

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
of the 23rd NAVAJO NATION COUNCIL --Third Year, 2017

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; APPROVING A REVOCABLE USE PERMIT FOR MISSION SITE OF TWO (2) ACRES FOR THE STRONG HOLD BAPTIST CHURCH IN THE VICINITY OF PINON CHAPTER, NAVAJO NATION

Section One. Authority

A. Pursuant to 16 N.N.C. Section 1151 (C), the Resources Development Committee of the Navajo Nation Council has the authority to give approval for permits for mission sites on behalf of the Navajo Nation.

B. Pursuant to 2 N.N.C. Section 501 (B)(2), the Resources Development Committee of the Navajo Nation Council has the authority to give final approval for 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. Title 16 of the Navajo Nation Code Provisions with Respect to Mission Sites

A. Pursuant to 16 N.N.C. Section 1153 (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. Pursuant to 16 N.N.C. Section 1153 (B) the application for a mission site shall contain:

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. Pursuant to 16 N.N.C. § 1155 the Resources and Development Committee is authorized to deny or grant, on behalf of the Navajo Nation, any permit with special consideration to the establishment of too many missions in any one area or at any one point.

C. Pursuant to 16 N.N.C. § 1159 (B) the following acreage limitations shall apply to all applicants for permits:

1. Mission site for purely religious activities: one and one-half (1 1/2) acres;
2. Mission site for religious activities and community services facilities: three and one-half (3 1/2) acres;
3. Mission site for religious activities and either substantial medical or accredited educational programs: eight (8) acres; and
4. The Resources and Development Committee may, in the case of applications for mission sites in or near areas withdrawn for townships in the Navajo Nation, limit site acreage to less than two and five-tenths (2 5/10) acres, and may set rental fees with due regard for present or future competing demands for land use in such areas.

D. Pursuant to 16 N.N.C. § 1159 (C) "community service facilities" shall be deemed to include only those permanent improvements upon the permitted site which are for the purpose of providing recreational programs, non-religious educational programs, including adult education, and other non-religious programs of benefit to the community.

E. Pursuant to 16 N.N.C. § 1160 (A), the acreage limitations established by 16 N.N.C. § 1159 may be waived by the Resources and Development Committee upon a showing by the applicant that planned programs will be of sufficient benefit to the Navajo People to justify waiver of acreage limitations. No waiver of acreage limitations shall be granted unless the applicant has complied with 16 N.N.C. §§ 1153 and 1161, and all other procedures provided by law.

F. Pursuant to 16 N.N.C. § 1160 (B) no waiver of acreage limitations shall be granted in cases of applications subject to acreage limitations established by 16 N.N.C. § 1159(B) (1).

G. Pursuant to 16 N.N.C. § 1161 no application for a mission site permit for an area of Navajo Nation land in excess of the limitations established in 16 N.N.C. § 1159 shall be granted by the Resources and Development Committee unless the application for such permit has been reviewed and approved by the Division of Community Development of the Navajo Nation, and by the Navajo Land Department of the Navajo Nation.

Section Three. Findings

A. The Strong Hold Baptist Church, P.O. Box 232, Ganado, Arizona 86505 has applied for a Revocable Use Permit for Mission Site within the Pinon Chapter. See **Exhibit "A"**.

B. The proposed mission site is located on 2 acres, more or less, within the vicinity of Pinon, Navajo Nation (Arizona). The land description appears on the survey plat. See **Exhibit "B"**.

C. Pursuant to 16 N.N.C. Section 1153 (A) this request for a mission site permit has been reviewed by the Navajo Land Department. See **Exhibit "A-1"**.

D. The District 4 Grazing Official has indicated that N.P.L. grazing permits were cancelled by Federal Court in 1973. See **Exhibit "C."**

E. The Pinon Chapter Resolution No. PIN-16-66 entitled "Approving the Land Withdraw of 2.0 Acres and Recommending to the Bureau of Indian Affairs and Navajo Nation to Grant a Mission Site Lease to Stronghold Baptist Church for Religious Use." and the signed petition by the local residents are also attached herein as **Exhibit "D."**

F. Biological, Cultural and Archaeological surveys and clearances for this permit were completed including an Environmental Assessment, are all attached herein as **Exhibit "E."**

G. A letter from the Missionary Pastor of the Strong Hold Baptist Church states that "Strong Hold Baptist Church facilities need to include buildings to accommodate youth classes, programs and recreational activities. It is our desire to install a basketball court, volleyball court and other such necessities to reach out and enhance the lives of our youth." See **Exhibit "F"**. The Resources and Development Committee finds that the Strong Hold Baptist Church's requested use of two (2) acres, more or less, will also be used for community service facilities such as providing recreational programs of benefit to the community.

H. Resources and Development Committee Resolution No. RDCJN-33-15 delegated the authority to process and approve Land Withdrawals to the Director of the Navajo Land Department. Resolution RDCJN-33-15 approved Land Withdrawal Designation Regulations ("Regulations"). Section One of the Regulations states:

"§1. Purpose.

The purpose of these Regulations is to clarify and expedite the Land Withdrawal Designation process on the Navajo Nation, and explains that a Land Withdrawal Designation does not authorize development or disturbance on Navajo Nation land. This Land Withdrawal Designation process does not apply to how to get a lease. Prior to any development on land, a lease must be obtained in addition to the withdrawal. The purpose of a Land Withdrawal Designation is to designate an area of land for further development by,

- a. Ensuring that the rights of grazing permittees, who are in compliance with their grazing permits, are properly addressed as applicable and as required under 16 N.N.C. §§ 1401 et seq. and to prevent any subsequent claims to the land; and
- b. Ensuring that the affected Chapter supports the Land Withdrawal Designation and use of the land."

I. Having received verification of the District Grazing Official that all grazing permits were cancelled by Federal Court in 1973, **Exhibit "C,"** and the receipt of the Pinon Chapter Resolution PIN-16-66, **Exhibit "D,"** the purpose of the Land Withdrawal Designation has been met ensuring that the affected Chapter supports the Land Withdrawal Designation and use of the land as a mission site.

J. The Resources and Development Committee approval of a Land Withdrawal for the purposes of a mission site with this legislation will serve a public purpose of expediting the process of the approval of a Revocable Use Permit for this mission site.

K. The Terms and Conditions for the Mission Site Permit is attached as **Exhibit "G."**

Section Four. Approval

A. The Resources and Development Committee of the Navajo Nation Council hereby approves the withdrawal of two (2) acres, more or less, of trust lands within the vicinity of Pinon Chapter, Navajo Nation (Arizona), as described in Exhibit B, for the Strong Hold Baptist Church for use as a mission site.

B. The Resources and Development Committee of the Navajo Nation Council hereby approves and consents to the Revocable Use Permit for a Mission Site for the Strong Hold Baptist Church, subject to but not limited to the attached Terms and Conditions contained herein as **Exhibit "G"** which is attached hereto and incorporated herein by this reference.

C. The Resources and Development Committee of the Navajo Nation Council hereby authorizes President of the Navajo Nation to execute all documents to affect the intent and purpose of this resolution.

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at NDOT, Tse Bonito, (Navajo Nation) New Mexico, at which quorum was present and that same was passed by a vote of 4 in favor, 0 opposed, 1 abstained this 4th day of May, 2017.

A handwritten signature in black ink, appearing to read 'Alton Joe Shepherd', with a long horizontal line extending to the right.

**Alton Joe Shepherd, Chairperson
Resources and Development Committee
Of the 23rd Navajo Nation Council**

**Motion: Honorable Jonathan Perry
Second: Honorable Leonard Pete**



APPLICATION FOR REVOCABLE USE PERMIT (RELIGIOUS SITE)
NAVAJO NATION LANDS

President, Navajo Nation
Window Rock, Arizona

Date 7/27/2016

Strong Hold Baptist Church
(Name of Church)

(Address)

hereby makes application for a religious site covering approximately 2 acres of Navajo Nation land located in Pinon, Navajo County, Arizona New Mexico, as shown on the attached map.

After the local chapter approval of this application and with approval of land clearance given by the Navajo Land Department, a survey plat and legal description of the site prepared by a licensed or registered surveyor shall be submitted to the Navajo Land Department or the Bureau of Indian Affairs for review.

In support of said application, the applicant hereby submits the following information:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Articles of Incorporation | <input checked="" type="checkbox"/> Land Use Consent |
| <input checked="" type="checkbox"/> Chapter Resolution | <input checked="" type="checkbox"/> Survey Plat |
| <input checked="" type="checkbox"/> Petition of Names | <input checked="" type="checkbox"/> Other Supporting Documents |

Detailed statement of the purpose(s) for which 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, this paragraph shall set forth fully the extent and character thereof:

The land will be used to establish Strong Hold Baptist Church. This site will be use solely for religious purposes and will also be the site for a Bible College/Ministerial Trade School to educate students for ministry. We will build buildings on this site to meet the needs of Strong Hold Baptist Church as its congregants spread the Gospel of Jesus Christ.

Description of buildings and improvements to be placed on tribal land and the estimated cost thereof.

1. Main Church Building 2. Youth Center/Education Building 3. Basketball Court 4. Volleyball Court 5. Parsonage (pastor's home)

* Total Estimated Cost: \$250,000 - \$300,000

Applicant's plan for development of water and sewer.

Water lines are located relatively close to the proposed Mission Site. Our plan is to bid NTUA approved Contractors to connect to the nearby water-lines by hiring their services. We will install a septic system to deal with sewer waste by contracting a NTUA recommended Contractor.

All corporations must attach hereto a certified copy of their Articles of Incorporation. If foreign to the state where religious site is to be located, the corporation must supply a certified copy of their authority to do business in the state.

All corporations must furnish evidence of authority of the person(s) signing this application to execute papers on their behalf. Evidence should ordinarily be in the form of a general resolution of the Board of Directors certified by the Secretary over the seal of the corporation.

For the purpose of conducting business within the Navajo Reservation, all corporations must file their Articles of Incorporation with the Economic Development Commerce Department of the Navajo Nation. The Commerce Department will issue a corporate number to the church organization.

In all cases of applications on behalf of Unincorporated bodies where documents do not explicit give one individual authority to execute necessary papers, a power of attorney executed before a notary public by all associated parties for this purpose should be attached. If this is not supplied, all such persons must personally sign this application and all other documents submitted to the Navajo Agency.

Unincorporated applicants should submit articles depicting their organization, unless none exists, in which case an explanation of the nature of the organization should be listed on a separate sheet.

Applicant agrees to give preference to qualified local residents of the Navajo Nation for employment in the construction of any improvement on the church site if the permit is granted.

Joel N. Haynes
(Print Name) Authorized Agent

Joel N. Haynes
(Signature) Authorized Agent

P.O. Box , Garnado, AZ 86505
Address

(928)
Phone

CHECK LIST FOR MISSION SITE APPLICATION

1. ☒ a **Application** for religious activities is filled out by the applicant.
2. ☒ b **Consent(s)** Contact your local Chapter Grazing Official or Land Board Member
3. ☒ c **Petition of Names** endorsing the proposed mission site from surrounding residents in the vicinity.
4. ☐ d **Sliding Fee Scale** Filled out by applicant to determine annual rental fee.
5. ☒ e **Survey Plat** showing the exact location of the proposed mission site. Fees associated with service.
6. ☒ f **Chapter Resolution** Supporting the withdrawal of land for mission site and permit.
7. ☒ g **Articles of Incorporation** Submit to Navajo Nation Business Regulatory Department to issue a Certificate of Incorporation authorizing to transact business within Navajo Nation as a Non-profit organization.
8. ☒ h **Biological Survey** performed by the Fish and Wildlife Department. Fees associated with service. (928)871-6472.
9. ☒ i **Cultural, Historical and Archaeological** compliance report issued by the Historic Preservation Department after the cultural resources conduct their service. (928) 871-7198.
10. ☒ j **Environmental Assessment Report** reviewed by the Navajo Environmental Protection Agency to ensure there is no contaminated or hazardous materials. NNEPA Office (928) 871-7188.

REVIEW PROCESS:

- | | |
|-------------------------------------|--|
| 1. Navajo Land Department | 5. Environmental Protection Agency |
| 2. Fish and Wildlife Department | 6. Department of Justice |
| 3. Historic Preservation Department | 7. Legislative Counsel (Resources & Development Committee) |
| 4. Division of Natural Resources | 8. Office of the President/Vice-President |

*A council delegate is required to sponsor the packet for legislation for Resources and Development Committee approval.

SUBMIT THE COMPLETED APPLICATION TO NAVAJO LAND DEPARTMENT OFFICE:

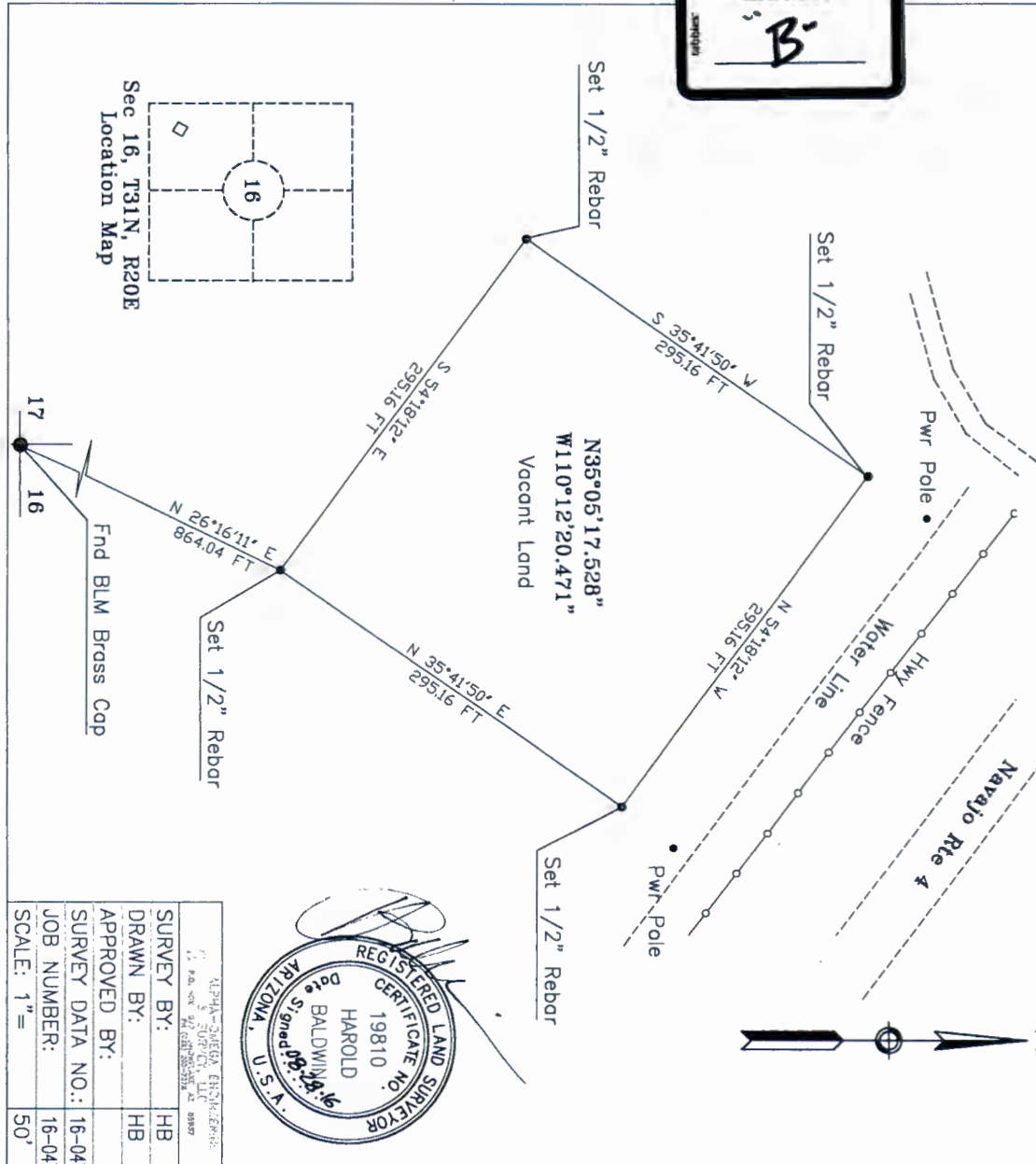
Chinle Land Office	P.O. Box 2179	Chinle, AZ 86503	(928) 674-2056
Crownpoint Land Office	P.O. Box 948	Crownpoint, NM 87313	(505) 786-2376
Shiprock Land Office	P.O. Box 208	Shiprock, NM 87420	(505) 368-1120
Tuba City Land Office	P.O. Box 3308	Tuba City, AZ 86045	(928) 283-3194
Window Rock Land Office	P.O. Box 2249	Window Rock, AZ 86515	(928) 871-6401

It is the policy of the Navajo Nation that the minimum acreage to conduct religious activities shall be 1 ½ acres. Acreage more than 1 ½ shall require justification from the applicant. While the permit is pending final approval, no religious organization shall construct, operate, install or otherwise effect any improvements upon Navajo Nation land without processing a valid mission site permit. Failure to comply will cause the Navajo Nation to set reasonable rental fee or other remedies at law.

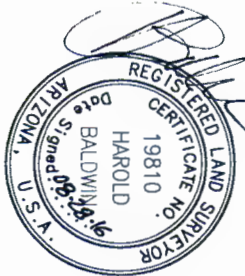
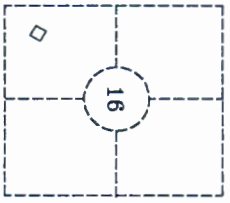




CHURCH SITE LEASE SURVEY



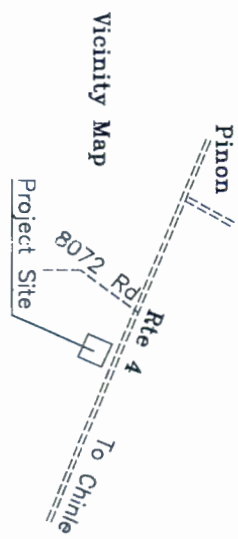
Sec 16, T31N, R20E
Location Map



LOT DESCRIPTION:

HOMESITE NO.

A PARCEL OF LAND SITUATED WITHIN LAND MANAGEMENT DISTRICT NO. 04 OF THE NAVAJO INDIAN RESERVATION IN THE VICINITY OF PINON, NAVAJO COUNTY, STATE OF ARIZONA AND IS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 20 EAST, GILA & SALT RIVER MERIDIAN, NAVAJO COUNTY, ARIZONA, BEING A BLM BRASS CAP; THENCE N26°16'11"E, A DISTANCE OF 864.04 FEET, TO THE SOUTHERLY CORNER OF THIS LEASE AND THE POINT OF BEGINNING;
THENCE N35°41'50"E, A DISTANCE OF 295.16 FEET;
THENCE N54°18'12"W, A DISTANCE OF 295.16 FEET;
THENCE S35°41'50"W, A DISTANCE OF 295.16 FEET;
THENCE S54°18'12"E, A DISTANCE OF 295.16 FEET, TO THE POINT OF BEGINNING.
Being 2.00 acre(s), more or less, in area, and being subject to any and all existing easements for underground utilities located therein.



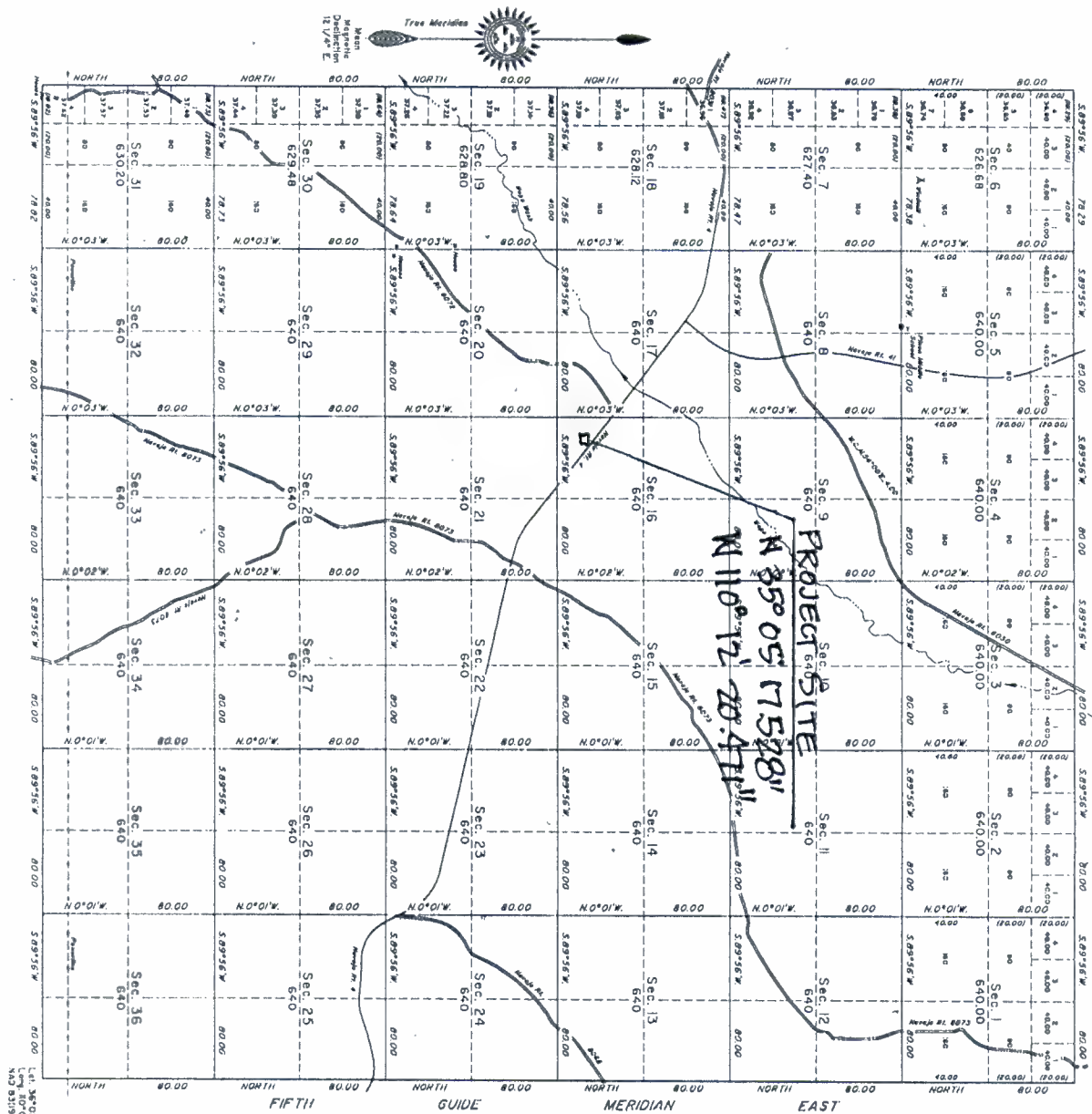
NOTES:

- 1. All bearings shown hereon are derived from ARIZONA STATE PLANE COORDINATE SYSTEM, EAST ZONE and refer to GRID NORTH.
- 2. Coordinates are converted to the 1983 N.A.D. and 1988 N.A.V.D. in reference to G.P.S.
- 3. BLM Monuments used as control.
- 4. All distances around the homestead lot are ground distances.
- 5. 1/2" Rebar (Set) on all corners of tract, unless indicated otherwise.
- 6. Scale, other than lot is 1" = 50'.
- 7. Underground Utilities Not Located.

ALPHA-SURVEY ENGINEERING 11 PA. AVE. SUITE 100 PHOENIX, ARIZONA 85016	
SURVEY BY:	HB
DRAWN BY:	HB
APPROVED BY:	
SURVEY DATA NO.:	16-047
JOB NUMBER:	16-047
SCALE: 1" =	50'
PINON BAPTIST CHURCH	
2.00 Ac. ±	
District 02, Navajo Indian Reservation SW 1/4 SEC 16, T 31 N, R 20 E Pinon, Navajo County, Arizona	

TOWNSHIP 31 NORTH, RANGE 20 EAST, OF THE GILA AND SALT RIVER MERIDIAN, ARIZONA

1280-2



The history of surveys is contained in the field notes.

This plat represents the survey of the Fifth Guide Meridian East, (east boundary), the south, west and north boundaries, and the subdivision lines, Township 31 North, Range 20 East, Gila and Salt River Meridian, Arizona.

This survey was executed by Leonard R. Sandeal, Cadastral Surveyor, beginning August 30, 1999, and completed October 13, 1999, pursuant to Special Instructions dated July 7, 1999, for Group No. B-2, Arizona.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Phoenix, Arizona

January 30, 2002

This plat is strictly conformable to the approved field notes, and the survey, having been carefully executed in accordance with the requirements of law and the regulations of this Bureau is hereby accepted.

For the Director

Chief Cadastral Surveyor of Arizona

L. 1: 36°02'29.35" N
W. 1: 89°56'00.00" W
NAD 83/1992

PINON CHURCH SITE

Strong Held Baptist Church Location

Route 4.

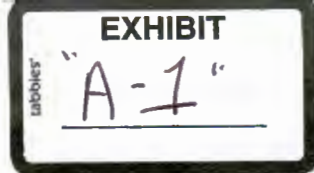


Google earth

feet
meters

200 900



Document No. 007281Date Issued: 12/27/2016**EXECUTIVE OFFICIAL REVIEW**Title of Document: RUP Strong Hold Baptist Church Contact Name: DRAPER, HOWARDProgram/Division: DIVISION OF NATURAL RESOURCESEmail: michellehoskie@frontier.com Phone Number: 928-871-6447☐ **Business Site Lease** Sufficient Insufficient

- | | | | |
|---|-------|--------------------------|--------------------------|
| 1. Division: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Office of the Controller: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |
| (only if Procurement Clearance is not issued within 30 days of the initiation of the E.O. review) | | | |
| 3. Office of the Attorney General: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |

☐ **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: | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Office of the Attorney General: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |

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

- | | | | |
|-------------------------------------|-------|--------------------------|--------------------------|
| 1. Office of Management and Budget: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Office of the Controller: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Office of the Attorney General: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |

☐ **Navajo Housing Authority Request for Release of Funds**

- | | | | |
|------------------------------------|-------|--------------------------|--------------------------|
| 1. NNEPA: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Office of the Attorney General: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |

☐ **Lease Purchase Agreements**

- | | | | |
|------------------------------------|-------|--------------------------|--------------------------|
| 1. Office of the Controller: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |
| (recommendation only) | | | |
| 2. Office of the Attorney General: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |

☐ **Grant Applications**

- | | | | |
|-------------------------------------|-------|--------------------------|--------------------------|
| 1. Office of Management and Budget: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Office of the Controller: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Office of the Attorney General: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |

☐ **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: | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Office of the Attorney General: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |

☐ **Relinquishment of Navajo Membership**

- | | | | |
|------------------------------------|-------|--------------------------|--------------------------|
| 1. Land Department: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Elections: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Office of the Attorney General: | Date: | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Land Withdrawal or Relinquishment for Commercial Purposes

		Sufficient	Insufficient
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: 07 April 16	<input checked="" 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: 3/7/17	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. OPVP	Date: 2/7/17	<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. _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. _____	Date: _____	<input 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

DOCUMENT REVIEW REQUEST FORM



DOJ	
6/2/28/17	3260
DATE / TIME	
<input type="checkbox"/> 7 Day Deadline	
007281 #2	
DOC #:	
SAS #:	
UNIT:	NM

☒ RESUBMITTAL
(Feb 2017)

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

CLIENT TO COMPLETE

DATE OF REQUEST:	2/28/2017	DIVISION:	NATURAL RESOURCES
CONTACT NAME:	Michelle Hoskie or Stevie Hudson	DEPARTMENT:	GENERAL LAND DEVELOPMENT DEPARTMENT
PHONE NUMBER:	x 6447	E-MAIL:	michellehoskie@frontier.com

TITLE OF DOCUMENT: RUP Strong Hold Baptist Church

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 2/28/17 3:35 pm REVIEWING ATTORNEY/ADVOCATE: 3/9/17 Irvin Chee

DATE TIME OUT OF UNIT: 3/7/17 8:15 am.

DOJ ATTORNEY / ADVOCATE COMMENTS

Document is legally sufficient. NPL Grazing Permits cancelled - No Consent.

REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
Ernie Atch	3-6-17	Blackhat	3/7/17 8:10 am

DOJ Secretary Called: Michelle for Document Pick Up on 3/7/17 at 8:30 am By: ah

PICKED UP BY: (Print) DATE / TIME:



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ
02/06/17 10:15
DATE / TIME
<input type="checkbox"/> 7 Day Deadline
DOC #: 007281
SAS #:
UNIT: JRM

☐ RESUBMITTAL

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

CLIENT TO COMPLETE

DATE OF REQUEST: Feb 6, 2017 ENTITY/DIVISION: DNR
CONTACT NAME: Michelle Hoskie DEPARTMENT: GLDD
PHONE NUMBER: x6447 E-MAIL: michellehoskie@frontier.com
TITLE OF DOCUMENT: RUP Strong Hold Baptist Church

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 2/6/17 11am REVIEWING ATTORNEY/ADVOCATE: Irvin Choe
DATE/TIME OUT OF UNIT:

DOJ ATTORNEY / ADVOCATE COMMENTS

~~Rtd. doc. to GLDD to attach the Terms & Conditions for Mission Site Permit. Return doc to DOJ when T & C is~~

REVIEWED BY: (PRINT)	DATE / TIME	SURNAMED BY: (PRINT)	DATE / TIME
Irvin Choe	2-22-17		

DOJ Secretary Called: for Document Pick Up on at By:

PICKED UP BY: (PRINT) DATE / TIME:

NNDJ/DRRF-July 2013

Attached so I can complete my review. Thx - ic

Navajo Land Title Data System (NLTDs)
Navajo Land Title Data System - Windowrock AZ:
Document Information

Document Information

Document Name: 002_P006_00007281.zip
Revision: 1
Version: 1
Document Desc: Michelle Hoskie NLD (Navajo Land Title Data System - Windowrock AZ)
Document Author: Sufficient
Document Status: 164 Review Process
Document Type: 02-Feb-2017
Effective Date: Never
Expires: Never
Uploaded from: Navajo Land Title Data System (NLTDs) Phase 1: Plan for Quality Management System

Step 956: 002_P006_00007281

Task 1: Upload and Manage Documents

Size:

38309 KB

Date Uploaded:

29-Dec-2016

Maintained by:

Project Management Team

No Document Distribution Locations

Table 1: Environmental Review Results

User Name (Facility)	Job Title	Department	Vote Cast	Comments	Replies	Vote Date
Eugenia Quintana EPA (Navajo Land Title Data System - Windowrock AZ)	Air and Toxics - Reviewer	Navajo Nation Environmental Protection Agency	Approved	1. The EA must have been 2-sided, but both sides of the EA pages do not appear. Regardless, my vote is for sufficiency, since the church project is not significantly large. Is the project proponent aware of the NN regulations regarding open dumping and open burning? The pages of the EA that I was able to view did not provide indication of compliance with applicable NN environmental laws, rules or regulations.	1.	06-Jan-2017

Lee Anna Martinez EPA (Navajo Land Title Data System - Windowrock AZ)	Water Quality - Reviewer	Navajo Nation Environmental Protection Agency	Approved	no comments	No Reply	23-Jan-2017
Pam Kysella F&W (Navajo Land Title Data System - Windowrock AZ)	Technical Review	Fish and Wildlife	Approved	1. BRCE 16SHBC01a4 attached	1.	09-Jan-2017
Robert Allan DNR (Navajo Land Title Data System - Windowrock AZ)	Deputy Director DNR	DNR Administration	Approved	no comments	No Reply	06-Jan-2017
Steven Prince MIN (Navajo Land Title Data System - Windowrock AZ)	Technical Reviewer	Navajo Nation Minerals Management	Approved	no comments	No Reply	05-Jan-2017

Table 2: Technical Review Results

User Name (Facility)	Job Title	Department	Vote Cast	Comments	Replies	Vote Date
Bitish N. Becker (F&W)	FBFA Users	FBFA Action Team	Approved	no comments	No Reply	01-Feb-2017
Ronnie Ben EPA (Navajo Land Title Data System - Windowrock AZ)	Underground Injection Control - Reviewer	Navajo Nation Environmental Protection Agency	Approved	1. approval contingent on applying for a SWPPP for one acre or more surface disturbance and adhere to all NN laws. no comments	1.	25-Jan-2017
Rowena Cheromiah MIN (Navajo Land Title Data System - Windowrock AZ)	Technical Reviewer	Navajo Nation Minerals Management	Approved	no comments	No Reply	24-Jan-2017
Sam Diawood (Navajo Land Title Data System - Windowrock AZ)	Technical Review	Fish and Wildlife	Approved	1. No Comment	1.	23-Jan-2017
Tamara Billie HPD (Navajo Land Title Data System - Windowrock AZ)	HPD Reviewer	Historic Preservation Department	Approved	1. HPD-16-833	1.	24-Jan-2017
W. Mike Halona (Navajo Land Title Data System - Windowrock AZ)	Manager III Navajo Land Department	NLD Administration	Approved	no comments	No Reply	23-Jan-2017

August 1, 2016

To

Pinon Chapter
P.O. Box 127
Pinon, AZ 86510

Dear Pinon Chapter,

The purpose of this letter is to formally request a resolution of support from the Pinon Chapter Government that two acres of land may be withdrawn for a Mission Site Permit for Strong Hold Baptist Church.

Our Intentions for this two acre site are as follows:

1. Develop acreage with necessary utilities to build church facilities.
2. Build facilities to accommodate church gatherings and church services.
3. Install developments that will benefit our local youth, such as a basketball court, volleyball court and other such developments the church should deem beneficial.
4. Establish a branch of Ganado Baptist Bible College to teach ministerial trade skills to applicable students.
5. Build suitable living quarters for a full time pastor and/or caretaker to maintain the grounds and facilities.

The following documents have been attached to this letter:

1. A Google Earth Printout of the location where the two acres are being requested for withdrawal and use for a Mission Site Permit.
2. A Copy of the Articles of Incorporation with the Navajo Nation for Strong Hold Baptist Church.
3. A Copy of the Petition of Support signed by local land users that live near the proposed site.
4. A Copy of the completed Grazing Committee Member Certification form signed by the Pinon Grazing Official.

We sincerely appreciate your consideration of this matter and look forward to the opportunity to serve the Pinon Community.

Sincerely,



Joel N. Haynes
Missionary Pastor

Strong Hold Baptist Church

Pastor Joel N. Haynes

Pinon, AZ

Navajolandbaptistmissions.com





GRAZING COMMITTEE MEMBER CERTIFICATION

I certify that the proposed Mission Site location for Strong Hold Baptist Church does not involve any Permittee according to my records and to the best of my knowledge.

Applicant:

Strong Hold Baptist Church
Church Name

7/27/2016
Date

[Signature]
Grazing Committee Member
District No. 4

7-27-16
Date

Remarks:

Range Unit 405 N.P.L. grazing permits
cancelled by federal court in 1973

NOTE*** GRAZING COMMITTEE MEMBER WILL SIGN THIS FORM ONLY IF THE GRAZING PERMITS ARE CANCELED OR THERE ARE NO LANDUSERS WITHIN THE PROPOSED SITE.



PINON CHAPTER

Post Office Box 127 • Piñon, Arizona 86510 • (928) 725-3710/3711 • FAX (928)725-3712



PIN-16- 66

RESOLUTION OF PINON CHAPTER

APPROVING THE LAND WITHDRAW OF 2.0 ACRES AND RECOMENDING TO THE BUREAU OF INDIAN AFFAIRS AND NAVAJO NATION TO GRANT A MISSION SITE LEASE TO STRONGHOLD BAPTIST CHURCH FOR RELIGIOUS USE.

WHEREAS:

1. The Pinon Chapter is recognized as a local government entity within the Navajo Nation Government promoting the interest and welfare of the constituents pursuant to Navajo Nation Code; and
2. Pursuant to Title 26 NCC, Section B1&2 the purpose of the Local Governance Act is to recognize governance at the local level and to delegate to chapter governmental authority with respect to local matters consistent with Navajo Nation Laws including custom and tradition and to make decision over local matters; and
3. Pursuant to Section 103 (D-1) of T-26 the Pinon Chapter can approve a land with draw for the purpose religious use and local land user by consent has petition the chapter their approval; and
4. The ministry's primary purpose is to develop the site, construct buildings for use on various weekdays for the purpose of teaching, counseling, worship, prayer, resource, fellowship and recreation; and
5. The permit holder(s) living within the area where the church site is proposed have given their consents to permit the religious organization permission to utilized 2.0 acres of their grazing lands. (see attachment A)

NOW THEREFORE BE IT RESOLVED THAT:


1. The Pinon Chapter hereby approve the 2.0 acre tract of lands withdrawn for the Stronghold Baptist Church and request the Navajo land Department to do all things necessary to complete the processing of this application. Further, should the church liquidate, the permit holder shall reclaim the land taken for religious purpose , and the site will be re-incorporated back into his or her grazing use of otherwise directed by the Resources Committee of the Navajo Nation.
2. The Pinon Chapter request the Navajo Nation and Bureau of Indian Affairs to approve the site selected and charge the religious group the minimal fee for its ground site.

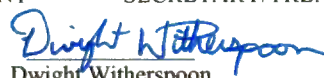
CERTIFICATION

We, the undersigned, do hereby certify that the foregoing resolution was duly considered by the Pinon Chapter at a duly called meeting at which quorum was present, at Pinon, Navajo Nation, ARIZONA, and same was passed by a vote of 30 in favor, 00 opposed, 15 abstained this 8th day of August 2016.


Bessie S. Allen
PRESIDENT


Evelyn M. Meadows
VICE-PRESIDENT


Ramona Nalwood
SECRETARY/TREASURER


Dwight Witherspoon
COUNCIL DELEGATE

Petition of Support for Strong Hold Baptist Church

Range Unit 405
Local Residents:

1. Larry Chas
2. Elsie Begay
3. Evelyn Henry
4. Melinda Henry
5. Charles Chu
6. Anderson S. Begay
7. Marilyn Begay
8. Veronica Begay
9. Cheryl S. Begay
10. Jacqueline J
11. Kelly Joyal
12. Ben Shuler & Son
13. Frances Hakehood
14. Freida Kage
15. Rosita Kage
16. Earl Begay
17. Rex Louis Begay
18. Maggie Begay
19. Valance Joe
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.



NNDFW Review No. 16SHBC01a4

BIOLOGICAL RESOURCES COMPLIANCE FORM
NAVAJO NATION DEPARTMENT OF FISH AND WILDLIFE
P.O. BOX 1480, WINDOW ROCK, ARIZONA 86515-1480

It is the Department's opinion the project described below, with applicable conditions, is in compliance with Tribal and Federal laws protecting biological resources including the Navajo Endangered Species and Environmental Policy Codes, U.S. Endangered Species, Migratory Bird Treaty, Eagle Protection and National Environmental Policy Acts. This form does not preclude or replace consultation with the U.S. Fish and Wildlife Service if a Federally-listed species is affected.

PROJECT NAME & NO.: Strong Hold Baptist Church - Mission Site Lease

DESCRIPTION: The Strong Hold Baptist Church proposes a 2.0-acre mission site lease. The lease includes all associated utilities.

LOCATION: SW¼ of Section 16, T31N, R20E, Pinon, Navajo County, Arizona

REPRESENTATIVE: Joel N. Haynes, Strong Hold Baptist Church

ACTION AGENCY: Navajo Nation

B.R. REPORT TITLE / DATE / PREPARER: PSR by P. Kyselka/30 AUG 2016/NA

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 4.

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: NA

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA

AVOIDANCE / MITIGATION MEASURES: NA

CONDITIONS OF COMPLIANCE*: NA

FORM PREPARED BY / DATE: Pamela A. Kyselka/30 AUG 2016

COPIES TO: (add categories as necessary)

☐ _____ ☐ _____

2 NTC § 164 Recommendation:	Signature	Date
<input checked="" type="checkbox"/> Approval	<i>Gloria M. Tom</i>	9/1/16
<input type="checkbox"/> Conditional Approval (with memo)		
<input type="checkbox"/> Disapproval (with memo)		
<input type="checkbox"/> None (with memo)		
Gloria M. Tom, Director, Navajo Nation Department of Fish and Wildlife		

*I understand and accept the conditions of compliance, and acknowledge that lack of signature may be grounds for the Department not recommending the above described project for approval to the Tribal Decision-maker.	
Representative's signature	Date


THE NAVAJO NATION



RUSSELL BEGAYE **PRESIDENT**
JONATHAN NEZ **VICE PRESIDENT**

MEMORANDUM

TO : David Mikesic, Zoologist
Department of Fish and Wildlife
DIVISION OF NATURAL RESOURCES

FROM : 
Gloria M. Tom, Department Manager II
Department of Fish and Wildlife
DIVISION OF NATURAL RESOURCES

DATE : August 29, 2016

SUBJECT : DELEGATION OF AUTHORITY

I will be on travel beginning Monday, August 29, 2016 through Thursday, September 1, 2016. Therefore, I am hereby delegating you to act in the capacity of the Director, Department of Fish and Wildlife, effective 8:00 am on Monday, August 29, 2016. This delegation shall end at 5:00 p.m. on Thursday, September 1, 2016.

Your authority will cover the review and signing off of all routine documents pertaining to the Department of Fish and Wildlife, except for issues that you feel should have the attention of the Director.

ACKNOWLEDGEMENT:


David Mikesic, Zoologist
Department of Fish & Wildlife



PIÑON CHAPTER

Post Office Box 127 • Piñon, Arizona 86510 • (928) 725-3710/3711 • FAX (928)725-3712

PIN-16-_____ RESOLUTION OF PINON CHAPTER

RESCINDING: PIN -09-156 RESOLUTION APPROVING THE LAND WITHDRAW OF 1.5 ACRES AND RECOMENDING TO THE BUREAU OF INDIAN AFFAIRS AND NAVAJO NATION TO GRANT A MISSION SITE LEASE TO VICTORY BAPTIST CHURCH FOR RELIGIOUS USE.

WHEREAS:

1. The Pinon Chapter is recognized as a local government entity within the Navajo Nation Government promoting the interest and welfare of the constituents pursuant to Navajo Nation Code; and
2. Pursuant to Title 26 NCC, Section B1&2 the purpose of the Local Governance Act is to recognize governance at the local level and to delegate to chapter governmental authority with respect to local matters consistent with Navajo Nation Laws including custom and tradition and to make decision over local matters; and
3. Pursuant to Section 103 (D-1) of T-26 the Pinon Chapter can approve a land with draw for the purpose religious use and local land user by consent has petition the chapter their approval; and
4. The ministry's primary purpose is to develop the site, construct buildings for use on various weekdays for the purpose of teaching, counseling, worship, prayer, resource, fellowship and recreation; and
5. The permit holder(s) living within the area where the church site is proposed have given their consents to permit the religious organization permission to utilized 1.5 acres of their grazing lands. (see attachment A)

NOW THEREFORE BE IT RESOLVED THAT:

1. The Pinon Chapter hereby approve the 1.5 acre tract of lands withdrawn for the Overflow Covenant Church and request the Navajo land Department to do all things necessary to complete the processing of this application. Further, should the church liquidate, the permit holder shall reclaim the land taken for religious purpose , and the site will be re-incorporated back into his or her grazing use of otherwise directed by the Resources Committee of the Navajo Nation.
2. The Pinon Chapter request the Navajo Nation and Bureau of Indian Affairs to approve the site selected and charge the religious group the minimal fee for its ground site.

CERTIFICATION

We, the undersigned, do hereby certify that the foregoing resolution was duly considered by the Pinon Chapter at a duly called meeting at which quorum was present, at Pinon, Navajo Nation, ARIZONA, and same was passed by a vote of 31 in favor, 00 opposed, 11 abstained this 8th day of august 2016.



Bessie S. Allen
PRESIDENT



Evelyn M. Meadows
VICE-PRESIDENT



Ramona Nalwood
SECRETARY/TREASURER

Dwight Witherspoon
COUNCIL DELEGATE

ARCHAEOLOGICAL SURVEY

Iris Shirley Begaye

PO Box 3777, Window Rock, Arizona 86515

irisbegaye@hotmail.com

Phone No. 928/206-9600

August 31, 2016

Pastor Joel Haynes
Strong Hold Baptist Church
P.O. Box
Ganado, AZ 86505

RE: Receipt for 2.0 Acre Church Tract Survey

Dear Pastor Haynes,

This shall serve as a receipt for check #1004 received from you in the amount of \$500.00 on August 31, 2016 for a cultural resource inventory conducted by Iris Shirley Begaye for your proposed 2.0 Acre Church Tract in Pinon Chapter, Arizona.

Your 2.0 Acre Church Tract survey was conducted under Permit Number B16757. Two copies of your report (ISB-16-166) have been filed with the Navajo Nation Historic Preservation Department for their cultural resource inventory review. Enclosed you will find two copies of your report.

For further filing information, you may contact the Navajo Nation Historic Preservation Department for information related to the processing of your report. The phone number for the Navajo Nation Historic Preservation is 928/871-7198.

Should there be any questions, I can be reached at 928.

Sincerely,



Iris Shirley Begaye
Archaeologist

Attachment: ISB-16-166



THE NAVAJO NATION
HISTORIC PRESERVATION DEPARTMENT
PO Box 4950, Window Rock, Arizona 86515
TEL: (928) 871-7198 FAX: (928) 871-7886

CULTURAL RESOURCE COMPLIANCE FORM

ROUTE COPIES TO:	NNHPD NO.: HPD-16-833
<input checked="" type="checkbox"/> ISB	OTHER PROJECT NO.: ISB-16-166

PROJECT TITLE: Cultural Resource Inventory of the Proposed Strong Hold Baptist Church, 2 acre Tract in Pinon Chapter, Navajo County, Arizona

LEAD AGENCY: BIA/NR

SPONSOR: Joe Haynes, Strong Hold Baptist Church, P.O. Box Ganado, AZ 86505

PROJECT DESCRIPTION: The proposed undertaking will involve the construction of a church within a 2.0-acre tract. Ground disturbing activities will be intensive and extensive with the use of heavy equipment.

LAND STATUS:	Navajo Tribal Trust													
CHAPTER:	Pinon													
LOCATION:	T.	31	N.,	R.	20	E-	Sec.	16;	Pinon	Quadrangle,	Navajo	County	Arizona	G&SRPM
PROJECT ARCHAEOLOGIST:	Iris Shirley Begaye													
NAVAJO ANTIQUITIES PERMIT NO.:	B16757													
DATE INSPECTED:	8/31/2016													
DATE OF REPORT:	9/07/2016													
TOTAL ACREAGE INSPECTED:	2.0 - ac													
METHOD OF INVESTIGATION:	Class III pedestrian inventory with transects spaced 15 m apart.													
LIST OF CULTURAL RESOURCES FOUND:	None													
LIST OF ELIGIBLE PROPERTIES:	None													
LIST OF NON-ELIGIBLE PROPERTIES:	None													
LIST OF ARCHAEOLOGICAL RESOURCES:	None													

EFFECT/CONDITIONS OF COMPLIANCE: No historic properties affected.

In the event of a discovery ["discovery" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices], all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at (928) 871-7198.

FORM PREPARED BY: Tamara Billie
FINALIZED: October 19, 2016

Notification to Proceed
Recommended
Conditions:

☒ Yes ☐ No
☐ Yes ☒ No


 10/19/16
The Navajo Nation
Historic Preservation Office
Date

Navajo Region Approval

☒ Yes ☐ No

 OCT 24 2016
Acting BIA - Navajo Regional Office
Date

HW
10/27/16

1. HPD REPORT NO.		2. (FOR HPD USE ONLY)	3. RECIPIENTS ACCESSION NO.
4. TITLE OF REPORT: A Cultural Resource Inventory of the Proposed Strong Hold Baptist Church, 2 Acre Tract in Pinon Chapter, Navajo County, Arizona		5. FIELDWORK DATES 08/31/2016	
AUTHOR(S): Iris Shirley Begaye		6. REPORT DATE 09/07/2016	
7. CONSULTANT NAME AND ADDRESS: Gen'l Charge: Iris Shirley Begaye Org. Name: ARCHAEOLOGICAL SURVEY Org. Address: P. O. Box Window Rock, Arizona 86515 Phone: 928/		8. Permit No. B16757	
		9. Consultant Report No. ISB-16-166	
10. SPONSOR NAME AND ADDRESS: Ind. Responsible: Joel Haynes Name: Strong Hold Baptist Church Address: P.O. Box Ganado, AZ 86505 Phone: 928/		11. SPONSOR PROJECT NO. N/A	
		12. AREA OF EFFECT: 2.0 ac. AREA SURVEYED: 2.0 ac.	
13. LOCATION (MAP ATTACHED): a. Chapter: Pinon b. Agency: Chinle c. County: Navajo d. State: Arizona		See Figure 1 e. Land Status: Navajo Tribal Trust f. UTM Center: Zone 12; 3993965.90N, 571496.01E g. Area: SW/4, SW/4 Section 16, T31N, R20E G&SRM h. 7.5' Map Name(s): Pinon, AZ 1967 Photorevised 1982	
14. REPORT /X/ OR SUMMARY (REPORT ATTACHED) //			
a. Description of Undertaking:		See Supplemental Sheet	
b. Existing Data Review:		See Supplemental Sheet	
c. Area Environmental & Cultural Setting:		See Supplemental Sheet	
d. Field Methods:		See Supplemental Sheet	
15. CULTURAL RESOURCE FINDINGS:			
a. Location/Identification of Each Resource:		See Supplemental Sheet	
b. Evaluation of Significance of Each Resource (above):		See Supplemental Sheet	
16. MANAGEMENT SUMMARY (RECOMMENDATIONS): Archaeological clearance is recommended for the proposed project.			
17. CERTIFICATION: SIGNATURE:	 General Charge Name: Iris Shirley Begaye		DATE: 07 September 2016

SUPPLEMENTAL SHEET (AIRS FORM)

PROPOSED STRONG HOLD BAPTIST CHURCH, 2 ACRE TRACT, PINON CHAPTER, NAVAJO COUNTY, ARIZONA

ISB-16-166

13. LOCATION: See Figure 1.

e., f., g., & h. LAND STATUS, UTM CENTER, AREA, & 7.5' SERIES MAP NAME: Below are the UTM coordinates, legal descriptions, and 7.5' quadrangle topographic map references for the proposed 2.0 Acre Church Tract (see Figures 1 & 2).

Table 1. Strong Hold Baptist Church, 2.0 Acre Tract, Pinon Chapter:

Navajo Tribal Trust

Waterline Extension	Northing	Easting	Section	Township	Range	7.5' Reference Map
Church Tract CTR	3993965.90	571496.01	16	31N	20E	Pinon, AZ 1967 Photorevised 1982
CNR A	3993900.77	571506.54	16	31N	20E	Pinon, AZ 1967 Photorevised 1982
CNR B	3993952.96	571433.13	16	31N	20E	Pinon, AZ 1967 Photorevised 1982
CNR C	3993026.94	571484.27	16	31N	20E	Pinon, AZ 1967 Photorevised 1982
CNR D	3993974.75	571557.67	16	31N	20E	Pinon, AZ 1967 Photorevised 1982

14. REPORT

a. Description of Undertaking: The proposed undertaking is to construct a church within a 2 acre tract. The undertaking will involve the construction of a church and associated facilities within the surveyed area. Construction activities will include surface and subsurface ground disturbance with the use of heavy equipment (leveling, trenching, laying of pipelines, power line pole placement, stringing of power line). The area of potential effect equals approximately 87,120 sq. ft. (8,093.7 sq. m.) or 2.0 acres. An area of 2.0 acres (0.8 ha.) (87,120 sq. ft.) (8,093.7 sq. m.) was inventoried.

b. Existing Data Review: As part of this project, a records check was done using the Navajo Nation Historic Preservation Department (NNHPD) files in Window Rock Arizona (NNHPD). The records check indicated that previous surveys have been conducted within 1 kilometer of the proposed project area as follows:

HPD-06-514 / WS-05-35 ntua A Cultural Resources Inventory of the Proposed Installation of Sanitation Facilities and Waterline Connections to Twenty Homesites Located within the Navajo Nation for Fort Defiance, NTUA Scatter Program, Dwayne Waseta, February 17, 2006. Cultural resource inventory reporting (04) isolated occurrences and (20) in-use sites within the survey area.

HPD-06-243 / NNAD-05-262 A Cultural Resources Inventory of a Proposed Homesite fore Veronica Begay of Pinon, Navajo County, Arizona, Curtis Yazzie, March 06, 2006. Cultural resource inventory reporting (01) in-use site within the survey area.

HPD-04-181 / NNAD-04-022 A Cultural Resources Inventory of a Proposed Homesite for Larry Kaye near Pinon, Navajo County, Arizona, Curtis Yazzie, March 02, 2004. Cultural resources reported during this inventory is (1) site within the survey area. Reported site is more than 100 feet from the proposed undertaking; therefore, will not be affected.

HPD-03-122 / CASA 02-104 Cultural Resources Inventory, NAIHS Project NA-02-N79, Pinon South Scattered Project, Navajo and Apache Counties, Arizona, Mary Erickson, December 19, 2002. Cultural resource inventory reporting (08) sites, (04) isolated occurrences and (48) in-use sites within the survey area. Reported cultural resources are more than 100 feet from the proposed undertaking; therefore, will not be affected.

HPD-99-183 / NNAD-99-073 An Archaeological Survey of a Proposed Homesite for Elsie J. Joe in Pinon, Navajo County, Arizona, Fannie Paul, March 15, 1999. Cultural resource inventory reporting no cultural resources within the survey area.

NABR-88-176 / BOR-88-013 Cultural Resource Inventory of Proposed Construction Easements Along Navajo Route N4, Pinon, Navajo County, Arizona, Phillip Stewart, August 1988. Cultural resource inventory reporting (01) isolated occurrence within the survey area.

c. Area of Environmental & Cultural Setting: The proposed church is located in Chinle Agency, Pinon Chapter, approximately 1.3 miles southeast of the Pinon Chapter House, Navajo County, Arizona. The project area is located west of Burnt Corn Valley (approximately 4.1 miles) and northwest of First Mesa (approximately 3.8 miles) at an elevation of 6,370 feet (1,941.5 meters) above mean sea level. The main water sources for the area are Wepo Wash (approximately 0.4 mile northwest of the project area) and Burnt Corn Wash (approximately 4.2 miles east of the

SUPPLEMENTAL SHEET (AIRS FORM)

PROPOSED STRONG HOLD BAPTIST CHURCH, 2 ACRE TRACT, PINON CHAPTER, NAVAJO COUNTY, ARIZONA

ISB-16-166

c. Area of Environmental & Cultural Setting (continued):

project area). Vegetation in the area consists of juniper, saltbush, sagebrush, cholla, prickly pear, snakeweed, russian thistle and other seasonal native grasses. No domesticated animals were noted within the project area. Surface sediments consist primarily of aeolian with alluvial fine sands, clay and small-medium pebble inclusions and bedrock outcrops. The surrounding area has been impacted by the development of scattered business sites, health center, homes, water tanks, water lines, power lines and Indian Route 4.

d. Field Methods: On August 31, 2016, Iris Shirley Begaye, archaeologist conducted the cultural resource inventory of the proposed 2.0 acre church tract. The four corner points were identified to conduct a Class III pedestrian inventory by walking parallel transects with adjacent points spaced approximately 15m apart extending out over the proposed lease area. The area of potential effect equals approximately 87,120 sq. ft. (8,093.7 sq. m.) or 2.0 acres. An area of 2.0 acres (0.8 ha.) (87,120 sq. ft.) (8,093.7 sq. m.) was inventoried.

In accordance with NNHPD guidelines, the project archaeologist interviewed the sponsor to obtain information on potential traditional cultural properties (TCPs-herb gathering areas, blessed and/or sacred places or burials) in the vicinity. The sponsor was unaware of any TCPs in the area. Traditional Cultural Properties (TCP) research was conducted at NNHPD Traditional Cultural Property Section and revealed no TCPS.

15. CULTURAL RESOURCE FINDINGS:

a. Location/Identification of Each Resource: None.

b. Evaluation of Significance of Each Resource (above): None.

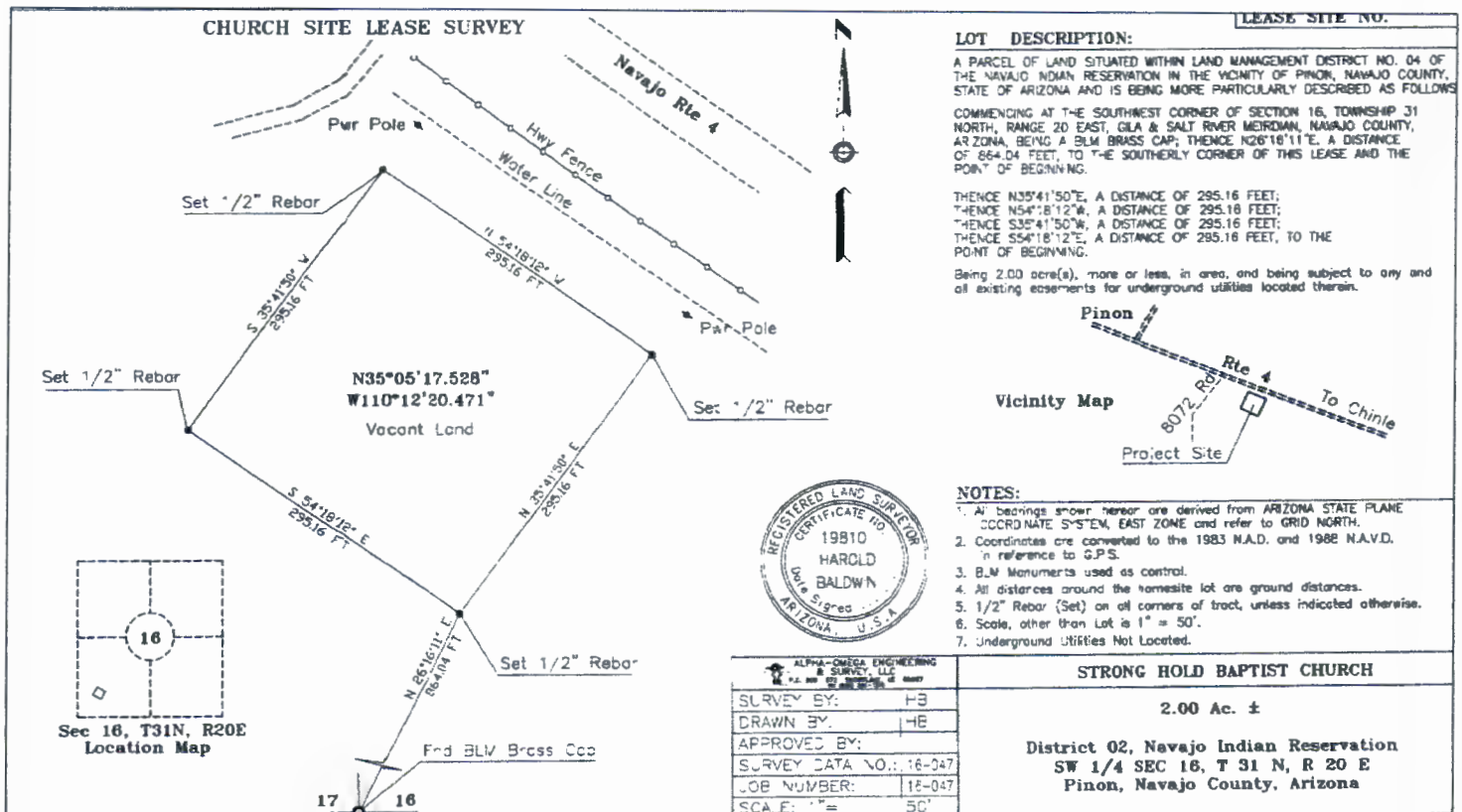


Figure 1. Strong Hold Baptist Church, 2.0 Acre Tract, Pinon Chapter, Navajo County, Arizona (ISB-16-166)

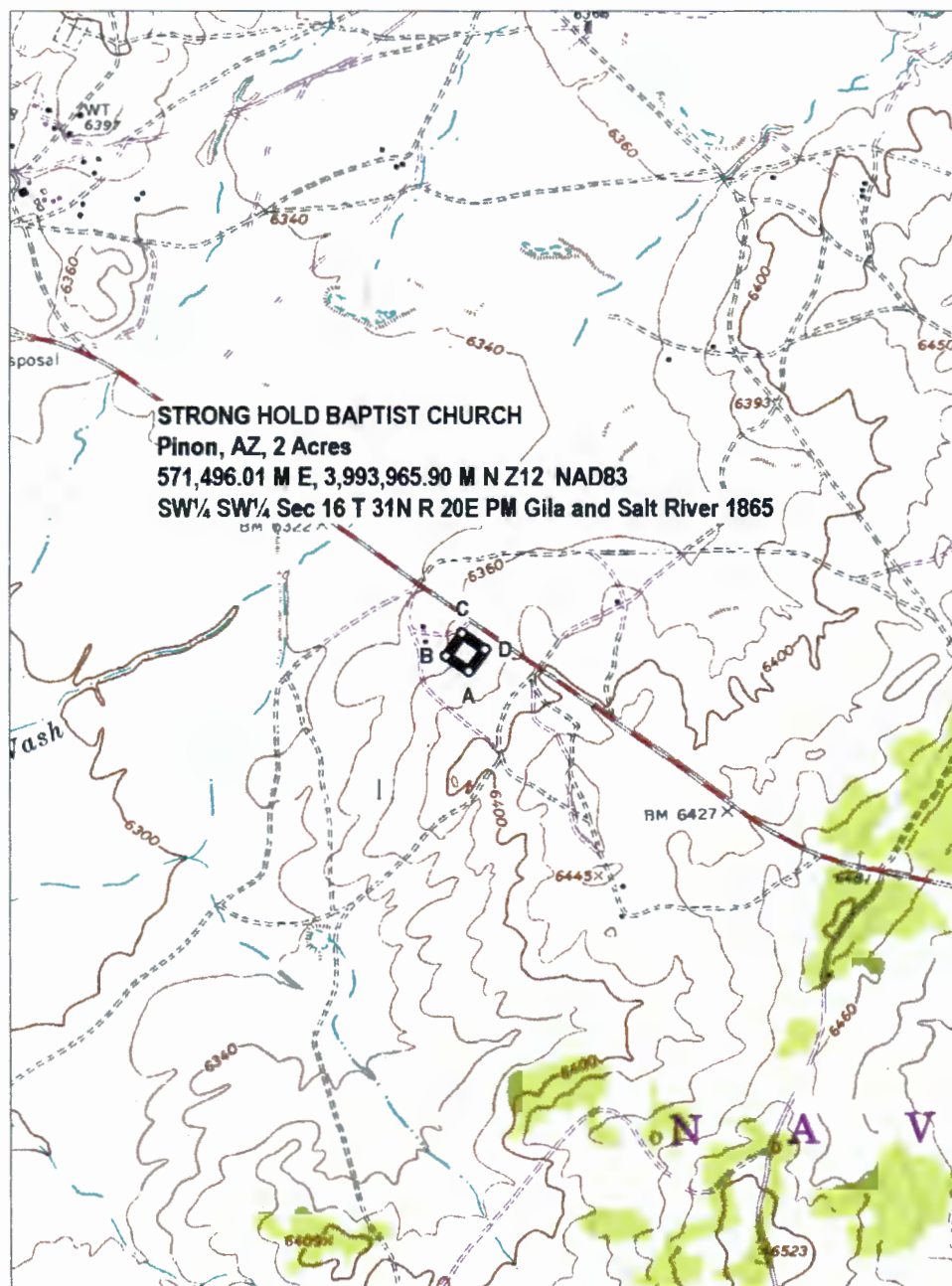


Figure 2. Strong Hold Baptist Church, 2 Acre Tract (ISB-16-166)
 UTM Zone 12; 3993965.90N, 571496.01E; SW 1/4, SW 1/4 Section 16, T31N, R20E G&SRM
 7.5' USGS series map: Pinon, AZ 1967 Photorevised 1982



ENVIRONMENTAL ASSESSMENT

**Strong Hold Baptist
Church Project**

**Pinon Chapter,
Navajo Nation**

November 2016



ETD, Inc.
Consulting and Applied Research

Environmental Assessment

(November 2016)

Project: Strong Hold Baptist Church
Pinon Chapter, Navajo Nation, Navajo County, Arizona

Prepared for:

Joel Haynes, Pastor
Strong Hold Baptist Church
P.O. Box 232
Ganado, Arizona 86505

and for:

Navajo Nation Environmental Protection Agency
Office of Environmental Review
P.O. Box 339
Window Rock, Arizona 86515

Prepared by:

ETD, Inc.
2101 N. Fourth St, Suite 201
Flagstaff, AZ

Contact:

Eunice Tso
Principal
Tel 928-779-6032

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Table 1. Project Location Information

Acronyms

BIA	Bureau of Indian Affairs
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
EA	Environmental Assessment
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NNDFW	Navajo Nation Department of Fish and Wildlife
NNEPA	Navajo Nation Environmental Protection Agency
NNHPD	Navajo Nation Historic Preservation Department
NNDWR	Navajo Nation Department of Water Resources
NPDES	National Pollutant Discharge Elimination System
NPL	National Priority List
NRCS	National Resource Conservation Service
NTUA	Navajo Tribal Utility Authority
RCRA	Resource Conservation and Recovery Act
TCP	Traditional Cultural Properties
TES	Threatened, Endangered, and Sensitive
TSCA	Toxic Substances Control Act
USEPA	U.S. Environmental Protection Agency
USGS	U.S. Geological Survey
UST	Underground Storage Tank
WRCC	Western Regional Climate Center

1. INTRODUCTION

1.1 Summary

Strong Hold Baptist Church, the project sponsor, proposes to construct a church along Navajo Route 4 about one mile southeast from the intersection of Navajo Routes 4 and 41 within Pinon Chapter of the Navajo Nation (see **Figure 1**). Under the proposed action, a 35 feet x 70 feet steel building will be constructed to serve as the main church within a 2.0-acre parcel of land. Pre-fabricated buildings will be installed to serve as a fellowship hall, a youth center, and a personage for a full-time staff member to live on-site. In addition to these developments, a basketball court, volleyball court, parking lot, and small access road will be developed on the 2.0-acre property.

The project sponsor will be requesting a revocable 2.0-acre land use permit for the project from the Navajo Nation. Under 25 CFR Part 162.007, Tribes may issue land use permits for Tribal Trust land without federal approval; however, they must ensure that permitted activities comply with all applicable environmental and cultural resource laws. Permits are different than leases; BIA approves certain leases. This Environmental Assessment (EA) has been prepared for the Navajo Nation Environmental Protection Agency (NNEPA) who will review the proposed actions and related impacts. Laws that are reviewed concurrently for this particular project type include: the Navajo Cultural Resource Protection Act, the National Historic Preservation Act, the Navajo Endangered Species List, the Federal Endangered Species Act, the Resource Conservation and Recovery Act (RCRA), the Clean Water Act, and others.

1.2 Purpose and Need for Project

Currently, there are no Baptist churches located within Pinon Chapter. This Baptist Church project was approved by the Pinon community during a Chapter meeting. It will provide a place of worship for Pinon residents and those in surrounding communities that identify as Baptist Christians and provide local youth with recreational opportunities.

1.3 Location

The proposed project site is located in the vicinity of Pinon Chapter of the Navajo Nation, a political subdivision. The site is accessed by a small access road from Navajo Route 4; the dirt road turn off is located about 0.80 miles (about 4,225 feet) southeast from the intersection of Navajo Routes 4 and 41, as shown in **Figure 1**. **Table 1** below provides a summary of the project location information.

Table 1. Project Location Information			
Site Name	Center UTM*	Legal Location	USGS 7.5' Quadrangle Reference
Strong Hold Baptist Church	571494 E, 3993953 N	SW¼ of SW¼ of Sec. 16, T.31N, R.20E	Pinon, Arizona

* datum = WGS84, Zone 12N

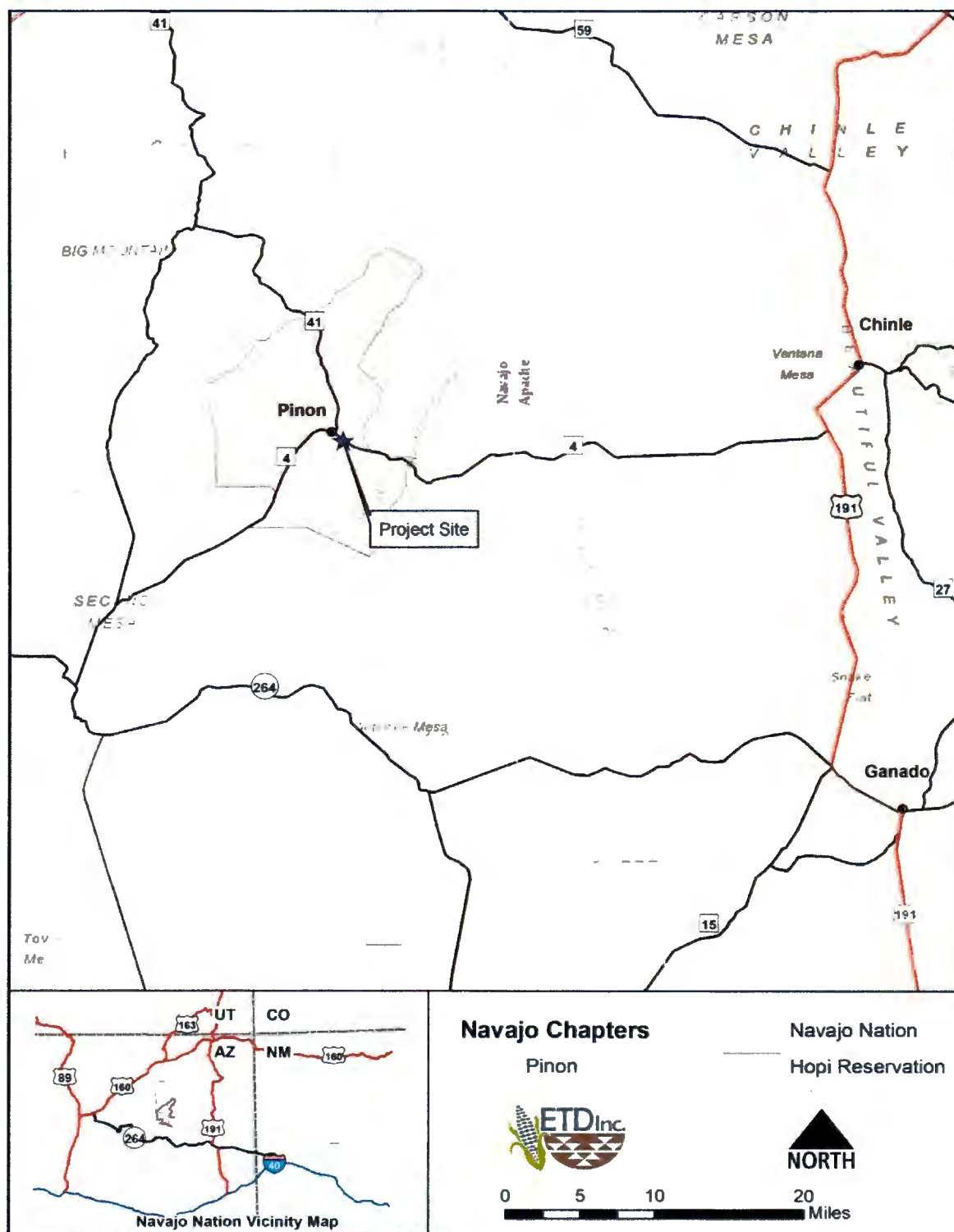


Figure 1. General location map showing project site in Pinon Chapter.

2. PROPOSED ACTION AND NO-ACTION ALTERNATIVE

Below we discuss the proposed action and the no action alternative. No alternative sites have been chosen for this project.

2.1 Proposed Action

Under the proposed action, a 35 feet x 70 feet steel building will be constructed as the main church building. Pre-fabricated buildings will be brought in to serve as the fellowship hall, youth center, and parsonage for a full-time pastor or staff member to live on-site. A basketball court, volleyball court, and parking lot will also be developed. A small access road will be cut from the existing access road towards the southeast corner of the property. This access road, along with the proposed parking lot, will be heavily graveled. Utilities such as water, electricity, and fiber optics will be connected to the property pending coordination with Navajo Tribal Utility Authority (NTUA). Propane will be used for heating while a septic tank system will be installed for sewer needs.

2.2 No Action

Under the no action alternative, the proposed church site would not be constructed and there would be no impact to the existing natural and human environment. There would continue to be a lack of a Baptist Church presence within the community as well as a lack of diversity in youth recreation within Pinon Chapter.



Figure 2. Aerial Image of the project site boundaries.

3. DESCRIPTION OF THE AFFECTED ENVIRONMENT

This Chapter describes the existing conditions in and around the project site and establishes the baseline data upon which the impacts have been evaluated in Chapter 4.

3.1 Land Resources

This section discusses geology, topography, soils, and mineral resources in the area of the proposed project.

3.1.1 Geology

The project area is in an area known as the Colorado Plateau. The Colorado Plateau encompasses an area of approximately 140,000 square miles in the four corners region of Arizona, Utah, New Mexico, and Colorado (Foos 1999). It is a high standing crustal block of relatively undeformed rocks surrounded by the highly deformed mountainous and valley regions (Einenger et al. 1982). It is drained principally by the Colorado River and its major tributaries, such as the San Juan River and the Little Colorado River. It is a land of scenic beauty characterized by sparsely vegetated plateaus, mesas, deep canyons, and barren badlands (Foos 1999).

The project site is also located within the Black Mesa hydrogeologic subdivision (Cooley et al. 1969). Black Mesa is a large moderately dissected highland that occupies the structural center of Black Mesa Basin (1969). It is delimited by high outfacing sandstone cliffs of the Toreva Formation and the Yale Point Sandstone (1969). The southern part of Black Mesa has been dissected by Dennebito, Oraibi, and Polacca Washes into box canyons and gently dipping rock platforms - called First, Second, and Third Mesas (1969). Most of the groundwater supplies developed in Black Mesa are from the Toreva and Wepo Formations (1969). The depth of erosion along Polacca and the other principal washes controls groundwater movement and the total supply of water that can be obtained from these formations (1969). Groundwater movement is unrestricted beneath the Toreva and water in such aquifers are under high artesian pressure. A few wells in the southern part of Black Mesa tap into the Dakota, Cow Springs, and Navajo Sandstone aquifers (1969). Other water supplies are obtained locally from the alluvium near Polacca and from landslide debris along the sides of mesas in Hopi country (1969).

The surficial geology at the site is characterized as Quaternary surficial deposits (AZGS 2000), likely from the nearby Wepo Wash. These deposits are described as being unconsolidated to strongly consolidated alluvial and eolian deposits (2000). This particular unit includes coarse, poorly sorted alluvial fan and terrace deposits on middle and upper piedmonts and along large drainages; sand, silt, and clay on alluvial plains and playas; and wind-blown sand deposits (2000). The surrounding area is largely underlain by sedimentary rocks of the Upper Cretaceous Mesaverde Group (2000). Rocks of this unit host the only large coal deposits in Arizona (2000).

3.1.2 Topography

The project site is located in Pinon Chapter, which is near the northeast base of First, Second, and Third Mesas. The Chapter is surrounded by Oraibi Wash to the north and Polacca Wash to the south. The project site is located near an area known as Burnt Corn Valley, named after Burnt Corn Wash located 4.2 miles southeast. The site has elevations ranging from 6,370 to 6,390 feet with a slight downward slope to the south and east.

3.1.3 Soils

The soils at the site are classified as Begay-Querencia-Rizno complex, which are found at 1-10% slopes (NRCS 2016). This soil complex is composed of 45% Begay and similar soils, 35% Querencia and similar soils, and 15% Rizno and similar soils. These soils are typically found on the summits and treads of stream terraces and alluvial flats. The parent material for this soil complex is slope alluvium derived from sandstone and shale

and/or eolian sands derived from sandstone and shale (over residuum weathered from sandstone and shale). It is a moderately well-drained to a somewhat excessively drained soil with very low to medium runoff potential, a moderately high to high transmissivity, and no instances of flooding or ponding. This complex is comprised of loams, sandy loams, loamy sands, and sandy clay loams.

3.1.4 Mineral Resources

According to spatial data retrieved from U.S. Geological Survey (USGS)'s Mineral Resource On-Line Data System, there are no mineral resources within the boundaries of Pinon Chapter (USGS 2015). The nearest mine is located almost 11 miles southwest within the Hopi Reservation.

3.2 Water Resources

This section discusses surface water, ground water, and floodplains found in and around the project site. Data on ground water and floodplains was provided by the Navajo Nation Department of Water Resources (NNDWR) in Fort Defiance, Arizona. **Figure 4** illustrates these surface water and wells in and around the project site.

3.2.1 Surface Water

The principal drainages in the Black Mesa hydrogeologic subdivision are Polacca, Oraibi, and Dennebito Washes (Cooley et al. 1969). These perennial washes drain along First, Second, and Third Mesas to the southwest, towards the Colorado River. In the project area, the closest washes are Wepo Wash, a tributary to Polacca Wash (0.5 miles north), and Burnt Corn Wash (4.2 miles southeast). Wetlands data downloaded from the U.S. Fish and Wildlife's National Wetlands Inventory is also shown in **Figure 4**. Wetlands in and around the project area include: ephemeral washes and streams, perennial washes and streams, and freshwater ponds. All of the freshwater ponds in and around the project area appear to be man-made stock watering ponds and sewer lagoons.

3.2.2 Groundwater

Wells data received from NNDWR reveals one well is within one mile of the project area. This well, owned and operated by the Navajo Tribal Utility Authority (NTUA), sits at an elevation of 6,337 feet above mean sea level and draws from an unknown aquifer at a depth of 2,350 feet. Other wells in the project area sit at similar elevations, yet draw from several aquifers. Wells drawing from the Toreva Formation have depths ranging from 200 - 1,000 feet below ground surface. One well draws from the Dakota Sandstone at a depth of 1,500 feet. The deepest well in the vicinity draws from the Navajo Sandstone at a depth of 2,248 feet.

3.2.3 Floodplains

Morrison-Mairele, Inc. delineated most major rivers and streams within the Navajo Nation in 1977. However, there are no floodplain delineations in the project area, according to the NNDWR. While there are nearby ephemeral streams and washes, it is very likely that the proposed project is outside of a 100-year floodplain.

3.3 Air Resources

This section discusses air resources in terms of quality, visibility, climate and meteorology which exist in and around the project site.

3.3.1 Quality/Visibility

Point and non-point pollution sources are regulated under the Navajo Nation Clean Air Act. Non-point sources of pollution stem from automobiles, wood burning household stoves, and dirt roads that generate dust in the project site. Point source pollutants include natural gas and coal burning electrical generating stations found in the region.

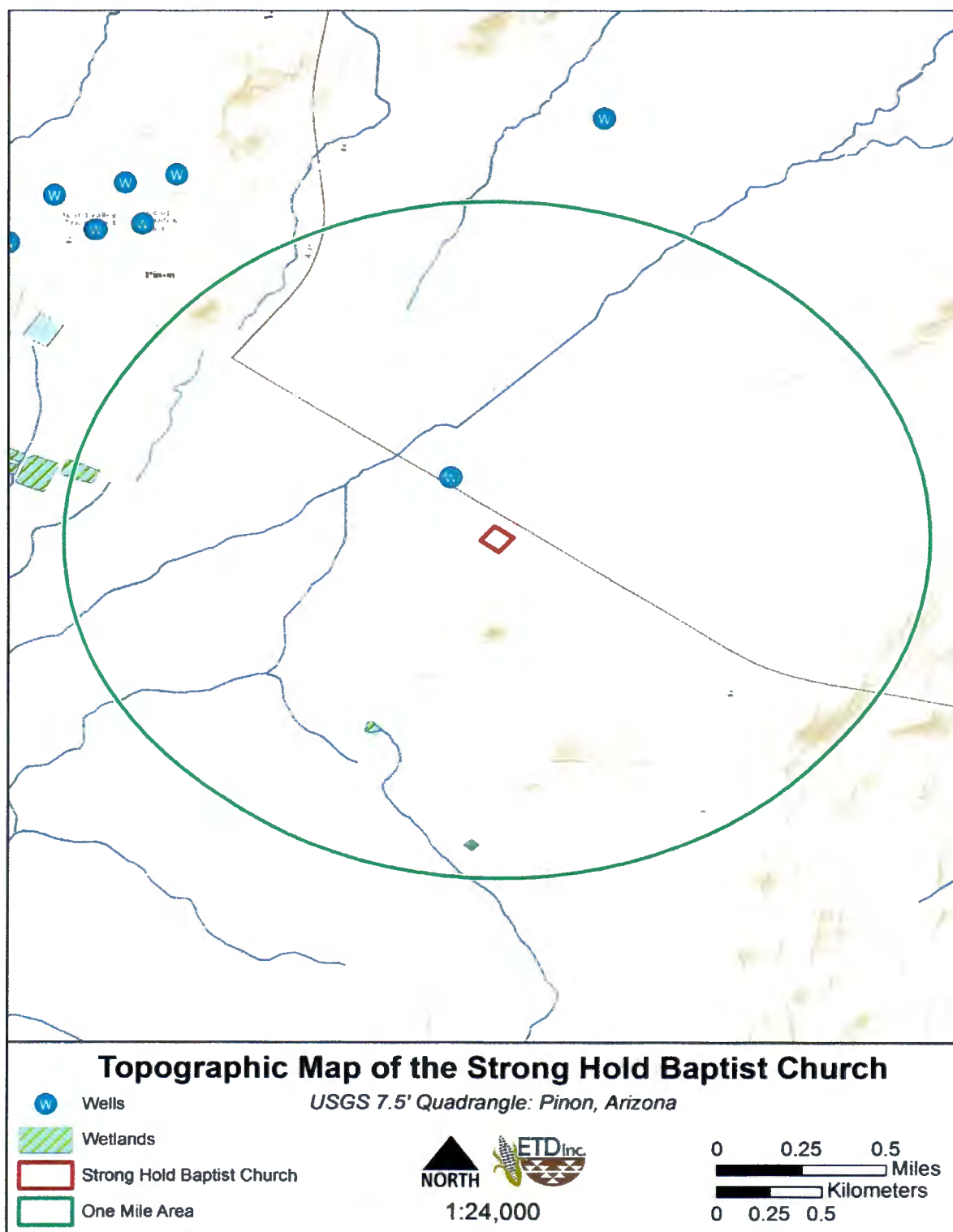


Figure 3. Topographic map of the project area emphasizing water resources.

Air quality on the Navajo Nation is generally good. It is designated as "Class II" air shed under the Navajo Nation Clean Air standards. While it is "unclassified" for the National Ambient Air Quality Standards (NAAQS), it is assumed to be in attainment of these standards, according to the Navajo Environmental Protection Agency, Air Quality Program (NNEPA 2016).

3.3.2 Climate/Meteorology

The project region experiences cold, harsh winters, low precipitation scattered more or less throughout the year, and extremes in both daily and seasonal temperatures (Cooley et al. 1969). The average annual precipitation for the Pinon area is about 8.88 inches (WRCC 2016). The average annual total snowfall for the area is 19.7 inches, yet the snow depth never exceeds 1 inch (2016). The average maximum temperature occurs in July at 89.9°F and the average minimum temperature occurs in January at 11.9°F (2016). Winds are generally from the southwest (2016).

3.4 Biotic Resources

This section discusses the biological communities including vegetation and wildlife; threatened, endangered and sensitive (TES) species, and agriculture activities found in and near the project site.

3.4.1 Description of Biological Communities

The proposed project site is dominated by Great Basin Desertscrub biotic community (Brown 1994). The most northerly of the four North American deserts, the Great Basin Desert, evolved from both cold-temperate and warm-temperate vegetation. Its affinities with cold-temperate progenitors sets it apart from the other three deserts, which have almost exclusive ties with warm-temperate and tropical-subtropical archetypes. Major plant dominants having cold-temperate affinities are sagebrushes, saltbushes, and Winterfat. These distinctly cold-temperate dominants are joined in varying degrees by species having evolutionary ties with warmer climates. Included here are species of rabbitbrush, blackbrush, hopsage, and horsebrush (Brown 1994).

3.4.2 Vegetation and Wildlife

Vegetation observed at the project site included: juniper, saltbrush, sagebrush, snakeweed, cholla, prickly pear (*Opuntia*), Russian thistle (*Salsola tragus*), and seasonal native grasses.

No wildlife was seen on the project site. However, animals that are part of the Great Basin Desertscrub community and common for the project area are: pinon mouse (*Peromyscus truei*), bushy-tailed woodrat (*Neotoma cinerea*), coyote (*Canis latrans*), and black-tailed jack rabbit (*Lepus californicus*) (Brown 1994).

3.4.3 Threatened, Endangered and Sensitive Species (TES)

The proposed project is within a Community Development zone ("Area 4") as designated by the Navajo Nation Department of Fish and Wildlife (NNDFW). NNDFW states that these areas do not support the habitat for species of concern and therefore development can proceed without further biological evaluation (NNDFW 2016). Thus, NNDFW issued a Biological Resources Compliance Form for the proposed project, which has been attached in **Appendix A**.

3.4.4 Agriculture

While there are no community/cooperative farming operations, there are an estimated 100 family farms in Pinon Chapter (LSR Innovations 2004). Based on a site visit and soils information from National Resource Conservation Service website, it was determined that prime or unique farmlands are not found on or near the proposed church site (NRCS 2016).



Figure 4. Photo taken at the project site on September 29, 2016.

3.5 Cultural Resources

Cultural resources include archaeological resources (prehistoric), historic resources, and traditional cultural properties. A cultural resources inventory was conducted by Iris S. Begaye on August 31, 2016 under permit number B16757 for the 2.0-acre project. The archaeologist used a Class III pedestrian inventory by walking parallel transects with adjacent points spaced approximately 15 meters (about 50 feet) apart extending out over the project area (Begaye 2016). The total surveyed area was 2.0 acres which is the extent of the project site. The findings of this survey are discussed below.

3.5.1 Archaeological Resources

As part of the survey, a records search was conducted at the Navajo Nation Historic Preservation Department (NNHPD) to determine if any known archaeological sites are located in or near the project area. The records search revealed six (6) previous surveys within one kilometer (about 0.62 miles). Of these surveys, a total of nine sites were recorded. However, these sites are located more than 100 feet away from the project site, so they will not be affected by the proposed project (Begaye 2016). During the field survey, no archaeological sites were discovered.

3.5.2 Historic Properties

No historic properties were found within 100 feet of the project area.

3.5.3 Traditional Cultural Properties (TCPs)

Traditional Cultural Properties (TCPs) are places such as herb gathering areas, blessed and/or sacred places, and burial sites. The records search at NNHPD's TCP office revealed no TCPs in or around the project site. In accordance with NNHPD guidelines, Iris S. Begaye interviewed the project sponsor to obtain information on potential TCPs in the vicinity. However, the project sponsor was unaware of any TCPs in the area (Begaye 2016).

3.6 Socioeconomic Conditions

This section discusses the employment and income, demographics and trends, and lifestyles, cultural values, attitudes, expectations, and community infrastructure existing within the project site.

3.6.1 Employment and Income

According to the American Community Survey's 5-Year Estimates for 2010-2014 in Pinon Chapter, the median household income in 2014 was \$26,250 and the per capita income was \$9,806 (U.S. Census Bureau 2014). The unemployment rate was estimated to be at 34.9% in 2014. 44.2% of the population lived below the poverty level. The Navajo Nation government employs many residents in healthcare, social, education services, and public administration. Other industries that most residents are employed in are: retail trade, construction, recreation/accommodation/food services, transportation, warehousing, and utilities, and natural resources.

3.6.2 Demographic and Trends

The U.S. Census Bureau reported the population of Pinon Chapter to be 2,751 in 2010 (U.S. Census Bureau 2010). The median age was about 27.3 years of age. In 2010, there were approximately 788 households within the Chapter with an average 3.5 persons per household. In comparison, the average household size for the U.S. is about 2.5 persons.

It is prudent to note that the U.S. Census Bureau has experienced a number of unique problems in counting the American Indian population since it first began such population counts in the 1800s (2012). Many of those problems center on political, cultural, and geographical considerations. The latest census count revealed American Indians living on American Indian Reservations were undercounted by 4.88% during the 2010 census (U.S. Census Bureau 2012).

3.6.3 Lifestyles, Cultural Values, Attitudes, Expectations

Since many of the residents of the Pinon Chapter practice both Navajo and American lifestyles, they expect the mix of contemporary life and traditional life to continue within their communities.

3.6.4 Community Infrastructure

Infrastructure systems that serve the Pinon Chapter are described below:

- **Roads and Accessibility.** The major thoroughfares through Pinon Chapter are Navajo Routes 4 and 41. Navajo Route 4 runs east to west whereas Navajo Route 41 runs north to south. The project can be accessed off a short dirt road from Navajo Route 4.
- **Power.** The electrical power infrastructure in Pinon Chapter is owned and operated by NTUA. There is an existing power line running parallel to Navajo Route 4 and the project site, located about 55 feet away from the north and east corners of the project site. The project sponsor will work with NTUA to connect to the powerline.

- Water. Water utilities in Pinon Chapter are owned and operated by NTUA. There is an existing waterline running parallel to Navajo Route 4, the project site, and the aforementioned powerline, located about 75 feet away from the north and east corners of the project site. The project sponsor will work with NTUA to connect to the waterline.
- Sanitary Sewer. A sewer lagoon system that is owned and operated by NTUA is installed in areas where many developments are located. Otherwise, residents use septic tanks for their sanitary sewer system (Phone Correspondence with Nelson Begay). The project sponsor will install a septic tank system for sewer needs at the project site.
- Storm water runoff. The project site does not have a storm drain system. Because the area of impact is more than one acre, a National Pollutant Discharge Elimination System permit and a Storm Water Pollution Prevention Plan is required for this project under Section 402 of the Clean Water Act.
- Solid Waste. Solid waste generated in the Pinon Chapter is disposed of at a transfer station located one mile from the Pinon Chapter House (Phone Correspondence with Nelson Begay). This waste is then hauled to a sanitation facility in Fort Defiance, Arizona.

3.7 Environmental Justice

The project was approved via a Chapter resolution and has land user approval. Additionally, it is located in Pinon Chapter where 94.6% of the population is Native American (U.S. Census 2010). Environmental justice has been defined as the pursuit of equal justice and equal protection under the law for all environmental statutes and regulations without discrimination based on race, ethnicity, and/or socioeconomic status. Rural church projects do not have any associated environmental justice issues.

3.8 Indian Trust Resources

No local natural resources that can be identified as Indian Trust Resources occur within the boundaries of Pinon Chapter (LSR Innovations 2004).

3.9 Environmental Module

Sites regulated under the Resource Conservation and Recovery Act (RCRA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and the Toxic Substance Control Act (TSCA) are discussed here. The information presented below was obtained from the U.S. Environmental Protection Agency (USEPA) EnviroFacts website (USEPA September 2016) and field observation.

3.9.1 RCRA Subtitle C Sites

Subtitle C program identifies the criteria and establishes various requirements for the three categories of hazardous waste handlers, including generators, transporters, and treatment, storage, and disposal facilities. The proposed project will not generate, handle, or store hazardous waste on or near the project site. Additionally no such sites were recorded in or near the project site (USEPA September 2016).

3.9.2 RCRA Subtitle D Sites

Subtitle D regulates the disposal of solid waste. The general contractor will be responsible for proper disposal of all waste, including construction waste, at a state permitted landfill.

3.9.3 RCRA Subtitle I Sites

Subtitle I regulates active underground storage tanks (UST) and abandoned and often leaking USTs. There was no evidence of USTs in the proposed project area during a field visit. A review of the Arizona Department of Environmental Quality's UST database revealed no USTs near the project site (ADEQ 2016). Data from USEPA concurred that no USTs or leaking USTs are near the project site (USEPA April 2016).

3.9.4 CERCLA Sites

There are no National Priority List (NPL) sites under CERCLA located near the proposed project site (USEPA September 2016). A field visit to the site also supported the conclusion that no NPL nor CERCLA sites occur on or near the proposed project.

3.9.5 Toxic Substances Control Act Sites (TSCA)

TSCA sites do not occur on or near the project site (USEPA September 2016). No toxic substances will be used, generated, handled, or stored on or near the project site as part of the construction or operation of the proposed project.

3.10 Transportation Network/Land Use Patterns

This section describes land use pattern in the project area including the transportation network.

3.10.1 Transportation Network

The main thoroughfares extending through Pinon Chapter are Navajo Routes 4 and 41. Navajo Route 41 runs north and south and merges with Navajo Route 4 near the Pinon Chapter House. Navajo Route 4 extends east and west. These roads provide access to other Navajo/BIA roads, county roads, tribal roads, and other undesignated dirt roads that provide access throughout most of the Chapter.

3.10.2 Land Use Plans

Pinon Chapter has no published land use plan. The land use pattern throughout most of Pinon Chapter is largely undeveloped rangeland with scattered homesites and several areas of commercial and community development. The proposed project will take place in a relatively disturbed area along Navajo Route 4. This area consists of scattered residential homesites, water and electrical utility infrastructure, and road infrastructure.

3.10.3 Outdoor Recreation, Fishing, Hunting

No government or private sponsored outdoor recreation areas occur in the project site.

3.10.4 Timber Harvesting

No timber resources occur in the area on and near the project site.

3.11 Other Values

This section discusses the wilderness areas, sound and noise, public health and safety, and visual setting existing within the project site.

3.11.1 Wilderness Areas

The nearest designated wilderness area is the Petrified Forest National Wilderness area, located 67 miles south-southeast of the project site. The National Park Service oversees this area.

3.11.2 Sound and Noise

Man-made sound and noise sources near the project site include traffic along Navajo Route 4 and activities from neighboring residential homes. Natural sound and noise sources in the project site primarily consist of atmospheric phenomena such as wind, thunder, and rain.

3.11.3 Public Health and Safety

The Pinon Chapter community is served by the Chinle Indian Hospital, the Kearns Canyon Indian Hospital, and the local Pinon Health Station (LSR Innovations 2004). Fire protection is provided by fire stations located in

Chinle, Arizona and Keams Canyon, Arizona. Wildfire protection is provided by the BIA. Pinon Chapter receives police protection through the Chinle Police District (LSR Innovations 2004).

3.11.4 Visual Setting

The proposed project site is located in the scenic region of the Navajo Nation. However, no scenic byways or scenic areas protected by law occur on the Navajo Nation.

4. Environmental Consequences of the Proposed Action

This section discusses the impacts to the natural and human environment on and near the project site as a result of the proposed action. Mitigation measures that reduce or eliminate impacts are discussed where appropriate.

4.1 Land Resources Impacts

Topography. The proposed project will be constructed upon the existing topography with little or no modifications. No impact to the area topography is anticipated as a result of the proposed project.

Soils. Grading and excavation work will disturb will occur in and around areas where buildings and parking lots will be constructed and where utilities will be installed. Because the project will disturb more than one acre of land, the project is subject to a Storm Water Pollution Prevention Plan under a National Pollutant Discharge Elimination System (NPDES) - General Construction permit. Using best management practices, the impact to the soil resources will be direct, minor, and short term.

4.2 Water Resources Impacts

Surface Water. Disturbed areas on the project site can result in increased soil erosion and subsequent stream sedimentation or contamination, especially during times of heavy precipitation. Due to the distance to surface waters there will be no impact to surface waters as a result of the project.

Ground Water. The proposed project activities will not involve deep excavation and no ground water resources will be utilized during of following construction; therefore, ground water resources will not be impacted.

Floodplains. The project is not located within a floodplain; therefore, there will be no impacts associated with floodplains.

4.3 Air Resources Impacts

The construction of the proposed project facilities will cause a slight degradation of the local air quality and visibility due to increased airborne dust (particulate matter) and exhaust emissions (carbon monoxide) into the atmosphere. However, this impact will be direct, minor, and short-term. These impacts can be mitigated with best management practices.

4.4 Biological Resources Impacts

Vegetation. The project site largely undistributed, sans for trash and debris observed on the site, and is covered in vegetation. The site will experience grading and excavation that will destroy any vegetation. The impact to vegetation resources will be direct, minor, and short-term.

Wildlife and TES Species. NNHP determined that no federal or tribal threatened, endangered, sensitive (TES) or special status species are present in the project area. Therefore, there will be no impact to TES species.

Appendix A presents a Biological Resource Compliance Form from the Navajo Nation.

Agriculture. No farming activities occur on or near the project site. There will be no impact to agricultural activities.

4.5 Cultural Resources Impacts

No archaeological sites were discovered during the cultural resources inventory of the site and no known archaeological sites are located within 100 feet of the project area. The archaeologist recommended

archaeological clearance for the proposed project. NNHPD concurred with this finding and issued a cultural resources compliance form, attached in **Appendix B**.

If any underground cultural resources are identified during construction, the work will cease and the archaeologist will contact NNHPD and the BIA-Navajo Regional Office (NRO) archaeologist. They will determine the measures made be used to avoid, minimize, or mitigate effects to the resources and develop a treatment plan that is approved by NNHPD and BIA-NRO.

4.6 Socioeconomic Conditions Impacts

There will be no impacts to socioeconomic conditions within the Pinon Chapter.

4.7 Environmental Justice Impacts

Based on the nature of the project and its purpose, no disproportional adverse human health or environmental effects to minority or low income populations are anticipated due to the proposed project. The proposed project will only pose to benefit the local community which is mainly comprised of low income minority citizens.

4.8 Indian Trust Resources Impacts

There are no Indian Trust Resources in Pinon Chapter, so there will be no impacts to Indian Trust Resources.

4.9 Environmental Module Impacts

No RCRA, CERCLA or TSCA sites occur on or near the proposed project sites . Thus, no impacts from such sites or related activities are anticipated as result of the proposed project.

4.10 Resource/Land Use Patterns Impacts

Transportation Network. When completed, the project will have a periodic and minor increase to the amount of traffic along Navajo Route 4 and the small access road leading to the site during and after construction.

Land Use Pattern. The project area is already disturbed by existing infrastructure and variable land uses. The impact to the land use pattern will be very minor or insignificant.

4.11 Other Values

There will be no impact to wilderness areas or public health and safety as a result of this project. There will be minor impacts to ambient noise and visual quality during construction.

Noise. During construction noise will be slightly increased above the current level. However, the impact will be direct, short-term, and minor.

Visual Quality. There will be a direct, minor, and long-term to visual quality, especially to neighboring residential homes. However, there are no laws protecting visual quality in the Navajo Nation.

4.12 Cumulative Impacts

Cumulative impacts result from the incremental impact of the action when added to other past, present, or reasonably foreseeable future actions regardless of what agency or person undertakes these actions. There will be direct, minor, and short-term impacts to soil, air quality, transportation network, and noise level as a result of the proposed action. There will be direct, minor, and long-term impacts to visual quality. However, no cumulative impacts are anticipated in consideration of existing and future plans in the same area.

5. List of Agencies and Organizations Consulted

The information used in this analysis was obtained from reports, government databases, biological and archaeological field surveys, and direct communication either by phone or letters with the following agencies: Arizona Department of Environmental Quality, Arizona Geological Survey, U.S. Geological Survey, Bureau of Land Management - Colorado State Office, University of Arizona, University of Akron, Navajo Nation Department of Fish and Wildlife - Navajo Natural Heritage Program, U.S. Fish and Wildlife Service - National Wetlands Inventory, Navajo Nation Environmental Protection Agency, U.S. Environmental Protection Agency, U.S. Census Bureau, U.S. Department of Agriculture - National Resource Conservation Service, Navajo Nation Department of Water Resources - Water Management Branch, Western Regional Climate Center, Navajo Tribal Utility Authority, and Pinon Chapter.

6. Document Preparer's Qualifications and Signature

This document has been prepared by Kristin Miller, Environmental Scientist, and Eunice L. Tso, Principal Investigator, of ETD, Inc. Kristin Miller has over one year of experience in preparing environmental review documents under Eunice Tso and has proficient knowledge in environmental regulatory procedures on tribal lands. She holds a *B.S. in Environmental Science* from Northern Arizona University. Ms. Tso has over 20 years of experience in environmental regulatory compliance in Indian Country and is an expert in the environmental policies and regulations that affect development in Indian country. She holds a *M.S. in Geology* from Northern Arizona University.



Kristin A. Miller, B.Sc. Environmental Science
Environmental Scientist

November 7, 2016

Date



Eunice L. Tso, M.S. Geology
Principal Investigator

November 7, 2016

Date

7. References Cited

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Appendix A: Biological Resources Compliance Form

NNDFW Review No. 16SHBC01a4

BIOLOGICAL RESOURCES COMPLIANCE FORM
NAVAJO NATION DEPARTMENT OF FISH AND WILDLIFE
P.O. BOX 1480, WINDOW ROCK, ARIZONA 86515-1480

It is the Department's opinion the project described below, with applicable conditions, is in compliance with Tribal and Federal laws protecting biological resources including the Navajo Endangered Species and Environmental Policy Codes, U.S. Endangered Species, Migratory Bird Treaty, Eagle Protection and National Environmental Policy Acts. This form does not preclude or replace consultation with the U.S. Fish and Wildlife Service if a Federally-listed species is affected.

PROJECT NAME & NO.: Strong Hold Baptist Church - Mission Site Lease

DESCRIPTION: The Strong Hold Baptist Church proposes a 2.0-acre mission site lease. The lease includes all associated utilities.

LOCATION: SW¼ of Section 16, T31N, R20E, Pinon, Navajo County, Arizona

REPRESENTATIVE: Joel N. Haynes, Strong Hold Baptist Church

ACTION AGENCY: Navajo Nation

B.R. REPORT TITLE / DATE / PREPARER: PSR by P. Kyselka/30 AUG 2016/NA

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 4.

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: NA

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA

AVOIDANCE / MITIGATION MEASURES: NA

CONDITIONS OF COMPLIANCE*: NA

FORM PREPARED BY / DATE: Pamela A. Kyselka/30 AUG 2016

COPIES TO: (add categories as necessary)

☐ _____ ☐ _____

2 NTC § 164 Recommendation:	Signature	Date
<input checked="" type="checkbox"/> Approval	<i>Gloria M. Tom</i>	9/1/16
<input type="checkbox"/> Conditional Approval (with memo)		
<input type="checkbox"/> Disapproval (with memo)		
<input type="checkbox"/> Categorical Exclusion (with request letter)		
<input type="checkbox"/> None (with memo)		

*I understand and accept the conditions of compliance, and acknowledge that lack of signature may be grounds for the Department not recommending the above described project for approval to the Tribal Decision-maker.

Representative's signature

Date

C:\old_pc2010\My Documents\NNHP\BRCF_2016\16SHBC01a4.doc

Page 1 of 1

NNDFW -B.R.C.F.: FORM REVISED 12 NOV 2009

Appendix B: Cultural Resources Compliance Form



THE NAVAJO NATION
HISTORIC PRESERVATION DEPARTMENT
PO Box 4950, Window Rock, Arizona 86515
TEL: (928) 871-7198 FAX: (928) 871-7886

CULTURAL RESOURCE COMPLIANCE FORM

ROUTE COPIES TO:	NNHPD NO.: HPD-16-833
<input checked="" type="checkbox"/> ISB	OTHER PROJECT NO.: ISB-16-166

PROJECT TITLE: Cultural Resource Inventory of the Proposed Strong Hold Baptist Church, 2 acre Tract in Pinon Chapter, Navajo County, Arizona

LEAD AGENCY: BIA/NR

SPONSOR: Joe Haynes, Strong Hold Baptist Church, P.O. Box Ganado, AZ 86505

PROJECT DESCRIPTION: The proposed undertaking will involve the construction of a church within a 2.0-acre tract. Ground disturbing activities will be intensive and extensive with the use of heavy equipment.

LAND STATUS:	Navajo Tribal Trust						
CHAPTER:	Pinon						
LOCATION:	T. 31	N.	R. 20	E-	Sec. 16;	Pinon	Quadrangle, Navajo County Arizona G&SRPM
PROJECT ARCHAEOLOGIST:	Iris Shirley Begaye						
NAVAJO ANTIQUITIES PERMIT NO.:	B16757						
DATE INSPECTED:	8/31/2016						
DATE OF REPORT:	9/07/2016						
TOTAL ACREAGE INSPECTED:	2.0 - ac						
METHOD OF INVESTIGATION:	Class III pedestrian inventory with transects spaced 15 m apart.						
LIST OF CULTURAL RESOURCES FOUND:	None						
LIST OF ELIGIBLE PROPERTIES:	None						
LIST OF NON-ELIGIBLE PROPERTIES:	None						
LIST OF ARCHAEOLOGICAL RESOURCES:	None						

EFFECT/CONDITIONS OF COMPLIANCE: No historic properties affected.

In the event of a discovery ["discovery" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or locations reportedly associated with Native American religious/traditional beliefs or practices], all operations in the immediate vicinity of the discovery must cease, and the Navajo Nation Historic Preservation Department must be notified at (928) 871-7198.

FORM PREPARED BY: **Tamara Billie**
FINALIZED: October 19, 2016

Notification to Proceed
Recommended
Conditions:

☒ Yes ☐ No
☐ Yes ☒ No

Tamara Billie
The Navajo Nation
Historic Preservation Office

10/19/16
Date

Navajo Region Approval

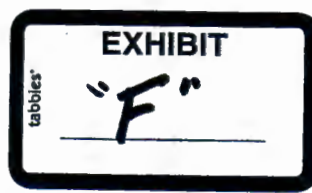
☒ Yes ☐ No

[Signature]
Acting

BIA - Navajo Regional Office

OCT 24 2016
Date

09.14.2016



To

Navajo Nation Land Dept.
P.O. Box 2249
Window Rock, AZ 86515

To Whom it May Concern:

Strong Hold Baptist Church in Pinon, AZ is requesting a revocable use permit for a 2.0 acre land site. It is our desire in this writing to explain why we are requesting more than the standard 1.5 acre plot and to justify our request with five justifications we believe to be sufficient:

Justification #1

Strong Hold Baptist Church facilities need to include buildings to accommodate youth classes, programs and recreational activities. It is our desire to install a basketball court, volleyball court and other such necessities to reach out and enhance the lives of our youth. We host Youth Summer Camps and Vacation Bible School Programs. In my experience, we have seen 100 or more youth attend Vacation Bibles Schools and Summer Camps. With 2.0 acres we would have the necessary space to expand as much as might be necessary to be successful in ministering and educating the local youth.

Justification #2

Strong Hold Baptist Church facilities need to accommodate a fellowship hall that can be used for dinners and other large events that are hosted within the community.

Justification #3

Due to the increasing rise of vandalism to church facilities and properties across the Navajo Nation, there is a necessity for the pastor or a church leader to live on site to oversee the well-being of the facilities. We request this 2.0 acre plot so as to accommodate the need to have a family living on site.

Justification #4

Strong Hold Baptist Church is establishing a Branch of Ganado Baptist Bible College. This requires an Adult Educational Facility to accommodate these classes. Our request for 2.0 acres would reasonably accommodate these plans.

Justification #5

Strong Hold Baptist Church needs a dormitory building to help host various groups who come to the Navajo Nation for mission trips. Due to the remote location of the site, it is necessary that when groups from other parts of the country come to invest and help with community ministries that we provide them with a place to stay in the local area.

We believe these justifications to be sufficient reason in requesting that the site's size be allowed to include a total of 2.0 acres instead of a 1.5 acre plot, which would clearly not suffice for the church's building plans. Granting Strong Hold Baptist Church this 2.0 acre site in its entirety would ensure our ability as a congregation to provide the community of Pinon, AZ with all the benefits we believe they deserve as a people. Thank you for your consideration.

Sincerely,

Joel N. Haynes
Missionary Pastor

Strong Hold Baptist Church

Pastor Joel N. Haynes
928-

Pinon, AZ

Navajolandbaptistmissions.com



10/01/2014
FORM Mission Site



**TERMS AND CONDITIONS FOR MISSION SITE PERMIT
STRONG HOLD BAPTIST CHURCH (PERMITTEE)**

1. This Mission Site Permit is issued to the Strong Hold Baptist Church, P.O. Box 232 Ganado Arizona 86505 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 Mission Site Permit is effective beginning on the date the permit is approved by the Resources & Development Committee of the Navajo Nation Council or authorized representative. The 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 Mission Site Permit is terminated and revoked. Upon termination of the Mission 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 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:

TRACT DESCRIPTION

A PARCEL OF LAND SITUATED WITHIN LAND MANAGEMENT DISTRICT NO. 04 OF THE NAVAJO INDIAN RESERVATION IN THE VICINITY OF PINON, NAVAJO COUNTY, STATE OF ARIZONA AND IS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest corner of Section 16, Township 31 North, Range 20 East, Gila & Salt River Meirdian, Navajo County, Arizona. Being a BLM Brass Cap; Thence N26°16'11"E. A Distance of 864.04 Feet to the Southerly corner of this lease and the point of Beginning:

THENCE N35°41'50"E, A DISTANCE OF 295.16 FEET;

THENCE N54°18'12"W, A DISTANCE OF 295.16 FEET;

THENCE S35°41'50"W, A DISTANCE OF 295.16 FEET;

THENCE S54°18'12"E, A DISTANCE OF 295.16 FEET, TO THE POINT OF BEGINNING.

7. The annual rental rate will be \$ 30.00 per year and is due on or before the first day of December each year the Permit remains in effect. Pursuant to 16 N.N.C. § 1157, 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 Mission Site. 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. §§ et seq., and the Navajo Nation Business Opportunity Law, 5 N.N.C. §§ 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.
17. The Permittee shall give written notice to the Navajo Nation Land 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 Navajo Land Department at Post Office Box 2249, Window Rock, Arizona 86515.
18. 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.
19. 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.
20. 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.
21. 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.

22. 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.
23. Nothing contained herein shall be interpreted as constituting a waiver, express or implied, of the sovereign immunity of the Navajo Nation.
24. 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.
25. 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.
26. 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: 2/28/2017

By: 

Strong Hold Baptist Church
Permittee

Date: 3/7/2017

By: 

Russell Begaye
Navajo Nation President



NAVAJO NATION CORPORATION ACT

CERTIFICATE OF INCORPORATION

To all to Whom these Presents Shall Come, Greeting:

I, the Manager of the Business Regulatory Department, DO HEREBY CERTIFY
that

STRONG HOLD BAPTIST CHURCH
(Non-Profit)
File Number: 102042

a corporation organized under the laws of the jurisdiction of the Navajo Nation, was on
the Fifth day of February, 2016

authorized to transact business within the Navajo Nation as a DOMESTIC Corporation.

I FURTHER CERTIFY that this corporation has filed all affidavits and required
documents and paid all filing fees required and, therefore, is incorporated as a Domestic
Corporation.



IN WITNESS WHEREOF, I have hereunto set
my hand and affixed the official seal of the
Navajo Nation Corporation Act at Window
Rock, Arizona, this Fifth

day of February, 2016 A.D.

Clarence Chee
Manager, Business Regulatory Department

Dear Business Regulatory Department,

On behalf of Strong Hold Baptist Church, I would like to request a copy of our Articles of Incorporation with the Navajo Nation. We have had a filing error and misplaced our copy of the documents. For this reason we are requesting a duplicate copy.

Sincerely,


Missionary Pastor

FILED

File No. 102042

AUG 02 2016

Navajo Nation Corporation Act

Department Manager



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

February 5, 2016

Joel Haynes
PO Box 232
Ganado, Arizona 86505

RE: File Number 102042

Dear Incorporator:

The Business Regulatory Department (BRD) is in receipt of your request for incorporation as a Domestic nonprofit corporation under the Navajo Nation Corporation Code 5 N.N.C. § 3100 *et. seq.* Attach please find a Certificate of Incorporation for *Strong Hold Baptist Church*. Please ensure that the Certificate of Incorporation is located in a conspicuous area of your organization.

Upon incorporation, it is the corporation's responsibility to fulfill and comply with all requirements (i.e. annual reports, fees, etc.) outlined in the Code. For example, under § 3175, all corporations authorized to conduct business within the Navajo Nation have to file an annual report and accounting to the BRD. These requirements are important to ensure that all corporations are transacting business in a lawful manner while providing services within the Navajo Nation.

If you have any questions, please contact the BRD at 928-871-6714 or 7365.

Sincerely,

A handwritten signature in black ink, appearing to be "Clarence Chee", is written over a horizontal line.

Clarence Chee
Department Manager
Business Regulatory Department
Division of Economic Development

Enclosures

FILED

File Number: 102042

FEB 05 2016

Navajo Nation Corporation Act.

Department Manager

ARTICLES OF INCORPORATION
OF
STRONG HOLD BAPTIST CHURCH

The undersigned natural persons, acting as incorporators of a corporation under the Navajo Nation Corporation Code, hereby adopt the following Articles of Incorporation.

ARTICLE I

The name of this corporation is and shall be Strong Hold Baptist Church
[Sections 3323(a)(1); 3105]

ARTICLE II

The period of duration for Strong Hold Baptist Church is perpetual.
[Section 3323(a)(2)]

ARTICLE III

The purpose of this corporation is that it will be operated as a nonprofit corporation under the Navajo Nation Corporation Code solely and exclusively for ministry and religious purposes. Without limiting the generality of the foregoing or the character of the affairs to be conducted by the corporation in the future, the corporation initially shall conduct the following business: establishing and maintaining churches and other buildings, including but not limited to, parsonages, schools, chapels, rescue missions, day care centers, nursing homes and cemeteries, for religious worship and other ministries in connection therewith. [Section 3323(a)(3)]

ARTICLE IV

The Corporation shall be a nonprofit corporation under the Navajo Nation Corporation Code and shall have no stock, and no dividends or pecuniary profits. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in ARTICLE III. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these Articles, the corporation shall not carry on any

other activities not permitted to be carried on by a corporation exempt from Navajo Nation Tax under the Navajo Nation Corporation Code. [Section 3323(a)(4)]

ARTICLE V

The name and address of the initial Registered Agent for Strong Hold Baptist Church is listed below. [Section 3323(a)(5)]

Joel Haynes
On the Corner of BIA Route N27 and N271
Nazlini, AZ 86540

ARTICLE VI

There are four directors constituting the initial board of directors for Strong Hold Baptist Church who are to serve as directors until their successors are elected and qualified. The names and addresses of the board of directors are as follows: [Section 3323(a)(6)]

Joel Haynes	Mark Haynes	Fabiola Haynes	Tricia Haynes
P.O. Box	P.O. Box	P.O. Box	P.O. Box
Ganado, AZ 86505	Ganado, AZ 86505	Ganado, AZ 86505	Ganado, AZ 86505

ARTICLE VII

The names and addresses of the incorporators for Strong Hold Baptist Church are as follows: [Section 3323(a)(7)]

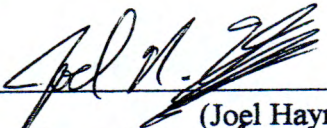
Joel Haynes	Mark Haynes
P.O. Box	P.O. Box
Ganado, AZ 86505	Ganado, AZ 86505

ARTICLE VIII

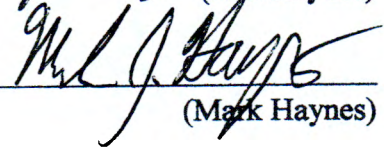
No person shall possess any property right in or to the property or assets of the corporation. Upon dissolution of this corporation as provided in the Bylaws, all assets remaining after payment of any outstanding liabilities shall be distributed exclusively for religious purposes as shall at the time qualify as an exempt organization or organizations according to Navajo Nation Corporation Code. [Section 3323(a)(8)]

ARTICLE IX

The corporation of the Strong Hold Baptist Church agrees to abide by all criminal, civil and regulatory laws of the Navajo Nation. [Sections 3332, 3107(a)(10)]



(Joel Haynes)



(Mark Haynes)

ACKNOWLEDGMENT OF THE REGISTERED AGENT

I, Joel N. Haynes, having been designated to act as Registered Agent, hereby consent to act in that capacity until removed or until a resignation is submitted in accordance with the Navajo Nation Corporation Code.

Joel N. Haynes 1/6/2016
(Signature of Registered Agent)

P.O. Box
Canada, AZ 86505
Mailing Address of Registered Agent

On the Corner of BIA N27 and N271
Nazlini, AZ 86540
Street Address of Registered Agent

STATE OF Arizona

COUNTY OF Apache

The foregoing instrument was acknowledged before me this 6th day of
January, 2016.



Christine Wauneka
(Notary Public)

My Commission Expires: 4/15/2018