LEGISLATION NO: _0015-21__  SPONSOR: Elmer Begay

TITLE: An Action Relating To Resources And Development; Approving The United States Of America Department Of Health And Human Services Indian Health Service Dilkon Land Lease For 32.27 Acres, More Or Less, Of Navajo Nation Trust Lands, Located Within The Dilkon Chapter Vicinity, Navajo Nation (Navajo County, Arizona)

Date posted: January 29, 2021 at 11:46AM

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DATE: January 26, 2021

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 DILKON LAND LEASE FOR 32.27 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LANDS, LOCATED WITHIN THE DILKON CHAPTER VICINITY, NAVAJO NATION (NAVAJO COUNTY, ARIZONA)

PURPOSE: This resolution, if adopted, would approve the United States of America Department of Health and Human Services Indian Health Service Dilkon Land Lease for 32.27 acres, more or less, of Navajo Nation Trust Lands, located within the Dilkon Chapter vicinity, Navajo Nation (Navajo 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 – Third Year, 2021

INTRODUCED BY

[Signature]

(Prime Sponsor)

TRACKING NO. 0015-21

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE UNITED STATES OF AMERICA DEPARTMENT OF HEALTH AND HUMAN SERVICES INDIAN HEALTH SERVICE DILKON LAND LEASE FOR 32.27 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LANDS, LOCATED WITHIN THE DILKON CHAPTER VICINITY, NAVAJO NATION (NAVAJO 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 32.27 acres, more or
less, on Navajo Nation Trust Lands in Dilkon, Arizona. See attached Exhibit 1. The proposed Lease is attached hereto as Exhibit 2.

B. The proposed Lease of 32.27 acres, more or less, is described in Exhibit 3.

C. The land was withdrawn in 1978 through Resolution ACAP-41-78. The Resolution is attached hereto as Exhibit 4. Chapter resolutions supporting the Dilkon IHS Health Center site development are attached as Exhibit 5 (Dilkon Chapter - DIL-02-089, Indian Wells Chapter, Jeddito Chapter, Teesto Chaper, Tsidi To’ii Chapter, Leupp Chapter - LP11-020-2014, and Tolani Lake Chapter - TL-03-10-15).

D. 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 6. The Biological Resources Survey is attached hereto as Exhibit 7. The Cultural Resources Survey is attached hereto as Exhibit 8. The review of the Navajo Nation Environmental Protection Agency is attached hereto as Exhibit 9.

E. The Lease for the United States of America Department of Health and Human Services Indian Health Service use of 32.27 acres, more or less, in the vicinity of Dilkon Chapter has completed an Executive Official Review with various Departments and Programs providing approval and supplemental comments. Executive Official Review Document No. 015231 is attached hereto as Exhibit 10.

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 32.27 acres, more or less, of Navajo Nation Trust Lands in the Dilkon Chapter vicinity, Navajo Nation (Navajo County, Arizona). The location is more particularly described on the survey maps attached as Exhibit 3.

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 2.
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.