

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0274-24

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 Roy Yazzie for a Homesite Lease within the Navajo Commercial Forestry Area and within Sawmill Chapter, Navajo Nation

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0274-24

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 ROY YAZZIE FOR A HOMESITE LEASE WITHIN THE NAVAJO COMMERCIAL FORESTRY AREA AND WITHIN SAWMILL 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 for Roy Yazzie 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 Al Mickitt
Website Posting Time/Date _____
Posting End Date: 12/29/24
Eligible for Action: 12/30/24

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

3
4 INTRODUCED BY

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7 (Prime Sponsor)

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9 TRACKING NO. 0274-24

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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 ROY YAZZIE FOR A HOMESITE LEASE
15 WITHIN THE NAVAJO COMMERCIAL FORESTRY AREA AND WITHIN SAWMILL
16 CHAPTER, NAVAJO NATION

17
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. Roy Yazzie has applied for a homesite lease within the Navajo Commercial Forestry
5 Area and within Sawmill Chapter, Navajo Nation, (Apache County, Arizona), as
6 further described in the attached **Exhibit B** and have requested a waiver of Resolution
7 No. RCJY-142-92 as pertains to their request for a homesite lease.

8 C. The proposed homesite lease more particularly described on the map attached hereto
9 and incorporated herein as **Exhibit B**.

10 D. The homesite lease application includes the Cultural Resources Compliance Form, an
11 Archaeological Inventory Report, a Traditional Cultural Property Record, maps and a
12 survey plat which are incorporated in **Exhibit B**.

13 E. The Sawmill Chapter through Resolution SAW-04-12-24-09 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. The
16 Sawmill Chapter Resolution supports Roy Yazzie’s request for a homesite in the
17 “Crystal community.” When the Resources and Development Committee approves
18 this legislation, the Navajo Land Department shall identify whether Sawmill Chapter
19 or Crystal Chapter is the Chapter to recommend Roy Yazzie’s request.

20 F. A Consent Form for Navajo Trust/Fee Land for one of the affected permittees is signed
21 by the Grazing Permittee and acknowledged by the Grazing Official/Land Board
22 Member, is attached as **Exhibit D**. The second Grazing Permittee Consent form is not
23 attached.

24 G. Memoranda from Forest Services Program/NFD to the Acting Director of the Navajo
25 Land Department, attached as **Exhibit E**, state the homesite lease application is within
26 the commercial forest boundary and the Resources and Development Committee is
27 authorized to give final approval authority because of the moratorium described in
28 Resources Committee Resolution RCJY-142-92.

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

1 A. The Resources and Development Committee of the Navajo Nation Council hereby
2 waives the applicability of Resolution No. RCJY-142-92 “Establishing a Moratorium
3 on New Structures, New Homesite and Range Units within the Navajo Commercial
4 Forest Pending Development and Approval of a New Forest Management Plan”
5 (Exhibit A) with respect to the homesite lease application for Roy Yazzie for a
6 homesite lease application within the Navajo Commercial Forestry Area and within
7 Crystal Chapter, Navajo Nation, as further described in the attached Exhibit B, subject
8 to the following terms and conditions:

- 9 1. The Lessee shall not infringe on the operation and management of the Navajo
10 Commercial forestry authority of the Navajo Nation.
- 11 2. The Lessee shall comply with provisions for Homesite Lease Policies and
12 Procedures for Tribal Trust/Fee Land including the application process,
13 including the Field Clearance Certification and the supporting Chapter
14 resolution.
- 15 3. The Lessee shall obtain a permit from the Navajo Forestry Department prior
16 to cutting any trees within the homesite lease area.

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