

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0276-24

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 Lorencita Marshall for a Homesite Lease within the Navajo Commercial Forestry Area and within Sawmill Chapter, Navajo Nation

Date posted: December 24, 2024 at 12:45 PM

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Office of Legislative Services
P.O. Box 3390
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LEGISLATIVE SUMMARY SHEET
Tracking No. 0276-24

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 LORENCITA MARSHALL 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 Lorencita Marshall 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.

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

4 INTRODUCED BY

5 
6 _____

7 (Prime Sponsor)

8 TRACKING NO. 0276-24

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 LORENCITA MARSHALL FOR A
15 HOMESITE LEASE WITHIN THE NAVAJO COMMERCIAL FORESTRY AREA AND
16 WITHIN SAWMILL CHAPTER, NAVAJO NATION (APACHE COUNTY, ARIZONA)

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.

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. Lorencita Marshall 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 this request for a homesite lease.

8 C. Lorencita Marshall’s Certificate of Navajo Indian Blood, copies of her driver’s license
9 and social security card are included in **Exhibit B**. Other documents in Ms. Marshall’s
10 homesite lease application list her name as Lorencita Willie. When this legislation is
11 approved by the Resources and Development Committee Ms. Marshall shall provide
12 a document to the Navajo Land Department stating that her name is now Lorencita
13 Marshall.

14 D. The proposed homesite lease will be located in Apache County, Arizona and is more
15 particularly described on the map attached hereto and incorporated herein as **Exhibit**
16 **B**.

17 E. The homesite lease application includes a Cultural Resources Compliance Form,
18 Archaeological Inventory Report, maps and a boundary and survey plat which are
19 incorporated in **Exhibit B**.

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

23 G. A Consent Form for Navajo Trust/Fee Land signed by the Grazing Permittee and
24 acknowledged by the Grazing Official/Land Board Member for the Sawmill Chapter,
25 is attached as **Exhibit D**.

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

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

A. The Resources and Development Committee of the Navajo Nation Council hereby waives the applicability of Resolution No. RCJY-142-92 “Establishing a Moratorium on New Structures, New Homesite and Range Units within the Navajo Commercial Forest Pending Development and Approval of a New Forest Management Plan” (**Exhibit A**) with respect to the homesite lease application for Lorencita Marshall for a homesite lease application within the Navajo Commercial Forestry Area and within Sawmill Chapter, Navajo Nation (Apache County, Arizona), as further described in the attached **Exhibit B**, subject to the following terms and conditions:

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 including the application process. Ms. Marshall shall also make corrections to her name on documents submitted with her homesite lease application.
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.