

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0209-25\_

SPONSOR: Shawna Ann Claw

**TITLE: An Action Relating to Resources and Development Committee; Waiving the Applicability Resolution RCS-51-85, the Protection Zone within the Canyon De Chelly National Monument, for the Alvita C. Tsosie Homesite Lease Application within the Chinle Chapter, Navajo Nation (Apache County, Arizona)**

***Date posted:*** August 28, 2025 at 6:14PM

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0209-25

**DATE:** August 21, 2025

**TITLE OF RESOLUTION:** AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; WAIVING THE APPLICABILITY RESOLUTION RCS-51-85, THE PROTECTION ZONE WITHIN THE CANYON DE CHELLY NATIONAL MONUMENT, FOR THE ALVITA C. TSOSIE HOMESITE LEASE APPLICATION WITHIN THE CHINLE CHAPTER, NAVAJO NATION (APACHE COUNTY, ARIZONA)

**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") with respect to the Alvita C. Tsosie homesite lease application within the Chinle Chapter within the Canyon De Chelly Protection Zone.

**FINAL AUTHORITY:** Resources and Development Committee

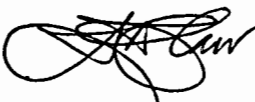
**VOTE REQUIRED:** Simple Majority

**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:                       
Website Posting Time/Date:                       
Posting End Date: 09-02-25  
Eligible for Action: 09-03-25

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

Introduced by:



(Prime Sponsor)



Tracking No. 0209-25

AN ACTION  
RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE;  
WAIVING THE APPLICABILITY RESOLUTION RCS-51-85, THE  
PROTECTION ZONE WITHIN THE CANYON DE CHELLY NATIONAL  
MONUMENT, FOR THE ALVITA C. TSOSIE HOMESITE LEASE  
APPLICATION WITHIN THE CHINLE CHAPTER, NAVAJO NATION  
(APACHE COUNTY, ARIZONA)

BE IT ENACTED:

SECTION ONE. AUTHORITY

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

- 1 A. The Resources Committee (Predecessor to the Resources and Development  
2 Committee) passed Resolution No. RCS-51-85 "Establishing a Protection Zone  
3 within the Boundaries of Canyon De Chelly National Monument to Protect Scenic,  
4 Scientific, Natural and Cultural Resources from Activities and Developments  
5 Deemed to be a Threat or an Adverse Impact Until a Joint Management Plan  
6 between the Navajo Nation Bureau of Indian Affairs, and the National Park  
7 Service is Developed and Approved", attached hereto and incorporated herein as  
8 **Exhibit A.**
- 9 B. At Paragraph 8 of the Whereas Clauses of Resolution RCS-51-85, the Resources  
10 Committee stated "The Chairman of the Navajo Tribal Council has asked the  
11 Chairman of the Resources Committee of the Navajo Tribal Council to establish a  
12 moratorium on new construction within the boundaries of Canyon De Chelly  
13 National Monument pending the development and approval of the Joint  
14 Management plan."
- 15 C. The Protection Zone is described in Resolution RCS-51-85: "The protection zone  
16 hereby established covers all lands within the approximate park boundary  
17 including a buffer along the south and north main roads at a distance 1,000 feet  
18 away from the road on the side away from the canyon rim. The protection zone  
19 will extend up to the Navajo Community College [now Diné College] turnoff on  
20 the north rim and the Spider Rock turnoff including Monument, Canyon de Chelly,  
21 Black Rock, Del Muerto, and other significant canyons." **Exhibit A**, Resolved  
22 Clause Paragraph 3.
- 23 D. On June 21, 2018 a STRATEGIC AGREEMENT between the Navajo Nation,  
24 National Park Service, and Bureau of Indian Affairs for the Cooperative  
25 Stewardship of Canyon de Chelly ("Strategic Agreement") was developed. The  
26 Strategic Agreement is attached as **Exhibit B**.
- 27 E. At page A-10 of the Strategic Agreement, the issue of Homesite Leases is  
28 addressed. It states:  
29 *Homesite Lease*  
30 *Navajo Nation*

1                   ***Land Department***

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

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

11                  ***Navajo Nation***

12                  ***Land Department***

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

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

- 20                  F. A Joint Management Plan has not been developed.
- 21                  G. Alvita C. Tsosie is seeking to establish a homesite within the 1000-foot Canyon
- 22                     De Chelly National Monument Protection Zone. Ms. Tsosie's homesite lease
- 23                     application and supporting documents are attached as **Exhibit C**.
- 24                  H. The Chinle Navajo Land Department informed Ms. Tsosie "that Navajo Land
- 25                     Department is unable to process your application for environmental review due to
- 26                     the following: 1. The propose[d] homesite is inside the RCS-51-85 within 1000'
- 27                     buffer of National Park Service Moratorium. [General Land Department]
- 28                     recommend[s] you might want to take it to Resources and Development
- 29                     Committee to waiver to move forward with your application." April 27, 2023 letter
- 30                     from the Chinle Navajo Land Department is attached as **Exhibit D**.

1  
2 **SECTION THREE. WAIVING RESOLUTION NO. RCS-51-85 “ESTABLISHING**  
3 **A PROTECTION ZONE WITHIN THE BOUNDARIES OF CANYON DE**  
4 **CHELLY NATIONAL MONUMENT TO PROTECT SCENIC, SCIENTIFIC,**  
5 **NATURAL AND CULTURAL RESOURCES FROM ACTIVITIES AND**  
6 **DEVELOPMENTS DEEMED TO BE A THREAT OR AN ADVERSE IMPACT**  
7 **UNTIL A JOINT MANAGEMENT PLAN BETWEEN THE NAVAJO NATION**  
8 **BUREAU OF INDIAN AFFAIRS, AND THE NATIONAL PARK SERVICE IS**  
9 **DEVELOPED AND APPROVED” WITH RESPECT TO THE ALVITA C. TSOSIE**  
10 **HOMESITE LEASE APPLICATION**

11 A. The Navajo Nation hereby waives the applicability of Resolution No. RCS-51-85  
12 “Establishing a Protection Zone within the Boundaries of Canyon De Chelly  
13 National Monument to Protect Scenic, Scientific, Natural and Cultural Resources  
14 from Activities and Developments Deemed to be a Threat or an Adverse Impact  
15 Until a Joint Management Plan between the Navajo Nation Bureau of Indian  
16 Affairs, and the National Park Service is Developed and Approved,” **Exhibit A**,  
17 with respect to the Alvita C. Tsosie homesite lease application within the Chinle  
18 Chapter within the Canyon De Chelly Protection Zone.

19 B. The Navajo Nation hereby waives the applicability of Resolution No. RCS-51-85  
20 with respect to the homesite lease application for Alvita C. Tsosie subject to the  
21 following terms and conditions:

22 1. The applicant/lessee shall comply with provisions for Homesite Lease  
23 Policies and Procedures for Tribal Trust/Fee Land.

24 2. The applicant/lessee shall obtain a permit from the Navajo Forestry  
25 Department prior to cutting any trees within the homesite lease area.

26 C. The Navajo Nation hereby authorizes the Director of the Navajo Land Department  
27 to process and to execute all documents necessary to effectuate the intent and  
28 purpose of this resolution.