TITLE: An Action Relating To Resources And Development; Approving The United States Of America Department Of Health And Human Services Indian Health Services Tsaile Land Lease For 10.71 Acres, More Or Less, Of Navajo Nation Trust Land, Located Within The Tsaile/Wheatfields Chapter Vicinity, Navajo Nation (Apache County, Arizona)

Date posted: February 7, 2020 at 3:55 PM

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DATE: January 30, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE UNITED STATES OF AMERICA DEPARTMENT OF HEALTH AND HUMAN SERVICES INDIAN HEALTH SERVICE TSAILE LAND LEASE FOR 10.71 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LANDS, LOCATED WITHIN THE TSAILE/WHEATFIELDS CHAPTER VICINITY, NAVAJO NATION (APACHE COUNTY, ARIZONA)

PURPOSE: The purpose of the resolution is to approve a lease for the United States of America Department of Health and Human Services Indian Health Service, for 10.71 acres, more or less, of Navajo Nation Trust Lands in the Tsaile/Wheatfields Chapter vicinity, Navajo Nation (Apache County, Arizona).

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.
PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL -- Second Year, 2020

INTRODUCED BY

[Signature]

(Prime Sponsor)

TRACKING NO. CCAY-2020

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE UNITED STATES OF AMERICA DEPARTMENT OF HEALTH AND HUMAN SERVICES INDIAN HEALTH SERVICE TSAILE LAND LEASE FOR 10.71 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LANDS, LOCATED WITHIN THE TSAILE/WHEATFIELDS CHAPTER VICINITY, NAVAJO NATION (APACHE COUNTY, ARIZONA)

BE IT ENACTED:

Section One. Authority

A. The Resources and Development Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 500(A).

B. 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. 2 N.N.C. § 501 (B)(2).

Section Two. Findings

A. United States of America Department of Health and Human Services Indian Health Service has submitted a request for a lease to occupy 10.71 acres, more or
less, on Navajo Nation Trust Lands in Tsaile, Arizona. The application is attached as Exhibit I.

B. The proposed Lease is attached hereto as Exhibit A.

C. The proposed Lease of 10.71 acres, more or less, is described in Exhibit B.

D. The Resources and Development Committee through resolution RDCJN-33-15 delegated the authority to approve land withdrawals to the Director of the Navajo Land Department. Resolution RDCJN-33-15 is attached as Exhibit L.

E. The 10.71 acres, more or less was withdrawn in 2016 by Navajo Land Department. Department Manager III through his memorandum dated July 6, 2016. The memorandum is attached hereto as Exhibit C. These 10.71 acres, more or less, had initially been included in the 1026.48 acres withdrawn by resolution of the Advisory Committee in ACO-302-69. The Diné College Board of Regents through resolution DC-FEB-2099-14 supports the land lease of 10.71 acres between the Navajo Nation and the Indian Health Services as stated in the Tsaile/Wheatfields Chapter, Lukachukai Chapter, Rock Point Chapter, Round Rock Chapter supporting resolutions attached as Exhibit I.

F. Environmental and archaeological studies and clearances have been completed and are attached hereto and incorporated herein by this reference. The Environmental Assessment is attached hereto as Exhibit D. The Biological Resources Survey is attached hereto as Exhibit E. The Cultural Resources Survey is attached hereto as Exhibit F.

G. The Tsaile Staff Quarters Addition Floodplain Assessment and Geotechnical Engineering Report are attached as Exhibits G and H.

H. Supporting resolutions from the Tsaile/Wheatfields Chapter, Lukachukai Chapter, Rock Point Chapter, Round Rock Chapter are attached as Exhibit I.

I. The lease for the United States of America Department of Health and Human Services Indian Health Service use of 10.71 acres, more or less, in the vicinity of Tsaile/Wheatfields Chapter has completed an Executive Official Review with various Departments and Programs providing approval and supplemental
comments. Executive Official Review Document No. 006262 is attached hereto as Exhibit K.

Section Three. Approval:

A. The Resources and Development Committee of the Navajo Nation Council hereby approves a Lease for the United States of America Department of Health and Human Services Indian Health Service, for 10.71 acres, more or less, of Navajo Nation Trust Lands in the Tsaile/Wheatfields Chapter vicinity, Navajo Nation (Apache County, Arizona). The location is more particularly described on the survey maps attached as Exhibit B.

B. The Navajo Nation hereby approves the Lease subject to, but not limited to the Terms and Conditions in the Lease attached hereto as Exhibit A.

C. The Navajo Nation hereby authorizes the President of the Navajo Nation to execute any and all documents necessary to implement the intent and purpose of this resolution.