

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0275-24

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 Jodonna John for a Homesite Lease within the Navajo Commercial Forestry Area and within Sawmill Chapter, Navajo Nation

Date posted: December 24, 2024 at 12:42 PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0275-24

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 JODONNA JOHN 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 by JoDonna John for a homesite within the Sawmill Chapter.

Final Authority: Resources and Development Committee

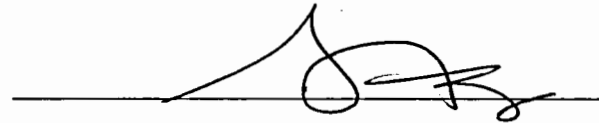
Vote Required: Simple Majority

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 McKenna
Website Posting Time/Date _____
Posting End Date: 12/29/24
Eligible for Action: 12/30/24

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 25th 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. 0275-24

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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 JODONNA JOHN 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.

27 **SECTION TWO. FINDINGS**

- 28 A. The Resources Committee (Predecessor to the Resources and Development) passed
29 Resolution No. RCJY-142-92 “Establishing a Moratorium on New Structures, New
30 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. JoDonna John has applied for a homesite lease within the Navajo Commercial
7 Forestry Area and within Sawmill Chapter, Navajo Nation. The Homesite Application
8 Form, the Home Site Biological Clearance Form, Cultural Resources Compliance
9 Form, the Field Clearance Certification, the Consent Form, land survey map, a
10 photograph of the area requested for the homesite lease and an Amended Final Probate
11 Decree are in the attached **Exhibit B**.

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

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

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