

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL -- Second Year, 2016

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; NAABIK'ÍYÁTI' COMMITTEE
AND THE NAVAJO NATION COUNCIL; ADOPTING AND CONFIRMING THE RANGE
UNIT BOUNDARIES AND GRAZING DISTRICTS ESTABLISHED BY THE BUREAU
OF INDIAN AFFAIRS FOR THE NAVAJO PARTITIONED LANDS

BE IT ENACTED:

Whereas:

1. The Resources and Development Committee is designated by the Navajo Nation Council as the Central Grazing Committee. 3 N.N.C. § 831.
2. Pursuant to 2 N.N.C. § 164(A)(9), a proposed resolution that requires final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee before it is heard by the Navajo Nation Council.
3. Pursuant to Navajo Nation Code Title 3 § 705, "The Commissioner of Indian Affairs has established and will retain the present land management districts within the Navajo Indian Reservation, based on the social and economic requirements of the Navajo Indians and the necessity of rehabilitating the grazing lands. District boundary changes may be made when deemed necessary and advisable by the District Grazing Committees, Central Grazing Committee and the Navajo Nation Council, with approval by the Superintendent, Area Director, and the Commissioner of Indian Affairs."
4. Administrative control of livestock grazing on the Navajo Partitioned Land (NPL) began in 1940 with the issuance of grazing permits on the 1882 Executive Order Reservation. The Navajo-Hopi Settlement Act, P.L. 63-951, as amended, required the development of new grazing regulations for the NPL. 25 CFR 161 allows the Navajo Nation to establish grazing allocations and grant permits within the NPL.

5. Pursuant to 25 CFR Part 161.202, the Bureau of Indian Affairs with concurrence of the Navajo Nation established range units for which range management plans can be developed to improve and maintain soil and forage resources. Physical land features, watersheds, drainage patterns, vegetation, soil, resident concentration, problem areas, chapter boundaries, special land uses and comprehensive land use planning will be considered in the determination of range unit boundaries.
6. "Range unit" is defined as a tract of land designated as a separate management subdivision of the administration of grazing. A range unit may consist of tribal, individually owned or government land or any combination thereof consolidated or managed for grazing.
7. The Bureau of Indian Affairs established the grazing district boundaries for the Navajo Partitioned Lands consisting of 906,383 acres.
8. The Navajo Partitioned Land Joint Precinct District Grazing Committee Members resolution, attached as **Exhibit A**, have recommended that the Bureau of Indian Affairs grazing boundaries currently in place should become the official Navajo Nation grazing boundaries and for areas not covered by the Bureau of Indian Affairs boundaries the proposed range unit of the Navajo Partitioned Lands should become the official boundaries.
9. A map, attached as **Exhibit B**, shows the Navajo Partitioned Lands Range Units.
10. A list of the range units, the chapters they are assigned to, and the acreage of the range units are contained in **Exhibit C**.

Now, Therefore Be It Resolved:

In the best interest of the Navajo Nation, the Navajo Nation Council hereby adopts and confirms the range unit boundaries established by the Bureau of Indian Affairs. For areas not included in range unit boundaries, the following range units of the Navajo Partitioned Lands shall be adopted:

Precinct 1, consisting of 19 range units in Tolani Lake, Low Mountain, Teesto, White Cone, and Jeddito, having approximately 177,037 acres.

Precinct 2, consisting of 17 range units in Forest Lake, Black Mesa, Hard Rock, Pinon, Blue Gap and Whippoorwill, having approximately 466,588.2 acres.

Precinct 3, consisting of 15 range units in Tonalea, Shonto, Chilchinbeto, Kayenta and Black Mesa, having approximately 262,758.2 acres.

Allow Navajo Partitioned Land Chapters 120 days to make proposed alignments for range units through: 1) chapter resolutions, and 2) grazing committee resolutions. Division of Natural Resources is directed to stake proposed range unit boundaries in Precinct 2, provide chapters with large maps of individual proposed range units, and provide detailed information on number of cancelled permittee(s) from that range unit, living cancelled permittee(s) and non-living cancelled permittee(s) for possible heirs who live in that range unit to get agreement on alignment changes through resolutions or the proposed alignment will stand for which exterior fencing will begin.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 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 0 opposed, this 21st day of April 2016.



LoRenzo Bates, Speaker
Navajo Nation Council

4/22/16

Date

Motion: Honorable Lee Jack, Sr.
Second: Honorable Seth Damon

NPL#1, #2 & #3 4-16-15 C



**RESOLUTION OF THE NAVAJO PARTITIONED LANDS JOINT
PRECINCTS DISTRICT GRAZING COMMITTEE MEMBERS**

THE NAVAJO PARTITIONED LAND JOINT PRECINCTS DISTRICT GRAZING COMMITTEE RECOMMENDS THE BIA GRAZING BOUNDARIES CURRENTLY IN PLACE WILL BECOME THE OFFICIAL NAVAJO NATION GRAZING BOUNDARIES. FOR AREAS NOT COVERED BY BIA BOUNDARIES, PROPOSED RANGE UNITS OF NPL WILL BECOME THE OFFICIAL BOUNDARY. THE RESOURCE AND DEVELOPMENT COMMITTEE MAY CHANGE GRAZING DISTRICT BOUNDARIES WHEN THE COMMITTEE DEEMS SUCH CHANGES TO BE IN THE BEST INTEREST OF THE NAVAJO PEOPLE. APPROVES RANGE LAND ON THE NAVAJO NATION IN TRUST STATUS INTO RANGE UNITS AND APPROVE AND IMPLEMENT RANGE MANAGEMENT PLANS TO THE BUREAU OF INDIAN AFFAIRS BRANCH OF NATURAL RESOURCES

WHEREAS:

1. The District Grazing Committees of the Navajo Nation are established as the administrative bodies within the Navajo Nation with the primary responsibilities of managing and enforcing matters related to rangeland and livestock by Navajo Tribal Resolution CJ-6-53 and Navajo Tribal Advisory Committee Resolution ACA-31-55 and CAN-83-57
2. Resolution of the Navajo Nation Council, relating to resources, enacting the Navajo Partitioned Lands District Grazing Precincts Act CO-3109 amending Title 3 of the Navajo Nation code §875 (23) Navajo Partitioned Land District Grazing Precincts shall determine eligibility for issuance of grazing permits on the Navajo Partitioned Lands, establish, range unit boundaries; mediate grazing disputes; inform and educate potential permittees on grazing permits cancelled by the U.S. District Court of Arizona in October 1972; develop guidelines for individual and community range management plans; coordinate with departments of the Navajo Nation, the Hopi Tribe and Bureau of Indian Affairs for effective grazing, management and enforcement; and other related matters; and
3. Pursuant to Navajo Nation Code Title 3 § 705 Land Management Districts the Bureau of Indian Affairs establishes or proposes to retain the present land management districts and agency boundaries. District/Agency boundary change is deemed necessary and advised by the Precincts District Grazing Committee; and
4. Department of Interior / Bureau of Indian Affairs 25 CFR part 161 provides regulations to govern the grazing of livestock on Navajo Partitioned Lands. The purpose of this regulation is to conserve the rangeland within the NPL in order to maximize future use of the land; and
5. Pursuant to 25 CFR 161.202 the Bureau of Indian Affairs with the concurrence of the Navajo Nation will establish range units on the Navajo Partitioned Lands to provide unified areas for which range management plans can be developed to improve and maintain soil and forage resources. Physical and natural land features, watersheds, drainage patterns, vegetation, soil, resident concentration, problem areas, historical land use patterns, chapter boundaries, special land uses and comprehensive land use planning is considered in determination of range unit boundaries; and

6. The Bureau of Indian Affairs can modify range unit boundaries with the concurrence of the Navajo Nation. This may include small and /or isolated portions of the Navajo Partioned Lands contiguous to Navajo Nation Lands in order to develop more beneficial and efficient land management, practices and application; and
7. The Code of Federal Regulation and Navajo Nation Code 3 N.N.C § 713 states that favorable recommendation from the District Grazing Committee and a written authorization from the Bureau of Indian Affairs must be secured before fencing.; and
8. Pursuant to Navajo Nation Code § 213 range land in Navajo Nation trust or lands leased or purchased by the Navajo Nation may be fenced. The Navajo Nation Code further states that all applications for fencing are submitted to the District Grazing Committee and forwarded with recommendations to the Bureau of Indian Affairs for approval.

NOW THEREFORE BE IT RESOLVED:

The Navajo Partitioned Lands Precincts District Grazing Committee, with the support of the Navajo Nation Department of Agriculture recommends, The BIA grazing boundaries currently in place will become the official Navajo Nation grazing boundaries. For areas not covered by BIA grazing boundaries, proposed range units of NPL will become the official boundary. The Resources and Development Committee may change grazing district boundaries when the Committee deems such changes to be in the best interests of the Navajo People.

1. Approves range land on the Navajo Nation in trust status into range units and approve and implement range management plans to the Bureau of Indian Affairs Branch of Natural Resources.
2. The Navajo Nation in consultation with the BIA will plan range management / conservation plans that include grazing control, restoration, improving vegetative productivity, diversity, stocking rates, grazing schedule, wildlife management, livestock improvement, existing range improvements, implementation of range studies, control of livestock diseases, parasites, fencing, water development, and other structure necessary to implement any provisions in the range management plan.
3. The Bureau of Indian Affairs Branch of Natural Resources Fort Defiance Agency, Chinle Agency and Western Navajo Agency are involved in the areas outside of the 1882 Executive Order.

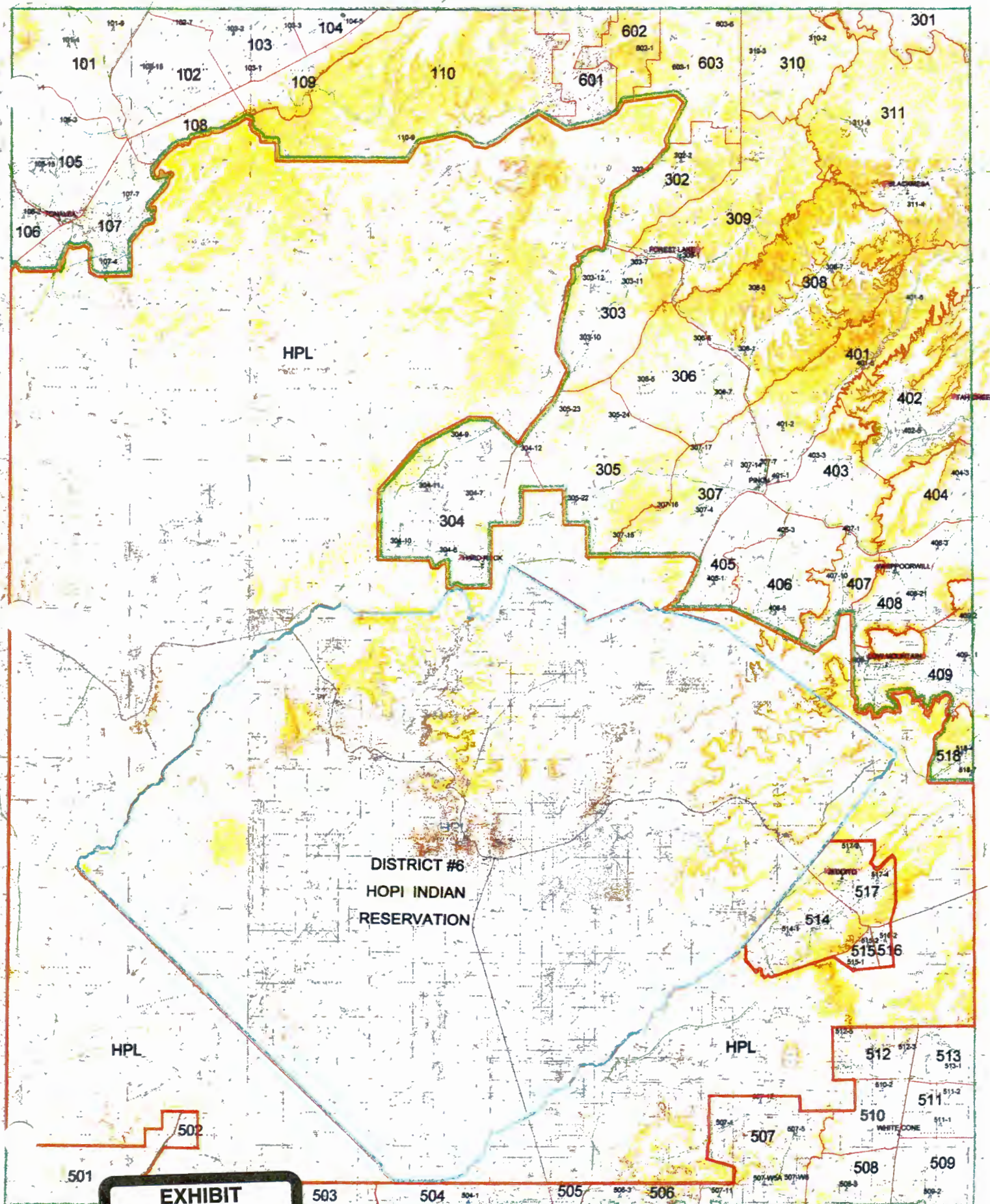
CERTIFICATION:

The foregoing resolution of the Navajo Partitioned Lands Joint Precincts District Grazing Committee was *considered* and *approved* at a duly called meeting, with a quorum present and a vote of 15 in favor, 0 opposed, and 1 abstaining, on the 16 day of April, 2015 at the Whippowill Chapter.

Motioned by: 

Seconded by: 


Precinct 1, 2 and 3 Chairperson



tabbles'

EXHIBIT

B



GRAZING_D	RANGE_UNIT	ACRES	PERIM_MILE
Tolani Lake	501	18477.139	28.812
Tolani Lake	502	1672.364	7.152
Tolani Lake	503	5609.675	15.884
Teesto	504	8518.057	22.883
Teesto	505	1623.191	6.909
Teesto	506	5302.163	17.317
Whitecone	507	23702.119	32.158
Whitecone	508	9570.095	22.516
Whitecone	509	11259.036	17.456
Whitecone	510	10062.747	21.338
Whitecone	511	8361.274	14.692
Whitecone	512	9017.432	15.474
Whitecone	513	7385.311	13.671
Jeddito	514	15520.053	20.700
Jeddito	515	2026.900	8.216
Jeddito	516	1458.922	6.806
Jeddito	517	10225.521	21.020
Low Mountain	409	21477.364	42.304
Whitecone	518	5767.641	14.267

Total Acreage: 177,037.0

GRAZING_D	RANGE_UNIT	ACRES	PERIM_MILE
Black Mesa	302	17365.086	26.140
Black Mesa	303	24837.393	26.914
Hard Rock	304	38606.431	34.857
Hard Rock	305	35458.700	33.739
Pinon	306	25802.249	25.537
Forest Lake	308	53227.424	51.778
Forest Lake	309	34380.241	51.177
Black Mesa	311	56336.817	59.259
Blue Gap	401	33572.851	66.870
Blue Gap	402	30913.984	56.700
Pinon	403	19021.757	35.260
Blue Gap	404	14326.059	26.572
Pinon	405	12710.182	24.602
Whipoorwill	406	19293.441	32.573
Whipoorwill	407	8789.874	28.046
Blue Gap	408	19203.398	28.947
Pinon	307	22742.340	30.642

Total Acreage: 466,588.2

GRAZING_D	RANGE_UNIT	ACRES	PERIM_MILE
Tonalea	101	23271.237	29.354
Tonalea	102	19594.662	23.366

Shonto	103	13718.392	23.621
Shonto	104	4511.545	12.382
Tonalea	105	22279.291	24.714
Tonalea	106	4220.100	15.199
Tonalea	107	17429.430	32.702
Tonalea	108	7265.888	17.929
Shonto	109	11030.484	28.196
Black Mesa	110	66202.279	53.867
Chilchinbeto	301	7057.641	20.651
Kayenta	310	22865.951	31.313
Black Mesa	601	12541.880	31.362
Black Mesa	602	9266.402	21.487
Black Mesa	603	21503.012	31.926


Total Acreage: 262,758.2

Total Acreage: 906,383.4

Document No. 005461Date Issued: 02/10/2016**SECTION 164 REVIEW FORM**Title of Document: Prop. Res. for RDC Conf. NPL Range UnitsContact Name: WATCHMAN JR, LEO CProgram/Division: DIVISION OF NATURAL RESOURCESEmail: lwjtrust@yahoo.comPhone Number: 928-871-6605Division Director Approval for 164A: 

Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

<input checked="" type="checkbox"/>	Statement of Policy or Positive Law:		Sufficient	Insufficient
1.	OAG: <u>(IC) </u>	Date: <u>2/11/16</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)			
1.	OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2.	OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3.	OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

Section 164(B) Final approval rests with the President of the Navajo Nation

<input type="checkbox"/>	Grant/Funding Agreement or amendment:			
1.	Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2.	OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3.	OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4.	OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Subcontract/Contract expending or receiving funds or amendment:			
1.	Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2.	BRD: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3.	OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4.	OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5.	OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:			
1.	Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2.	OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M.O.A. or Letter of Assurance expending or receiving funds or amendment:			
1.	Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2.	OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3.	OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4.	OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



☐ RESUBMITTAL

DOJ	
02-10-16 1116am	
DATE / TIME	
<input checked="" type="checkbox"/> 7 Day Deadline	
DOC #:	005461
SAS #:	
UNIT:	NRU

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

CLIENT TO COMPLETE

DATE OF REQUEST: 2/10/16 ENTITY/DIVISION: DNR
 CONTACT NAME: Renelda Begay DEPARTMENT: Agriculture
 PHONE NUMBER: X66604 E-MAIL: rebegay@navajo-nsn.gov
 TITLE OF DOCUMENT: 114 review of Proposed Resolution for RDC to confirm NPL Range Units.

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 2/10/16 REVIEWING ATTORNEY/ADVOCATE: Tricia
1:25 am
 DATE/TIME OUT OF UNIT: 02/11/16 9:01 AM B

DOJ ATTORNEY / ADVOCATE COMMENTS

Document is legally sufficient.

REVIEWED BY: (PRINT)	DATE / TIME	SURNAMED BY: (PRINT)	DATE / TIME
<u>Jim Aze</u>	<u>2/10/16</u>	<u>Veronica Blackhat</u>	<u>2/11/16 8:10 AM</u>

DOJ Secretary Called: Left msg for Renelda Begay for Document Pick Up on 02/11/16 at 8:52 AM By: B

PICKED UP BY: (PRINT) DATE / TIME:

THE NAVAJO NATION



RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

M-E-M-O-R-A-N-D-U-M

TO: SAS Reviewers

FROM:


Leo Watchman Jr., Department Manager III
Navajo Nation Division of Natural Resources

DATE: February 10, 2016

SUBJECT: Proposed Resolution for the Resource and Development Committee to Adopt and Confirm the Range Unit Boundaries Established by the Bureau of Indian Affairs for the Navajo Partitioned Lands

The following resolution is required by 25 CFR 161.202 which states that "the Bureau of Indian Affairs with the **concurrence** of the Navajo Nation shall establish the range units for which range management plans to improve and maintain soil and forage resources." Currently, the Bureau of Indian Affairs has established the grazing district boundaries for the Navajo Partitioned Lands, which consists of 906,383 acres. The concurrence from the Navajo Nation is needed to complete this very important process. The Packet includes exhibits "A" through "D".

Thank you for your assistance in completing the SAS Process for the proposed legislation. If you need additional information, please contact me at (928) 871-6605.

Attachment Exhibits include:

Exhibit A: The Proposed Resolution.

Exhibit B: Supporting Resolution from the Navajo Partitioned Lands Joint Precincts District Grazing Committee Members.

Exhibit C: Map of the NPL area with the Proposed Boundaries and Range Units.

Exhibit D: A list of all the Range Units with acreage numbers and location within NPL.

