

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0206-25_

SPONSOR: Carl R. Slater

TITLE: An Action Relating to Resources and Development; Waiving the Applicability Resolution RCS-51-85, The Protection Zone within the Canyon De Chelly National Monument, for Homesite Lease Applications

Date posted: August 26, 2025 at 4:40 PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0206-25

DATE: August 21, 2025

TITLE OF RESOLUTION: AN ACTION RESOURCES AND DEVELOPMENT;
WAIVING THE APPLICABILITY RESOLUTION RCS-51-85, THE PROTECTION
ZONE WITHIN THE CANYON DE CHELLY NATIONAL MONUMENT, FOR
HOMESITE LEASE APPLICATIONS

PURPOSE: This purpose of this proposed resolution is to waive the applicability of Resolution No. RCS-51-85 (“Establishing a Protection Zone within the Boundaries of Canyon De Chelly National Monument to Protect Scenic, Scientific, Natural and Cultural Resources from Activities and Developments Deemed to be a Threat or an Adverse Impact Until a Joint Management Plan between the Navajo Nation Bureau of Indian Affairs, and the National Park Service is Developed and Approved”) for homesite lease applicants within the Canyon De Chelly Protection Zone.

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: AMK III
Website Posting Time/Date: _____
Posting End Date: 08/31/25
Eligible for Action: 09/01/25

PROPOSED STANDING COMMITTEE RESOLUTION
25th NAVAJO NATION COUNCIL -- Third Year, 2025

Introduced By


(Prime Sponsor)

Tracking No. 0206-25

AN ACTION

**RELATING TO RESOURCES AND DEVELOPMENT; WAIVING THE
APPLICABILITY RESOLUTION RCS-51-85, THE PROTECTION ZONE
WITHIN THE CANYON DE CHELLY NATIONAL MONUMENT, FOR
HOMESITE LEASE APPLICATIONS**

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. Pursuant to 2 N.N.C. §501 (B)(2), 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.

SECTION TWO. FINDINGS

A. The Resources Committee (predecessor to the Resources and Development Committee) passed Resolution No. RCS-51-85 "Establishing a Protection Zone within the Boundaries of Canyon De Chelly National Monument to Protect Scenic, Scientific, Natural and Cultural Resources from Activities and Developments Deemed to be a Threat or an

Adverse Impact Until a Joint Management Plan between the Navajo Nation Bureau of Indian Affairs, and the National Park Service is Developed and Approved,” attached hereto and incorporated herein as **Exhibit A**.

B. The Protection Zone is described in Resolution RCS-51-85: “The protection zone hereby established covers all lands within the approximate park boundary including a buffer along the south and north main roads at a distance 1,000 feet away from the road on the side away from the canyon rim. The protection zone will extend up to the Navajo Community College [now Diné College] turnoff on the north rim and the Spider Rock turnoff including Monument, Canyon de Chelly, Black Rock, Del Muerto, and other significant canyons.” **Exhibit A**, Resolved Clause Paragraph 3.

C. On June 21, 2018, a STRATEGIC AGREEMENT between the Navajo Nation, National Park Service, and Bureau of Indian Affairs for the Cooperative Stewardship of Canyon de Chelly (“Strategic Agreement”) was developed. The Strategic Agreement is attached as **Exhibit B**.

D. At page A-10 of the Strategic Agreement, the issue of Homesite Leases is addressed. It states:

Homesite Lease

Navajo Nation

Land Department

Responsibility: The Resources and Development Committee through resolution RDCO-74-16 delegated its authority to the Navajo Land Department to approve, issue, amend, assign, relinquish, and execute homesite leases. The Navajo Land Department (NLD) is responsible for issuing homesite leases, generally for one-acre homesite lease for 75 years. The lease provides an opportunity for the Navajo families to build a home or mortgage a home with leasehold interest. Before obtaining a homesite Lease, the Lessee must comply with all federal and Navajo environmental laws to obtain clearances to build a home on the Navajo Nation.

Legal Reference: Pursuant to N.N.C. § 501 (B) (3)

Navajo Nation

Land Department

1 *Responsibility: The Land Department issues homesite leases, but cannot do so for*
2 *Canyon de Chelly due to establishment of a protection zone within the Boundaries of*
3 *Canyon de Chelly National Monument. The Resources and Development Committee has*
4 *the authority to waive the 1985 moratorium or it can be lifted with finalization of a Joint*
5 *Management Plan.*

6 *Legal Reference: RCS-51-85, Establishing a Protection Zone within the Boundaries of*
7 *Canyon de Chelly National Monument*

8 E. A Joint Management Plan has not been developed.

9 F. Navajo citizens wish to establish homesites within the Canyon De Chelly Protection
10 Zone.

11
12 **SECTION THREE. WAIVING RESOLUTION NO. RCS-51-85 "ESTABLISHING A**
13 **PROTECTION ZONE WITHIN THE BOUNDARIES OF CANYON DE CHELLY**
14 **NATIONAL MONUMENT TO PROTECT SCENIC, SCIENTIFIC, NATURAL AND**
15 **CULTURAL RESOURCES FROM ACTIVITIES AND DEVELOPMENTS DEEMED**
16 **TO BE A THREAT OR AN ADVERSE IMPACT UNTIL A JOINT MANAGEMENT**
17 **PLAN BETWEEN THE NAVAJO NATION BUREAU OF INDIAN AFFAIRS, AND THE**
18 **NATIONAL PARK SERVICE IS DEVELOPED AND APPROVED" FOR HOMESITE**
19 **LEASE APPLICANTS WITHIN THE CANYON DE CHELLY PROTECTION ZONE**

20 A. The Resources and Development Committee of the Navajo Nation Council hereby
21 waives the applicability of Resolution No. RCS-51-85 "Establishing a Protection Zone
22 within the Boundaries of Canyon De Chelly National Monument to Protect Scenic,
23 Scientific, Natural and Cultural Resources from Activities and Developments Deemed to
24 be a Threat or an Adverse Impact Until a Joint Management Plan between the Navajo
25 Nation Bureau of Indian Affairs, and the National Park Service is Developed and
26 Approved," **Exhibit A**, for homesite lease applicants within the Canyon De Chelly
27 Protection Zone.

28 B. The Resources and Development Committee of the Navajo Nation Council hereby
29 waives the applicability of Resolution No. RCS-51-85 with respect to the homesite lease
30 applications subject to the following terms and conditions:

1. The Applicants/Lessees shall comply with provisions for Homesite Lease Policies and Procedures for Tribal Trust/Fee Land.
2. The Applicants/Lessees shall obtain a permit from the Navajo Forestry Department prior to cutting any trees within the homesite lease area.
- C. The Resources and Development Committee of the Navajo Nation Council hereby authorizes the Director of the Navajo Land Department to process and to execute all documents necessary to effectuate the intent and purpose of this resolution.