

THE NAVAJO NATION
LEGISLATIVE BRANCH
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LEGISLATION NO: _0043-24_

SPONSOR: Vince R. James

TITLE: An Action Relating to Resources and Development Committee; Approving a Lease for Apache County for the Apache County Ganado Road Yard, Parcel II

Date posted: February 14, 2024 at 6:24PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0043-24

DATE: February 8, 2024

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING A LEASE FOR APACHE COUNTY FOR THE APACHE COUNTY GANADO ROAD YARD, PARCEL II

PURPOSE: The purpose of the resolution is to approve the Lease to Apache County for the Apache County Ganado Road Yard, Parcel II, for 2.36 acres, more or less, of Navajo Nation Trust Land.

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.

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PROPOSED STANDING COMMITTEE RESOLUTION
25th NAVAJO NATION COUNCIL – Second Year, 2024

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0043-24

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE;
APPROVING A LEASE FOR APACHE COUNTY FOR THE APACHE COUNTY
GANADO ROAD YARD, PARCEL II

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 non-mineral leases, permits 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. Apache County, a political subdivision of the State of Arizona, seeks approval for a lease from the Navajo Nation for the Apache County Ganado Road Yard, Parcel II. The Lease is attached hereto as **Exhibit A**.

- 1 B. The certified site survey for the Apache County Ganado Road Yard, Parcel II, plat, and
2 legal description, for 2.36 acres, more or less, is attached as **Exhibit B**.
- 3 C. The Navajo Nation Code at 16 N.N.C. § 2334(F) states: The Navajo Nation may waive
4 the rent, or charge nominal rent for ... (ii) leases for use of Navajo Nation trust land by
5 federal, state and local governments... where such entities or projects are providing
6 essential governmental or utility services to Navajo people[.]”
- 7 D. The Lease on page 2, paragraph 5 RENTAL, states: *“In accordance with the provisions
8 of 16 N.N.C. §2334(F), only nominal rental is provided for herein because this Lease
9 is for Maintenance of school bus routes.”*
- 10 E. The Grazing Representative has determined that the proposed area is not within a
11 grazing unit. The Grazing Representative’s letter is attached as **Exhibit C**.
- 12 F. The Environmental Assessment, Cultural Resources Clearance Forms, and Biological
13 Resource Clearance Form and are attached as **Exhibit D**.
- 14 G. The Board of Supervisors of Apache County through Resolution No. 2018-01, attached
15 as **Exhibit E**, supports the lease agreement with the Navajo Nation.
- 16 H. The Ganado Chapter supports the lease agreement. The Ganado Chapter Resolution
17 No. GAN-057-2018 is attached as **Exhibit F**.
- 18 I. The Lease was reviewed by the Navajo Nation Department of Justice, and the
19 Executive Official Review Document is attached as **Exhibit G**.

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21 **SECTION THREE. APPROVAL**

- 22 A. The Resources and Development Committee of the Navajo Nation Council hereby
23 approves the Lease to Apache County for the Apache County Ganado Road Yard,
24 Parcel II, for 2.36 acres, more or less, of Navajo Nation Trust Land, attached hereto as
25 **Exhibit A**. The location is more particularly described on the survey maps attached as
26 **Exhibit B**.
- 27 B. The Resources and Development Committee of the Navajo Nation Council hereby
28 approves waiver of rental fees pursuant to 16 N.N.C. § 2334 (F).
- 29 C. The Navajo Nation hereby authorizes the President of the Navajo Nation to execute
30 any and all documents necessary to implement the intent and purpose of this resolution.