights-of-way, surface easements and bonding requirements on Navajo Nation lands and unrestricted (fee) land. This authority shall include subleases, modifications, assignments, leasehold encumbrances, transfers, renewals, and terminations.

SECTION TWO. FINDINGS

- A. The Resources Committee (Predecessor to the Resources and Development) passed Resolution No. RCJY-142-92 “Establishing a Moratorium on New Structures, New Homesite and Range Units within the Navajo Commercial Forest Pending

1 Development and Approval of a New Forest Management Plan”, attached hereto and
2 incorporated herein as **Exhibit A**.

3 B. A homesite lease application requirements include the Certificate of Navajo Indian
4 Blood, Archaeological Clearance, Cultural Resources Compliance Form, Biological
5 Clearance Form, Consent Form, land survey plat maps. RDCO-74-16, RDCJA-06-24.

6 C. Ms. Myra Kirsten Navaho has applied for a homesite lease within the Navajo
7 Commercial Forestry Area and within Kinlichii Chapter, Navajo Nation. The
8 Homesite Application Form, the Home Site Biological Clearance Form, the Field
9 Clearance Certification (to be completed by the Grazing Official/Land Board
10 Member), and a photograph of the area requested for the homesite lease and a map are
11 in the attached **Exhibit B**.

12 D. A memorandum dated October 5, 2024, from Forest Services Program/NFD to the
13 Director of the Navajo Land Department, attached as **Exhibit C**, states the homesite
14 lease application is within the commercial forest boundary and the Resources and
15 Development Committee is authorized to give final approval authority because of the
16 moratorium described in Resources Committee Resolution RCJY-142-92. The
17 memorandum, **Exhibit C**, does not state what type of forested area the requested
18 homesite will be located in—an area of the forest that has other homesites and is
19 developed or in an area of the forest that is habitat to endangered species, plant life and other
20 such distinctions.

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22 **SECTION THREE. WAIVING RESOLUTION NO. RCJY-142-92**

23 A. The Resources and Development Committee of the Navajo Nation Council hereby
24 waives the applicability of Resolution No. RCJY-142-92 “Establishing a Moratorium
25 on New Structures, New Homesite and Range Units within the Navajo Commercial
26 Forest Pending Development and Approval of a New Forest Management Plan”
27 (**Exhibit A**) with respect to the homesite lease application for Myra Kirsten Navaho
28 for a homesite lease application within the Navajo Commercial Forestry Area and
29 within Kinlichee Chapter, Navajo Nation, as further described in the attached **Exhibit**
30 **B**, subject to the following terms and conditions:

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1. The Lessee shall not infringe on the operation and management of the Navajo Commercial forestry authority of the Navajo Nation.
2. The Lessee shall comply with provisions for Homesite Lease Policies and Procedures for Tribal Trust/Fee Land.
3. The Lessee shall obtain a permit from the Navajo Forestry Department prior to cutting any trees within the homesite lease area.

B. The Resources and Development Committee of the Navajo Nation Council hereby authorizes the Director of the Navajo Land Department to process and to execute all documents necessary to effectuate the intent and purpose of this resolution.