

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0273-24

SPONSOR: Andy Nez

**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 Laverne Charley for a Homesite Lease within the Navajo Commercial Forestry Area and within Sawmill Chapter, Navajo Nation (Apache County, Arizona)**

**Date posted: December 24, 2024 at 12:35 PM**

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0273-24

**DATE:** June 30, 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 LAVERNE CHARLEY FOR A HOMESITE LEASE WITHIN THE NAVAJO COMMERCIAL FORESTRY AREA AND WITHIN SAWMILL CHAPTER, NAVAJO NATION (APACHE COUNTY, ARIZONA)

**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 for Laverne Charley for a homesite within the Sawmill 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 JSD  
Website Posting Time/Date \_\_\_\_\_  
Posting End Date: 12-29-24  
Eligible for Action: 12-30-24

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 24<sup>th</sup> NAVAJO NATION COUNCIL – Second Year, 2024

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4 INTRODUCED BY

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7 (Prime Sponsor)

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9 TRACKING NO. 0273-24

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11 AN ACTION  
12 RELATING TO RESOURCES AND DEVELOPMENT; WAIVING THE  
13 APPLICABILITY OF RESOLUTION NO. RCJY-142-92 WITH RESPECT TO THE  
14 HOMESITE LEASE APPLICATION FOR LAVERNE CHARLEY FOR A HOMESITE  
15 LEASE WITHIN THE NAVAJO COMMERCIAL FORESTRY AREA AND WITHIN  
16 SAWMILL CHAPTER, NAVAJO NATION (APACHE COUNTY, ARIZONA)

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18 **SECTION ONE. AUTHORITY**

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

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28 **SECTION TWO. FINDINGS**

- 29 A. The Resources Committee (Predecessor to the Resources and Development) passed  
30 Resolution No. RCJY-142-92 “Establishing a Moratorium on New Structures, New

1 Homesite and Range Units within the Navajo Commercial Forest Pending  
2 Development and Approval of a New Forest Management Plan”, attached hereto and  
3 incorporated herein as **Exhibit A**.

4 B. Laverne Charley has applied for a homesite lease within the Navajo Commercial  
5 Forestry Area and within Sawmill Chapter, Navajo Nation (Apache County, Arizona),  
6 as further described in the attached **Exhibit B** and has requested a waiver of Resolution  
7 No. RCJY-142-92 as pertains to the request for a homesite lease.

8 C. The proposed homesite lease will be located in Apache County, Arizona and is more  
9 particularly described on the map attached hereto and incorporated herein as **Exhibit**  
10 **B**.

11 D. The homesite lease application includes a Cultural Resources Compliance Form, an  
12 Archaeological Inventory Report, and map which are incorporated in **Exhibit B**.

13 E. The Sawmill Chapter through Resolution SAW-10-09-23-10, attached as **Exhibit C**,  
14 supports the homesite lease request and requests that the Resources and Development  
15 Committee of the Navajo Nation Council waive Resolution RCJY-142-92.

16 F. A Consent Form for Navajo Trust/Fee Land signed by the Grazing Permittee and  
17 acknowledged by the Grazing Official/Land Board Member for the Sawmill Chapter,  
18 is attached as **Exhibit D**.

19 G. A letter dated July 5, 2023, from Forest Services Program/NFD to the Acting Director  
20 of the Navajo Land Department, attached as **Exhibit E**, states the homesite lease  
21 application is within the commercial forest boundary and the Resources and  
22 Development Committee is authorized to give final approval authority because of the  
23 moratorium described in Resources Committee Resolution RCJY-142-92.

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

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

1 homesite lease application within the Navajo Commercial Forestry Area and within  
2 Sawmill Chapter, Navajo Nation (Apache County, Arizona), as further described in  
3 the attached **Exhibit B**, subject to the following terms and conditions:

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

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