

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0061-25\_

SPONSOR: Otto Tso

**TITLE: An Action Relating to Resources and Development; Approving a Sand and Gravel Lease to Sealaska Constructors, LLC, to Extract Sand and Gravel from 9.45 Acres, More or Less, of Navajo Nation Trust Lands Located Within the K'ai'Bii'Tó Chapter Vicinity, Navajo Nation (Coconino County, Arizona)**

*Date posted:* April 22, 2025 at 8:51PM

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## LEGISLATIVE SUMMARY SHEET

Tracking No. 0061-25

**DATE:** April 14, 2025

**TITLE OF RESOLUTION:** AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; APPROVING A SAND AND GRAVEL LEASE TO SEALASKA CONSTRUCTORS, LLC, TO EXTRACT SAND AND GRAVEL FROM 9.45 ACRES, MORE OR LESS, OF NAVAJO NATION TRUST LANDS LOCATED WITHIN THE K'AI'BII'TÓ CHAPTER VICINITY, NAVAJO NATION (COCONINO COUNTY, ARIZONA)

**PURPOSE:** The purpose of this resolution is to approve a Sand and Gravel Lease to Sealaska Constructors, LLC located on 9.45 acres, more or less, of Navajo Nation Trust Lands is in the K'ai' Bii' Tó Chapter vicinity, Navajo Nation (Coconino County, Arizona)

**Final Authority:** Resources and Development Committee


**Vote Required:** Majority Vote

**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:         
Website Posting Time/Date:         
Posting End Date: 04-27-25  
Eligible for Action: 04-28-25

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 25th NAVAJO NATION COUNCIL — Third Year, 2025

3  
4 INTRODUCED BY

5   
6 \_\_\_\_\_  
7 04-28-25  
(Prime Sponsor)

8  
9 TRACKING NO. 0061-25

10  
11 AN ACTION

12 RELATING TO RESOURCES AND DEVELOPMENT; APPROVING A SAND AND  
13 GRAVEL LEASE TO SEALASKA CONSTRUCTORS, LLC, TO EXTRACT SAND  
14 AND GRAVEL FROM 9.45 ACRES, MORE OR LESS, OF NAVAJO NATION  
15 TRUST LANDS LOCATED WITHIN THE K'AI'BII'TÓ CHAPTER VICINITY,  
16 NAVAJO NATION (COCONINO COUNTY, ARIZONA)

17  
18 BE IT ENACTED:

19 **Section One. Authority**

- 20 A. The Resources and Development Committee is a standing committee of the Navajo  
21 Nation Council. 2 N.N.C. § 500 (A).  
22 B. The Resources and Development Committee of the Navajo Nation Council has  
23 authority to give final approval of all land withdrawals, non-mineral leases,  
24 permits, licenses, rights-of-way, surface easements and bonding requirements on  
25 Navajo Nation lands and unrestricted (fee) land. This authority shall include  
26 subleases, modifications, assignments, leasehold encumbrances, transfers  
27 include, renewals, and terminations. 2 N.N.C. § 501 (B) (2).  
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29 **Section Two. Findings**  
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- 1 A. Sealaska Constructors, LLC, has submitted a request for a sand and gravel lease  
2 to occupy 9.45 acres, more or less, of Navajo Nation Trust Lands within the  
3 K'ai'Bii'Tó Chapter vicinity. The proposed Sand and Gravel Lease is attached  
4 hereto as **Exhibit A**.
- 5 B. The proposed Sand and Gravel Lease consists of 9.45 acres, more or less, of  
6 Navajo Nation Trust Lands located in the K'ai'Bii'Tó Chapter vicinity (Coconino  
7 County, State of Arizona), as described in **Exhibit B**.
- 8 C. The District One Grazing Committee, in a memorandum dated March 16, 2024,  
9 attached as **Exhibit C**, stated "The Grazing Permit for the area has not had a tally  
10 count the past nine years and no vegetation available for animals to feed on.  
11 Therefore, I recommend SCL use the said acreage to extract borrow... ."
- 12 D. The Biological Resources Compliance Forms dated June 5, 2024 and January 24,  
13 2019 are attached **Exhibit D** and the Navajo Natural Heritage Program, April 18,  
14 2024 memorandum and the January 4, 2019 memorandum are attached as **Exhibit**  
15 **E**.
- 16 E. Cultural Resources Compliance Form is attached **Exhibit F** and the  
17 Archaeological Inventory Report is attached as **Exhibit G**.
- 18 F. The Stormwater & Environmental Pollution Prevention Plan for Construction  
19 Activities at Tonalea Day School Replacement & Quarters and Stormwater Best  
20 Management Practice are attached as **Exhibit H**.
- 21 G. The Mining & and Reclamation Plan, is attached as **Exhibit I**.
- 22 H. Memorandum from United States Department of the Interior, BIA, Navajo  
23 Regional Office regarding BIA Route N21, Work within BIA Highway Right  
24 other than driveway and utility Permit Application Package and the United States  
25 Environmental Protection Agency Notice of Intent for the 2022 NPDES  
26 Construction Permit are attached as **Exhibit J**.
- 27 I. The K'ai'Bii'Tó Chapter, through its Resolution KB2QTR17/03-23-06 and  
28 Tonalea Chapter, through its resolution TN24-08-12, support the temporary  
29 business site lease requested by Sealaska Constructors, LLC. K'ai'Bii'Tó  
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Chapter Resolution KB2QTR17/03-23-06 and Tonalea Chapter Resolution TN24-08-12 are attached as **Exhibit K**.

J. Executive Official Review Document No. 023302 is attached as **Exhibit L**.

**Section Three. Approval**

- A. The Resources and Development Committee of the Navajo Nation Council hereby approves a Sand and Gravel Lease to Sealaska Constructors, LLC subject to, but not limited to the Sand and Gravel Lease in the attached **Exhibit A**. to occupy. The location of the lease of 9.45 acres, more or less, of Navajo Nation Trust Lands is in the K'ai'Bii'Tó Chapter vicinity, Navajo Nation (Coconino County, Arizona) is more particularly described on the survey maps attached as **Exhibit B**.
- B. The Resources and Development Committee hereby authorizes the President of the Navajo Nation to execute any and all documents necessary to implement the intent and purpose of this resolution.