



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*
Yideeskáądi Nitsáhákees **RICHELLE MONTOYA** *VICE PRESIDENT*

July 26, 2024

Honorable Crystalyne Curley, Speaker
Office of the Speaker
Navajo Nation Council
P.O. Box 3390
Window Rock, AZ 86515

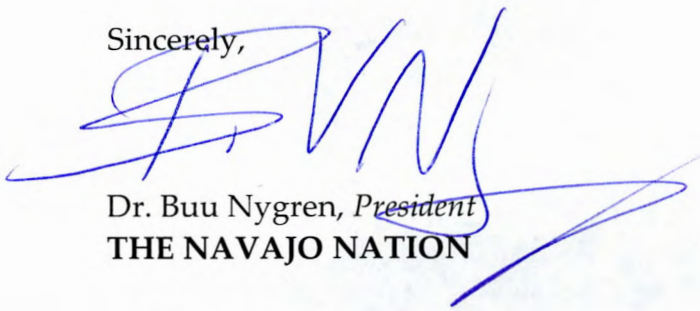
RE: CJY-34-24, An Act Relating to Law and Order, Health, Resources and Development, Naabik'iyáti' Committees, and the Navajo Nation Council; Approving Amendments to 16 N.N.C § 1153 Regarding the Contents of an Application for a Mission Site Permit.

Dear Honorable Members of the 25th Navajo Nation Council:

By signing this resolution into law, I am in support of amending Title 16, Section 1153, which relates to the application requirements for a mission site permit.

Currently, the Navajo General Land Development Department requires an application, community support via a chapter resolution, a copy of the applicant's articles of incorporation and certificate of incorporation for the application, and all biological, cultural and land clearances. In addition, the process requires that a Council Delegate provide official endorsement on behalf of the district in which the proposed site is located. The latter requirement is not necessary. As long as there is community support, supported by a Chapter resolution, this is sufficient.

Sincerely,



Dr. Buu Nygren, *President*
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
25th NAVAJO NATION COUNCIL - SECOND YEAR, 2024

AN ACT

RELATING TO LAW AND ORDER, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; APPROVING AMENDMENTS TO 16 N.N.C. § 1153 REGARDING THE CONTENTS OF AN APPLICATION FOR A MISSION SITE PERMIT

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee is empowered to review and make recommendations to the Navajo Nation Council on proposed Navajo Nation Code amendments and enactments. 2 N.N.C. § 601(B)(14).
- B. The Resources and Development Committee has oversight authority over land, and community development. 2 N.N.C. § 500(C).
- C. The Naabik'íyáti' Committee considers proposed legislation that requires final action by the Navajo Nation Council. 2 N.N.C. § 700(A).
- D. The Navajo Nation Council must review and approve enactments or amendments of positive law. 2 N.N.C. § 164(A).

SECTION TWO. FINDINGS

- A. The Navajo Nation Council's Resolution CO-45-12 Section 5 (B) *"References to previous Standing Committees"* states that *"References in the Navajo Nation Code and other official documents to the Resources, Transportation and Community Development and Economic Development Committees shall mean the Resources and Development Committee unless the amendments enacted herein or the context of previous law indicates otherwise."*
- B. Currently, Title 16, Chapter 11, Subchapter 3, Section 1153 (A) delineates the contents of the application for a mission or religious site. One of the listed requirements is "An endorsement of Navajo Nation Council Delegates of the District in which the proposed site is located."
- C. An endorsement of a Navajo Nation Council Delegate should be removed as a requirement because applications for other uses

of Navajo Nation lands do not require an "endorsement" from Navajo Nation Council Delegates.

- D. The Resources and Development Committee passed RDCJY-26-24, which approved departmental administrative rules and regulations for religious land use permits for application requests on Navajo Nation trust and fee lands and the "Mission Site Permit Regulations 2024." Exhibit 1.

SECTION THREE. AMENDMENT TO 16 N.N.C. § 1153

The Navajo Nation hereby amends Title 16 of the Navajo Nation Code as follows:

NAVAJO NATION CODE ANNOTATED
TITLE 16. LAND
CHAPTER 11. LAND FOR PUBLIC, CHARITABLE AND RELIGIOUS
PURPOSES
SUBCHAPTER 3. MISSION RELIGIOUS SITES

§ 1153. ~~Contents of applications~~ Rules and Regulations

- A. ~~No permit to enlarge the area of Navajo Nation land presently under permit to a missionary or mission body, and no permit to grant Navajo Nation land for a new mission site will be granted by the Resources Committee unless the application for such permit has first been reviewed by the Navajo Land Department of the Navajo Nation.~~
- B. ~~Such application shall contain the following information and documentation:~~
1. ~~An exact description of the Navajo Nation land for which application is made.~~
 2. ~~A detailed statement of the purpose or purposes for which the said Navajo Nation land shall be used. If a missionary or mission body proposes to establish facilities for educational, medical, or other non-religious activities, the application shall set forth fully the extent and character thereof.~~

- ~~3. A signed petition of a substantial number of Navajos residing in the vicinity of the proposed site endorsing the proposed permit.~~
- ~~4. An endorsement of Navajo Nation Council Delegates of the District in which the proposed site is located.~~
- ~~5. A description of buildings and improvements to be placed on Navajo Nation lands and an estimate of the cost thereof.~~

The Resources and Development Committee shall approve rules and regulations for Religious Land Use Permits. The Rules and Regulations shall not require an endorsement of the Navajo Nation Council Delegate of the District in which the proposed religious site is located.

* * * * *

SECTION FOUR. EFFECTIVE DATE

The Act enacted herein shall be effective upon its approval pursuant to 2 N.N.C. § 221(B).

SECTION FIVE. CODIFICATION


The provisions of this ordinance which amend or adopt new sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code.

SECTION SIX. SAVING CLAUSE

Should any provisions of this ordinance be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, those portions of this ordinance which are not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 19 in Favor, and 00 Opposed, on this 16th day of July 2024.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

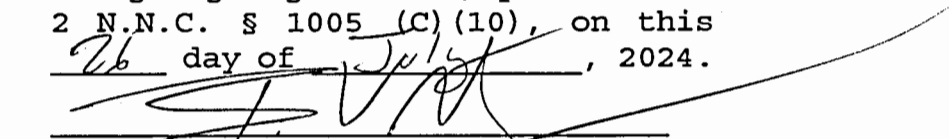
7/19/2024
Date

Motion: Honorable George H. Tolth
Second: Honorable Eugenia Charles-Newton

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (10), on this 26 day of July, 2024.



Buu Nygren, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (11), on this _____ day of _____, 2024 for the reason(s) expressed in the attached letter to the Speaker.

Buu Nygren, President
Navajo Nation



RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
of the 25th NAVAJO NATION COUNCIL - Second Year, 2024

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING THE DELEGATION OF AUTHORITY TO THE DEPARTMENT MANAGER OF THE NAVAJO LAND DEPARTMENT, DIVISION OF NATURAL RESOURCES, TO APPROVE RELIGIOUS LAND USE PERMITS; APPROVING DEPARTMENTAL ADMINISTRATIVE RULES AND REGULATIONS FOR RELIGIOUS LAND USE PERMITS FOR APPLICATION REQUESTS ON NAVAJO NATION TRUST AND FEE LANDS, INCLUDING THE EASTERN NAVAJO AGENCY APPLICANTS; AND, APPROVING THE TERMS AND CONDITIONS FOR RELIGIOUS LAND USE PERMITS

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is established as a standing committee of the Navajo Nation Council with oversight authority over land and community development, to promulgate rules and regulations for the development of Navajo Nation lands, and to provide final approval for land permits. 2 N.N.C. §§ 500(A), 501(B)(1) and 501(B)(2).
- B. The Resources and Development Committee serves as the Legislative oversight authority for the Division of Natural Resources. 2 N.N.C. § 501(C)(1).
- C. The Resources and Development Committee is authorized to delegate its responsibilities and authorities as appropriate for efficiency and streamlining of government process to the Standing Committee, Divisions, Chapters, and appropriate entities, provided that the Committee first approves rule and regulations governing such delegations and to rescind delegations. 2 N.N.C § 501(B)(11).

SECTION TWO. FINDINGS

- A. The Resources and Development Committee's delegation of authority to grant Religious Land Use Permit on Navajo Nation trust and fee lands to the Department Manager of the Navajo Nation Land Department would shorten the amount of time religious organizations to obtain the Religious Land Use Permits.

- B. The Religious Land Use Permit Regulations 2024 are attached as **Exhibit A**. The Religious Land Use Permit Regulations Table of Contents is comprised of sixteen (16) Sections: Authority; Purpose; Eligibility; Term; Application Requirements; Available Land; Temporary Religious Use Permit; Terms and Conditions; Residential Homes in Religious land use; Trespass and Trespass Fees; Abandonment; Filing and Annual Fees; Cancellation of Permits; Modifications; Record Keeping and Definitions.
- C. The Terms and Conditions for Religious Land Use Permit is attached as **Exhibit B**.
- D. The Executive Official Review Document No. 022002 is attached as **Exhibit C**.

SECTION THREE. APPROVAL OF DELEGATION OF AUTHORITY, APPROVAL OF RULES AND REGULATIONS; AND APPROVAL OF TERMS AND CONDITIONS

- A. The Resources and Development Committee of the Navajo Nation Council hereby approves the delegation of authority to the Department Manager of the Navajo Land Department, Division of Natural Resources, to grant Religious Land Use Permit on Navajo Nation trust and fee lands, including Eastern Navajo Agency.
- B. This delegation of authority shall not be re-delegated to any other tribal official or entity without the approval of the Resources and Development Committee.

SECTION FOUR. APPROVAL OF RELIGIOUS LAND USE PERMITS RULES AND REGULATIONS


- A. The Resources and Development Committee hereby approves the departmental administrative rules and regulations for the delegation of authority to the Department Manager of the Navajo Land Department to approve Religious Land Use Permits, attached as **Exhibit A**.
- B. The Resources and Development Committee hereby approves the Terms and Conditions for Religious Land Use Permits, attached as **Exhibit B**.

SECTION FIVE. SAVING CLAUSE

Should any provision of this Act be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, those portions of this Action, which are not determined invalid, shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Resources and Development Committee of the 25th Navajo Nation Council at a duly called meeting at Mentmore, (Navajo Nation) New Mexico, at which quorum was present and that same was passed by a vote of 4 in favor, 0 opposed, on this 01st day of July 2024.


Brenda Jesus, Chairperson
Resources and Development Committee
Of the 25th Navajo Nation Council

Motion: Honorable Casey Allen Johnson
Second: Honorable Danny Simpson



**Mission Site Permit
Regulations
2024**

**General Land Development Department
Division of Natural Resources
NAVAJO NATION**

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Section 1. Authority

The Navajo Nation Trust Land Leasing Act of 2000 (Navajo Leasing Act), 25 U. S. C. §415 (e) authorizes the Navajo Nation to issue leases and permits on trust land without the approval of the Secretary of the Interior (Secretary), provided such leases and permits are executed under tribal regulations approved by the Secretary. The Navajo Nation General Leasing Regulations of 2013 fulfill the requirements of the Navajo Leasing Act.

Under the Plan of Operation, the General Land Development Department processes applications for land withdrawals, non-mineral leases, permits and right-of-way on and across Navajo Nation lands, including any amendments, subleases, or assignments thereof, (RDCO-80-16). Pursuant to 2 N.N.C. §501 (B)(2)(a), the Resources and Development Committee grants final approval for permits on Navajo Nation land, whether held in fee or trust status. Pursuant to 2 N.N.C. §501 (B)(3) and (11), and the Resources and Development Committee is authorized to delegate its approval authorities to appropriate Divisions of the Navajo Nation for efficiency and streamlining of government processes provided the Committee grants final approval of rules and regulations governing such delegations and rescission of such delegations. The Resources and Development Committee approves the delegation of authority to the Department Manager of the Navajo Land Department, Division of Natural Resources, to grant tribal access for church land use on the Navajo Nation to any entity requesting a church land use permit on Navajo Nation trust and fee lands.

Section 2. Purpose

The Navajo Nation Council adopted 16 N.N.C. §§1151-1164 for the issuance of permits to missionaries and religious groups to conduct religious and other related activities on the Navajo Nation. The Mission Site Permit Regulations applies to all on the Navajo Nation.

All individuals and entities occupying and using lands pursuant to 16 N.N.C. §§1151-1164 will be subject to the laws of the Navajo Nation. Any violation of these provisions by any missionary or religious group will be subject to the civil jurisdiction of the Navajo Nation (17 N.N.C. §§1901- 1906) and liable for all reasonable associated fees.

Section 3. Eligibility

Any individual or entity wishing to conduct religious or other related activities on Navajo trust land and fee land, which may include educational activities that are done in conjunction with religious activities on the Navajo Nation.

Section 4. Term

All mission site permits shall be for a term of ten (10) years, beginning on the date of approval of the permit by the Navajo Nation. The entity or individual shall give notice of intent to renew to the General Land Development Department at least six (6) months prior to the expiration, but no more than twelve (12) months. The renewal of the permit is subject to the approval of the Navajo Nation and the aforementioned regulations.

Section 5. Application Requirements

A complete Mission Site Permit packet consists of:

1. Application – the application and checklist is available at the General Land Development Department.
2. Navajo Nation Chapter Supporting Resolution – Applicant will need to attend a chapter planning meeting and explain the logistics of your project and request to be placed on the next regular chapter meeting agenda and request a chapter supporting resolution. A Community Land Use Planning Committee supporting resolution can be attached to ensure proposed development is not interfering with the Community Land Use Plan.
3. Official endorsement of the Navajo Nation Council Delegate of the district in which the proposed site is located.
4. Consents – The local Grazing Official or Land Board member will identify the grazing permittees in the proposed developed area and the General Land Development Department will provide approved Navajo Nation Consent Forms.
5. Survey Plat with Legal Descriptions – Must include road ingress and egress and utility easements (grazing permittee consent also covers consent for infrastructure).
6. Copy of Articles of Incorporation and copy of Certificate of Incorporation – issued and certified by authorizing entity (such as the Navajo Business Regulatory Department, State of Arizona or any State with corporation commissions prescribed by state law, etc.). The Navajo Nation Business Regulatory Department is the Navajo Nation entity to issue a corporate number to the religious group and all corporations must file their Articles of Incorporation with the Navajo Nation Business Regulatory Department.
7. Biological Resource Compliance Form issued by the Department of Fish and Wildlife.
8. Cultural Resources Compliance Form issued by the Heritage and Historic Preservation Department.

Section 6. Available Land

The acreage used for each church land use permit site shall be the minimum acreage necessary to conduct religious activities. Applicants are not required to apply for land withdrawals in order to obtain a mission site permit. The Land Withdrawal Designation Regulations (RDCJN-33-15) does not require an entity or individual to obtain a land withdrawal designation prior to obtaining a lease or a permit. Mission Site Permits are permits that are issued and regulated by the Navajo Land Department, as directed by the Navajo Nation Council and will be issued with ten (10) year terms.

The Navajo Nation Code 16 N.N.C. §1159 states the Navajo Nation policy regarding acreage use for each religious activity permit is set at a minimum acreage requirement.

Acreage Limitations:

<u>Religious Activities Only</u>	<u>1.5 acres</u>
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<u>Religious Activities and Community Facilities</u>	<u>3.5 acres</u>
<u>Religious Activities and Medical/Educational</u>	<u>8 acres</u>

Section 7. Temporary Religious Use Permit

The temporary use permit shall be understood as allowing any leasehold interest or right in the land herein described and is only temporary and a terminable permit for purpose(s) of conducting meetings, conferences, and ceremonial purposes individually and specifically identified and not for any other function for a term no longer than 90 days.

Section 8. Terms and Conditions

The standard terms and conditions (including the rental rates, legal descriptions and liability) approved by the Navajo Department of Justice will be utilized in order to guarantee timely processing.

Section 9. Residential Homes in Mission Sites

Each residential home established within a mission site is required to pay a \$150 per year rental. The Navajo Nation Council adopted 16 N.N.C. §§1151-1164 for the purposes of issuing permits to missionaries and mission bodies to conduct religious and religious activities on the Navajo Nation. Otherwise a homesite lease shall be required but must be outside the acreage boundaries of the mission permitted area.

Section 10. Trespass and Trespass Fees

It is considered trespassing when an unauthorized individual or entity is in possession, or occupancy of use of Navajo Nation trust or fee lands without an approved Mission Site Permit.

The Nation will issue a trespass notice/fee for unauthorized use of the land:

1. Trespassing/Written Warning _____ \$0.00
2. 2nd Written Warning _____ \$100.00
3. 3rd Written Warning _____ \$500.00
4. Termination Notice issued by Executive Director of the Division of Natural Resources.

Section 11. Abandonment

If the permittee leaves the permitted religious area without returning to maintain or there has been no operation for over six (6) months and no written notification of vacancy is given to the Navajo Nation, the Navajo Nation will consider it abandoned and the Mission Site Permit will be terminated.

Section 12. Filing and Annual Fees

The permittee is responsible for paying annual rental fees for each application. The calculation for annual fees is based on acreage.

Section 13. Cancellation of Permits

The Navajo Nation has the authority to cancel any approved permits if these regulations are not followed, including non-payments or if an entity or individual is unwilling to provide requested documentation within 30 days of the requested date or when permitted areas is not utilized for religious purposes.

Permits will be suspended for those entities that are in default or non-compliance with Navajo Nation laws, such as, and not limited to default of payments, expired permits or non-submittal of required documents.

Section 14. Modifications

Any modification will require a new application for a Mission Site Permit to be issued, (including name and acreage changes) and approved by the Resources and Development Committee.

Section 15. Record Keeping and Tracking

The General Land Development Department will maintain all records of approved permits in the electronic archival system known as the "Navajo Nation System" for monitoring, tracking, locating and storing all documents. The Navajo Nation System will automatically notify recipients of payment and document due dates and expiration dates via email. If notification by mail is requested, the applicant must submit the request in writing to the General Land Development Department with a self-addressed stamped envelope enclosed.

Section 16. Definitions

Articles of Incorporation – certified copies of a groups authority to do business in the state or Navajo Nation (an entity can organize under Navajo law); this includes the evidence of authority of the responsible person(s) that sign the application and terms and conditions to execute paperwork on behalf of the religious group, including the seal of the corporation. (i.e. Board of Directors, etc.).

Community Service Facilities – are permanent improvements upon which the permitted sites are provided for educational programs or any non-religious programs that are benefiting the community.

Missionaries – a person of a religious group sent to an area or region to promote its faith or provide services such as healthcare or education to people.

Navajo Nation Business Regulatory – the Navajo Nation entity will issue a corporate number to the religious group and all corporations must file their Articles of Incorporation with the Navajo Nation Business Regulatory.

Valid Grazing Permittee – holds a tally count of livestock within the past two (2) years and not in any grazing violations and currently utilizing the grazing area.

VERSION 3/25/22

VERSION 11/23/22

Edited 2/10/23

Edited 3/7/23 & 3/10/23

Edited 1/16/24



TERMS AND CONDITIONS FOR RELIGIOUS LAND USE PERMIT
_____ CHURCH (PERMITTEE)

1. This religious land use permit is issued to the _____ to use and occupy Navajo Nation Trust Lands for religious purposes, and shall be subject to the terms and conditions set forth herein. The term of the religious land use permit is effective beginning on the date the permit is signed by the Navajo Nation President and is approved by the Resources and Development Committee of the Navajo Nation Council or authorized representative. The Religious land use permit is authorized by Resources and Development Committee No. _____.
2. This permit is revocable at the discretion of the Resources and Development Committee of the Navajo Nation Council. The permit shall immediately be revoked for the failure to use the land herein described for religious purposes. It is understood and agreed that this instrument is 'NOT A LEASE' and is not to be taken or construed as granting any leasehold interest or right in or to the land herein described, but is merely a temporary permit, terminable and revocable.
3. The Permittee shall be given at least thirty (30) days written notice before this religious land use permit is terminated and revoked, unless the Permittee submits written notice to the Navajo Nation requesting that the religious land use permit be revoke sooner. Upon termination of the rission Site Permit, the Permittee shall have ninety (90) days in which to remove from the site to dispose of any and all buildings, structures, materials and equipment and other personal property owned by the religious organization. After the expiration of the ninety (90) days, the Permittee shall peacefully and without legal process deliver the possession of the premises to the Navajo Nation. All improvements not removed after ninety (90) days will become the property of the Navajo Nation, unless the Navajo Nation demands in writing that the improvements be removed.
4. This Permit is not transferable, except with the consent of the Resources and Development Committee of the Navajo Nation Council.
5. This Permit shall be ten (10) years and reviewed every five (5) years to reevaluate the rent and compliance with the terms and conditions.
6. The legal land description of the premises is described as follows:

SAMPLE TRACT DESCRIPTION

A TRACT OF LAND SITUATE IN NORTHEAST QUARTER (NE1/4) OF SECTION 27, TOWNSHIP 41 SOUTH, RANGE 25 EAST, S.L.B.M., SAN JUAN COUNTY, UTAH SITUTATED IN THE ANETH AREA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Point of Beginning a point being the Southeasterly corner of said Parcel which bears North 47°06'21" West, a distance of 684.81 feet from the Eastern Quarter (1/4) corner of said Section 27;

THENCE South 68° 00' 45" West, a distance of 357.35 feet;

THENCE North 13° 30' 28" West, a distance of 342.05 feet;
THENCE South 89° 30' 19" East, a distance of 483.23 feet;
THENCE South 20° 17' 28" West, a distance of 207.49 feet to the Point of Beginning

Said Parcel containing ____ ± acres more or less in area and being subject to any restrictions, easements, and reservations of record.

7. In accordance with 16 N.N.C. §1157, the annual rate will be \$15.00 per acre per year and is due on December 30, prior to the year for which the fees are due per 16 N.N.C. §1164. Pursuant to 16 N.N.C. §1164, if the Permittee fails to pay the rent when due, this permit shall automatically terminate. The Permittee is responsible to make direct payments to the Navajo Nation Accounts Receivable Section, Post Office Box 3150, Window Rock, Arizona 86515.
8. The Permittee may develop, use and occupy the area under the permit for the purpose(s) of conducting religious or other related activities. The Permittee may not develop, use or occupy the area under the permit for any other purpose without the prior written approval of the Navajo Nation. The approval of the Navajo Nation may be granted, granted upon conditions or withheld in the sole discretion of the Navajo Nation. The Permittee may not develop, use or occupy the area under the permit for any unlawful purpose.
9. In all activities conducted by the Permittee within the Navajo Nation, the Permittee shall abide by all laws and regulations of the Navajo Nation and of the United States, now in force and effect or as hereafter may come into force and effect including but not limited to the following:
 - a. Title 25, Code of Federal Regulations, Part 162;
 - b. All applicable federal and Navajo Nation antiquities laws and regulations, with the following additional condition: In the event of a discovery all operations in the immediate vicinity of the discovery must cease and the Navajo Nation Historic Preservation Department must be notified immediately. As used herein, "discovery" means any previously unidentified or incorrectly identified cultural resources, including but not limited to archeological deposits, human remains, or location reportedly associated with Native American religious/traditional beliefs or practices;
 - c. The Navajo Preference in Employment Act, 15 N.N.C. §§ 601 et seq., and the Navajo Nation Business Opportunity Law, 5 N.N.C. §§ 201 et seq.; and
 - d. The Navajo Nation Water Code, 22 N.N.C. § 1101 et seq. Permittee shall apply for and submit all applicable permits and information to the Navajo Nation Water Resources Department, or its successor.
10. The Permittee shall ensure that the air quality of the Navajo Nation is not jeopardized due to violation of applicable laws and regulations by its operations pursuant to the permit.
11. The Permittee shall clear and keep clear the lands within the permit area to the extent compatible with the purpose of the permit, and shall dispose of all vegetation and other materials cut, uprooted, or otherwise accumulated during any surface disturbance activities.
12. The Permittee shall at all times during the term of the permit and at the Permittee's sole cost and expense, maintain the land subject to the permit and all improvements located thereon and make all necessary and reasonable repairs.

13. The Permittee shall indemnify and hold harmless the Navajo Nation and their respective authorized agents, employees, land users and occupants, against any liability for loss of life, personal injury and property damages arising from the development, use or occupancy or use of the permit area by the Permittee.
14. The Permittee shall not assign, convey or transfer, in any manner whatsoever, the permit or any interest therein, or in or to any of the improvements on the land subject to the permit, without the prior written consent of the Navajo Nation. Any such attempted assignment, conveyance or transfer of the permit without such prior written consent shall be void and of no effect. The consent of the Navajo Nation may be granted, granted upon condition or withheld in the sole discretion of the Navajo Nation.
15. The Navajo Nation may terminate the permit for violation of any of the terms and conditions stated herein. In addition, the permit shall be terminable in whole or part by the Navajo Nation or authorized representative for any of the following causes:
 - a. Failure to comply with any terms and conditions of the permit or of applicable laws or regulations;
 - b. Non-use of the permit; and
 - c. The use of the land subject to the permit for any purpose inconsistent with the purpose for which the permit is granted.
16. At the termination of the permit, the Permittee shall peaceably and without legal process deliver up the possession of the premises, in good condition, usual wear and tear excepted. Upon the written request of the Navajo Nation, the Permittee shall provide the Navajo Nation, at the Permittee's sole cost and expense, with an environmental audit assessment of the premises at least sixty (60) days prior to delivery of said premises.

The Permittee shall give written notice to the General Land Development Department regarding any change to the Permittee's contact information, address, leadership, organizational name, or any other substantial change to the organization. The notice shall be given within thirty (30) days and delivered to the General Land Development Department at Post Office Box 69, St. Michaels, Arizona 86511.
17. Holding over by the Permittee after the termination of the permit shall not constitute a renewal or extension thereof or give the Permittee any rights hereunder or in or to the land subject to the permit or to any improvements located thereon.
18. The Navajo Nation shall have the right, at any reasonable time during the term of the permit, to enter upon the premises, or any part thereof, to inspect the same and any improvements located thereon.
19. By acceptance of the grant of permit, the Permittee consents to the full territorial legislative, executive and judicial jurisdiction of the Navajo Nation, including but not limited to the jurisdiction to levy fines and to enter judgements for compensatory and punitive damages and injunctive relief, in connection with all activities conducted by the Permittee within the Navajo Nation or which have a proximate (legal) effect on persons or property within the Navajo Nation.

20. By acceptance of the grant of the permit, the Permittee covenants and agrees never to contest or challenge the legislative, executive or judicial jurisdiction of the Navajo Nation on the basis that such jurisdiction is inconsistent with the status of the Navajo Nation as an Indian nation, or that the Navajo Nation government is not a government of general jurisdiction, or that the Navajo Nation government does not possess full police power (i.e., the power to legislate and regulate for the general health and welfare) over all lands, persons and activities within its territorial boundaries, or on any other basis not generally applicable to a similar challenge to the jurisdiction of a state government. Nothing contained in this provision shall be construed to negate or impair federal responsibilities with respect to the land subject to the permit or to the Navajo Nation.
21. Any action or proceeding brought by the Permittee against the Navajo Nation in connection with or arising out of the terms and conditions of the permit shall be resolved administratively under the laws of the Navajo Nation and no action or proceeding shall be brought by the Permittee against the Navajo Nation, in any court of any state.
22. Nothing contained herein shall be interpreted as constituting a waiver, express or implied, of the sovereign immunity of the Navajo Nation.
23. Except as prohibited by applicable federal law, the law of the Navajo Nation shall govern the construction, performance and enforcement of the terms and conditions contained herein.
24. The terms and conditions contained herein shall extend to and be binding upon the successors, heirs, assigns, executors, administrators, employees and agents, including all contractors and subcontractors, of the Permittee, and the term "Permittee," whenever used herein, shall be deemed to include all such successors, heirs, assigns, executors, administrators, employees and agents.
25. There is expressly reserved to the Navajo Nation full territorial legislative, executive and judicial jurisdiction over the area under the permit and all lands burdened by the permit, including without limitation over all persons, including the public, and all activities conducted or otherwise occurring within the area under the permit; and the area under the permit and all lands burdened by the permit shall be and forever remain Navajo Indian Country for purposes of Navajo Nation jurisdiction.

Date: _____

Date: _____

By: _____
 (Church Name)
 Permittee

By: _____
 Buu Nygren, *President*
 The Navajo Nation

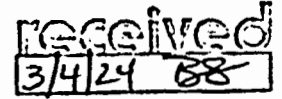


The Navajo Nation
Yideeskáądi Nitsáhákees

DR. BUU NYGREN
RICHELLE MONTOYA



REQUEST FOR SERVICES



DATE OF REQUEST: 3/4/24

Name: Ettie Anderson Ahusta

Department: GLND

Phone Number: 8 x 6447

Email: eahusta@navajo-nsn.gov

PLEASE CHECK ONE: 164 Review No: # 22002

Support Letter(s)

Proclamation

NHA Document

Other: _____

DESCRIPTION OF SERVICE

DOLLAR AMOUNT: \$ _____

REVISED MISSION SITE CYS

Deadline: ASAP

Reason: _____

RECOMMENDATIONS & COMMENTS (Authorized Personnel Only)

President requested changes + they were made.
All to map into PDL.

Bidtah Becker, Chief Legal Counsel

PICKED UP BY: _____
Please Print Name

Signature: _____

Date: _____ Time: _____

Document No 022002

Date Issued

01/05/2024

EXECUTIVE OFFICIAL REVIEW

Title of Document MissionSite Regs&Delegation of Authority Contact Name ANDERSON ABIASTA, ETTIE

Program/Division DIVISION OF NATURAL RESOURCES

Email eaabasta@navajo-nsn.gov

Phone Number: 928-871-6447

Business Site Lease Sufficient Insufficient

- 1. Division: Date:
2. Office of the Controller: Date:
3. Office of the Attorney General: Date:

Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions

- 1. Division: Date:
2. Office of the Attorney General: Date:

Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications

- 1. Office of Management and Budget: Date:
2. Office of the Controller: Date:
3. Office of the Attorney General: Date:

Navajo Housing Authority Request for Release of Funds

- 1. NNEPA: Date:
2. Office of the Attorney General: Date:

Lease Purchase Agreements

- 1. Office of the Controller: Date:
2. Office of the Attorney General: Date:

Grant Applications

- 1. Office of Management and Budget: Date:
2. Office of the Controller: Date:
3. Office of the Attorney General: Date:

Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval

- 1. Division: Date:
2. Office of the Attorney General: Date:

Relinquishment of Navajo Membership

- 1. Land Department: Date:
2. Elections: Date:
3. Office of the Attorney General: Date:

Land Withdrawal or Relinquishment for Commercial Purposes

1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

Land Withdrawals for Non-Commercial Purposes, General Land Leases and Resource Leases

1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
6. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
7. DOJ	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

Rights of Way

1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
6. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
7. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

Oil and Gas Prospecting Permits, Drilling and Exploration Permits, Mining Permit, Mining Lease

1. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

Assignment of Mineral Lease

1. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. DOJ	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

ROW (where there has been no delegation of authority to the Navajo Land Department to grant the Nation's consent to a ROW)

1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
6. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
7. DOJ	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
8. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

OTHER:

1. DNR	<u>Robert B. Allen</u>	Date: <u>1/5/24</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. DOT	<u>[Signature]</u>	Date: <u>1-16-24</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. OPVP	<u>[Signature]</u>	Date: <u>7/16/2024</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

NAVAJO NATION DEPARTMENT OF JUSTICE



**REQUEST
FOR
SERVICES
COVER SHEET**

DOJ USE ONLY

October 2, 2023
DATE / TIME

NNDOJ #: See HighQ
UNIT: Natural Resources Unit
RESUBMITTAL: {...}

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE

DATE OF REQUEST: October 2, 2023 ENTITY/DIVISION: Division of Natural Resources
CONTACT NAME: Ettie Anderson Abasta
PHONE NUMBER: 871-6447 E-MAIL: eaabasta@navajo-nsn.gov

DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED: Review of Delegation to NLD Department Manager for Mission Site Permits

DEADLINE: {...} REASON: {...}

UNIT REVIEW

DATE/TIME IN UNIT: September 26, 2023 REVIEWING ATTORNEY/ADVOCATE: Blackhat, Veronica
DATE TIME OUT OF UNIT: See email transmitting completed document

DOJ ATTORNEY / ADVOCATE COMMENTS

See attached edits and comments.

NAVAJO NATION DEPARTMENT OF JUSTICE



**DOCUMENT
REVIEW
REQUEST
COVER SHEET**

DOJ USE ONLY
January 8, 2024 DATE / TIME
NNDOJ #: <u>See HighQ</u>
DOC #: <u>022002</u>
UNIT: <u>Natural Resources Unit</u>
RESUBMITTAL: <u>22-2037</u>

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE	
DATE OF REQUEST: <u>January 8, 2024</u>	DIVISION: <u>Division of Natural Resources</u>
CONTACT NAME: <u>Ettie Anderson-Abasta</u>	
PHONE NUMBER: <u>X-6447</u>	E-MAIL: <u>eaabasta@navajo-nsn.gov</u>
TITLE OF DOCUMENT: <u>A continuation of the pervious draft(s) for Mission Site Permit Regulations. This draft is nearly complete and may be submitted to RDC for legisaltion after DOJ's review.</u>	
UNIT REVIEW	
DATE/TIME IN UNIT: <u>January 8, 2024</u> REVIEWING ATTORNEY/ADVOCATE: <u>Blackhat, Veronica</u>	
DATE/TIME ATTORNEY REVIEW COMPLETE: <u>{ . . . }</u>	
DATE/TIME OUT OF UNIT: <u>See email transmitting completed document</u>	
DOJ ATTORNEY / ADVOCATE COMMENTS	
<u>1/10/24 Meeting with GLDD. Sufficient. Clean Versions attached. SN 3:11PM 1/16/24</u>	
LEGAL STATUS: <u>Sufficient</u>	SURNAMED BY: <u>NRU AAG</u> See Document Review signature sheet for date/time

RESOURCES AND DEVELOPMENT COMMITTEE
25th NAVAJO NATION COUNCIL

SECOND YEAR 2024


ROLL CALL
VOTE TALLY SHEET
(CONSENT AGENDA)

LEGISLATION #0128-24: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; APPROVING THE DELEGATION OF AUTHORITY TO THE DEPARTMENT MANAGER OF THE NAVAJO LAND DEPARTMENT, DIVISION OF NATURAL RESOURCES, TO APPROVE RELIGIOUS LAND USE PERMITS; APPROVING DEPARTMENTAL ADMINISTRATIVE RULES AND REGULATIONS FOR RELIGIOUS LAND USE PERMITS FOR APPLICATION REQUESTS ON NAVAJO NATION TRUST AND FEE LANDS, INCLUDING THE EASTERN NAVAJO AGENCY APPLICANTS; AND, APPROVING THE TERMS AND CONDITIONS FOR RELIGIOUS LAND USE PERMITS. *Sponsor: Honorable Rickie Nez Co-Sponsor: Honorable Casey Allen Johnson*


Date: July 01, 2024 – Regular Meeting (Mentmore, New Mexico)
Location: Navajo Division of Transportation – #16 Old Coalmine Road – Mentmore, New Mexico 87319

Consent Agenda Motion:

M: Casey Allen Johnson **S:** Danny Simpson **V:** 4-0-1
In Favor: Casey Allen Johnson; Rickie Nez; Danny Simpson; Otto Tso
Opposition: None
Excused: None
Not Voting: Brenda Jesus, *Chairperson*



Honorable Brenda Jesus, *Chairperson*
Resources and Development Committee



Rodney L. Tahe, *Legislative Advisor*
Office of Legislative Services

NAVAJO NATION

426

7/16/2024

Navajo Nation Council Summer Session

09:05:35 PM

Amd# to Amd#

New Business: Item B.

PASSED

MOT Tolth, G

CONSENT AGENDA

SEC Charles-Newton,

#0140-24 ; #0143-24

Yeas : 19

Nays : 0

Excused : 2

Not Voting : 2

Yea : 19

Arviso, S

Crotty, A

Nez, R

Tolth, G

Begay, H

Daniels, H

Notah, N

Tso, O

Begay, N

James, V

Parrish, S

Yanito, C

Charles-Newton, E

Jesus, B

Simonson, G

Yazzie, L

Claw, S

Nez, A

Slater, C

Nay : 0

Excused : 2

Yazzie, C

Simpson, D

Not Voting : 2

Aseret, L

Johnson, C

Presiding Speaker: Curley, C