

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0269-24

SPONSOR: Carl R. Slater

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 Delila F. Begay for a Homesite Lease within the Navajo Commercial Forestry Area and within Tsaile/Wheatfields Chapter, Navajo Nation

Date posted: December 23, 2024 at 4:12 PM

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.*

LEGISLATIVE SUMMARY SHEET

Tracking No. 0269-24

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 DELILA F. BEGAY FOR A HOMESITE LEASE WITHIN THE NAVAJO COMMERCIAL FORESTRY AREA AND WITHIN TSAILE/WHEATFIELDS 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 Delila F. Begay for a homesite within the Tsaile/Wheatfields 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.

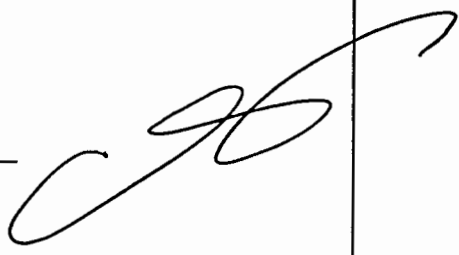
5-DAY BILL HOLD PERIOD AM, V, W
Website Posting Time/Date _____
Posting End Date: 12/28/24
Eligible for Action: 12/29/24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

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

INTRODUCED BY

(Prime Sponsor)



TRACKING NO. 0269-24

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; WAIVING THE
APPLICABILITY OF RESOLUTION NO. RCJY-142-92 WITH RESPECT TO THE
HOMESITE LEASE APPLICATION FOR DELILA F. BEGAY FOR A HOMESITE
LEASE WITHIN THE NAVAJO COMMERCIAL FORESTRY AREA AND WITHIN
TSAILE/WHEATFIELDS 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. Delila F. Begay has applied for a homesite lease within the Navajo Commercial
7 Forestry Area and within Tsaile/Wheatfields Chapter, Navajo Nation. The Homesite
8 Application Form, Cultural Resources Compliance Form, the Field Clearance
9 Certification, the Consent Forms, a map, a Checklist for Homesite Lease Application,
10 a Homesite Lease Flowchart, an estimate for land survey services, a Request Form for
11 Homesite Biological Clearance Form, and a resolution of the Tsaile/Wheatfields
12 Chapter SUPPORTING DELILA BEGAY REQEUST TO MEET WITH THE
13 RESOURCES AN DEVELOPMENT COMMITTEE REGARDING HOMESITE
14 LEASE REQUEST are attached as **Exhibit B**.

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

23
24 **SECTION THREE. WAIVING RESOLUTION NO. RCJY-142-92**

25 A. The Resources and Development Committee of the Navajo Nation Council hereby
26 waives the applicability of Resolution No. RCJY-142-92 “Establishing a Moratorium
27 on New Structures, New Homesite and Range Units within the Navajo Commercial
28 Forest Pending Development and Approval of a New Forest Management Plan”
29 (**Exhibit A**) with respect to the homesite lease application for Delila F. Begay for a
30 homesite lease application within the Navajo Commercial Forestry Area and within

1 Tsaile/Wheatfields Chapter, Navajo Nation, as further described in the attached
2 **Exhibit B**, subject to the following terms and conditions:

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

9 B. The Resources and Development Committee of the Navajo Nation Council hereby
10 authorizes the Director of the Navajo Land Department to process and to execute all
11 documents necessary to effectuate the intent and purpose of this resolution.
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30