

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0273-23\_

SPONSOR: Rickie Nez

**TITLE: An Action Relating to Resources and Development; Rescinding RDCAP-33-18 Which Approved a Sand and Gravel Lease to San Juan Sand and Gravel, LLC, to Extract Sand and Gravel from 40 Acres, More or Less, of Navajo Nation Trust Lands, and an Access Road of 4.3 Acres, More or Less, of Navajo Nation Trust Lands Located Within the San Juan Chapter Vicinity, Navajo Nation (San Juan County, New Mexico)**

*Date posted:* December 21, 2023 at 4:17PM

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## LEGISLATIVE SUMMARY SHEET

Tracking No. 0273-23

**DATE:** December 15, 2023

**TITLE OF RESOLUTION:** PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; RESCINDING RDCAP-33-18 WHICH APPROVED A SAND AND GRAVEL LEASE TO SAN JUAN SAND AND GRAVEL, LLC, TO EXTRACT SAND AND GRAVEL FROM 40 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LANDS, AND AN ACCESS ROAD OF 4.3 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LANDS LOCATED WITHIN THE SAN JUAN CHAPTER VICINITY, NAVAJO NATION (SAN JUAN COUNTY, NEW MEXICO)

**PURPOSE:** The purpose of the resolution is to rescind Resolution RDCJY-33-18.

**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 ASD  
Website Posting Time/Date \_\_\_\_\_  
Posting End Date: 12-26-23  
Eligible for Action: 12-27-23

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 25<sup>th</sup> NAVAJO NATION COUNCIL -- First Year, 2023

3 INTRODUCED BY

4   
5 \_\_\_\_\_  
6 Rick Nez  
(Prime Sponsor)

7 TRACKING NO. 0273-23

8  
9 AN ACTION

10 RELATING TO RESOURCES AND DEVELOPMENT; RESCINDING  
11 RDCAP-33-18 WHICH APPROVED A SAND AND GRAVEL LEASE TO SAN  
12 JUAN SAND AND GRAVEL, LLC, TO EXTRACT SAND AND GRAVEL FROM 40  
13 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LANDS, AND AN  
14 ACCESS ROAD OF 4.3 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST  
15 LANDS LOCATED WITHIN THE SAN JUAN CHAPTER VICINITY, NAVAJO  
16 NATION (SAN JUAN COUNTY, NEW MEXICO)

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18 BE IT ENACTED:

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20 **Section One. Authority**

- 21 A. The Resources and Development Committee is a standing committee of the Navajo  
22 Nation Council. 2 N.N.C. § 500(A).  
23 B. The Resources and Development Committee of the Navajo Nation Council has  
24 authority to give final approval of all land withdrawals, non-mineral leases, permits,  
25 licenses, rights-of-way, surface easements and bonding requirements on Navajo  
26 Nation lands and unrestricted (fee) land. This authority shall include subleases,  
27 modifications, assignments, leasehold encumbrances, transfers, renewals, and  
28 terminations. 2 N.N.C. § 501 (B)(2).

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30 **Section Two. Findings**

1 A. Resolution RDCAP-33-18 AN ACTION RELATING TO RESOURCES AND  
2 DEVELOPMENT; APPROVING A SAND AND GRAVEL LEASE TO SAN  
3 JUAN SAND AND GRAVEL, LLC, TO EXTRACT SAND AND GRAVEL  
4 FROM 40 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LANDS,  
5 AND AN ACCESS ROAD OF 4.3 ACRES, MORE OR LESS, OF NAVAJO  
6 NATION TRUST LANDS LOCATED WITHIN THE SAN JUAN CHAPTER  
7 VICINITY, NAVAJO NATION (SAN JUAN COUNTY, NEW MEXICO) is  
8 attached as **Exhibit A** (with its Exhibit 1, the Sand and Gravel Lease).

9 B. The San Juan Chapter has raised concerns about the proximity of a sand a gravel  
10 pit to residents in the community. The San Juan Chapter Resolution SANJ-2023-  
11 38 states: “The San Juan Chapter members hereby express their support and  
12 recognition that operating a gravel pit near a residential area poses severe threats to  
13 the lives, health, and well-being of the individual residing in the proposed area.  
14 Additionally, such and operation would cause significant adverse effects on the  
15 environment, vegetation, wildlife, herbs, and above all, the air quality.” The San  
16 Juan Chapter Resolution SANJ-2023-38 is attached as **Exhibit B**.

17 C. The Sand and Gravel Lease approved by the Resources and Development  
18 Committee through RDCAP-33-18 is pending at the Bureau of Indian Affairs.

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20 **Section Three. Rescinding RDCJY-33-18**

21 The Resources and Development Committee of the Navajo Nation Council hereby  
22 rescinds RDCJY-33-18.  
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