

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0205-25\_

SPONSOR: Carl R. Slater

**TITLE: An Action Relating to Resources and Development Committee; Approving a Temporary Construction Easement to the Navajo Department of Transportation for the Purpose of Constructing Roadway Improvements to N12 (13-2) 1, 2, & 4 Located Within the Tsail/Wheatfields Chapter Vicinity and Approving a Waiver of Consideration**

***Date posted:*** August 26, 2025 at 4:35 PM

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## LEGISLATIVE SUMMARY SHEET

Tracking No. 0205-25

**DATE:** August 25, 2025

**TITLE OF RESOLUTION:** AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING A TEMPORARY CONSTRUCTION EASEMENT TO THE NAVAJO DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF CONSTRUCTING ROADWAY IMPROVMENTS TO N12 (13-2) 1, 2 & 4 LOCATED WITHIN THE TSAILE/WHEATFIELDS CHAPTER VICINITY AND APPROVING A WAIVER OF CONSIDERATION

**PURPOSE:** This purpose of this proposed resolution is to approve a Temporary Construction Easement for the Navajo Department of Transportation related to a roadway improvement project on N12 in the Tsail/Wheatfields vicinity. The Temporary Construction Easement is for a three-year term and covers nineteen different locations consisting of 2.3193 acres.

**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.

5-DAY BILL HOLD PERIOD: [Signature]  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 08-31-25  
Eligible for Action: 09-01-25

PROPOSED STANDING COMMITTEE RESOLUTION  
25<sup>th</sup> NAVAJO NATION COUNCIL -- Third Year, 2025

Introduced By:

[Signature]  
(Prime Sponsor)

Tracking No. 0205-25

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE;  
APPROVING A TEMPORARY CONSTRUCTION EASEMENT TO THE  
NAVAJO DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF  
CONSTRUCTING ROADWAY IMPROVEMENTS TO N12 (13-2) 1, 2 & 4  
LOCATED WITHIN THE TSAILE/WHEATFIELDS CHAPTER VICINITY AND  
APPROVING A WAIVER OF CONSIDERATION

BE IT ENACTED

SECTION ONE. AUTHORITY

A. The Resources and Development Committee is established as a standing committee of the Navajo Nation Council and grants final approval for all, non-mineral leases, permits, licenses, rights of ways, and surface easements on Navajo Nation lands and unrestricted (fee) land. 2 N.N.C. §§ 500, 501(B)(2)(a).

SECTION TWO. FINDINGS

A. The Navajo Department of Transportation is requesting a Temporary Construction Easement for the construction of roadway and bridge improvements to N12 (13-2) 1, 2 & 4 in Tsaile/Wheatfields, Arizona to add shoulders, upgrade the drainage system, reconstruct the pavement, and replace the Whiskey Creek Bridge to alleviate

1 hardship/difficult traveling conditions during the winter and rainy seasons, especially for  
2 community travelers, school buses, public safety agencies, health care facilities,  
3 government service providers, and emergency responders.

4 B. The Terms and Conditions for the Temporary Construction Easement are attached as  
5 **Exhibit A.**

6 C. The Temporary Construction Easement covers nineteen (19) different locations  
7 consisting of 2.3193 acres, with the corresponding legal land surveys herein attached as  
8 **Exhibit B.**

9 D. The Temporary Construction Easement term is three (3) years, with the value assessed  
10 by the Navajo Nation Minerals Department totaling \$7,917.69. The assessment is  
11 attached as **Exhibit C.**

12 E. The Navajo Department of Transportation is seeking a waiver of the compensation for  
13 the Temporary Construction Easement given the benefits of this road improvement  
14 project to the Tsaile/Wheatfields community and the general public.

15 F. The Cultural Resources Compliance Form, Biological Resources Compliance Form,  
16 Environmental Compliance Determination and a Finding of No Significant Impact  
17 executed by the Bureau of Indian Affairs Regional Director Gregory Mehojah dated  
18 September 9, 2023 are attached as **Exhibit D.**

19 G. The grazing permittee consents are herein attached as **Exhibit E.**

20 H. Tsaile/Wheatfields Chapter Resolution TWFY-24-104 supporting the Temporary  
21 Construction Easement is attached as **Exhibit F.**

22 I. Executive Official Review document number 024540 is attached as **Exhibit G.**  
23

### 24 **SECTION THREE. APPROVAL**

25 A. The Resources and Development Committee of the Navajo Nation Council hereby  
26 approves the request for a Temporary Construction Easement to the Navajo Department  
27 of Transportation subject but not limited to the Terms and Conditions attached hereto  
28 and incorporated herein as found at **Exhibit A.** The legal land surveys are attached as  
29 **Exhibit B.** The request for a waiver of the consideration for this Temporary Construction  
30 Easement is also approved.

1 B. The Resources and Development Committee of the Navajo Nation Council hereby  
2 authorizes the President of the Navajo Nation to execute any and all documents necessary  
3 to affect the intent and purpose of this resolution.  
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