

RESOLUTION OF THE  
RESOURCES AND DEVELOPMENT COMMITTEE  
23<sup>rd</sup> Navajo Nation Council --- Fourth Year, 2018

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; APPROVING THE GRANT OF  
RIGHT-OF-WAY TO NAVAJO DIVISION OF TRANSPORTATION FOR THE LITTLE  
WATER ACCESS ROAD N7119 LOCATED ON NAVAJO NATION TRUST LANDS IN  
LITTLEWATER CHAPTER, MCKINLEY COUNTY, NEW MEXICO

BE IT ENACTED:

**SECTION ONE. AUTHORITY**

Pursuant to 2 N.N.C. Section §501 (B)(2), The Resources and Development Committee of the Navajo Nation Council has the authority to grant 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. FINDINGS**

- A. The Navajo Division of Transportation, P.O. Box 4620, Window Rock, Arizona 86515, has submitted a right-of-way (ROW) application for the Little Water Access Road N7119 on, over and across Navajo Nation Trust Lands in Littlewater Chapter vicinity, McKinley County, New Mexico.
- B. The application request is attached hereto and incorporated herein as **Exhibit "A"**.
- C. The proposed right-of-way is described in the map attached hereto and incorporated herein as **Exhibit "B"**.
- D. The Land Board District No. 20 has determined that there are no land use permittees in the proposed right-of-way. The Land Board Member's memorandum is attached hereto as **Exhibit "C"**.
- E. A waiver of consideration for the right-of-way project is requested. The right-of-way project would serve a public purpose because the project will benefit Navajo residents.

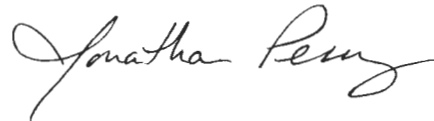
- F. A waiver of the bond, insurance, or alternative form of security on the part of Navajo Division of Transportation is requested.
- G. The environmental and archaeological studies have been completed and are attached hereto as **Exhibit "E"**.
- H. The application for the Right-of-Way as submitted by the Navajo Division of Transportation has been reviewed by the Navajo Land Department; Fish and Wildlife; Historic Preservation; Minerals Department; Navajo Nation Environmental Protection; Division of Natural Resources and the Department of Justice and "Approved" or found "Sufficient." See **Exhibit "F"**.

### **SECTION THREE. APPROVAL**

- A. The Resources and Development Committee of the Navajo Nation Council hereby approves the Grant of Right-of-Way to Navajo Division of Transportation for the Little Water Access Road N7119 located on Navajo Nation Trust Lands in Littlewater Chapter vicinity, McKinley County, New Mexico. The location is more particularly described on the survey map attached hereto as **Exhibit "B"**.
- B. The Resources and Development Committee of the Navajo Nation Council hereby waives consideration for the right-of-way project because the project will benefit Navajo residents.
- C. The Resources and Development Committee of the Navajo Nation Council hereby waives the requirement for bond, insurance or alternative form of security on the part of the Grantee based on the determination that the project benefits the Navajo Nation and such waiver is in the best interest of the Navajo Nation, pursuant to Title 25 CFR § 169.103.
- D. The Resources and Development Committee of the Navajo Nation Council hereby approves the right-of-way subject to, but not limited to, the following terms and conditions incorporated herein and attached as **Exhibit "D"**.
- E. The Resources and Development Committee of the Navajo Nation Council hereby authorizes the President of the Navajo Nation to execute any and all documents necessary to affect the intent and purpose of this resolution.

**CERTIFICATION**

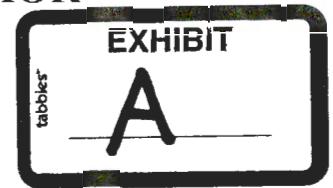
I, hereby certify that the following resolution was duly considered by the Resources and Development Committee of the 23<sup>rd</sup> Navajo Nation Council at a duly called meeting at the Navajo Transportation Administrative Complex, Tse Bonito, Navajo Nation (New Mexico), at which a quorum was present and that same was passed by a vote of 4 in favor, 0 opposed, 1 abstained on this 16<sup>th</sup> day of January, 2018.

A handwritten signature in cursive script, reading "Jonathan Perry".

Jonathan Perry, Pro Tempore Chairperson  
Resources and Development Committee  
of the 23<sup>rd</sup> Navajo Nation Council

Motion: Honorable Leonard Pete  
Second: Honorable Davis Filfred

**UNITED STATES DEPARTMENT OF THE INTERIOR**  
**BUREAU OF INDIAN AFFAIRS**



RIGHT-OF-WAY APPLICATION MUST IDENTIFY [§169.102 (a)]:

1. **Applicant Name and Address:**  
NAVAJO DIVISION OF TRANSPORTATION  
PO Box 4620; Window Rock, AZ 86515
2. **Tract(s) or parcel(s) affected by the right-of-way:** Navajo Trust Land NE/4 of Section 5; T16N; R11 W. PMNM; McKinley, New Mexico. Length 3,084.69', acreage 10.62 width 150'
3. **General Location (easement location):** Little Water Access Road N7119 within Littlewater Community
4. **Purpose:** Construction, operation and maintenance Little Water Access Road N7119
5. **Term (Renewal, if applicable** Perpetual Right of Way
6. **Identify ownership of permanent improvements associated with the right-of-way and the responsibility for constructing, operating, maintaining, and managing permanent improvements under §169.105:** NAVAJO DIVISION OF TRANSPORTATION

REQUIRED SUPPORTING DOCUMENTS [§169.102(b)]:

1. Accurate legal description of the right-of-way, its boundaries, and parcels associated with the right-of-way;
2. A map of definite location of the right-of-way; [169.102(b)(2)]; survey plat signed by professional surveyor or engineering showing the location, size, and extent of the ROW and other related parcels, with respect to each affected parcel of individually owned land, tribal land, or BIA land and with reference to the public surveys under 25 U.S.C. § 176, 43 U.S.C. § 2 and § 1764, and showing existing facilities adjacent to the proposed project.
3. Bond(s), insurance, and/or other security meeting the requirements of § 169.103;
4. Record that notice of the right-of-way was provided to all Indian landowners;
5. Record of consent that right-of-way meets the requirements of §169.107, or a statement documenting a request for a right-of-way without consent under §169.107(b);

6. If applicable, a valuation meeting the requirements of §§ 169.110, .112, .114;
7. With each application, if the applicant is a corporation, limited liability company, partnership, joint venture, or other legal entity, except a tribal entity, information such as organizational documents, certificates, filing records, and resolutions, demonstrating that:
  - a. The representative has authority to execute the application;
  - b. The right-of-way will be enforceable against the applicant; and
  - c. The legal entity is in good standing and authorized to conduct business in the jurisdiction where the land is located.
8. Current environmental and archaeological reports, surveys, and site assessments, as needed to facilitate compliance with applicable Federal and tribal environmental and land use requirements;
9. If required, a statement from the appropriate tribal authority that the proposed right-of-way is in conformance with applicable tribal law.

THE APPLICANT FURTHER STIPULATES AND EXPRESSLY AGREES AS FOLLOWS:

To conform and to abide by all applicable requirements with respect to the right-of-way herein applied for. The applicant agrees to conform to and abide by the rules, regulations, and requirements contained in the *Code of Federal Regulations*, Title 25 Indians, Part 169, as amended, and by reference includes such rules, regulations and requirements as a part of this application to the same effect as if the same were herein set out in full.

Applicant Point of Contact Information:

Name: NAVAJO DIVISION OF TRANSPORTATION

Address: PO Box 4620, Window Rock, AZ

State: ARIZONA Zip: 86515

Phone: 505-371-8300

Email: dbradley@navajodot.org

Date: August 31, 2017

Applicant:  (Signature)

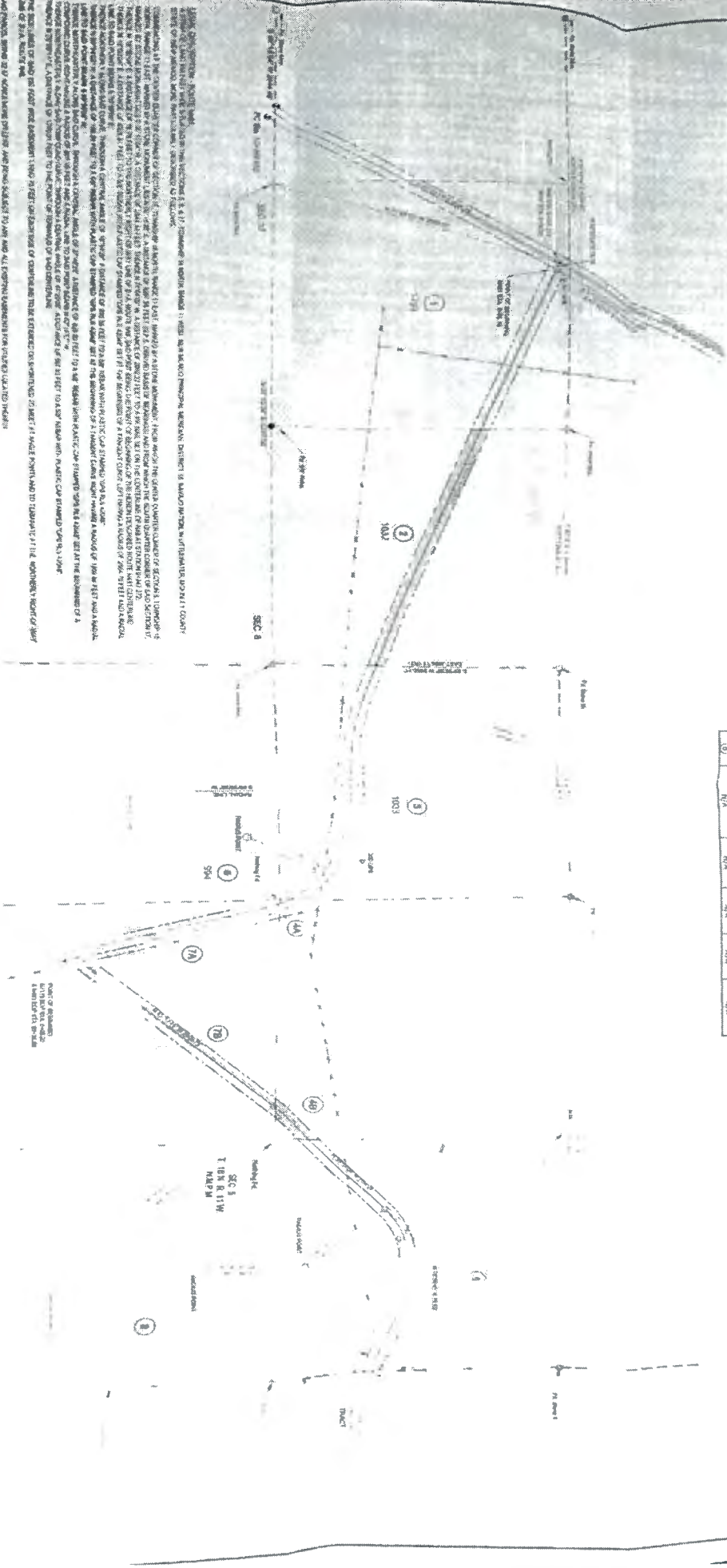
Darryl Bradley (Print Name)



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the 1970s, the 1980s, and the 1990s. The 1970s were characterized by a strong sense of community and a focus on social justice. The 1980s were marked by a shift towards individualism and a focus on economic growth. The 1990s saw a return to a more community-oriented approach, with a focus on social welfare and environmental protection. This paper will explore the historical context of these movements and their impact on the development of the field of social work.

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1. THE STATE OF TEXAS, COUNTY OF DALLAS

2. I, JAMES EARL RAY, DO hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the files of the Federal Bureau of Investigation, at Dallas, Texas.

3. Witness my hand and the seal of said office at Dallas, Texas, this 1st day of May, 1968.

4. JAMES EARL RAY, Special Agent in Charge, Dallas Office.

5. By \_\_\_\_\_, Deputy Chief of Police, Dallas Police Department.

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**WILSON**

ALLOTMENT BOUNDARY

REVISIONS		DATE	REVISIONS
NO.	DATE		
1	11/11/11		
2	11/11/11		
3	11/11/11		
4	11/11/11		
5	11/11/11		
6	11/11/11		
7	11/11/11		
8	11/11/11		
9	11/11/11		
10	11/11/11		

# LITTLEWATER CHAPTER

Post Office Box 1898  
Crownpoint, New Mexico 87313  
PHONE: (505) 786-2120  
FAX: (505) 786-2125

WEBSITE: [www.littlewaterchapter.nndes.org](http://www.littlewaterchapter.nndes.org)



## CHAPTER ADMINISTRATION

**Genevieve Castillo**

Chapter Manager

**AnnJanette Bebo**

Administrative Assistant

Email: [littlewater@navajochapters.org](mailto:littlewater@navajochapters.org)

George Jim  
President

Paul D. Pablo  
Vice President

June Barbone  
Secretary/Treasurer

Leonard Tsosie  
Council Delegate

Herbert Enrico, Sr.  
Land Board Member

May 09, 2017



Ms. Elerina Yazzie, Program Manager  
General Land Department  
Navajo Nation  
Window Rock, AZ 86515

Dear Ms. Yazzie

Little Water Chapter and Navajo Division of Transportation are currently working on the Road # N7110 for road improvement (Little Water Access Road). The Road Project is crossing the Navajo Trust Land located in NE/4 of Section 5; T.16N, R11 W .NMPM, McKinley County, NM.

There is no authorized Permittee for the above land status.

I appreciate your time and effort to help the chapter with this important project, should have any questions, please contact me at 505/786-2120.

Sincerely

A handwritten signature in black ink, appearing to read "Herbert Enrico, Sr.".

Herbert Enrico, Sr.  
Land Board

A handwritten note in black ink that says "unit #20" with a horizontal line underneath.

## FIELD CLEARANCE CHECKLIST

(This form covers only damages and compensation to individual land users. It does not cover consideration or other fees to the Navajo Nation. Use back if necessary to complete this form.)

1. Project Identification:

NAVAJO DIVISION OF TRANSPORTATION

Type of Project: ROAD #7119 PROJECT

Purpose Rights-of-way for construction; operation; maintenance for Road #7119

Location: NE/4 OF SECTION 05, T16N; R11W, PMNM McKinley County, New Mexico

Identification number(s): Road #7119 Little Water Access Road

2. Amount of land affect: length 3,084.6', acres 10.62, width 150'

3. Land status: Trust XX Fee \_\_\_\_\_ Other \_\_\_\_\_

4. List names of all individuals whose land use rights will be affected by project:

	Names	Census Number	Type of Land Use Right
1.	<u>NO PERMITTEE</u>	_____	<u>Grazing</u>
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

5. Are all land users with claims to the affected lands as shown in Branch of Land

Operations records included in the list in Item 4 \_\_\_\_\_

6. Have Grazing Committee or Land Board Member (whichever is appropriate) for the affected area confirm land user list in Item 4 by signing acknowledgement below.

### ACKNOWLEDGEMENT

I acknowledge that due notice was given to the affected community of the proposed project, and according to my records and to the best of my knowledge, the list of individuals in Item 4 includes all land users who have land use rights in the affected lands.

5/10/17  
Date

Michael Enos  
Grazing Committee or Land Board Member

#20  
District No.



HC 33 Box 10A  
Gallup NM 87301  
Phone 505/879-3918  
Email: lahenry08@yahoo.com

May 15, 2017

Ms. Elerina Yazzie  
General Land Development Department  
Division of Natural Resource  
Navajo Nation  
PO Box 2249  
Window Rock, AZ 86515

Dear Ms. Yazzie,

Navajo Division of Transportation is submitting Field Clearance package for existing Road #7119 improvement etc., construction, operation and maintenance on Navajo Trust Land within NE/4 of Section 5, T16N, R11 W, PMNM; McKinley, New Mexico. Length 3,084.69 acreage 10.62, width 150'.

Herbert Enrico, Land Board, verified there is no authorized permittee within the proposed project area. I have Mr. Enrico concurred of District #16 Land Broad land herby attached.

I have attached field clearance, land user consent and proposed map attached to the rights-of-way package.

Should you have any questions or addition information, please contact me at 505-879-3918

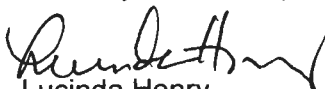
  
Lucinda Henry  
ROW Agent

EXHIBIT " D "

NAVAJO NATION RIGHT-OF-WAY TERMS AND CONDITIONS

NAVAJO DIVISION OF TRANSPORTATION (GRANTEE)

1. The term of the right-of-way shall be for twenty ( 20 ) years, beginning on the date the right-of-way is granted by the Secretary of Interior.
2. Consideration for the right-of-way is assessed at \$ 152,959.83 and shall be paid in full to the Controller of the Navajo Nation, in lawful money of the United States, and a copy of the receipt for such payment provided to the Navajo Nation Minerals Department, or its successor, within 10 days of approval of and consent to the grant of the right-of-way by the Navajo Nation.

If consideration has been waived, the Navajo Nation contributes the amount listed above to the project because the project serves a public purpose and will benefit Navajo residents.

3. The Grantee may develop, use and occupy the right-of-way for the purpose(s) of constructing, operating, and maintaining the Little Water Access Road N7119. The Grantee may not develop, use or occupy the right-of-way for any other purpose, nor allow others to use or occupy the right-of-way for any other purpose, without the prior written approval of the Navajo Nation and the Secretary of the Interior. The approval of the Navajo Nation may be granted, granted upon conditions or withheld in the sole discretion of the Navajo Nation. The Grantee may not develop, use or occupy the right-of-way for any unlawful purpose.
4. In all activities conducted by the Grantee within the Navajo Nation, the Grantee 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 169; subject to the terms of this right-of-way.
  - 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 archaeological deposits, human remains, or location reportedly associated with Native American religious/traditional beliefs or practices;
  - c. The Navajo Preference in Employment Act, 15 N.N.C. §§ 601 et seq., and the Navajo Nation Business Opportunity Act, 5 N.N.C. §§ 201 et seq.; and
  - d. The Navajo Nation Water Code, 22 N.N.C. § 1101 et seq. Grantee shall apply for and submit all applicable permits and information to the Navajo Nation Water Resources Department, or its successor.
5. The Grantee 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 right-of-way.

6. The Grantee shall clear and keep clear the lands within the right-of-way to the extent compatible with the purpose of the right-of-way, and shall dispose of all vegetation and other materials cut, uprooted or otherwise accumulated during any surface disturbance activities.
7. The Grantee shall reclaim all surface lands disturbed related to the right-of-way, as outlined in a restoration and revegetation plan, which shall be approved by the Navajo Nation Environmental Protection Agency (NNEPA) prior to any surface disturbance. The Grantee shall comply with all provisions of such restoration and revegetation plan and shall notify the Director of the NNEPA immediately upon completion of the surface disturbance activities so that a site inspection can be made.
8. The Grantee shall at all times during the term of the right-of-way and at the Grantee's sole cost and expense, maintain the land subject to the right-of-way and all improvements located thereon and make all necessary and reasonable repairs.
9. The Grantee shall obtain prior written permission to cross existing rights-of-way, if any, from the appropriate parties.
10. The Grantee shall be responsible for and promptly pay all damages when they are sustained.
11. The Grantee shall indemnify and hold harmless the Navajo Nation and the Secretary of the Interior and their respective authorized agents, employees, landusers and occupants, against any liability for loss of life, personal injury and property damages arising from the development, use or occupancy or use of right-of-way by the Grantee.
12. The Grantee shall not assign, convey, transfer or sublet, in any manner whatsoever, the right-of-way or any interest therein, or in or to any of the improvements on the land subject to the right-of-way, without the prior written consent of the Navajo Nation and the Secretary of the Interior. Any such attempted assignment, conveyance or transfer without such prior written consent shall be void and of no effect. The consent of the Navajo Nation may be granted, granted upon conditions or withheld in the sole discretion of the Navajo Nation.
13. The Navajo Nation may terminate the right-of-way for violation of any of the terms and conditions stated herein. In addition, the right-of-way shall be terminable in whole or part by the Navajo Nation for any of the following causes:
  - a. Failure to comply with any term or condition of the grant or of applicable laws or regulations;
  - b. A non-use of the right-of-way for the purpose for which it is granted for a consecutive two year period; and
  - c. The use of the land subject to the right-of-way for any purpose inconsistent with the purpose for which the right-of-way is granted.
  - d. An abandonment of the right-of-way.
14. At the termination of this right-of-way, the Grantee 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 Grantee shall provide the Navajo Nation, at the Grantee's sole cost and expense, with an environmental audit assessment of the premises at least sixty (60) days prior to delivery of said premises.
15. Holding over by the Grantee after the termination of the right-of-way shall not constitute a renewal or extension thereof or give the Grantee any rights hereunder or in or to the land subject to the right-of-way or to any improvements located thereon.

16. The Navajo Nation and the Secretary of the Interior shall have the right, at any reasonable time during the term of the right-of-way, to enter upon the premises, or any part thereof, to inspect the same and any improvements located thereon.
17. By acceptance of the grant of right-of-way, the Grantee consents to the full territorial legislative, executive and judicial jurisdiction of the Navajo Nation, including but not limited to the jurisdiction of the Navajo Nation, including but not limited to the jurisdiction to levy fines and to enter judgments for compensatory and punitive damages and injunctive relief, in connection with all activities conducted by the Grantee within the Navajo Nation or which have a proximate (legal) effect on persons or property within the Navajo Nation.
18. By acceptance of the grant of right-of-way, the Grantee 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 right-of-way or to the Navajo Nation.
19. Any action or proceeding brought by the Grantee against the Navajo Nation in connection with or arising out of the terms and conditions of the right-of-way shall be brought only in the Courts of the Navajo Nation, and no such action or proceeding shall be brought by the Grantee against the Navajo Nation in any court of any state.
20. Nothing contained herein shall be interpreted as constituting a waiver, express or implied, of the sovereign immunity of the Navajo Nation.
21. 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.
22. 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 Grantee, and the term "Grantee," whenever used herein, shall be deemed to include all such successors, heirs, assigns, executors, administrators, employees and agents.
23. There is expressly reserved to the Navajo Nation full territorial legislative, executive and judicial jurisdiction over the right-of-way and all lands burdened by the right-of-way, including without limitation over all persons, including the public, and all activities conducted or otherwise occurring within the right-of-way; and the right-of-way and all lands burdened by the right-of-way shall be and forever remain Navajo Indian Country for purposes of Navajo Nation jurisdiction.
24. The Navajo Nation reserves the right to grant rights-of-way within the right-of-way referenced herein for utilities, provided that such rights-of-ways do not unreasonably interfere with the Grantee's use of the right-of-way.





United States Department of the Interior  
Bureau of Indian Affairs  
Navajo Region  
P. O. Box 1060  
Gallup, New Mexico 87305



MC: 460 Branch of Environmental Quality Act Compliance & Review

Ms. Jovonna John, Environmental Specialist  
Navajo Division of Transportation  
P.O. Box 4620  
Window Rock, AZ 86515

AUG 11 2017

Attention: Ms. John, Environmental Specialist

Dear Ms. John:

The Environmental Assessment (EA), EA-17-18640, received May 09, 2017, for the Navajo Division of Transportation (NDOT) Proposed to reconstruct two (2) existing dirt roadways 1.6 miles (6,100 feet) of N481 and 1.8 miles (9,800 feet) of N7119 totaling of approximately 3.0 miles (15,900 feet) with a 150 foot Right-of-Way of roadway in Littlewater, New Mexico on the Navajo Nation Trust Lands and Allotted Lands, was reviewed in the Branch of Environmental Quality Act Compliance and Review, Navajo Regional Office. The Regional Office requested corrections to the legal descriptions and area of effect which was revised 3 times and final revisions were received on August 2, 2017.

NDOT proposes to reconstruct approximately 3 miles (15,900 feet) of two (2) existing dirt roadways N481 and N7119 in Littlewater, McKinley County, New Mexico. The project will encompass paving a 20 foot wide asphalt road with 2 feet shoulder on both sides of the asphalt road, fencing the right-of-way (ROW), installment of cattle guards, and drainage infrastructure. The proposed project is will consist of a 3 miles (15,900 feet) of payment with a ROW of 150 feet corridor right-of-way totaling in 2,385,000 sq. feet/55.0 acres, more or less, across Navajo Tribal Trust and Indian Allotted Lands.

In accordance with Section 102 (2) (c) of the National Environmental Policy Act (NEPA) of 1969, as amended, and the Council of Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations (CFR) Parts 1500-1508), the Bureau of Indian Affairs, Navajo Regional Office, finds that the Proposed Action is not a major federal action that will significantly impact the quality of the human environment. Therefore, an Environmental Impact Statement is not required for implementing the Proposed Action. This Finding of No Significant Impact (FONSI) is supported by the Environmental Assessment (EA) and the supporting appendices and documents.

If you have questions, you may contact Ms. Harilene Yazzie, Supervisory Environmental Protection Specialist at (505) 863-8287.

Sincerely,

Acting Regional Director, Navajo



**FINDING OF NO SIGNIFICANT IMPACT  
ENVIRONMENTAL ASSESSMENT EA-17-18329**

**Navajo Division of Transportation (NDOT) Proposed to reconstruct two (2) existing dirt roadways 1.6 miles (6,100 feet) of N481 and 1.8 miles (9,800 feet) of N7119 totaling of approximately 3.0 miles (15,900 feet) with a 150 foot Right-of-Way of roadway in Littlewater, New Mexico on the Navajo Nation Trust Lands and Allotted Lands**

**Navajo Nation Division of Transportation (NDOT)**

**Location: Casamero Lake, New Mexico Quadrangles, USGS 7.5 Minute Series Map  
Section 5, 8 & 17, T16N, R11W, G&SRM  
Littlewater, McKinley County, New Mexico  
Heart Rock, New Mexico Quadrangles, USGS 7.5 Minute Series Map  
Section 32, T17N, R11W, G&SRM  
Littlewater, McKinley County, New Mexico**

NDOT proposes to reconstruct approximately 3 miles (15,900 feet) of two (2) existing dirt roadways N481 and N7119 in Littlewater, McKinley County, New Mexico. The project will encompass paving a 20 foot wide asphalt road with 2 feet shoulder on both sides of the asphalt road, fencing the right-of-way (ROW), installment of cattle guards, and drainage infrastructure. The proposed project is will consist of a 3 miles (15,900 feet) of payment with a ROW of 150 feet corridor right-of-way totaling in 2,385,000 sq. feet/55.0 acres, more or less, across Navajo Navajo Tribal Trust and Indian Allotted Lands.

The BIA's deliberation as to whether a Finding of No Significant Impact (FONSI) is appropriate, or, whether an Environmental Impact Statement (EIS) should be prepared, took into consideration, the following issues, which are addressed in the environmental assessment (EA).

1. **Beneficial and adverse environmental impacts:** The EA demonstrates that there will be no significant adverse or beneficial impacts on the quality of the human environment, including: land resources, water resources, air resources, biotic resources, cultural resources, socioeconomic conditions, resource/land use patterns, and wilderness and wetland areas.
2. **Public health and safety:** There will be no known impact to public health or safety. The health and public safety of the community will improve with the installation of wastewater lines (EA Section 2.0.3. No Action Alternative).
3. **Clean Water Act (CWA) Compliance:** When a project spans, crosses or results in work in a river bed, stream bed or wetland, permits from the U.S. Army Corps of Engineers (ACOE) and/or the Navajo Nation Environmental Protection Agency, Water Quality Program may be required, including: Section 401, Water Quality Certification; Section 402(p), Storm Water Pollution Prevention Plan, if the project activity will disturb surfaces of ½ acre or more; and Section 404, Permit for Discharge of Dredge or Fill Material into Waters of the US. The applicant shall submit and obtain approval for all required applications prior to construction. The applicant shall adhere to all mitigation measures and strategies developed with the U.S. Army Corps of Engineers and the Navajo Nation Environmental Protection Agency: Based on the EA, this project will not cross or span any waters of the United States. Navajo Nation Division of Transportation will contact Ms. Leanna Martinez, 401 Coordinator/Senior Environmental Protection Specialist with the Navajo Nation Environmental Protection Agency - Water Quality/NPDES Department, before construction begins to ensure that permits are not needed for this project.



4. **Unique characteristics of the geographic area:** The project area is not unique within its geographical setting and is similar to other areas in the region. There are no prime farmlands, wild and scenic rivers, wilderness areas, refuges, park lands, unique ecological areas, or other unique or rare characteristics of the land and aquatic environs that will be significantly affected.
5. **Degree to which the effects on the quality of the human environment are likely to be highly controversial:** There are no known scientific controversies over the effects of the proposed project on the human environment.
6. **Degree to which the effects are highly uncertain or involve unique or unknown risks:** There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks.
7. **Degree to which this action will establish a precedent for future actions with significant effects:** This project will not set a precedent for similar projects that may be implemented by the BIA or other agencies.
8. **Relationship to other actions with cumulatively significant impacts:** There are no known incremental effects of the action that become significant when added to other past, present, or reasonably foreseeable future actions that have affected, or will affect, the project area.
9. **Degree to which the action may affect districts, sites, objects, or structures listed on, or eligible for, the National Register of Historic Places, or may cause loss of significant cultural resources:** A cultural resources inventory of the project area has been completed by Navajo Capital Improvement Office. The Navajo Nation Historic Preservation Department issued NNHPD No. HPD-92-178 and HPD 92-178.1 stating "No historic properties affected with the following conditions:

The sites below be avoided by 15 meters through the re-design of the road.

Sites: NM-Q-25-43  
NM-Q-24-16  
NM-Q-24-17  
NM-Q-24-19  
NM-Q-24-41  
NM-Q-24-42

Site: NM-Q-24-20

Monitor by qualified archaeologist during construction and placement of permanent barrier 30 days after construction completion.

In the event of a discovery of a previously unidentified or incorrectly identified cultural resource(s), all operations in the immediate vicinity of the discovery must cease, and the NNHPD must be notified.

10. **Degree to which the action may affect threatened, endangered, or sensitive species or their habitat:** A Biological Resources Compliance Form, NNDFW Review No. 16ndot02a3, was issued by the Navajo Nation Department of Fish and Wildlife on July 07, 2016, approving the proposed action with avoidance/mitigation measures. There are no conditions of compliance provided NDOT adhere to the following:

NDOT will avoid the breeding seasons for the Burrowing Owl and Mountain Plover or surveys will precede road improvements and maintenance activities per P.A.

11. **Whether the action violates Federal or local laws or requirements imposed for the protection of the environment:** The proposed project will not violate any Federal or Tribal environmental laws or requirements.
12. **Indian Trust Assets:** The proposed project area does not contain any Indian Trust Assets in the form of perennial water resources, fisheries, saleable timber, paleontology resources or agricultural resources. The proposed project area is not part of any right-of-way avoidance and exclusion areas, wilderness area, special management area, area of critical environmental concern, or other protected area.
13. **Climate Change, its effects on the proposed action and its environmental impacts:** The proposed action will have little to no effect on climate change. Conditions of construction and mitigation measures will be implemented during construction to minimize the impact to Climate Change (EA Section 4.0 (b) Physical Impacts and Section 5.0 (f) Pollution Prevention).

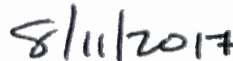
## CONCLUSION

The proposed action is the Preferred Alternative. It does not constitute a major federal action, which normally requires preparation of an environmental impact statement (EIS).

Based on the foregoing, it has been determined that an EIS is not required for this project and thus will not be prepared.



Regional NEPA Coordinator



Date





**TTP Projects  
Abbreviated Environmental  
Assessment**

Proposed Project: N7119(1)/N481 (1)2,3 Littlewater Chapter Access 3 miles  
Date: June 28, 2017

***Preparer Information***

*Name: Jovonna John*

*Title: Environmental Specialist*

*Email: [jjohn@navajodot.org](mailto:jjohn@navajodot.org)*



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## **APPLICABILITY**

This form can be used if the proposed project has been determined to be routine in nature having limited context and intensity (e.g., limited size and magnitude or short-term effects). This Form is intended to be used when a project cannot be categorically excluded from a formal environmental assessment, but when the environmental impacts of the proposed project are excluded to be insignificant and a detailed EA would not be appropriate. Accordingly, this Form is intended to meet the intent of a short EA while satisfying the regulatory requirements of an EA. Proper completion of the Form will allow the BIA to determine whether the proposed project can be processed with a short EA, or whether a more detailed EA or EIS must be prepared.

The Form can be used if the project will result in no significant environmental impacts on threatened/endangered species, public health or safety, wetlands, wild or scenic rivers, refuges, floodplains, rivers placed on the nationwide river inventory, prime or unique farmlands, and historic properties. The project will not have any highly controversial or uncertain effects on the environment or pose any unique or unknown environmental risks to immediate and surrounding environment. The project will not establish a precedent.

## **AUTHORITY**

This is an abbreviated EA written in accordance with 43 CFR 46.310: (b) "When the Responsible Official determines that there are no unresolved conflicts about the proposed action with respect to alternatives uses of available resources, the environmental assessment need only consider the proposed action and does not need to consider additional alternatives, including the no action alternative. (See Section 102(2)(E) of NEPA)." The EA contains the minimum EA requirements found in 43CFR 46.310 (a): (a) At a minimum, an environmental assessment must include brief discussions of (1) The proposal; (2) The need for the proposal; (3) The environmental impacts of the proposed action; (4) The environmental impacts of the alternatives considered; and (5) A list of agencies and persons consulted.

If you have questions as to whether the use of this form is appropriate for your project, contact the Regional Environmental Scientist or Environmental Specialist BEFROE using this form.

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**1. Project Description** (List and clearly describe ALL components of project including all connected actions). Attach a map or drawing of the area with the location(s) of the proposed action(s) identified: The Navajo Nation Division of Transportation (NNDOT), in cooperation with the Federal Highway Administration's Office of Tribal Transportation (FHWA TTP) proposes to reconstruct two existing dirt roadways (N481/N7119) to improve the driving surface, horizontal/vertical geometry, drainage, signage and overall safety.

The project is located within the Littlewater Chapter community, McKinley County, New Mexico. A two-lane paved roadway would be constructed from Borrego Pass Road (N48) to the entrance of the Littlewater chapter neighborhood entrance. The road construction would be approximately 9,800 feet along N481 and 6,100 feet along N7119 for a total of approximately 3 miles. The proposed typical roadway section would consist of two 10-foot driving lanes and two 2-foot shoulders. The existing driveways (as directed by the Chapter officials) will be reconstructed and paved to the road's ROW line. The ROW measurements seeking is 150 feet wide and 75 feet on either side of the route. New fencing, Type II gates and cattle guards will be installed on the project to prevent livestock from entering the roadway. Corrugated metal pipes (CMPs) with end sections will be installed under the roadway and driveways to facilitate drainage. Dissipation structures will be constructed on outlets of the CMPs. The roadway will be striped and appropriate MUTCD compliant signage will be installed. Temporary and permanent erosion control methods will be installed to prevent excessive sediment transport from the disturbed areas of construction. Existing utility crossings will be relocated that are in conflict with the proposed roadway improvements.

**2. Project Purpose and Need:** The current road does not have a proper drainage system. The current grade is insufficient to facilitate proper run-off during inclement weather. The road becomes impassable during heavy inclement weather which emergency personnel, school buses, local commuters, etc. cannot reach the local community.

The purpose of the Littlewater Roadway project is to reconstruct two existing dirt roadways (N481 and N7119) to improve the driving surface, horizontal/vertical geometry, drainage, signing and overall safety. The roadways serve as access to the Littlewater Chapter house and residential properties throughout.

**3. Describe the affected environment (existing conditions) and land use in the vicinity of the project:** The route is an unimproved dirt road with no proper drainage during inclement weather. The route runs thru Allotment and Tribal Trust Lands in which the affected land use for Allotment Land 2.2 miles/40 acres and Tribal Trust Land 0.57 miles/10.36 acres. The legal description of the project is within Section 17 Township 16 North Range 11 West, Section 8 Township 16 North Range 11 West, Section 5 Township 16 North Range 11 West and Section 32 Township 17 North Range 11 West.



**4. Alternatives to the Project:** Describe any other reasonable actions that may feasibly substitute for the proposed project, and include a description of the "No Action" alternative. If there are no feasible or reasonable alternatives to the proposed project, explain why (attach alternatives drawings as applicable):

No Action Alternative: New Construction would not occur within the project limits in this alternative. The No Action alternative would only include minor roadway corrections and routine maintenance activities without major improvements of the existing roadway the service conditions would not improve. The flooding would continue N481/N7119 due to unstable vegetation and soils. Lack of adequate roadway width, crown and shoulders for proper drainage leveling deplorable conditions during snow and monsoon weather.

Alternative Resurfacing of N481/N7119 of the project using the present roadway alignment and width or combination thereof, is a solution to improving the traffic. This alternative would address the drainage problems or future increase in traffic. This alternative would consist of grading, blading, grubbing and applying 3-6 inches of chip seal surface. Resurfacing is feasible on N481/N7119 because of the existing surface from previous dirt road to chip seal that is incised below the natural terrain resulting in constant impassable conditions during storms.

Alternative Proposed Action will include improvement to the existing route from dirt road to chip seal within the existing right-of-way to create continuous traffic flow through the entire route. This alternative shall include construction of the drainage areas to control flood and/or drainage issues. Chip sealing will be placed on the roadway as a final all weather driving surface. Installation/replacement of culverts will better accessibility for school buses, residents, emergency personnel in a safe manner in all weather conditions.

## **5. Environmental Consequences**

### **(A) LAND RESOURCES**

Would the proposed project directly or indirectly impact land resources (topography, soils)?

The project will have removal of vegetation and soil will be accomplished in a manner to reduce soil erosion and to disturb as little vegetation as possible. Grading operations and reseedling of indigenous species will begin immediately following construction. Heavy equipment will be inspected and cleaned prior to entering the project area to remove any mud or soil adhering to the equipment, which may harbor seeds of noxious weeds, prior to construction and transportation of any heavy equipment to the project site. Preventative measures will be taken to reduce the likelihood of spreading noxious weeds in the project area. Additionally, construction crews will avoid transporting seed of noxious plants from other project area to the next. Best Management Practices (BMPs) for erosion control shall be implemented as appropriate in accordance with the SWPPP. Disturbed areas shall be revegetated with native vegetation in accordance with the seed mix designs presented in the SWPPP.

### **(B) Water Resources**

Would the proposed project directly or indirectly impact water resources (including wetlands and floodplains)?

The proposed roadway will cross various drainages and water crossings. Road construction is expected to impact these drainages. Area 1 will have 2 culverts installed on Allotted Land; Area 2 will have 4 culverts installed on Tribal Trust Land; Foreseeable effects of the proposed action



would be a temporary increase in surface water runoff from the project area until the disturbed ground stabilizes from establishing vegetation and mulching of the slopes. Drainage structures would be installed in a manner that minimizes soil erosion and provides for a minimum of 12 inches (30 centimeters) of cover over the pipe. Structural replacements would be performed during periods of low-or-no flow periods to minimize water quality impacts. Clean Water Act Section 401, 402 & 404 permits have been submitted to Navajo Nation EPA (NNEPA) for review and approval of the permits. The permits are to be obtained prior to construction. Floodplain consultation was conducted to Navajo Division of Natural Resources Department of Water Management Branch, after their research studies have been found in the general area conducted by Federal Emergency Management Agency (FEMA) – August 2011. Information provided was for existing floodplain information – noting its limitations. It must be understood that the party fulfilling their regulatory obligations assumes responsibility for all determinations and resulting actions based on the information provided in the response back from the consultation memo sent to their office.

***(C) LIVING RESOURCES***

Would the proposed project directly or indirectly impact living resources?

The project will not have direct impact to the living resources within the project area.

***(D) CULTURAL RESOURCES***

Would the proposed project directly or indirectly impact cultural resources?

The project will have impact to archaeological sites that have been identified along the 3 miles of the N481/N7119. The original report has a survey corridor that is 150 ft. (45 m) in width and 15,840 ft. (3 miles) in length. The addendum report (reroutes) has two survey corridor segments that equal to a 100 ft. (31 m) in width and is 9,504 ft. (0.7 and 1.1 miles) in length and another segment that is 200 ft. (61 m) in width and is 500 ft. (152 m) in length.

(a) Describe any impact the proposed project might have on any properties in or eligible for inclusion in the National Register of Historic Places.

Navajo Nation Archaeology Department (NNAD) completed two (02) cultural inventories for 3 miles of dirt roads along N481/N7119. A total of Eight (08) archaeological sites were determined as eligible for listing on the National Register of Historic Places (NRHP).

(b) Describe any impacts to archaeological resources as a result of the proposed project.

Out of eight (08) sites, two (02) will be impacted and according to the Navajo Nation Archaeology Department suggested a determination of No Historic Properties Affected for the purposed undertaking in conjunction with the following mitigation/commitments. The site boundary will be flagged and a temporary fence will be placed along the construction zone edge prior to construction activities. All construction and fencing activities within 50 ft. (15 m) of the site will be monitored. Construction activities will be limited to the construction zone. A permanent fence extending from the ROW to the edge of the construction zone edge will be installed to prevent further disturbance to the site. Geotextile material will be placed over those undisturbed portions of the site prior to buildup of the road.

***(E) RESOURCE USE PATTERNS***

Would the proposed project directly or indirectly impact resources use patterns (hunting/fishing, agriculture, mining, recreation, transportation networks)?

There will be no direct or indirectly impact to hunting/fishing, agriculture, mining and/or recreation. However, a traffic control plan has been developed to ensure that the local transportation

***(F) ENVIRONMENTAL JUSTICE***

Would the proposed project have a disproportionate impact on minority and/or low-income communities? Consider human health, social, economic, and environmental issues.

The project will only create a positive impact to the many low-income, minority families that use this road to commute to and from school, work, church, etc. No adverse effects related to environmental justice or socio-economics are expected.

***(G) OTHER IMPACTS***

Would the proposed project directly or indirectly impact any other area (sound/noise, wilderness, public health and safety)?

Due to existing traffic of the project area, there are no sound or noise issues associated with the proposed action. Noise will temporarily be increased above current background noise; however, it is expected to be minor and work will occur during daytime hours and not on weekends or holidays. Also, due to existing traffic of the project area, there are no sound or noise issues associated with the proposed action. Air quality attainment are based on the NAAQS. Due to the fact that the project will not result in increased traffic volume, long-term emissions increases will not occur. Thus, the proposed action will no lasting adverse impacts on the air quality. Construction crews will limit unnecessary idle times on diesel-powered engines, implement dust control measures during land clearing and other related activities, and cover loads during transport.

***(H) CUMULATIVE IMPACTS***

Discuss impacts from past, present and reasonably foreseeable future projects in the area. Would the proposed project produce a cumulative effect on any of the environmental impact categories above? Consider projects that are connected and may have common timing and/or location. For purposes of this Form, generally use 3 years for past projects and 5 years for future foreseeable projects.

The proposed surface disturbance and increased sediment yields, along with an increase in the road that would direct sedimentation crossing would occur mainly where the unnamed tributary that would encroach into the roadway. Other vegetation damaging practices such as livestock grazing and vegetation management could impact the water resources within the analysis area and could continue to do so throughout the life of the proposed project. Community development in the area is currently minimal and is likely to increase in the future. This increase has not been quantified; however, it is expected to be deminimis based on the surrounding community development. The foreseeable effects of the proposed action on the socioeconomic resources of the construction area are beneficial. Community and economic development within Littlewater area dependent upon the condition of its roadways. Paved, all-weather roadway provide improved access to health care, facilities, schools, housing and jobs.

**6. PERMITS**

List all required permits for the proposed project. Has coordination with the appropriate agency commenced and what is the expected time frame of receiving a permit?

Permits that will be required for this project include Navajo Nation Environmental Protection Agency – Water Quality Program for 404 permit, 401 Certification and 402 permit.



## **7. MITIGATION**

Describe those mitigation measures to be taken to avoid creation of significant impacts to a particular resource as a result of the proposed project, and include a discussion of any impacts that cannot be mitigated.

Navajo DOT will not conduct ground disturbing activities within occupied habitat for the burrowing owl or mountain plover between March and August. A survey for active migratory bird nests will occur prior to construction and any ground disturbing activities. If an active nest is identified, the Navajo Fish and Wildlife Department (NNFWD) will be contacted before conducting further project activities. If any project activities are proposed to take place during the nesting season, the project area should be surveyed for active or occupied bird nests. Preventative measures will be taken to reduce the likelihood for spreading noxious weeds in the project area. Additionally, construction crews will avoid transporting seeds of noxious plants from other to the project area. Heavy equipment will be inspected and cleaned prior to entering the project area to remove any mud or soil adhering to the equipment, which may harbor seeds of noxious weeds, prior to construction of any heavy equipment to the project site. In the event of a discovery ["discovery" means any previously unidentified or incorrectly identified cultural resources, including but not limited to, archaeological deposits, human remain or locations reportedly associated with Native American religious/traditional beliefs or practices], the Contractor must immediately cease all operations in the immediate vicinity of the discovery and notify the Engineer. The Contractor should be aware of his/her responsibilities under the Historic Preservation Act of 1966 and the Archaeological Resources Protection Act of 1979. Upon notification of a discovery by the Contractor, the Engineer must immediately notify the Navajo Nation Tribal Historic Preservation office (NNTHPO) and the FHWA Environmental Coordinator. Removal of vegetation and soil will be accomplished in a manner to reduce soil erosion and to disturb as little vegetation as possible. The addendum report (reroutes) has two survey corridor segments that equal to a 100 ft. (31 m) in width and is 9,504 ft. (0.7 and 1.1 miles) in length and another segment that is 200 ft. (61 m) in width and is 500 ft. (152 m) in length. The BRCF has a survey corridor that is 300 ft. (91 m) in width and is 15,840 ft. (3.0 miles) in length. Both the CRCF and BRCF are true to their total acreage inspected, it's just that the BRCF has a wider survey corridor. Grading operations and reseeding of indigenous species will begin immediately following construction. If water is obtained from the Navajo Nation, then the construction contractor would obtain a permit from the Department of Water Resources Management at least 30 day prior to construction. No work shall occur within jurisdictional Waters of the United States until the appropriate Clean Water Act Section 401 and 404 permits are obtained prior to construction. A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and submitted in accordance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activities. Best Management Practices (BMPs) for erosion control shall be implemented as appropriate in accordance with the SWPPP. Disturbed areas shall be revegetated with native vegetation in accordance with the seed mix designs presented in the SWPPP. Any locally known flooding sources and drainage issues will be considered during the design and construction phases of the proposed project. Parking and staging areas will be located within the boundaries of the construction area. Drainage structures will be installed in a manner that minimizes soil erosion. Structural replacements will be performed during periods of low-or-no flow periods to minimize water quality impacts. Short term airborne pollutant impacts from construction related activities will be controlled with regular applications of water to graded and exposed areas within the project. Construction equipment will be inspected daily for

leaks. Leaking equipment will be removed from the project site until repaired and spills will be cleaned up. All waste materials (asphalt, brush, concrete, steel, etc.) shall be disposed off-site in accordance with applicable local, state, federal and tribal regulations. All fuels, oils, lubricants, and hydraulic fluids will be kept in sealed storage containers or facilities that are located within the construction area. Construction crews will limit unnecessary idle times on diesel-powered engines, implement dust control measures during land clearing and other related activities, and cover loads during transport. Any buried utility alignments will be repositioned.

#### **8. LIST OF AGENCIES AND PERSON CONSULTED**

Navajo Fish & Wildlife Department  
Natural Heritage Program  
Pam Kyselka, Wildlife Biologist

Navajo Nation Environmental Protection Agency  
Water Quality Program  
Lee Anna Martinez-Silversmith, 401 Coordinator/Environmental Specialist

Division of Natural Resources  
Department of Water Management Branch  
Maurice Upshaw, GIS Supervisor

Federal Highway Administration  
Office of Tribal Transportation  
David E. Cremer, Environmental Coordinator  
Jamie F. Torres Gonzalez, Transportation Specialist

**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.: Navajo Route 481/Navajo Route 7119 Road Improvement & Maintenance

DESCRIPTION: The NDOT proposes to improve and maintain NR 481 and NR 7119. The project would consist of blading, filling, culvert installation, graveling and chip seal paving.

LOCATION: Littlewater Chapter, McKinley County, New Mexico

REPRESENTATIVE: Jovonna John, Environmental Specialist, Navajo Division of Transportation

ACTION AGENCY: Navajo Division of Transportation (NDOT)

B.R. REPORT TITLE / DATE / PREPARER: Request for review & concurrence/01 JUL 2016/Jovonna John

SIGNIFICANT BIOLOGICAL RESOURCES FOUND: Area 3

POTENTIAL IMPACTS

NESL SPECIES POTENTIALLY IMPACTED: [1] Athene cunicularia (Burrowing Owl), G4, MBFA; [2] Charadrius montanus (Mountain Plover), G4, MBFA.

FEDERALLY-LISTED SPECIES AFFECTED: NA

OTHER SIGNIFICANT IMPACTS TO BIOLOGICAL RESOURCES: NA

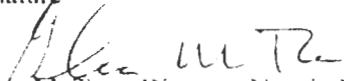
AVOIDANCE / MITIGATION MEASURES: NDOT will avoid the breeding seasons for the Burrowing Owl and Mountain Plover or surveys will precede road improvement and maintenance activities per PA.

CONDITIONS OF COMPLIANCE\*: NA

FORM PREPARED BY / DATE: Pamela A. Kyselka/11 JUL 2016

COPIES TO: (add categories as necessary)

☐ \_\_\_\_\_ ☐ \_\_\_\_\_

<u>2 NTC § 164 Recommendation:</u> <input checked="" type="checkbox"/> Approval <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)	Signature  Gloria M. Tom, Director, Navajo Nation Department of Fish and Wildlife	Date 7/12/16
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HPD-92-178 & .1  
NAVAJO DIVISION OF TRANSPORTATION

POST OFFICE BOX 4620, WINDOW ROCK, AZ 86515

TEL: 505-371-8300/8301 FAX: 505-371-8399

RUSSELL BEGAYE  
PRESIDENT

JONATHAN NEZ  
VICE-PRESIDENT

December 29, 2016

JAN 13 2017

Tamara Billie, Acting THPO  
Navajo Nation Historic Preservation Department  
P.O. Box 4950  
Window Rock, Arizona 86515

RE: Request for Approval of a Cultural Resources Inventory Determination Form (CRIDF) for the Proposed Road Construction of Routes N481 and N7119 in Littlewater, McKinley County, New Mexico.

Ms. Billie,

The Navajo Division of Transportation - Project Management would like to request to use existing cultural resources inventory and compliance documents for existing routes N481 and N7119 in Littlewater, McKinley County, New Mexico. Road construction activities will entail construction and maintenance activities including, but not limited to, clearing and grubbing, grading, trenching, placement of drainage culverts, backfilling, and graveling and/or chip sealing of the existing road surface. Ground disturbance with heavy equipment will be intensive and extensive.

Navajo Nation Archaeology Department (NNAD) completed two (2) cultural resource inventories for 3.0 miles of dirt roads routes and proposed reroutes along N481 and N7119 (N48-N481 Junction to Littlewater Chapter).

HPD-92-178/NNAD-91-257

Project Title: A Cultural Resources Inventory of the Proposed Road Construction on N-481 and N-7119 Roads to the Littlewater Chapter, McKinley County, New Mexico.

Total Acreage Inspected: 54.5 acres

Cultural Resources Identified: Seven (7) archaeological sites were identified along both N481 and N7119 routes.

NM-Q-24-16; Anasazi PI-PIII ceramic/lithic scatter, NRHP eligible

NM-Q-24-17; Anasazi PII-PIII ceramic scatter; NRHP ineligible

NM-Q-24-18; Unknown n.d. (no date) lithic scatter; NRHP eligible

NM-Q-24-19; Anasazi PII-PIII ceramic scatter, NRHP eligible

NM-Q-25-41; Anasazi PII-PIII ceramic scatter; NRHP ineligible

NM-Q-25-42; Anasazi PII-PIII ceramic scatter, NRHP eligible

NM-Q-25-43; Anasazi PII-PIII habitation; NRHP ineligible

HPD-92-178.1/NNAD-91-257 Add. 1

Project Title: A Cultural Resources Inventory of Reroutes for the Proposed Road Construction on N-481 and N-7119 Roads to the Littlewater Chapter, McKinley County, New Mexico

Total Acreage Inspected: 36.36 acres

Cultural Resources Identified: One (1) archaeological site identified along N-481.



NM-Q-24-20; Anasazi PII-PIV ceramic and lithic scatter, NRHP eligible

All eight (8) sites are listed as eligible properties and as archaeological resources. Stipulations in a revised CRCF document, dated April 28, 1994, which included all eight (8) sites is as follows:

"The proposed undertaking will have no effect on significant cultural properties provided the R.O.W. is moved to the west to avoid site NM-Q-25-43 by at least 15 meters. Capping site NM-Q-25-43 is not considered a viable method to mitigate site impacts. Sites NM-Q-24-16, -17, -18, -19, -41 and -42 must also be avoided at least 15 meters."

Sites -41- and -42 have a NM-Q-25 designation and not NM-Q-24. A reassessment of the archaeological sites was conducted and NNAD Site Survey and Management Update Forms were completed for the proposed project. Below are brief descriptions of the reassessments.

-Two (2) archaeological sites, NM-Q-24-16 and -17, and its artifacts and/or features could not be relocated.

Recommendations: Site NM-Q-24-16 could not be relocated, further evaluation of its condition or eligibility could not be determined. No further work is necessary and a determination of "no historic properties affected" is recommended for the proposed undertaking.

Recommendations: Site NM-Q-24-17 could not be relocated, further evaluation of its condition or eligibility could not be determined. No further work is necessary and a determination of "no historic properties affected" is recommended for the proposed undertaking.

-Two (2) archaeological sites datum, NM-Q-24-18 and -19, were relocated but only a single artifact were found at both site locations, no other artifacts and/or features were found or noted.

Recommendations: For site NM-Q-24-18, no further work is necessary and a determination of "no historic properties affected" is recommended for the proposed undertaking.

Recommendations: For site NM-Q-24-19, no further work is necessary and a determination of "no historic properties affected" is recommended for the proposed undertaking.

-Archaeological site, NM-Q-24-20, was relocated however, only three (3) Gallup black-on-white and two (2) plain grayware sherds were observed 100 ft. (30.5 m) from the southernmost edge of the site boundary. These sherds may have been collected from their original location and deposited here. No additional artifacts and/or features identified in the original site description were relocated or identified. Significant disturbance from vehicular traffic and trash dumping and burning has occurred since the original site recording and continues today

Recommendations: For site NM-Q-24-20, no further work is necessary and a determination of "no historic properties affected" is recommended for the proposed undertaking.

-Three (3) archaeological sites, NM-Q-25-41, -42, and -43 were all relocated.

Recommendations: For sites NM-Q-25-41 and NM-Q-25-42, after consultation and review of construction design and plans with NNTHPO, it was determined that the original stipulation measure of proposed nature

#### PROJECT PURPOSE & NEED:

The purpose of the Littlewater Roadway project is to reconstruct two existing dirt roadways (N481 and N7119) to improve the driving surface, horizontal/vertical geometry, drainage, signing and overall safety. The roadways serve as access to the Littlewater Chapter house and residential properties throughout.

#### DESCRIPTION OF PROPOSED PROJECT:

A two-lane paved roadway would be constructed from Borrego Pass Road (N48) to the entrance of the Littlewater Chapter neighborhood entrance. The road construction would be approximately 9,800 feet long along N481 and 6,100 feet long along N7119. The proposed typical roadway section would consist of two 10-foot driving lanes and two 2-foot shoulders. The existing driveways (as directed by the Chapter officials) will be reconstructed and paved to the roads ROW line. New fencing, Type II gates and cattle guards will be installed on the project to prevent livestock from entering the roadway. Corrugated metal pipes (CMPs) with end sections would be installed under the roadway and driveways to facilitate drainage. Dissipation structures would be constructed on the outlets of the CMPs. The roadway will be striped and appropriate MUTCD compliant signing will be installed. Temporary and permanent erosion control methods will be installed to prevent excessive sediment transport from the disturbed areas of construction. Existing utility crossings will be relocated that are in conflict with the proposed roadway improvements.

#### Alternative Mitigation

A determination of "no historic properties affected" is recommended for the proposed undertaking provided that.

For sites NM-Q-25-41 and NM-Q-25-42

1. Site Boundary will be flagged and a temporary fence will be placed along construction zone edge prior to construction activities.
2. All construction and fencing activities within 50 ft. (15 m) of the site will be monitored. Construction activities will be limited to the construction zone.
3. A permanent fence extending from the ROW to the edge of the construction zone edge will be installed to prevent further disturbance to the site.

For site NM-Q-25-43

4. Site Boundary will be flagged and a temporary fence will be placed along construction zone edge prior to construction activities.
5. Geotextile material will be placed over those undisturbed portions of the site prior to buildup of the road.
6. All construction and fencing activities within 50 ft. (15 m) of the site will be monitored. Construction activities will be limited to the construction zone.
7. A permanent fence extending from the ROW to the edge of the construction zone edge will be installed to prevent further disturbance to the site.

**\*\*Per road design, these sections of road will be filled to build up the road.**

For sites NM-Q-25-41 and NM-Q-25-42:

From Sta. 22+00 to 27+50

For site NM-Q-25-43

From Sta. 16+50 to 21+50

and extent testing plan for those areas of site within the ROW would be replaced with an alternative mitigation plan.

A determination of "no historic properties affected" is recommended for the proposed undertaking provided that.

1. Site Boundary will be flagged and a temporary fence will be placed along existing fenceline prior to construction activities.
2. All construction activities within 50 ft. (15 m) of the site will be monitored by a qualified archaeologist.
3. A permanent fence extending from the ROW to the edge of the construction zone edge will be installed to prevent further disturbance to the site.

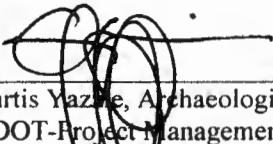
Recommendations: For site NM-Q-25-43, after consultation and review of construction design and plans with NNTHPO, it was determined that the original stipulation measure of proposed nature and extent testing plan for those areas of site within the ROW would be replaced with an alternative mitigation plan.


A determination of "no historic properties affected" is recommended for the proposed undertaking provided that.

1. Site Boundary will be flagged and a temporary fence will be placed along existing fenceline prior to construction activities.
2. All construction and fencing activities within 50 ft. (15 m) of the site will be monitored. Construction activities will be limited to the construction zone.
3. A permanent fence extending from the ROW to the edge of the construction zone edge will be installed to prevent further disturbance to the site.

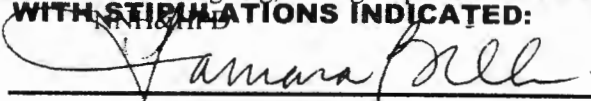
HPD-92-178 and -178.1 report CRCFs, locational maps, site forms and site maps are attached to this letter for review. Site Survey and Management Update Forms and 60% Road Design Plans/Cross Sections are also attached to the letter.

Your assistance and cooperation in this matter is appreciated.

  
Curtis Yazze, Archaeologist  
NDOT-Project Management

  
CONCURRENCE:  
Taft Blackhorse, Department Manager  
NDOT-Project Management

**NAVAJO NATION HISTORIC PRESERVATION DEPARTMENT CONCURRENCE**  
Cc: Linda Laughing, Acting Department Director  
**WITH STIPULATIONS INDICATED:**

  
Tamara Billie, Acting THPO/Sr. Archaeologist

01/23/17

Tamara Billie, Acting THPO/Sr. Archaeologist  
NN Historic Preservation Department  
PO Box 4950  
Window Rock, AZ 86515

CULTURAL RESOURCES COMPLIANCE FORM  
HISTORIC PRESERVATION DEPARTMENT  
PO BOX 2898  
WINDOW ROCK, ARIZONA 86515

*File*  
*4/16/94*  
*John*

REVISED 4/28/94

ROUTING:	COPIES TO	NNHPD NO. <u>HPD-92-178</u>
<u>NM</u>	SHPO	OTHER PROJECT NO.
<u>      </u>	ACHP	<u>NNAD-91-257</u>
<u>X</u>	REAL PROPERTY MGT/330	<u>                                </u>
<u>X</u>	NNAD	<u>                                </u>
<u>      </u>	<u>                                </u>	<u>                                </u>

PROJECT TITLE: A Cultural Resources Inventory of the Proposed Road Construction on N-481 and N-7119 Roads to the Littlewater Chapter, McKinley County, New Mexico

LEAD AGENCY: BIA/NAO

SPONSOR: Capital Improvement Department, Navajo Nation Division of Community Development, P.O. Box 1510, Window Rock, AZ 86515

PROJECT DESCRIPTION: Proposed road construction on N-481 and N-7119.

LAND STATUS: Tribal Trust

CHAPTER: Littlewater

LOCATION: T16N, R11W, Sections 5, 8, and 17

PROJECT ARCHAEOLOGIST: Denise R.E. Copeland  
NAVAJO ANTIQUITIES PERMIT NO.: NTC

DATE INSPECTED: 4/24, 5/7 & 23, 6/18/91

DATE OF REPORT: 3/6/92

TOTAL ACREAGE INSPECTED: 54.5 acres

METHOD OF INVESTIGATION: Class III pedestrian inventory with transects space 15 m apart.

LIST OF CULTURAL RESOURCES FOUND: NM-Q-24-16, -17, -18, -19, -20; NM-Q-25-41, -42, -43; (5) isolated occurrences: 91-257, 1, 2, 3, 4, 5, (4) in-use areas

LIST OF ELIGIBLE PROPERTIES: NM-Q-24-16, -17, -18, -19, -20 and NM-Q-25-41, -42, -43

LIST OF NON-ELIGIBLE PROPERTIES: All (5) I.O.'s and (4) in-use areas

LIST OF ARCHAEOLOGICAL RESOURCES: NM-Q-24-16, -17, -18, -19, and NM-Q-25-41, -42, -43

EFFECT/CONDITIONS OF COMPLIANCE: The proposed undertaking will have no effect on significant cultural properties provided the R.O.W. is moved to the west to avoid site NM-Q-25-43 by at least 15 meters. Capping site NM-Q-25-43 is not considered a viable method to mitigate site impacts. Sites NM-Q-24-16, -17, -19, -41 and -42 must also be avoided at least 15 meters.

Through project redesign, all of the sites listed above shall be avoided by a minimum of 50 feet with the exception of site NM-Q-24-20. On site NM-Q-24-20, a permanent concrete barrier will be erected under the direction of a qualified archaeologist prior to any ground disturbing activities on the project. Navajo Department of Transportation's contractor will place this barrier between the site's eastern boundary and the western edge of the construction r-o-w.

All ground disturbing activity occurring within 50 feet of site NM-Q-24-20 will be monitored by a qualified archaeologist. A brief letter report documenting the results of monitoring and placement of the permanent barrier will be provided to HPD within 30 days of completion of the monitoring field effort. Any intact cultural materials encountered in the r-o-w after the barrier is placed will be treated as a "discovery" as stipulated below.


A separate cultural resource inventory report, and an amendment to this determination of effect, will be required for any additional reroutes, construction areas, or borrow pits associated with this project and outside the currently surveyed area.

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 602-871-6437.

FORM PREPARED BY: Peter T. Noyes  
FINALIZED: 4/28/94

Notification to  
Proceed Recommended:  
Conditions:

Yes X No       
Yes X No     

  
Alan Downer  
Navajo Nation Historic  
Preservation Officer  
4/29/94  
Date

Agency Approval:

Yes ✓ No     

T. R. TIPPECONNIC  
ACTING Area Director  
JUN 07 1994  
Date

HPD-92-178



A CULTURAL RESOURCES INVENTORY OF THE PROPOSED  
ROAD CONSTRUCTION ON N-48I AND N-7119 ROADS TO THE  
LITTLEWATER CHAPTER, MC KINLEY COUNTY, NEW MEXICO

NNAD 91-257

March 6, 1992

Prepared by

Denise R.E. Copeland, M.A.  
Capital Improvement Department  
Navajo Nation Division of Community Development

Submitted by

Dr. Anthony L. Klesert, Director  
Navajo Nation Archaeology Department  
Navajo Nation Division of Resources  
P.O. Box 689  
Window Rock, AZ 86515  
602-871-6540

Submitted to

Navajo Nation Historic Preservation Officer  
Historic Preservation Department  
Navajo Nation Division of Resources  
P.O. Box 2898  
Window Rock, AZ 86515

Prepared for

Capital Improvement Department  
Navajo Nation Division of Community Development  
P.O. Box 1510  
Window Rock, Arizona 86515

Navajo Nation Authorization: Tribal Code



HPD-92-178

A CULTURAL RESOURCES INVENTORY OF THE PROPOSED ~~ROAD~~  
ROAD CONSTRUCTION ON N-481 AND N-7119 ROADS TO THE  
LITTLEWATER CHAPTER, MC KINLEY COUNTY, NEW MEXICO

NNAD 91-257

March 6, 1991

Wrong Date,  
Previous Fieldwork

Prepared by

Denise R.E. Copeland, M.A.  
Capital Improvement Department  
Navajo Nation Division of Community Development

Submitted by

Dr. Anthony L. Klesert, Director  
Navajo Nation Archaeology Department  
Navajo Nation Division of Resources  
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P.O. Box 2898  
Window Rock, AZ 86515

Prepared for

Capital Improvement Department  
Navajo Nation Division of Community Development  
P.O. Box 1510  
Window Rock, Arizona 86515

Navajo Nation Authorization: Tribal Code

## ABSTRACT

### A CULTURAL RESOURCES INVENTORY OF THE PROPOSED ROAD CONSTRUCTION ON N-48I AND N-7119 ROADS TO THE LITTLEWATER CHAPTER, MC KINLEY COUNTY, NEW MEXICO

NNAD 91-257

On behalf of the Navajo Nation Department of Transportation and Community Planning, Division of Community Development and the Littlewater Chapter, a cultural resources inventory has been completed for the proposed road. This work was conducted to evaluate the potential for this undertaking to effect significant cultural properties and to meet the requirements of Section 106 of the National Historic Preservation Act. Disturbance is expected to be limited to road construction within the road right-of-way.

The fieldwork was conducted by Denise R. E. Copeland, Archaeologist III and Minnie Begaye of the Navajo Nation Capital Improvement Department, Division of Community Development. The work was completed on April 24, May 7, 23 and June 18, 1991.

The south end of the project is located approximately 9.3 km (5.8 mi) east of U.S. 666 on N-48 and the north end of the project is located at Littlewater Chapter House, New Mexico. The legal location includes Sections 5, 8, and 17 of T 16 N, R 11 W. Approximately 4.8 km (3.0 mi) (54.5 ac [22.1 ha]) of proposed road was inventoried for this project.

Sixteen cultural resources were located within the project area. These resources include seven newly discovered and documented sites (NM-Q-24-16, 24-17, 24-18, 24-19, 25-41, 25-42, and 25-43); five isolated occurrences of cultural material (I.O. 91-257-1, 2, 3, 4, and 5); and four in-use sites (A, B, C, and D). No traditional cultural properties were located by the survey.

Seven cultural properties appear to be eligible for the National Register of Historic Places (NM-Q-24-16, 24-17, 24-18, 24-19, 25-41, 25-42, and 25-43). These sites appear to possess integrity, meet the general 50 year guideline, and appear to meet the criterion "d" for Register consideration.

Approval for the project is recommended conditional on following the "Management Recommendations" section of the report.

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## INTRODUCTION

On behalf of the Navajo Department of Transportation and Community Planning, Navajo Nation Division of Community Development and the Littlewater Chapter, a cultural resources inventory has been completed for the proposed road. This work was conducted to evaluate the potential for this undertaking to effect significant cultural properties. For the purposes of this project, Bureau of Indian Affairs is the lead agency for meeting the requirements of Section 106 of the National Historic Preservation Act.

The fieldwork was conducted by Denise R.E. Copeland M.A. (Archaeologist III), and Minnie Begaye, Geologist of the Capital Improvement Department, Navajo Nation Division of Community Development. The work was completed on April 24, May 7, 23 and June 18, 1991.

## DESCRIPTION OF UNDERTAKING

The proposed undertaking consists of two parts: 1) spot grade and drain (two culverts) with spot graveling the low spots on Route N-481 and 2) the placement of four culverts on N-7119. The emphasis of the project will be placed on the low floodplain area located on Route N-481. This area of road will be built up from fill from within the right-of-way and spot graveled. The project is to be funding by BIA maintenance.

## PROJECT LOCATION

The project is located in the Littlewater Chapter of the BIA Eastern Agency of the Navajo Reservation in McKinley County, New Mexico (Figure 1). The south end of the road (N-481) starts approximately 9.3 km (5.8 mi) east of U.S. 666 at the N-48 and N-481 junction. The project includes approximately 2.8 km (1.8 mi) of N-481 road from the junction of N-48 and N-481 to the junction of N-481 and N-7119; and 1.9 km (1.2 mi) of the N-7119 road from the Junction of N-481 and N-7119 to the Littlewater Chapter House Tract. The specific location of the project is depicted on the Casamero Lake, New Mexico (1963) and the Heart Rock, New Mexico (1963) U.S.G.S. 7.5' quad maps (Figure 2). The project area is not currently legally surveyed. The UTM coordinates of the area are given in Table 1 and the legal description and land status of the project are given in Table 2.

TABLE 1  
UTM Coordinates of the Project Area  
(Zone 12)

Reference Point	Northing	Easting
A/Junction of N-481 and N-48	39 45 490 m,	7 68 670 m
B/Bend (N-481)	39 47 060 m,	7 69 190 m
C/Bend (N-481)	39 47 650 m,	7 69 310 m
D/Junction of N-481 and N-7119	39 47 840 m,	7 69 570 m
E/Bend (N-7119)	39 49 120 m,	7 68 610 m
F/North End of N-7119	39 49 280 m,	7 68 680 m

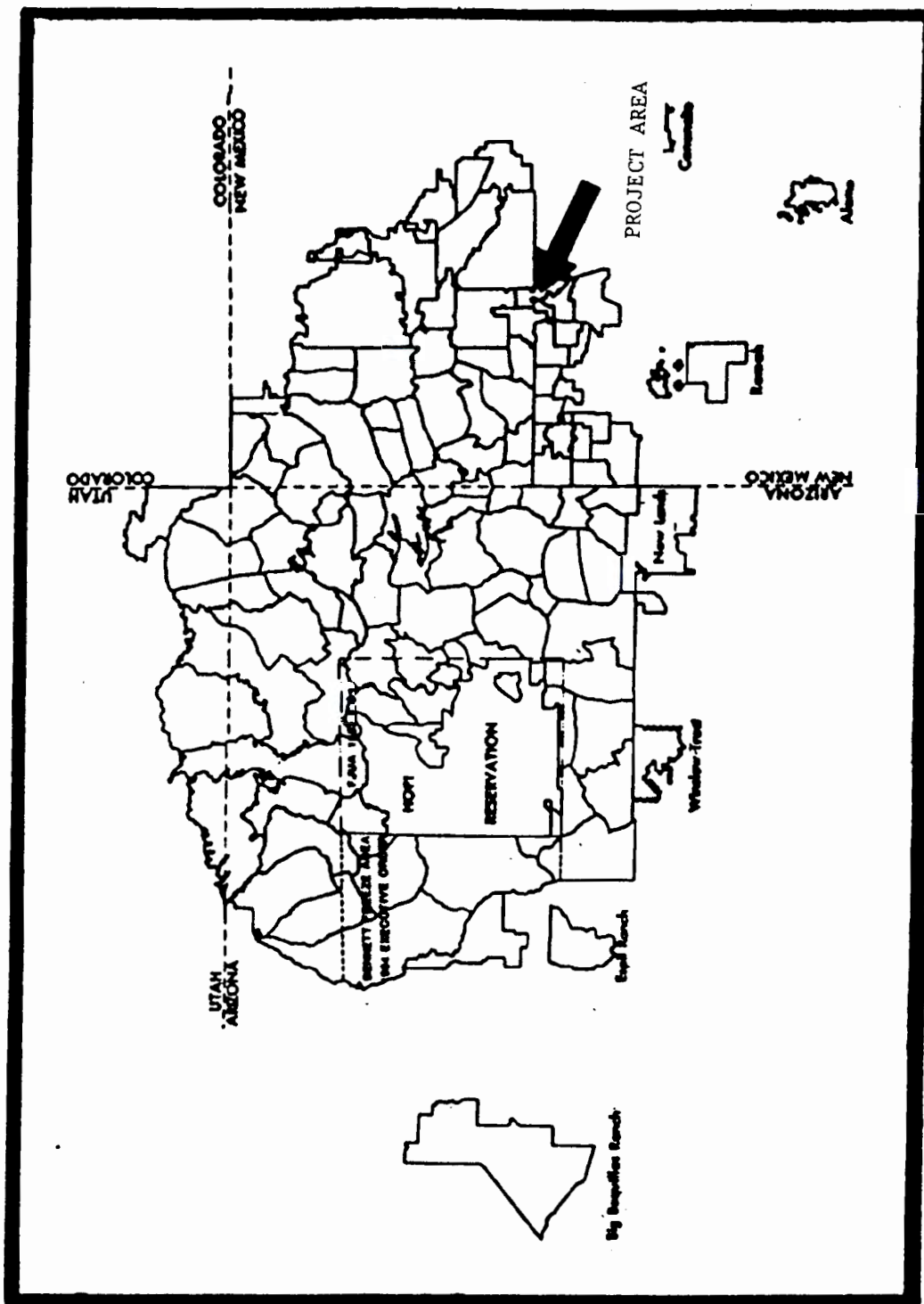


Figure 1: General Project Area.



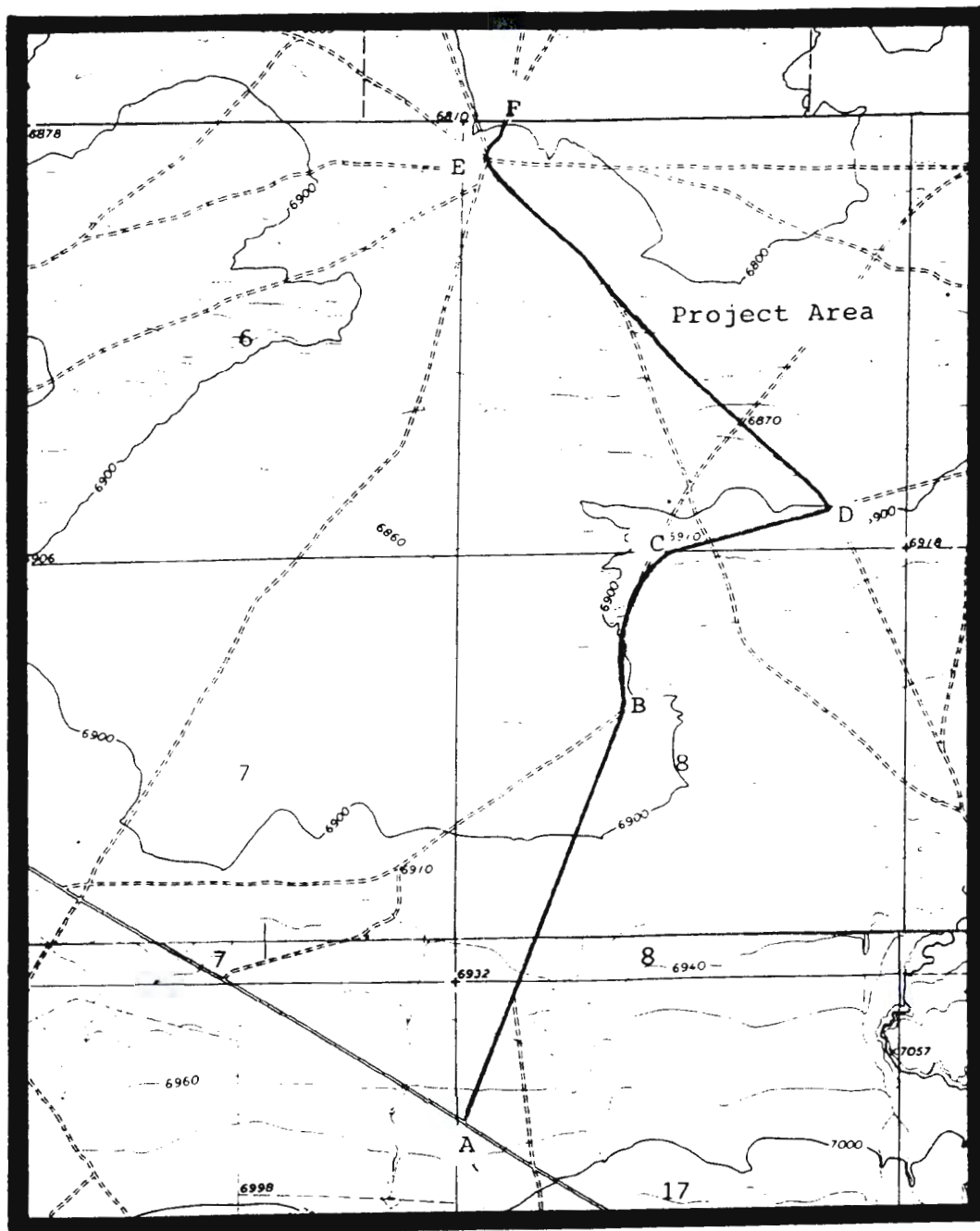


Figure 2: Specific Location Plan of the Project Area. Map is a composite of Heart Rock, NM (1963) and Casamero Lake, NM (1963). Letters are UTM Coordinate Locations.

TABLE 2  
Legal Location and Land Status of the Project Area

Legal Location	Land Status
T 16 N, R 11 W	
NW 1/4, Section 5	Allotted
SE 1/4, Section 5	Allotted
SW 1/4, Section 5	Allotted
NW 1/4, Section 5	Allotted
SW 1/4, Section 8	Allotted
NW 1/4, Section 17	Allotted

#### AREA ENVIRONMENTAL AND CULTURAL SETTING

The geologic age of the area characterizes the Cretaceous Period. Mancos Shale is present in sandy facies at the bottom of drainages. Scatter deposition of the Point Lookout Sandstone and Gibson Coal member were also observed in the field (Begaye 1992). The soil of the area may consists of association of Hagerman-Travessilla and the Christianburg-Navajo. The soils of the Hagerman-Travessilla are generally found on the valley-filling slopes and floodplains. The Christianburg-Navajo soils are formed in fine textured alluvium, weathered principally from shale (Begaye 1992). The elevation ranges from 6790-6970 feet (2070-2124 m). Slopes for the general area vary from 0-5%. No permanent surface water was observed within the general area of the project.

The vegetation in the general area is predominantly grassland and isolated stands of juniper are found along the ridge. Other vegetation noted in the project area included four-wing saltbush, grama grass, prickly pear cactus, rabbitbrush, Russian thistle, sagebrush, snakeweed, and wolfberry.

The project area is currently characterized by a rural Navajo settlement system comprised of single and multiple home clusters. The Littlewater Chapter House is located on the north end of the road. An improved dirt road (N-48) is located on the South end of the project area. Several unimproved dirt roads cross the project area.

#### EXISTING DATA REVIEW

As part of this project, the archival data of the Window Rock office of the Navajo Nation Historic Preservation Department (NNHPD). Within 1.6 km (1 mi) of this project, ten previously completed projects are known to have been conducted and four previously recorded sites are known to exist by two of the projects. The projects are listed in Table 3.

In 1979, Helen Fairly of Northern Arizona University located and documented an Anasazi P II-P III sherd scatter (NM-G-8-51) during the inventory for the Littlewater housing tract (Chapter House Tract). The site was relocated by James M. Copeland during an inventory of the same

area. In 1982, Gloria J. Judges of Northern Arizona University located and documented three sites. The sites include a Navajo site dating to 1950 (NM-G-8-87), a Anasazi P II sherd scatter (NM-G-8-88) and an Anasazi P II-P III sherd scatter (NM-G-8-90).

Table 3  
Previously Completed Projects Within 1.6 km of the Project Area

BIA No.	Undertaking Description	Acres	Sites
79-157	Three Uranium Test Locations	1.03	0
79-301	Little Water Housing Tract!	20.00	1
80-419	Two Uranium Test Locations/a road*	0.92	0
82-334	Crownpoint-Littlewater Waterline*	21.14	3
82-335	IHS Project*	3.90	0
83-176	Two Borrow Pits*	3.22	0
84-152	Homesite*	1.66	0
85-024	Waterline*	0.40	0
85-031	Powerline*	9.09	0
85-116	Senior Center!	19.98	1

\* = Only portions of projects/sites within 1.6 km are listed.  
! = Same project area and one site previously recorded.

#### FIELD METHODS

The fieldwork was completed by Denise R. E. Copeland, Archaeologist III, assisted by Minnie Begaye, Environmental Specialist of the Capital Improvement Department, Navajo Nation Division of Community Development. The fieldwork was completed on the following dates: April 24, May 7, 23 and June 18, 1991.

The entire area was investigated using a Class III (100%) level pedestrian survey strategy utilizing parallel transects spaced about 15 meters apart. A 45 m (150 ft) wide survey corridor centered on the right-of-way was inspected by walking along one side and then returning along the opposite side and walking the centerline. Total area inspected in association with this project is ca. 22.1 ha (54.5 ac). The project area has not been legally surveyed at this time. The project area is to be legally surveyed by Mr. Garland Moore of the Navajo Department of Transportation and Community Planning of the Navajo Nation Division of Community Development.

Sites were recorded and mapped using a Silva Ranger hand-held compass and a 100 m long measuring tape. Color photographs of each site were taken and are on file at NNAD. No artifact collections were made. The sites were not marked in any way.

Data on Traditional Cultural Properties were collected on June 18, 1991 by Denise R.E. Copeland and Minnie Begaye of the Capital Improvement Department. The Council Delegate, Mr. Paul D. Jones and Chapter President, Mr. Bennie Enrico were interviewed on June 18, 1991 by the author at the Littlewater Chapter House.

Mr. Enrico suggested that we talk to Mrs. Zonnie Herbert, Mr. John Kee and Mrs. Elsie Tom who have grazing permits/allotments within the project area. The author interviewed the following people on June 18, 1991: Ms. Annebelle Herbert, Mrs. Zonnie Herbert, Mr. Larry Jackson (Mr. John Kee' grandson), Mr. Kee granddaughter (she said to give her grandfather's name) and Mrs. Elsie Tom. The interviews were translated by Minnie Begaye, Environmental Specialist of the Capital Improvement Department. A map of the proposed project area was shown to all the people interviewed.

### Resource Definitions

The following describe the NNAD working definitions for cultural resources.

**Isolated Occurrence:** Any non-structural remains of a single event; alternatively, any non-structural assemblage of approximately 10 or fewer artifacts or other material within an area of approximately 10 square meters or less, especially if it is of questionable human origin, if it appears to be the result of fortuitous causes, or if it lacks integrity (NNHPD[b] 1991).

**Traditional Cultural Properties:** This includes both places with material remains and places that lack the evidence of human use that would qualify them as archaeological sites, historic properties, or graves (NNHPD[a] 1991). Traditional Cultural Properties with material remains may include, but are not limited to, sites that may have been blessed and where ceremonies may have occurred, such as those with hogans, houses, sweathouses, game corrals (needzii'), eagle traps and so forth; other sites where ceremonies and rituals occurred (if evidence of such use, such as, the remains of ceremonial structures, are visible); trail shrines; rock art; graves (NNHPD[a] 1991).

Such places that lack clear evidence of human use include, but are not limited to, the following types: places for gathering plants for use in ceremonies and other traditional purposes; places for gathering minerals for other traditional purposes; places for gathering contents of sacred bundles; places for gathering other materials for ceremonial and other traditional purposes; prayer-offering places; places associated with the general Navajo origin story; places associated with origin stories of particular ceremonials; places associated with the origin of a clan; places associated with the origin of a Navajo custom; places identified as the home of a Holy Being such Wind, Lightning, Big Snake; location of echoes (Talking Rocks, which convey human words to the Holy People); natural discoloration of rock that has some kind of supernatural event power; and places that have a part in the life-cycle rituals of individuals (such as the spot where a newborn baby's umbilical cord is placed). Many of these sorts of places are features of the natural landscape, such as mountains, hills, rock outcrops, springs, and individual trees (NNHPD[a] 1991).

**Site:** The location of an event, belief, or activity, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains his-

toric, archaeological, or traditional cultural value regardless of the value of any existing structure. Operationally, a site is an isolated occurrence (NNHPD[b] 1991). Note: does not include isolated historic trash dumps less than ten to twenty years old.

#### CULTURAL RESOURCE FINDINGS

Seven previously unrecorded sites were located and documented within the project survey area (NM-Q-24-16, 24-17, 24-18, 24-19, 25-41, 25-42, and 25-43). Five isolated occurrences of cultural material were located within the project survey area (91-257-1, 2, 3, 4, and 5). Four additional In-use Sites (A, B, C and D) were also identified. The specific locations of the cultural resources are depicted on Figure 3. Legal descriptions of the sites and isolated occurrences are given in Table 4. The UTM coordinates of the sites and isolated occurrences are given in Table 5.

TABLE 4  
Legal Descriptions of the Cultural Resources in the Project Area

Site No.	Legal Description
NM-Q-24-16	SE 1/4, NW 1/4, NW 1/4 of Sec. 5, T 16 N, R 11 W
NM-Q-24-17	SW 1/4, SE 1/4, NW 1/4 of Sec. 5, T 16 N, R 11 W
NM-Q-24-18	SE 1/4, NE 1/4, NW 1/4 of Sec. 8, T 16 N, R 11 W
NM-Q-24-19	SE 1/4, SE 1/4, NW 1/4 of Sec. 8, T 16 N, R 11 W
NM-Q-25-41	NE 1/4, NW 1/4, NW 1/4 of Sec. 17, T 16 N, R 11 W
NM-Q-25-42	SW 1/4, NW 1/4, NW 1/4 of Sec. 17, T 16 N, R 11 W
NM-Q-25-43	SW 1/4, NW 1/4, NW 1/4 of Sec. 17, T 16 N, R 11 W
Isolated Occurrences:	
91-257-1	SW 1/4, NW 1/4, SE 1/4 of Sec. 5, T 16 N, R 11 W
91-257-2	SE 1/4, SW 1/4, SE 1/4 of Sec. 5, T 16 N, R 11 W
91-257-3	NW 1/4, NE 1/4, SW 1/4 of Sec. 8, T 16 N, R 11 W
91-257-4	NE 1/4, SW 1/4, SW 1/4 of Sec. 8, T 16 N, R 11 W
91-257-5	NE 1/4, NW 1/4, NW 1/4 of Sec. 17, T 16 N, R 11 W

TABLE 5  
UTM Coordinates of the Cultural Resources in the Project Area

Site No.	UTM Coordinates	I.O. No.	UTM Coordinates
NM-Q-:		91-257-:	
24-16	N 39 48 920 m, E 7 68 780 m	1	N 39 48 250 m, E 7 69 520 m
24-17	N 39 48 530 m, E 7 69 150 m	2	N 39 47 730 m, E 7 69 680 m
24-18	N 39 47 400 m, E 7 69 240 m	3	N 39 46 700 m, E 7 69 120 m
24-19	N 39 47 040 m, E 7 69 230 m	4	N 39 46 340 m, E 7 68 990 m
25-41	N 39 45 930 m, E 7 68 860 m	5	N 39 46 040 m, E 7 68 890 m
25-42	N 39 45 820 m, E 7 68 890 m		
25-43	N 39 45 680 m, E 7 68 760 m		



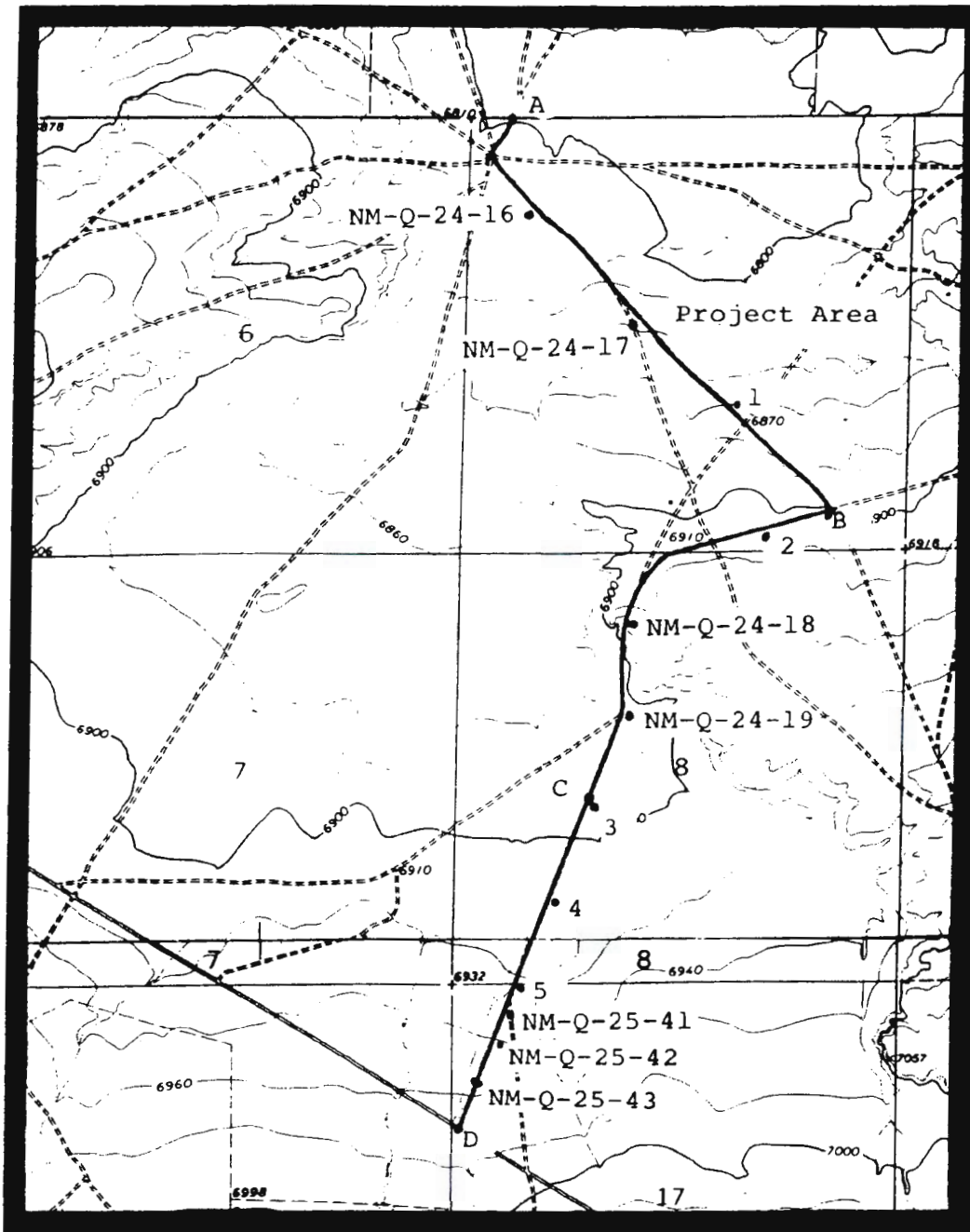


Figure 3: Specific Locations of Cultural Resources in Project Area. Map is a Composite of Heart Rock, NM (1963) and Casamero Lake, NM (1963). Letters are In-use Site Locations and Numbers are Isolated Occurrence Locations which are prefixed with 91-257-.

The following summaries describe the cultural resources identified for this project. Completed NNAD cultural resource forms are appended to this report.

### Sites

The sites include a unknown prehistoric site, lithic scatter (NM-Q-24-19); and six Anasazi sites, five ceramic scatters (NM-Q-24-16, 24-17, 24-18, 25-41 and 25-42) and one habitation site (NM-Q-25-43).

SITE NO.: NM-Q-24-16, Figure 4. (LW-1)

USGS MAP REFERENCE AND DATE: Heart Rock, New Mexico 7.5', 1963.

SITE ENVIRONMENT: The site is located on a gentle sand dune. Vegetation on the site includes four-wing saltbush, Russian thistle, wolfberry and various grasses.

SITE TYPE: P I-Early P III, Ceramic/Lithic Scatter

SITE SIZE (L x W): 35 x 70 m TOTAL AREA (Sq. m): 2450 +

SITE DESCRIPTION: The site consists of a dispersed scatter of ceramics and a lithic. Ceramics on the site include approximately 80 to 100 sherds and include Cibolan whitewares, Gallup Black-on-white, Puerco Black-on-white and neck-banded corrugated sherds. The only lithic found was a sandstone bifacial, one-handed mano. No features were located.

SITE NO.: NM-Q-24-17, Figure 5. (LW-2)

USGS MAP REFERENCE AND DATE: Heart Rock, New Mexico 7.5', 1963.

SITE ENVIRONMENT: The site is located on the northwest slope of a gentle sand dune. Vegetation on the site includes four-wing saltbush, Russian thistle, wolfberry and various grasses.

SITE TYPE: P II-Early P III Ceramic Scatter

SITE SIZE (L x W): 8 x 15 m TOTAL AREA (Sq. m): ca. 120 +

SITE DESCRIPTION: The site consists of a small dispersed scatter of 17 sherds on a sand dune. The sherds include three black-on-white sherds (possibly Puerco Black-on-White), nine corrugated sherds and five greyware sherds. No features were found on the site.

SITE NO.: NM-Q-24-18, Figure 6. (LW-3)

USGS MAP REFERENCE AND DATE: Heart Rock, New Mexico 7.5', 1963.

SITE ENVIRONMENT: The site is located on a gentle northeast slope sand dune. Sandstone outcrops are located approximately 60 m south of the site. Vegetation on the site includes grama grass, rabbitbrush, snakeweed and various grasses.

SITE TYPE: Lithic Scatter.

SITE SIZE (L x W): 15 x 18 m TOTAL AREA (Sq. m): ca. 270 +

SITE DESCRIPTION: The site consists of a small dispersed scatter of lithics. Artifacts include one chert projectile point, one chert primary flake, one quartzite primary flake and 12 chert interior flakes. Materials include local cherts (brown/white, white and grey) and quartzite (brown). No features were found.

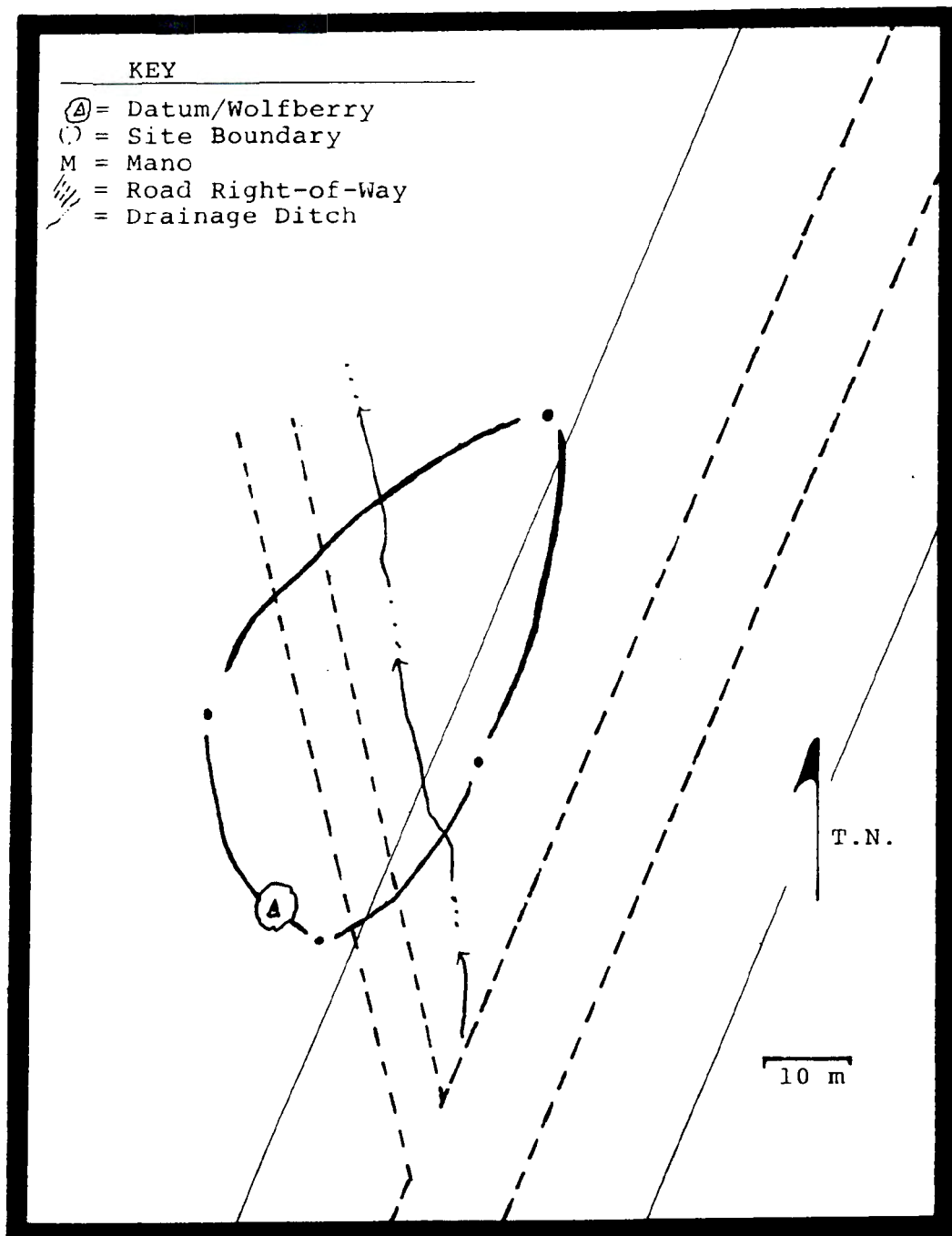


Figure 4: General Plan Map of Site NM-Q-24-16.

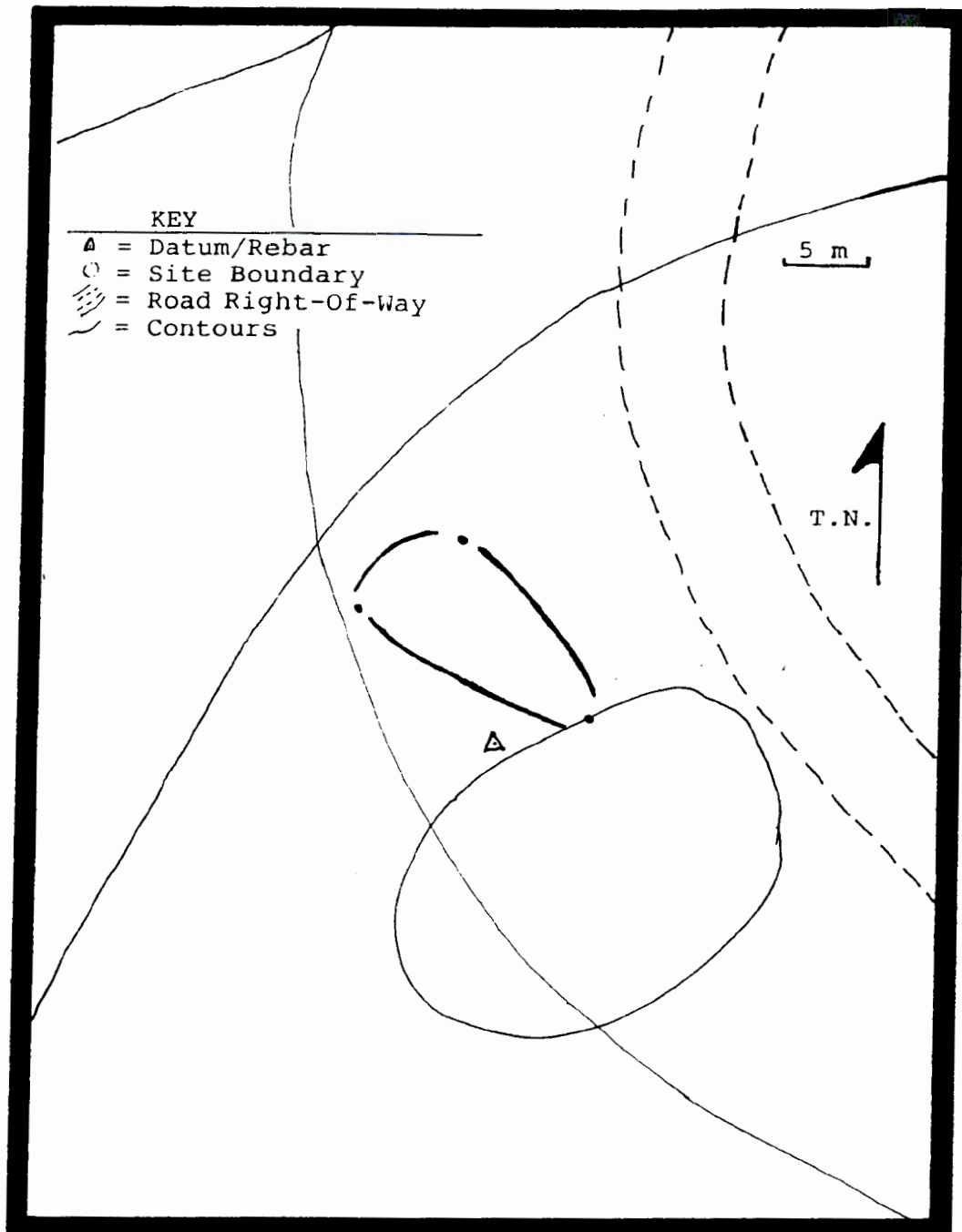


Figure 5: General Plan Map of Site NM-Q-24-17.



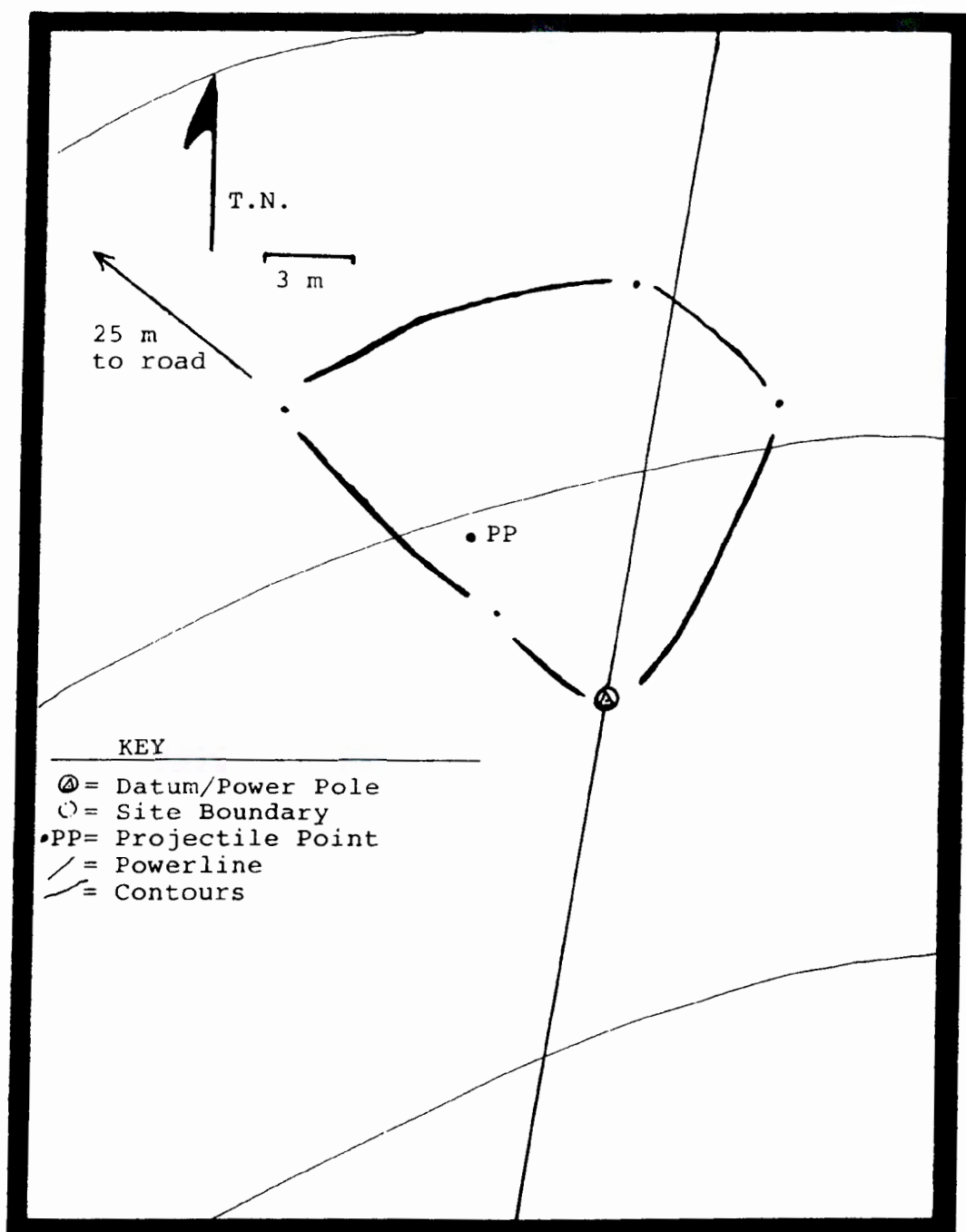


Figure 6: General Plan Map of Site NM-Q-24-18.

SITE NO.: NM-Q-24-19, Figure 7. (LW-4)

USGS MAP REFERENCE AND DATE: Heart Rock, New Mexico 7.5', 1963.

SITE ENVIRONMENT: The site is located in a level floodplain area. Vegetation on the site includes four wing saltbush, grama grass, Russian thistle, snakeweed and various grasses.

SITE TYPE: P II-Early P III Ceramic Scatter

SITE SIZE (L x W): 22 x 35 m TOTAL AREA (Sq. m): ca. 770 ±

SITE DESCRIPTION: The site consists of a small ceramic scatter of 21 sherds. The sherds include three corrugated, six Gallup Black-on-white, eight Cibolan whiteware, and four greyware. No features were found.

SITE NO.: NM-Q-25-41, Figure 8. (LW-5)

USGS MAP REFERENCE AND DATE: Heart Rock, New Mexico 7.5', 1963.

SITE ENVIRONMENT: The site is located in a level floodplain area. Vegetation on the site includes four wing saltbush, grama grass, Russian thistle, snakeweed and various grasses.

SITE TYPE: P II-Early P III Ceramic Scatter

SITE SIZE (L x W): 4 x 8 m TOTAL AREA (Sq. m): ca. 32 ±

SITE DESCRIPTION: The site consists of a small ceramic scatter of 18 sherds. The sherds include five corrugated, seven Gallup Black-on-white, one Cibolan whiteware, and four greyware. No features were found.

SITE NO.: NM-Q-25-42, Figure 9. (LW-6)

USGS MAP REFERENCE AND DATE: Casamero Lake, New Mexico 7.5', 1963.

SITE ENVIRONMENT: The site is located in a level floodplain area. Vegetation on the site includes four-wing saltbush, rabbitbrush, Russian thistle and various grasses.

SITE TYPE: P II-Early P III Anasazi Ceramic Scatter.

SITE SIZE (L x W): 15 x 87 m TOTAL AREA (Sq. m): ca. 1305 ±

SITE DESCRIPTION: The site consists of a ceramic scatter of 47 sherds. The sherds include 17 corrugated, 12 black-on-white (Puerco Black-on-white and Gallup Black-on-white), three Cibolan whiteware, and 15 greyware. No features were found on the site.

SITE NO.: NM-Q-25-43, Figure 10. (LW-7)

USGS MAP REFERENCE AND DATE: Casamero Lake, New Mexico 7.5', 1963.

SITE ENVIRONMENT: The site is located on a gentle slope in a floodplain area. Vegetation on the site includes four wing saltbush, grama grass, Russian thistle, snakeweed and various grasses.

SITE TYPE: P II-Early P III Anasazi habitation site.

SITE SIZE (L x W): 35 x 150 m TOTAL AREA (Sq. m): ca. 5250 ±

SITE DESCRIPTION: The site consists of an Anasazi habitation site with a rubble mound (Feature 1), a midden area (Feature 2) and scattered artifacts. Feature 1, the rubble mound consists of unshaped sandstone blocks in an area 14 x 22 m. A few sherds and two metate fragments are located on the rubble mound. Feature 2, the midden consists of a concentration of ceramic and lithic artifacts (13 x 35 m). The ceramics include sherds of the following: Gallup Black-on-white, Puerco Black-on-white, Cibolan whiteware, greyware, neck-banded corrugated, corrugated,

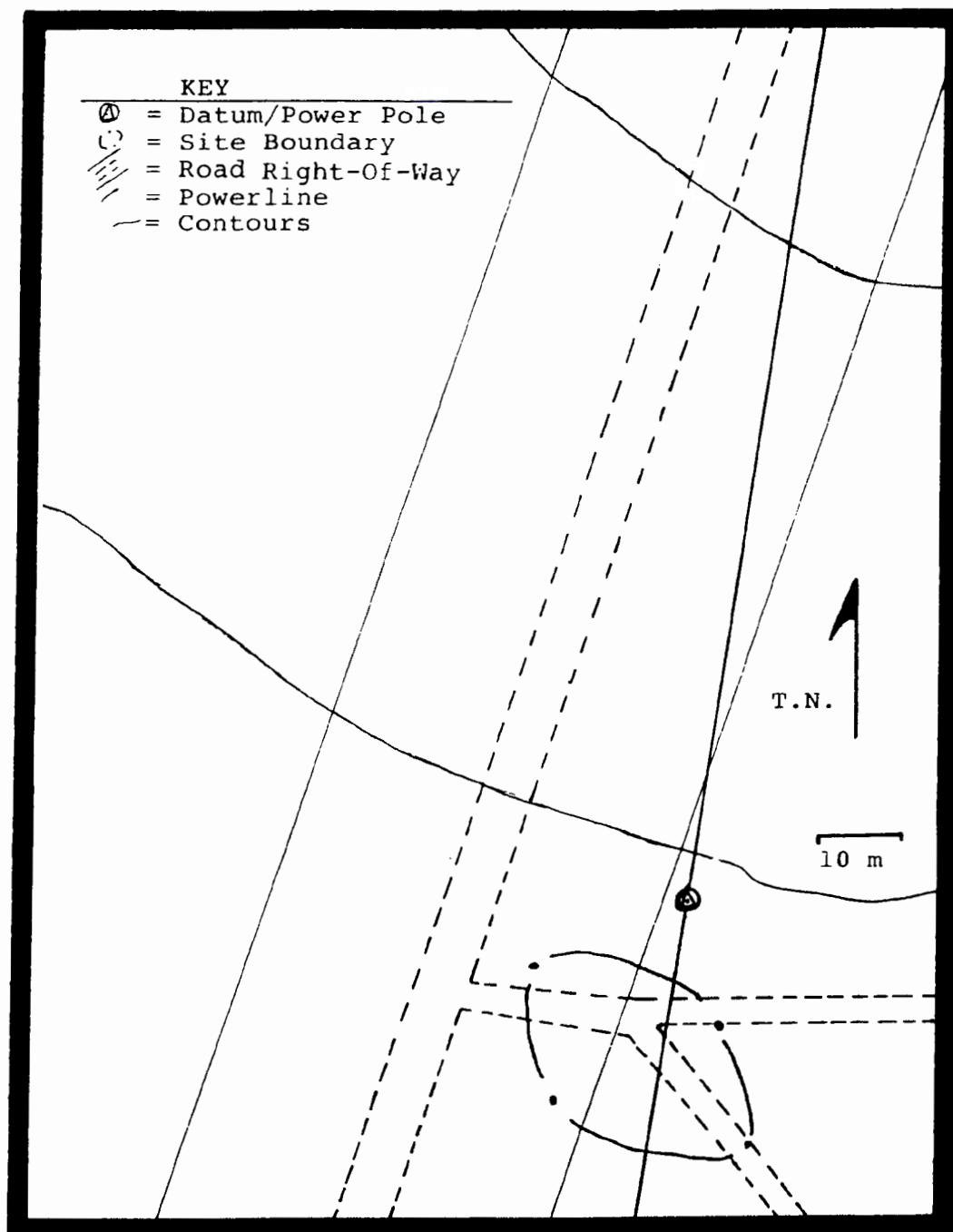


Figure 7: General Plan Map of Site NM-Q-24-19.



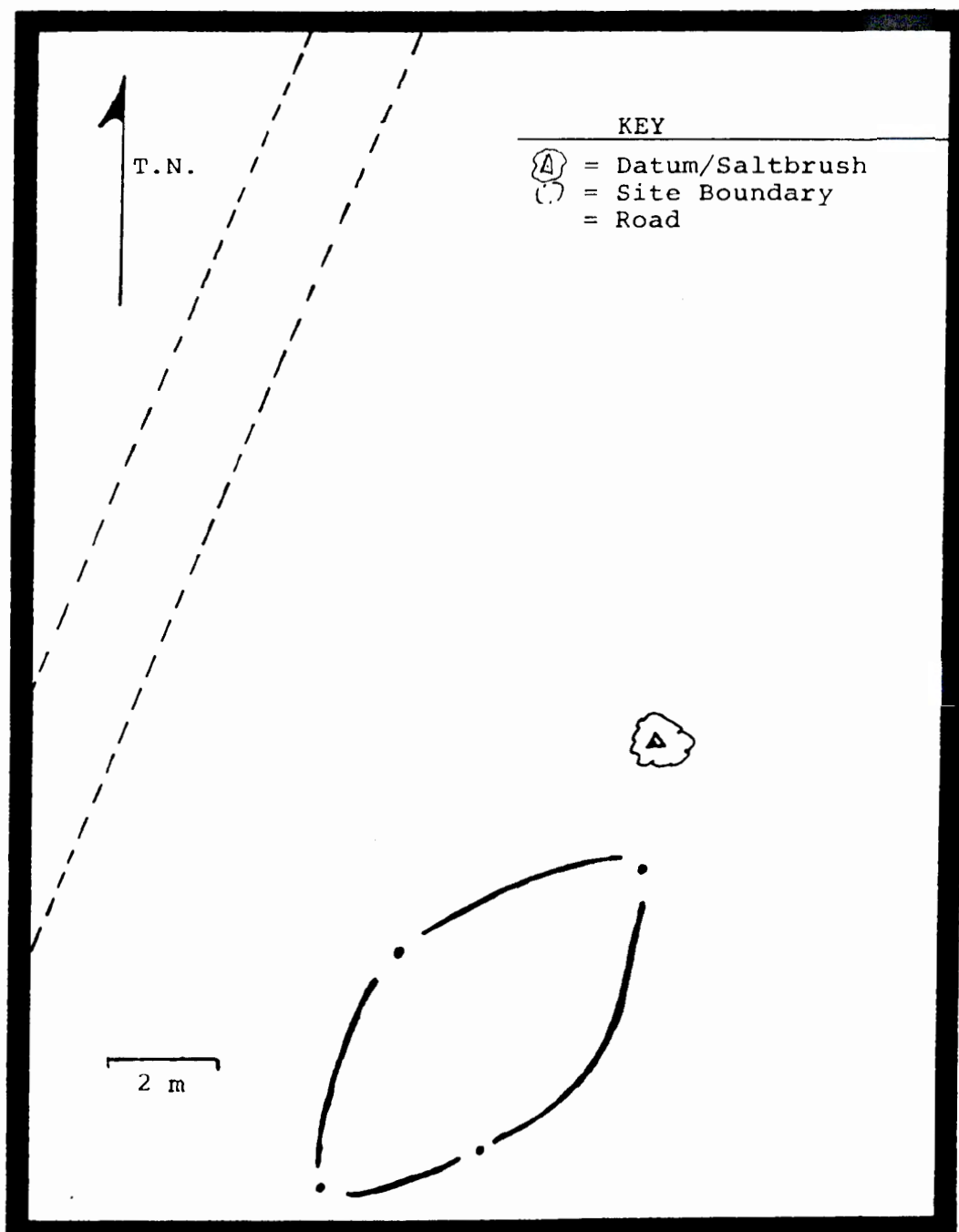


Figure 8: General Plan Map of Site NM-Q-25-41.

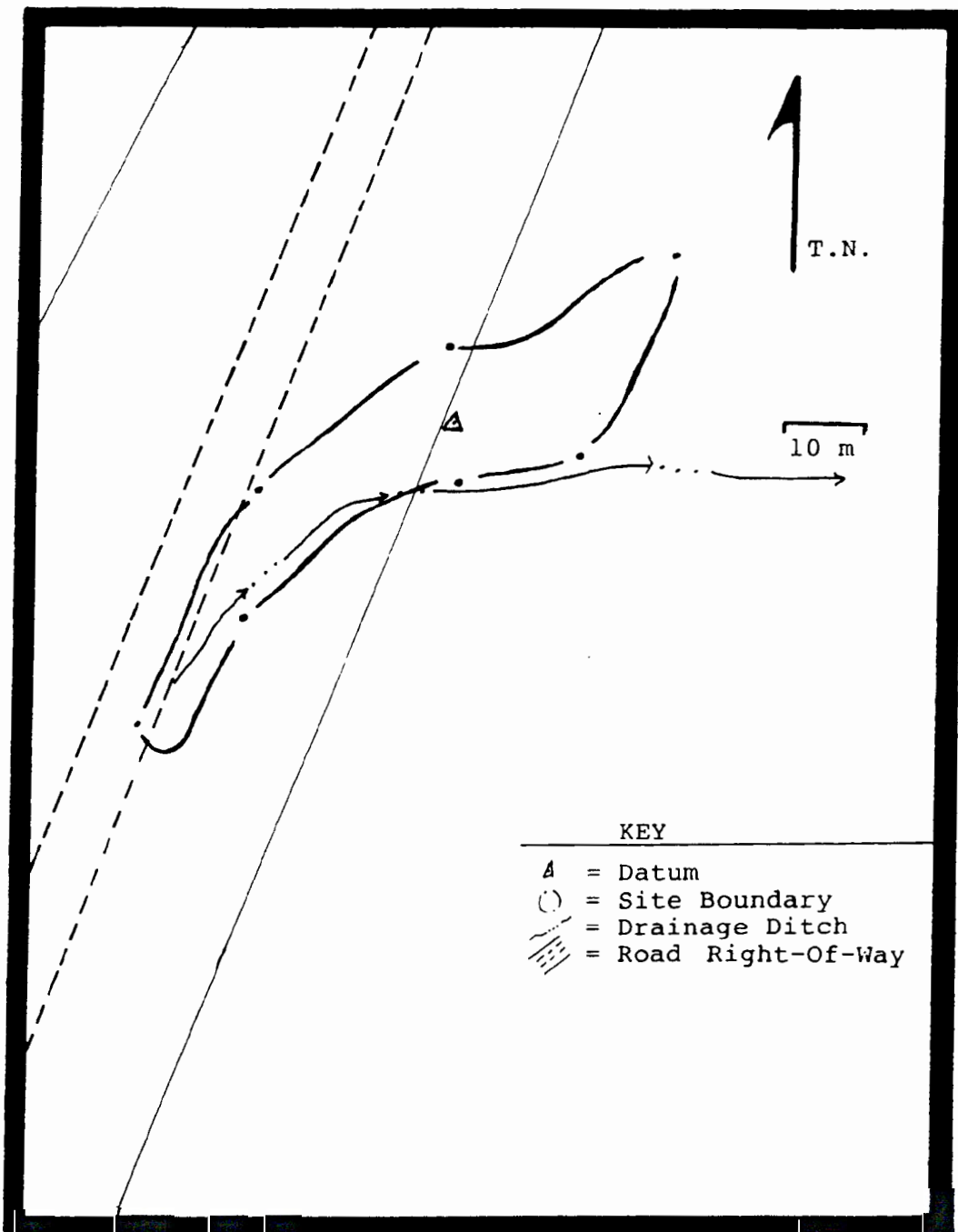


Figure 9: General Plan Map of Site NM-Q-25-42.

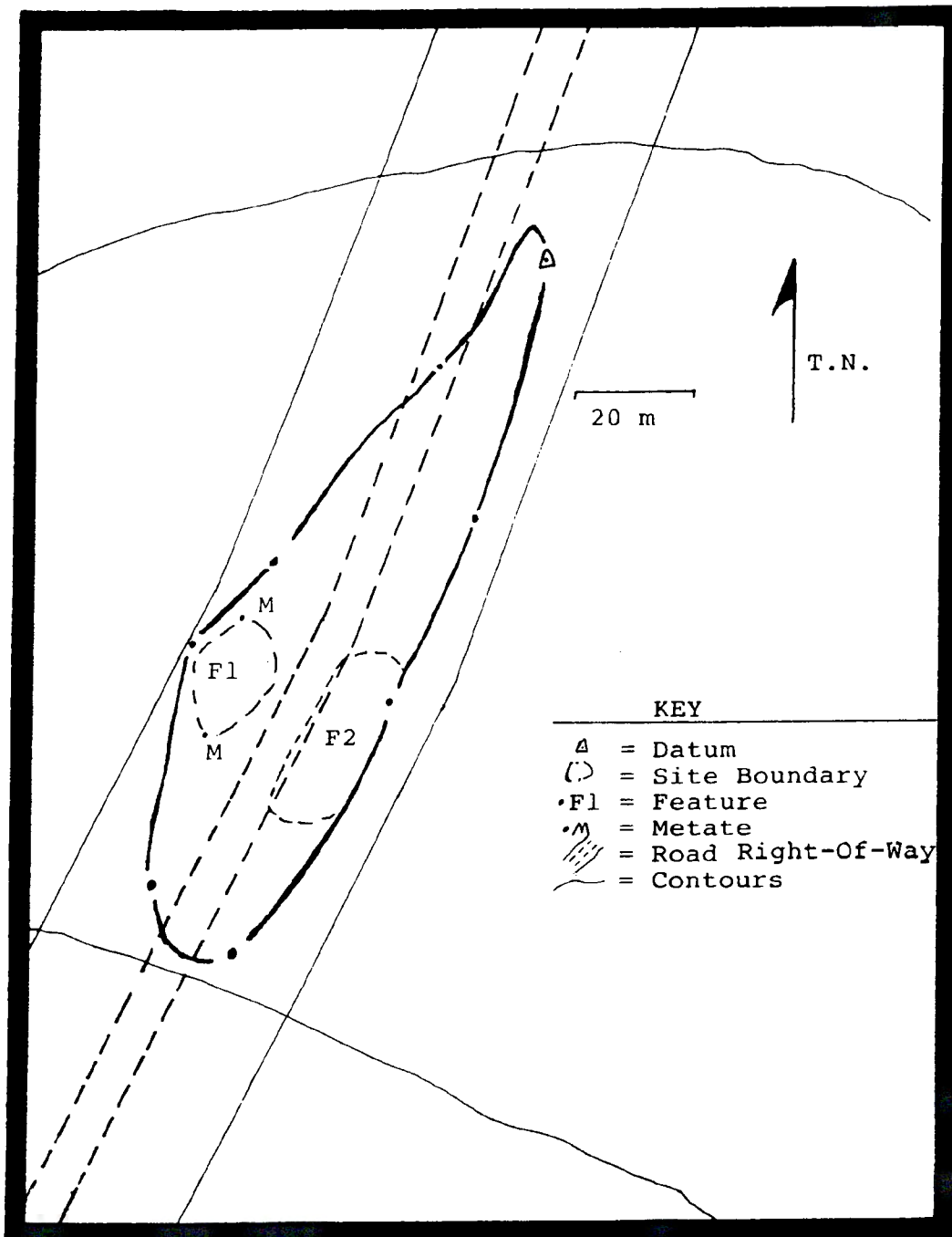


Figure 10: General Plan Map of Site NM-Q-25-43.

a possible Red Mesa Black-on-white and a possible Ft. Wingate Black-on-red. Lithics include chert flakes. Sherds located in the northern portion of the site appear to have been dragged by road maintenance.

#### Traditional Cultural Properties

No traditional cultural properties were located within the project area. The following comments were given by the interviewees:

- Ms. Annebelle Herbert-Did not know of any; talk to Zonnie Herbert.  
Mrs. Zonnie Herbert-Said there was nothing sacred around the road. She stated that "she was tired of people asking her about the road" (the people in the area have been promised that the road will paved for the last 15 years). Also said that "they do not put sacred sites where they would be disturbed by a road or by cattle".  
Mr. Larry Jackson (Mr. John Kee' grandson)-He said "that there were cattle out there so he did not think so".  
Mr. John Kee granddaughter-She said "that she did not know of any sacred sites". She said to give her grandfather's name.  
Mrs. Elsie Tom-Said "that the area is all flat and that there were cattle out here. No sacred sites are placed where road or sheep and cattle are."

#### Isolated Occurrences

Five isolated occurrences were identified during the cultural resources inventory of the project. These isolated occurrences are briefly described in Table 6. Completed NNAD isolated occurrence forms are appended to this report.

-----  
TABLE 6  
Isolated Occurrences Located Within the Project Area

I.O. No.	Isolated Occurrence Description
91-257-1	Two corrugated sherds.
91-257-2	A trash dump.
91-257-3	A trash dump and four greyware sherds and a chert point.
91-257-4	A whiteware sherd with sand temper.
91-257-5	Two whiteware sherd with sand temper.

-----

#### In-use Sites

Four in-use sites (A, B, C and D) were identified by this project. The in-use sites consist of three cattleguards set in the existing road and a sign for the Littlewater Chapter House. The in-use cattleguards are found at the following locations:



- A) The junction of N-7119 and the Littlewater Chapter House tract (cattleguard).
- B) The junction of N-7119 and N-481 (wooden sign set on a concrete block with "Littlewater Chapter).
- C) Ca. .8 mi (1.3 km) north of the junction N-48 and N-481 (cattleguard).
- D) Junction of N-48 and N-481 (cattleguard).

#### EVALUATION OF SIGNIFICANCE

The historic properties have been evaluated for their significance in regards to the National Register of Historic Places, the Archaeological Resources Protection Act, and the American Indian Religious Freedom Act.

##### National Register

The National Register of Historic Places was created by the National Historic Preservation Act in 1966. The Register was to be "...composed of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, and culture (Title I, Sec. 101)." A set of criteria was later established by which properties could be evaluated to determine if they merited placement on the Register. These regulations or guidelines are expressed in 36 CFR 60.4 and are as follows:

- The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and
- (a) that are associated with events that have made a significant contribution to the broad patterns of our history: or
  - (b) that are associated with the lives of persons significant in our past: or
  - (c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction: or
  - (d) that have yielded, or may be likely to yield information important in prehistory or history.

There are certain classes of properties that are normally not considered eligible for Register consideration that include cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original location, reconstructed historic buildings, buildings primarily commemorative in nature, and properties that have achieved significance within the past 50 years. There are exceptions to these general exclusion guidelines (see 36 CFR 60.4).

Coupled with the above general criteria, the criteria of integrity must also be met for Register consideration. In this case, integrity is evaluated in terms of its physical and locational values: does the site or its features possess the integrity needed to allow the site to meet the appropriate criterion for which it is considered significant? As an example, a prehistoric site that might be significant under criterion "d" but has been apparently completely disturbed would probably not be considered to have any sufficient integrity for the fruitful investigation of important scientific questions, and would thus not be considered eligible for the Register. As another example, an old traditional hogan may be considered eligible for the Register under criterion "c" as embodying the distinctive characteristics of a type, period, or method of construction. If that hogan is surrounded by modern cinderblock houses and trailers, thus disrupting its integrity of location, setting, and feeling, it could still be considered eligible for the Register if those aspects of integrity that directly relate to its significance under criterion "c" (e.g., design, materials, and workmanship), are intact.

The following presents a criterion-by-criterion evaluation of the cultural resources recorded by this project.

- Criterion A: None of the historic properties are known to be associated with events that are significant in our past.
- Criterion B: None of the sites are known to be associated with individuals that are significant in our past.
- Criterion C: All of the sites (NM-Q-24-16, 24-17, 24-18, 24-19, 25-41, 25-42, and 25-43) may have some distinctive characteristics of a type, period, or method of construction, or that represent a significant and distinguishable entity whose components may lack individual distinction.
- Criterion D: All of the sites (NM-Q-24-16, 24-17, 24-18, 24-19, 25-41, 25-42, and 25-43) in the project area has some potential for contributing information about prehistory. However, whether this information is significant is predicated on an understanding of what are the important research questions pertaining to any particular resource. A comprehensive regional research design currently does not exist by which the important and significant areas of prehistoric and historical research have been established and generally agreed upon by the professional community. While some cultural resource survey has taken place in the general area and the basic range and variation of the resources has been identified virtually no prehistoric or historic sites have been intensively studied and scientifically evaluated (e.g., excavated). Therefore, in regards to the resources, a conservative approach must be taken that finds them potentially significant under this criterion.

Exclusions: I.O. 91-257-2; and in-use sites A, B, C and D do not meet the 50 year guideline for inclusion into the National Register of Historic Places.

Integrity: Sites NM-Q-24-16, 24-17, 24-18, 24-19, 25-41, 25-42 and 25-43 appear to possess at least some significant quantities and qualities of locational and/or physical integrity that relate to their specific area of significance. Isolated Occurrences 91-257-1, 3, 4 and 5 do not appear to possess significant quantities and qualities of locational and/or physical integrity.

Eligible Sites: Sites NM-Q-24-16, 24-17, 24-18, 24-19, 25-41, 25-42 and 25-43 may be eligible for the National Register.

District Consideration: A District is defined as "...possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development (National Park Service 1986:41)". Because an exhaustive inventory and documentation program has not been completed, and the exact limits of the community are not yet known, the exact nature of any district boundary cannot be suggested at this time.

#### Archaeological Resources Protection Act

The Archaeological Resources Protection Act (ARPA) was established in 1979 with the express purpose being in part "...to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites which are on public lands and Indian lands...". For a property to qualify for protection under ARPA, it must qualify as an "archaeological resource", which is defined as "...any material remains of human life or activity which are at least over 100 years of age, and which are of archaeological interest". "Of archaeological interest" is defined as capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques...".

The prehistoric sites (NM-Q-24-16, 24-17, 24-18, 24-19, 25-41, 25-42 and 25-43) meet the age criterion and are of "archaeological interest" and merit protection under ARPA.

#### American Indian Religious Freedom Act

The American Indian Religious Freedom Act (AIRFA) was established in 1978. Its purpose was to establish as United States policy the protection and preservation of Native American rights to practice their traditional religions. This freedom of worship is to include but not be "...limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonies and traditional rites (Sec. 1)". Though there are a few specific examples and some gener-

alizations that may be made, the identification of resources associated with this project that may have some application to AIRFA is difficult at best.

Virtually all prehistoric sites (NM-Q-24-16, 24-17, 24-18, 24-19, 25-41, 25-42 and 25-43), because of their association with ancient enemies and/or ancestors, as places where burials exist, and as places accessible to the supernatural, may be considered potentially important under AIRFA.

#### DETERMINATION OF EFFECT

Pursuant to 36 CFR 800.9, the undertaking has been evaluated for its effects on potentially National Register significant historic properties. This evaluation is also considered applicable to ARPA and AIRFA values as well. If the management recommendations are followed the undertaking will have no adverse effect on historic properties.

#### MANAGEMENT RECOMMENDATIONS

The following alternatives were considered for the sites located and documented within the proposed road project. Site NM-Q-24-18 is located outside the proposed road right-of-way and does not require any additional work.

No Action: No road improvements.

The No Action alternative would cancel the project and the money for the project would be lost. At the current time, road conditions become nearly impassable for the local residents during the winter and wet weather. Road maintenance would continue to scrape the surface of site NM-Q-25-43 within the existing road.

Alternative 1: Rerouted road to avoid the sites by 15 m/50 ft.

Alternative 1 would delay the project. Delays would be minimal around sites NM-Q-24-16, 24-17, 24-19, 25-41, and 25-42. Currently the road has not been legally surveyed and rerouting the existing road would require shifting the road to one side to avoid the sites. Monitoring may be required on any sites still located within the road right-on-way after the road is rerouted. This is the preferred alternative for sites NM-Q-24-16, 24-17, 24-19, 25-41, and 25-42.

Site NM-Q-25-43 is within the existing road and avoidance would require a major reroute. Funding for the project is from the BIA Branch of Road Maintenance. Reroutes of more than .25 mi are considered new construction and cannot be funded with road maintenance money. This portion of the road would be considered new construction and would require placement on the BIA priority list for funding. This funding would be difficult to obtain. Rerouting the road around site NM-Q-25-43 may require additional environmental surveys. The reroute would also require additional right-of-way acquisition because the reroute will pass through an allotment west of the site.



Alternative 2: Test sites for National Register Eligibility and if necessary excavation mitigation.

Alternative 2 would greatly delay or cancel the road project. Testing/excavation of the sites would allow proposed modifications to the existing road. At the current time no money is available for testing or excavation of any of the sites. Delaying the project for testing/excavation would result in the loss of the money from the BIA Branch of Road maintenance fund.

Alternative 3: Intentional site burial for site NM-Q-25-43.

Alternative 3 would allow project to be constructed without a major re-route round or excavating site NM-Q-25-43. Site burial is a technique that has been used to protect sites against natural or mechanical loss (National Park Service, Thorne 1991; U.S. Army Corps of Engineers Hester 1988a, 1988b, Nickens 1989a; Highway Projects, Hester 1988c; Gas pipeline right-of ways Nickens 1989b). Site NM-Q-25-43 would be buried to preserve those National Register qualities of the site from the improvements made to the road. The site would also be protected from erosion. A plan would have to be developed for site burial. This is the preferred alternative of the chapter and the Department of Transportation and Community Planning.

It is recommended that approval be granted for this undertaking if the management recommendation are followed. The following the site specific recommendations and general project recommendations are presented.

Site Specific Recommendations

The following restrictions for construction activities in or around the sites have been proposed to help ensure the integrity of all potentially Register eligible sites and to protect sites eligible under AIRFA. Site NM-Q-24-18 is located outside of the road right-of-way and does not require any further work.

- ~~1.~~ The road right-of-way will be legally surveyed prior to the construction phase of the project.
- ~~2.~~ The site locations for NM-Q-24-16, 24-17, 24-19, 25-41, 25-42 and 25-43 will be legally surveyed to show the relationship between the site location and the proposed road right-of-way.
3. The existing road will be rerouted to avoid sites NM-Q-24-16, 24-17, 24-19, 25-41, 25-42 by at least 15 m/50 ft.
4. A cultural resource inventory will be required on all rerouted areas outside the current inventoried area.
5. The sites will be flagged and monitored during the road construction if they are located within 15 m/50 ft of the road right-of-way after the existing road is rerouted.
6. A plan for burying site NM-Q-25-43 would be developed and implemented prior to any construction within the site area.

The project should be divided into two construction phases. The first phase would consist of road construction outside the boundaries of site

NM-Q-25-43. A buffer zone of 100 ft. would be required. The second phase would consist of road construction inside the boundaries of site NM-Q-25-43 after the site is buried.

#### General Project Recommendations

If any previously undetected cultural resources are discovered during the undertaking (e.g., pottery, bone, stone tools), all activity should cease in that area and the Navajo Nation Historic Preservation Officer (602-871-6537) should be immediately notified. Upon inspection of the remains, direction on how to proceed will be given pursuant to 36 CFR 800.11.

Upon completion of the project, the location of the significant cultural values within or directly adjacent to the final right-of-way should be placed on the final "as built". These plans should carry the following or a similar notice: "Caution. Unauthorized disturbance of archaeological sites is prohibited. Criminal and civil penalties may apply". A copy of these final plans should be submitted to the Navajo Nation Archaeology Department for placement with the project file.

## REFERENCES CITED

Begaye, Minnie

- 1992 Environmental Assessment for a Spot Graveling Road (N-481 and N-7119) Littlewater, McKinley County, New Mexico. Manuscript on file, Capital Improvement Department, Division of Community Development, Window Rock, Arizona.

Cleveland, Elaine

- 1985 An Archaeological Survey of Two Proposed Service Lines in the Little Water, Near Crownpoint, New Mexico. Manuscript on file, Navajo Nation Historic Preservation Department, Window Rock, Arizona. BIA No. 85-024.

Copeland, James M.

- 1985a Archaeological Survey: Littlewater Powerline Extension, Littlewater, New Mexico (NNCRMP 85-051). Manuscript on file, Navajo Nation Historic Preservation Department, Window Rock, Arizona. BIA No. 85-116.

- 1985b Archaeological Survey: Littlewater Senior Center, Littlewater, New Mexico. Manuscript on file, Navajo Nation Historic Preservation Department, Window Rock, Arizona. BIA No. 85-116.

Fairley, Helen C.

- 1979 An Archaeological Survey of the Little Water Housing Tract, McKinley County, New Mexico. Manuscript on file, Navajo Nation Historic Preservation Department, Window Rock, Arizona. BIA No. 79-301.

- 1983 An Archaeological Survey of Waterline Realignment and Borrow Areas Near Crownpoint New Mexico. Manuscript on file, Navajo Nation Historic Preservation Department, Window Rock, Arizona. BIA No. 83-176.

- 1984 An Archaeological Survey Around Two Houses Southeast of Crownpoint, New Mexico. Manuscript on file, Navajo Nation Historic Preservation Department, Window Rock, Arizona. BIA No. 84-152.

Hooton, L. Jean

- 1979 An Archaeological Clearance Survey of Eight Uranium Test Sites Conducted for Continental Oil Company. Manuscript on file, Navajo Nation Historic Preservation Department, Window Rock, Arizona. BIA No. 79-157.

- 1980 An Archaeological Clearance Survey of Five Proposed Uranium Test Locations. Manuscript on file, Navajo Nation Historic Preservation Department, Window Rock, Arizona. BIA No. 80-419.

Jeffers, Ulie H. Jr.

- 1982 An Archaeological Survey of a Well Location, A Cistern, and a Leach Field in the Crownpoint PHS District, New Mexico. Manuscript on file, Navajo Nation Historic Preservation Department, Window Rock, Arizona. BIA No. 82-335.

Hester, James J., Editor,

1988a "Site Burial and Results of Soil Tests at the Mangrum Site Craighead County, Northeastern Arkansas; Archeological Sites Protection and Preservation Notebook Technical Notes. U.S. Army Engineer Waterways Experiment Station, Environmental Laboratory, Vicksburg, Mississippi.

1988b "Preservation at Bear Creek Rock Shelter, Lake Whitney, Texas; Archeological Sites Protection and Preservation Notebook Technical Notes. U.S. Army Engineer Waterways Experiment Station, Environmental Laboratory, Vicksburg, Mississippi.

1988c "Experiments on the Effects of Site Burial on Archeological Materials; Archeological Sites Protection and Preservation Notebook Technical Notes. U.S. Army Engineer Waterways Experiment Station, Environmental Laboratory, Vicksburg, Mississippi.

Judges, Gloria J.

1982 An Archaeological Survey of the Proposed Crownpoint-Littlewater Waterline. Manuscript on file, Navajo Nation Historic Preservation Department, Window Rock, Arizona. BIA No. 82-334.

Nickens, Paul R., Editor

1989a "Site Burial as a Means of Preserving Archeological Sites; Archeological Sites Protection and Preservation Notebook Technical Notes. U.S. Army Engineer Waterways Experiment Station, Environmental Laboratory, Vicksburg, Mississippi.

1989b "Laboratory Experiments to Study the Effects of Compaction and Pressure on Artifacts in Archeological Sites; Archeological Sites Protection and Preservation Notebook Technical Notes. U.S. Army Engineer Waterways Experiment Station, Environmental Laboratory, Vicksburg, Mississippi.

Thorne, Robert M.

1989 Intentional Site Burial: A Technique to Protect against Natural or Mechanical Loss (revised 1991). U.S. Department of the Interior, Nation Park Service, Archeological Assistance Division, Washington, D.C.



HPD-92-178

**APPENDIX 1**

**NNAD CULTURAL RESOURCE FORMS**

NAVAJO NATION ARCHAEOLOGY DEPARTMENT

Site Survey and Management Form

SITE NO.: NM-Q-24-16    FIELD NO. OR OTHER NAME: LW-1

DATE RECORDED: May 7, 1991

PROJECT NO. AND NAME: NNAD 91-257--A Cultural Resources Inventory of the Proposed Road Construction on N-481 and N-7119 Roads to the Littlewater Chapter, McKinley County, New Mexico

ORGANIZATION: CIP/NNAD    ARCHAEOLOGISTS: Denise R.E. Copeland/Minnie Begaye

LEGAL LOCATION: SE 1/4 NW 1/4 NW 1/4, Sec. 5, T 16 N, R 11 W.

UTM: Zone 12, N 39 49 920 m, E 7 68 780 m

STATE: New Mexico    COUNTY: McKinley    CHAPTER: Littlewater

LAND STATUS: Indian Allotment

USGS MAP REFERENCE AND DATE: Heart Rock 7.5' 1963

GROUND VISIBILITY: Good visibility. General ground cover.

TOPOGRAPHY: The site is located on a gentle sand dune.

DRAINAGE: A drainage ditch has been dug through the site. An intermittent drainage is located 300 ft/91 northwest of the site.

ELEVATION (ft/m): 6810 ft/2076 m    SLOPE AND DIRECTION: 0-2%, NW

SOIL TYPE: Aeolian    OTHER: N/A

VEGETATION PRESENT: Vegetation on the site includes four-wing saltbush, Russian thistle, wolfberry and various grasses.

CULTURAL AFFILIATION(S): Anasazi    SITE TYPE: Ceramic/Lithic Scatter

PERIOD(S) OF OCCUPATION (date if known): P I-Early P III

How Dated?: Associated artifacts.

SITE SIZE (L x W): 35 x 70 m    TOTAL AREA (Sq. m): 2450 +

How determined?: Tape measured based on artifact distribution.

ARCHITECTURE PRESENT?: No

Describe: N/A

ARTIFACTS OBSERVED/COUNTED: Ceramics on the site include approximately 80 to 100 sherds and include Cibolan whitewares, Gallup Black-on-white, Puerco Black-on-white and neck-banded corrugated sherds. The only lithic found was a sandstone bifacial, one-handed mano.

COLLECTION MADE?: No      OF WHAT?: N/A      METHOD: N/A

PHOTO TAKEN?: Yes      ROLL NO.: \_\_\_\_\_ FRAME NO.: \_\_\_\_\_

SITE DESCRIPTION: The site consists of a dispersed scatter of ceramics and a lithic. Ceramics on the site include approximately 80 to 100 sherds and include Cibolan whitewares, Gallup Black-on-white, Puerco Black-on-white and neck-banded corrugated sherds. The only lithic found was a sandstone bifacial, one-handed mano. No features were located.

CONDITION OF SITE: Good (75% undisturbed)

Causes of Disturbance: A drainage ditch from the road has been dug through the site.

LOCATION OF SITE RELATIVE TO PROJECT AREA: The site is located on the west side of the road ca. 460 m from the northwest end of N-7119. The east boundary of the site is located ca. 20 m from the center of the road.

EXTENT OF INVESTIGATION TO DATE: Field recording only.

RESEARCH POTENTIAL: The site appears to be a surface scatter of artifacts with limited research potential.

RECOMMENDATIONS: The proposed road should be rerouted to avoid the site. If this is not possible the site will require testing for further evaluation of eligibility the National Register of Historic Places.

SITE ASSESSMENT UNDER 36 CFR 60.4 (National Register):

INTEGRITY: The site does appear to possess significant qualities of locational or physical integrity.

CRITERIA A-D: The site is not known to be associated with any events or persons that have made significant contributions to the broad patterns of our history or are significant in our past (criteria "a" and "b"), it does appear to embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or that represents a significant distinguishable entity whose components may lack individual distinction (criterion "c"), and has yielded or may be likely to yield information important in history or pre-history (criterion "d").

EXCLUSIONS: N/A

ASSESSMENT UNDER 36 CFR 47 (Archaeological Resources Protection Act):

The site is over 100 years old and should be considered an "archaeological resource" and of "archaeological interest".

SITE ASSESSMENT UNDER AIRFA: Prehistoric sites because of their association with ancient enemies and/or ancestors, as places where burials exist, and as places accessible to the supernatural, may be considered potentially important under AIRFA.

PROVIDE A SITE MAP: (Including site designation, north arrow, scale, recognizable features, landmarks and relationship to project area.)  
See attached site map.

HOW CAN THE SITE BE REACHED?: See attached U.S.G.S. map

OTHER COMMENTS: None.



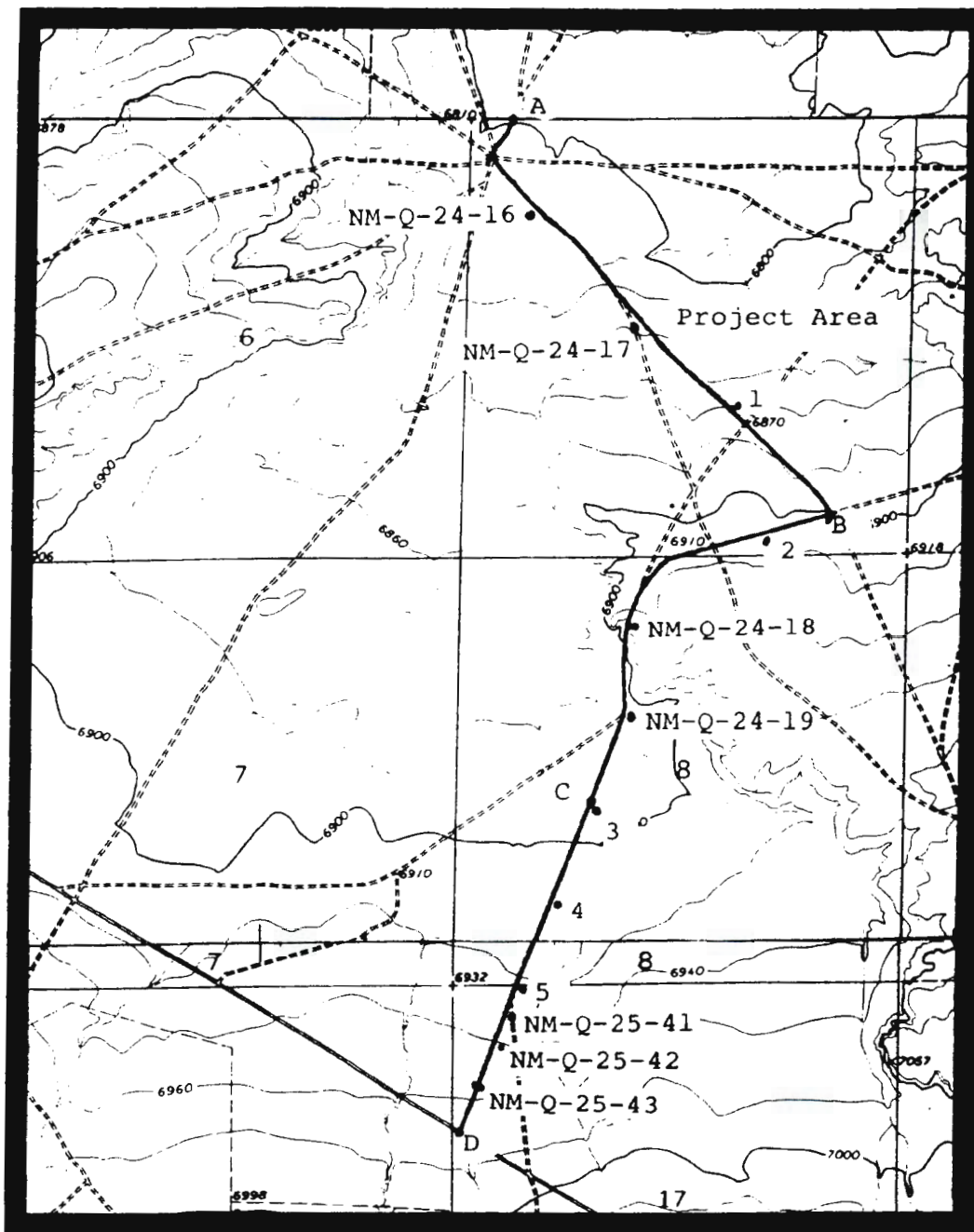


Figure 3: Specific Locations of Cultural Resources in Project Area. Map is a Composite of Heart Rock, NM (1963) and Casamero Lake, NM (1963). Letters are In-use Site Locations and Numbers are Isolated Occurrence Locations which are prefixed with 91-257-.

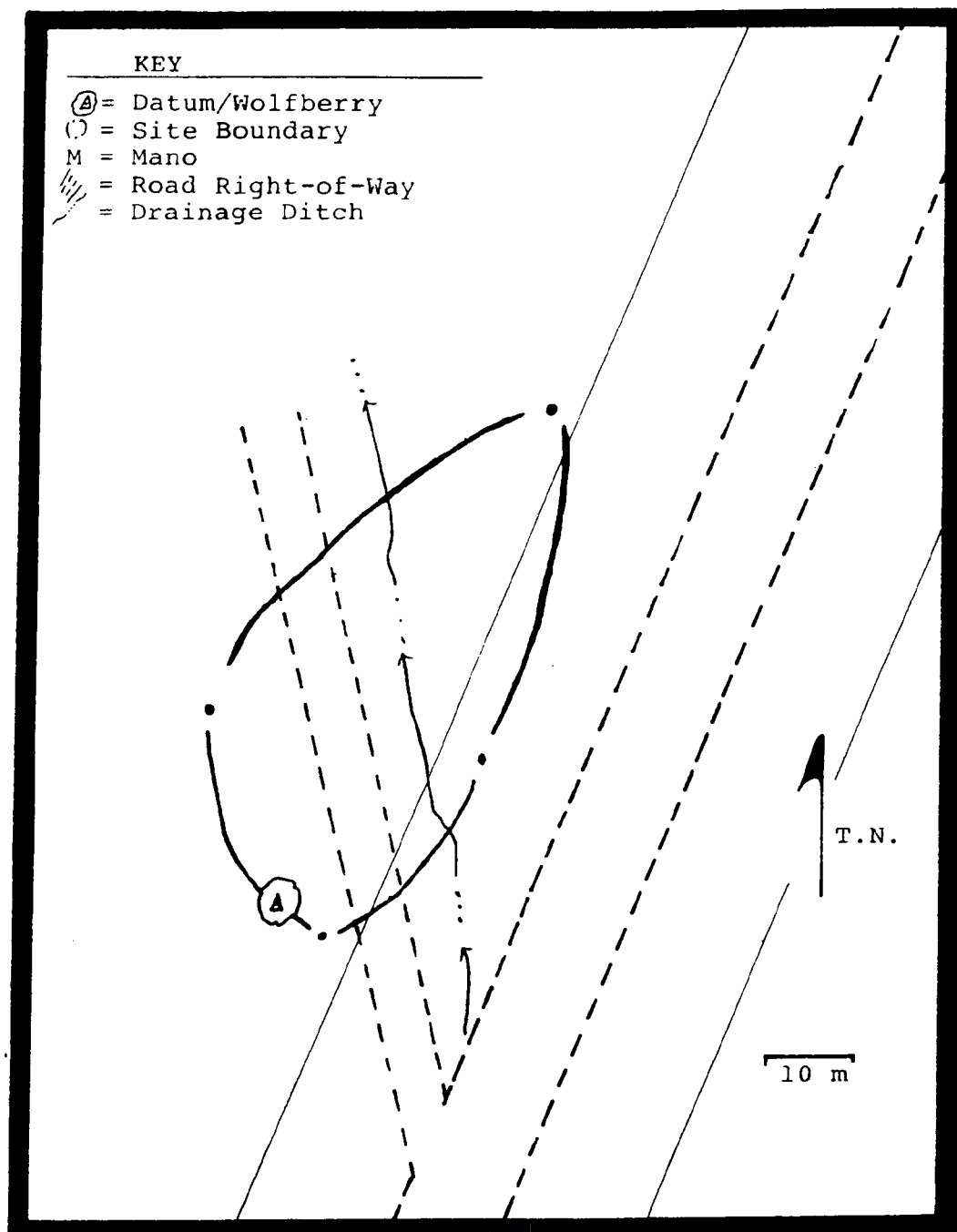


Figure 4: General Plan Map of Site NM-Q-24-16.

NAVAJO NATION ARCHAEOLOGY DEPARTMENT

Site Survey and Management Form

SITE NO.: NM-Q-24-17    FIELD NO. OR OTHER NAME: LW-2

DATE RECORDED: May 7, 1991

PROJECT NO. AND NAME:    NNAD 91-257--A Cultural Resources Inventory of the Proposed Road Construction on N-481 and N-7119 Roads to the Littlewater Chapter, McKinley County, New Mexico

ORGANIZATION: CIP/NNAD    ARCHAEOLOGISTS: Denise R.E. Copeland/Minnie Begaye

LEGAL LOCATION: SW 1/4 SE 1/4 NW 1/4, Sec. 5, T 16 N, R 11 W.

UTM: Zone 12, N 39 48 530 m, E 7 69 150 m

STATE: New Mexico    COUNTY: McKinley    CHAPTER: Littlewater

LAND STATUS: Indian Allotment

USGS MAP REFERENCE AND DATE: Heart Rock 7.5' 1963

GROUND VISIBILITY: Good visibility. General ground cover.

TOPOGRAPHY: The site is located on the northwest slope of a gentle sand dune.

DRAINAGE: An intermittent drainage is located 270 m northwest of the site.

ELEVATION (ft/m): 6840 ft/2085 m    SLOPE AND DIRECTION: 0-4%, NW

SOIL TYPE: Aeolian    OTHER: N/A

VEGETATION PRESENT:    Vegetation on the site include four-wing saltbush, Russian thistle, wolfberry and various grasses.

CULTURAL AFFILIATION(S): Anasazi    SITE TYPE: Ceramic Scatter.

PERIOD(S) OF OCCUPATION (date if known): P II-early P III

How Dated?: Associated artifacts.

SITE SIZE (L x W): 8 x 15 m    TOTAL AREA (Sq. m): 120 ±

How determined?: Tape measured based on artifact distribution.

ARCHITECTURE PRESENT?: No

Describe: N/A

ARTIFACTS OBSERVED/COUNTED:    Seventeen sherds were the only artifacts found on the site. They include three black-on-white sherds (possibly Puerco Black-on-white), nine corrugated sherds and five greyware sherds.

COLLECTION MADE?: No                      OF WHAT?: N/A                      METHOD: N/A

PHOTO TAKEN?: Yes                      ROLL NO.: \_\_\_\_\_                      FRAME NO.: \_\_\_\_\_

SITE DESCRIPTION: The site consists of a small ceramic scatter of 17 sherds on a sand dune. The sherds include three black-on-white sherds (possibly Puerco Black-on-White), nine corrugated sherds and five greyware sherds. No features were found on the site.

CONDITION OF SITE: Excellent (virtually undisturbed)

Causes of Disturbance: N/A

LOCATION OF SITE RELATIVE TO PROJECT AREA: The site is located on the west side of N-7119, 1 km south of the northwest end of the road. The east boundary of the site is located ca. 12 m from the present center of the road.

EXTENT OF INVESTIGATION TO DATE: Field recording only.

RESEARCH POTENTIAL: The site appears to be a surface scatter of artifacts with limited research potential.

RECOMMENDATIONS: The proposed road should be rerouted to avoid the site. If this is not possible the site will require testing for further evaluation of eligibility eligible for the National Register of Historic Places.

SITE ASSESSMENT UNDER 36 CFR 60.4 (National Register):

INTEGRITY: The site does appear to possess significant qualities of locational or physical integrity.

CRITERIA A-D: The site is not known to be associated with any events or persons that have made significant contributions to the broad patterns of our history or are significant in our past (criteria "a" and "b"), it does appear to embody the distinctive characteristics of a type, period, or that represents a significant distinguishable entity whose components may lack individual distinction (criterion "c"), and has yielded or may be likely to yield information important in history or prehistory (criterion "d").

EXCLUSIONS: N/A

ASSESSMENT UNDER 36 CFR 47 (Archaeological Resources Protection Act):

The site is over 100 years old and should be considered an "archaeological resource" and of "archaeological interest".

SITE ASSESSMENT UNDER AIRFA: Prehistoric sites because of their association with ancient enemies and/or ancestors, as places where burials exist, and as places accessible to the supernatural, may be considered potentially important under AIRFA.

PROVIDE A SITE MAP: (Including site designation, north arrow, scale, recognizable features, landmarks and relationship to project area.)  
See attached site map.

HOW CAN THE SITE BE REACHED?: See attached U.S.G.S. map

OTHER COMMENTS: None.



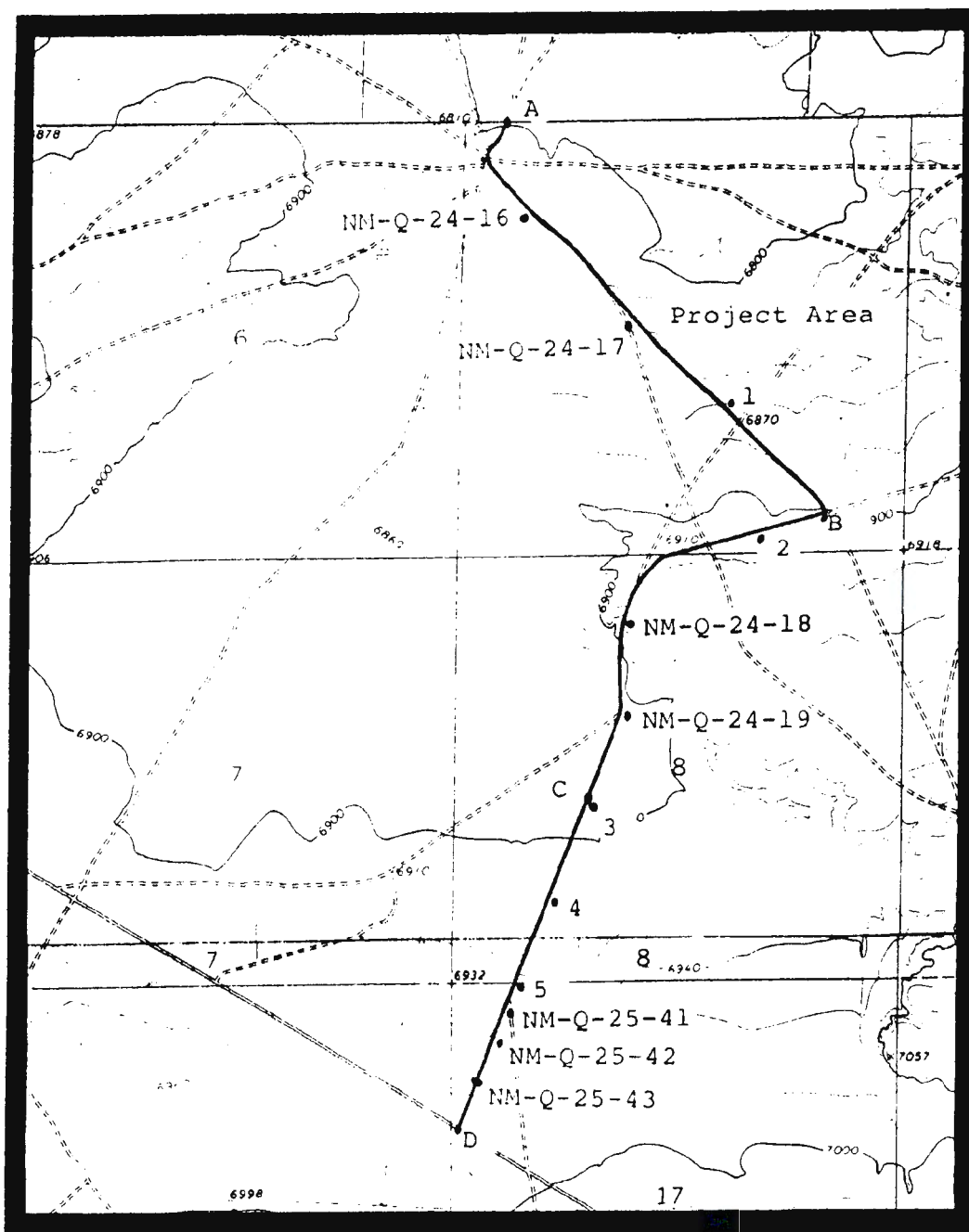


Figure 3: Specific Locations of Cultural Resources in Project Area. Map is a Composite of Heart Rock, NM (1963) and Casamero Lake, NM (1963). Letters are In-use Site Locations and Numbers are Isolated Occurrence Locations which are prefixed with 91-257-.

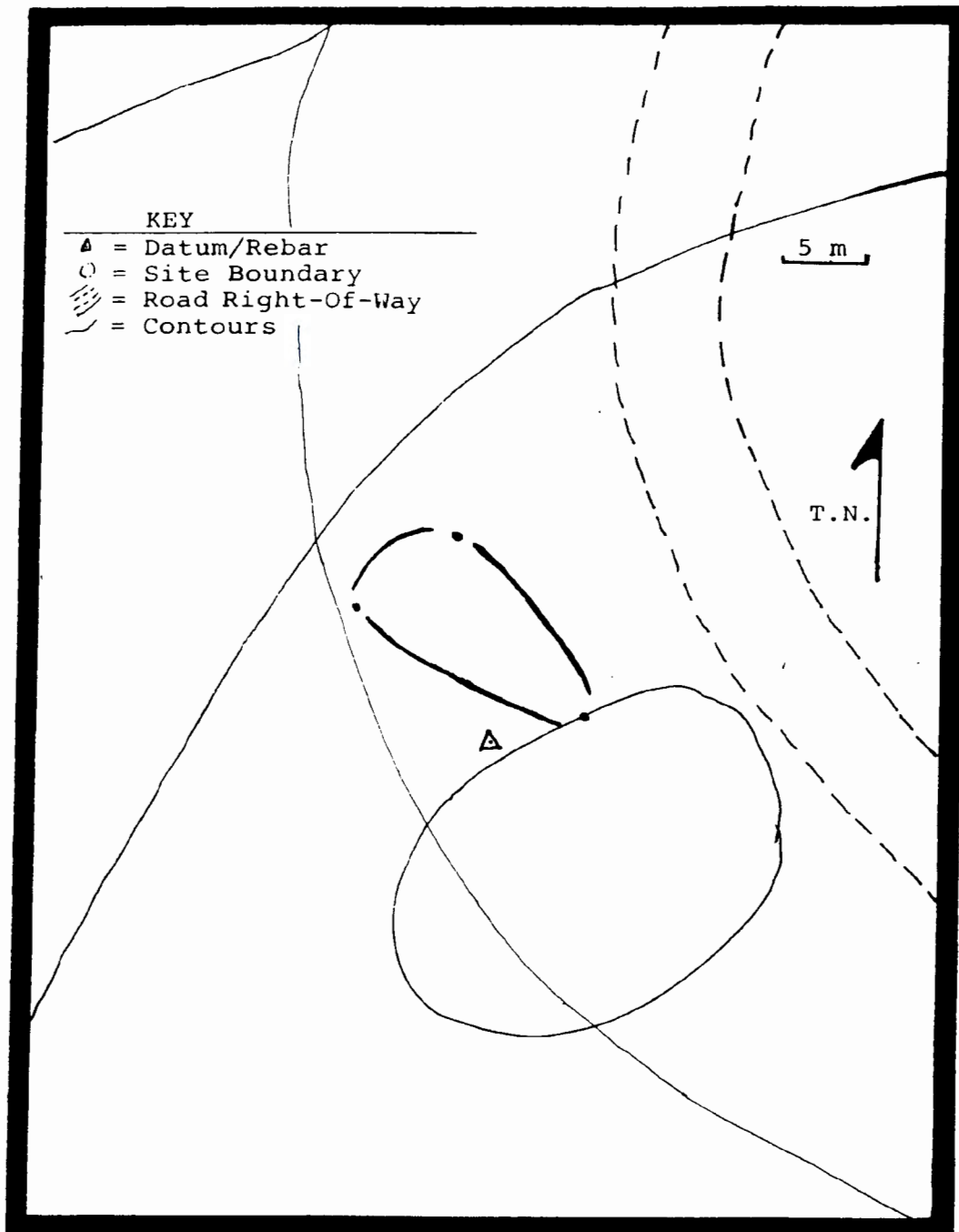


Figure 5: General Plan Map of Site NM-Q-24-17.

NAVAJO NATION ARCHAEOLOGY DEPARTMENT

Site Survey and Management Form

SITE NO.: NM-Q-24-17    FIELD NO. OR OTHER NAME: LW-3

DATE RECORDED: May 7, 1991

PROJECT NO. AND NAME:    NNAD 91-257--A Cultural Resources Inventory of the Proposed Road Construction on N-481 and N-7119 Roads to the Littlewater Chapter, McKinley County, New Mexico

ORGANIZATION: CIP/NNAD    ARCHAEOLOGISTS: Denise R.E. Copeland/Minnie Begaye

LEGAL LOCATION: SE 1/4 NE 1/4 NW 1/4, Sec. 8, T 16 N, R 11 W.

UTM: Zone 12, N 39 47 400 m, E 7 69 240 m

STATE: New Mexico    COUNTY: McKinley    CHAPTER: Littlewater

LAND STATUS: Indian Allotment

USGS MAP REFERENCE AND DATE: Heart Rock 7.5' 1963

GROUND VISIBILITY: Good visibility. General ground cover.

TOPOGRAPHY: The site is located on a gentle northeast slope sand dune. Sandstone outcrops are located approximately 60 m south of the site.

DRAINAGE: A small intermittent drainage passes through the site.

ELEVATION (ft/m): 6930 ft/2112 m    SLOPE AND DIRECTION: 1-2%, NE

SOIL TYPE: Aeolian    OTHER: N/A

VEGETATION PRESENT: Vegetation found on the site includes grama grass, rabbitbrush, snakeweed and various grasses.

CULTURAL AFFILIATION(S):    SITE TYPE: Lithic Scatter

PERIOD(S) OF OCCUPATION (date if known): \_\_\_\_\_

How Dated?: Associated artifacts.

SITE SIZE (L x W): 15 x 18 m    TOTAL AREA (Sq. m): 270 ±

How determined?: Tape measured based on artifact distribution.

ARCHITECTURE PRESENT?: No

Describe: N/A.

ARTIFACTS OBSERVED/COUNTED: A total of 15 lithic artifacts were found on the site. They include one chert projectile point, one chert primary flake, one quartzite primary flake and 12 chert interior flakes. Materials include local cherts (brown/white, white and grey) and quartzite (brown).

COLLECTION MADE?: No      OF WHAT?: N/A      METHOD: N/A

PHOTO TAKEN?: Yes      ROLL NO.: \_\_\_\_\_ FRAME NO.: \_\_\_\_\_

SITE DESCRIPTION: The site consists of a small dispersed scatter of lithics. Artifacts include one chert projectile point, one chert primary flake, one quartzite primary flake and 12 chert interior flakes. Materials include local cherts (brown/white, white and grey) and quartzite (brown). No features were found.

CONDITION OF SITE: Good (75% undisturbed)

Causes of Disturbance: A powerline crosses through the site and a power pole is set on the south side of the site.

LOCATION OF SITE RELATIVE TO PROJECT AREA: The site is located outside the proposed right-of-way approximately 25.5 m on the east side of N-481, 1.9 km northeast of the southwest end.

EXTENT OF INVESTIGATION TO DATE: Field recording only.

RESEARCH POTENTIAL: The site appears to be a surface scatter of artifacts with limited research potential.

RECOMMENDATIONS: The site is located outside the proposed project and no further work is required at this time.

SITE ASSESSMENT UNDER 36 CFR 60.4 (National Register):

INTEGRITY: The site does appear to possess significant qualities of locational and physical integrity.

CRITERIA A-D: The site is not known to be associated with any events or persons that have made significant contributions to the broad patterns of our history or are significant in our past (criteria "a" and "b"), it does not appear to embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or that represents a significant distinguishable entity whose components may lack individual distinction (criterion "c"), and has yielded or may be likely to yield information important in history or prehistory (criterion "d").

EXCLUSIONS: N/A.

(Archaeological Resources Protection Act):

The site is over 100 years old and should be considered an "archaeological resource" and of "archaeological interest".

SITE ASSESSMENT UNDER AIRFA: Prehistoric sites because of their association with ancient enemies and/or ancestors, as places where burials exist, and as places accessible to the supernatural, may be considered potentially important under AIRFA.

PROVIDE A SITE MAP: (Including site designation, north arrow, scale, recognizable features, landmarks and relationship to project area.)  
See attached site map.

HOW CAN THE SITE BE REACHED?: See attached U.S.G.S. map

OTHER COMMENTS: None.



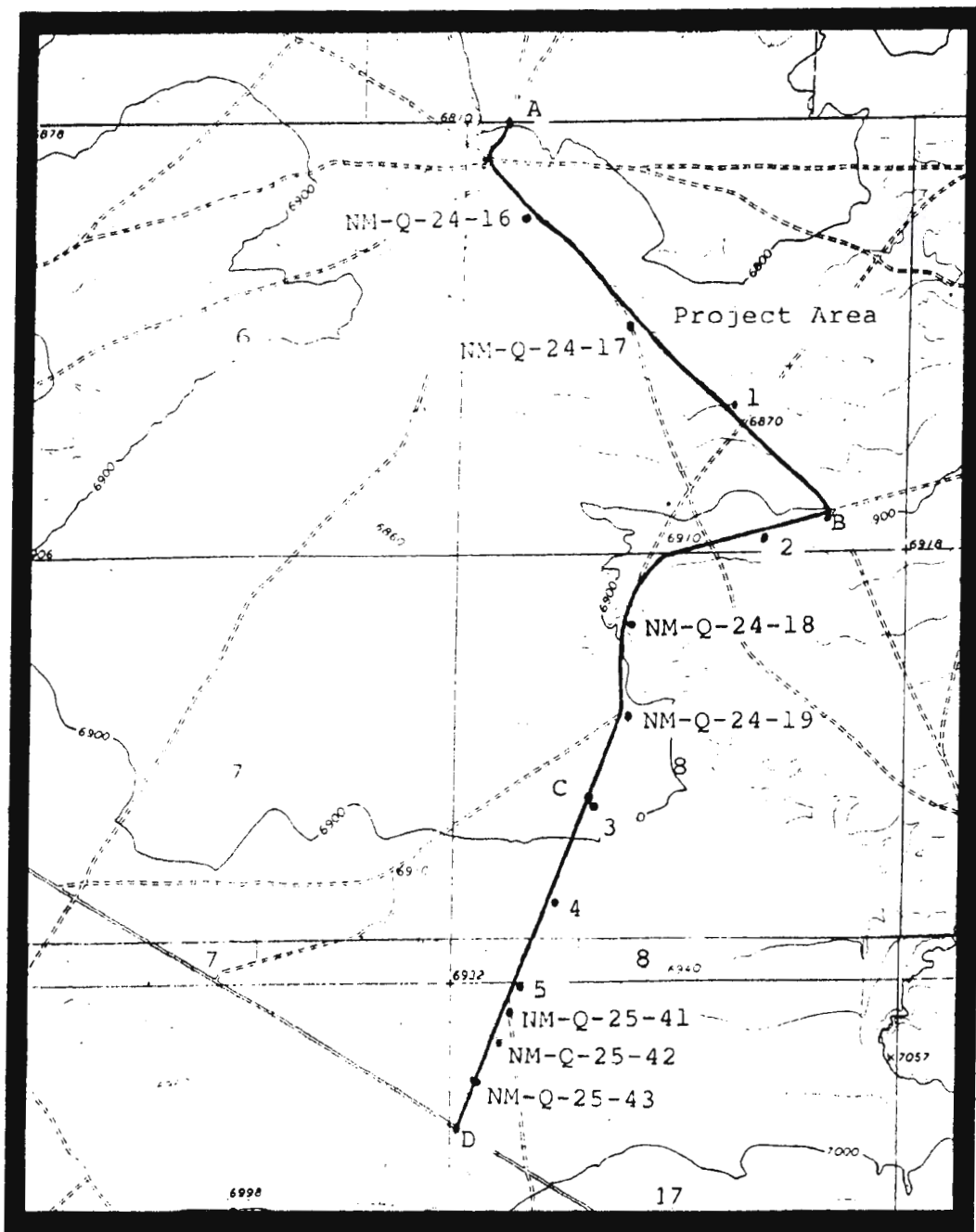


Figure 3: Specific Locations of Cultural Resources in Project Area. Map is a Composit of Heart Rock, NM (1963) and Casamero Lake, NM (1963). Letters are In-use Site Locations and Numbers are Isolated Occurrence Locations which are prefixed with 91-257-.

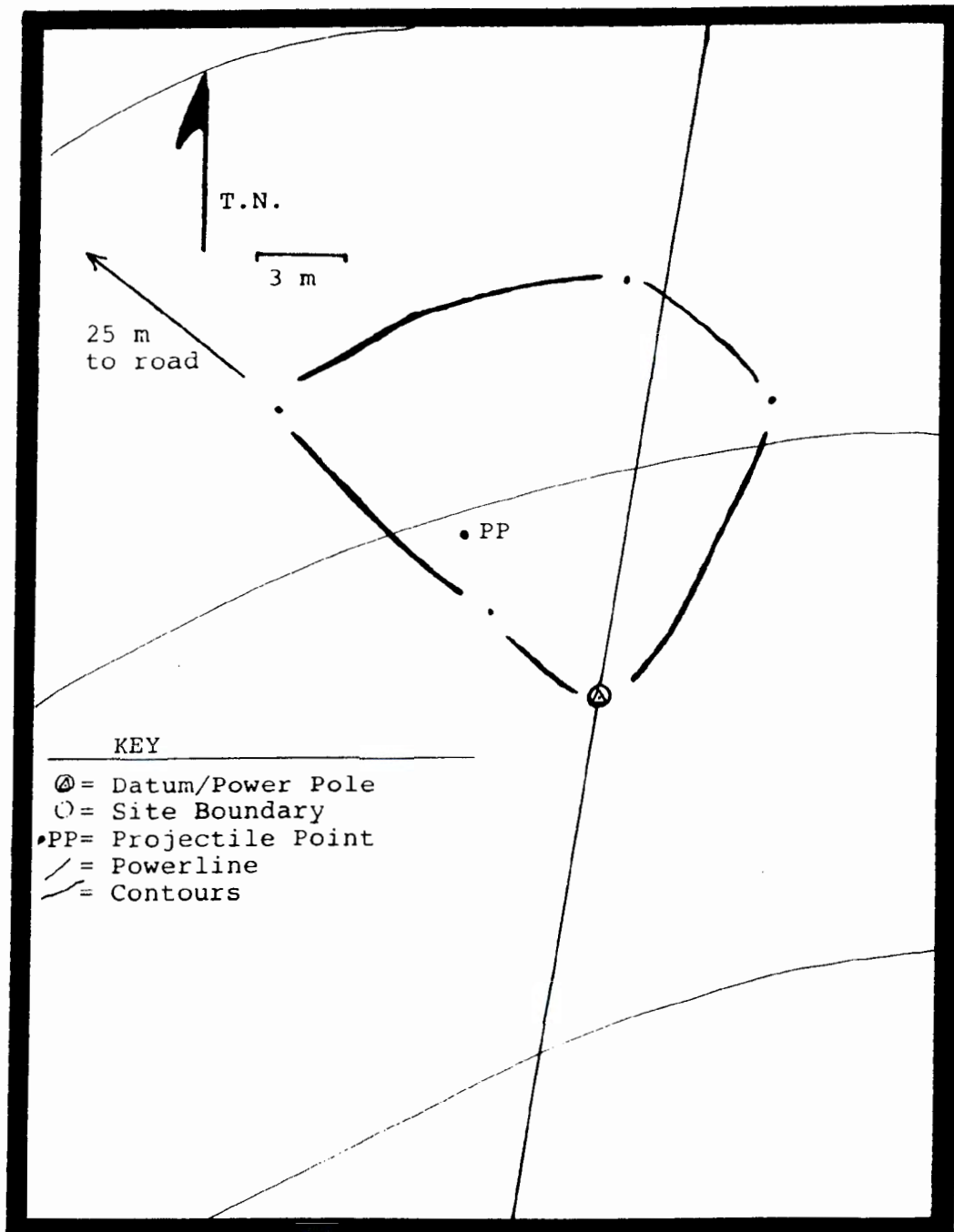


Figure 6: General Plan Map of Site NM-Q-24-18.

NAVAJO NATION ARCHAEOLOGY DEPARTMENT

Site Survey and Management Form

SITE NO.: NM-Q-24-19    FIELD NO. OR OTHER NAME: LW-4

DATE RECORDED: May 7, 1991

PROJECT NO. AND NAME: NNAD 91-257--A Cultural Resources Inventory of the Proposed Road Construction on N-481 and N-7119 Roads to the Littlewater Chapter, McKinley County, New Mexico

ORGANIZATION: CIP/NNAD    ARCHAEOLOGISTS: Denise R.E. Copeland/Minnie Begaye

LEGAL LOCATION: SE 1/4 SE 1/4 NW 1/4, Sec. 8, T 16 N, R 11 W.

UTM: Zone 12, N 39 47 040 m, E 7 69 230 m

STATE: New Mexico    COUNTY: McKinley    CHAPTER: Littlewater

LAND STATUS: Indian Allotment

USGS MAP REFERENCE AND DATE: Heart Rock 7.5' 1963

GROUND VISIBILITY: Good visibility. General ground cover.

TOPOGRAPHY: The site is located in a level floodplain area.

DRAINAGE: An intermittent drainage is location on the south side of the site.

ELEVATION (ft/m): 6890 ft/2100 m    SLOPE AND DIRECTION: 0-1%, south

SOIL TYPE: Alluvium    OTHER: Aeolian

VEGETATION PRESENT: Vegetation on the site includes four wing saltbush, grama grass, Russian thistle, snakeweed and various grasses.

CULTURAL AFFILIATION(S): Anasazi    SITE TYPE: Ceramic Scatter

PERIOD(S) OF OCCUPATION (date if known): P II-early P III

How Dated?: Associated artifacts.

SITE SIZE (L x W): 22 x 35 m    TOTAL AREA (Sq. m): 770 ±

How determined?: Tape measured based on artifact distribution.

ARCHITECTURE PRESENT?: No

Describe: N/A

ARTIFACTS OBSERVED/COUNTED: Twenty-one sherds were located on the site. The sherds include three corrugated, six Gallup Black-on-white, eight Cibolan Whiteware, and four greyware.

COLLECTION MADE?: No      OF WHAT?: N/A      METHOD: N/A

PHOTO TAKEN?: Yes      ROLL NO.: \_\_\_\_\_      FRAME NO.: \_\_\_\_\_

SITE DESCRIPTION: The site consists of a small ceramic scatter of 21 sherds. The sherds include three corrugated, six Gallup Black-on-white, eight Cibolan Whiteware, and four greyware. No features were present.

CONDITION OF SITE: Good (75% undisturbed)

Causes of Disturbance: A two track road passes through the site. N/A.

LOCATION OF SITE RELATIVE TO PROJECT AREA: The site is located 10 m from the centerline road on the east side. The site is approximately 1.6 km from the southwest end of N-481.

EXTENT OF INVESTIGATION TO DATE: Field recording only.

RESEARCH POTENTIAL: The site appears to be a surface scatter of artifacts with limited research potential.

RECOMMENDATIONS: The proposed road should be rerouted to avoid the site. If this is not possible the site will require testing for further evaluation of eligibility to the National Register of Historic Places.

SITE ASSESSMENT UNDER 36 CFR 60.4 (National Register):

INTEGRITY: The site does appear to possess significant qualities of locational or physical integrity.

CRITERIA A-D: The site is not known to be associated with any events or persons that have made significant contributions to the broad patterns of our history or are significant in our past (criteria "a" and "b"), it does appear to embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or that represents a significant distinguishable entity whose components may lack individual distinction (criterion "c"), and has yielded or may be likely to yield information important in history or pre-history (criterion "d").

EXCLUSIONS: N/A.

ASSESSMENT UNDER 36 CFR 47 (Archaeological Resources Protection Act):

The site is over 100 years old and should be considered an "archaeological resource" and of "archaeological interest".

SITE ASSESSMENT UNDER AIRFA: Prehistoric sites because of their association with ancient enemies and/or ancestors, as places where burials exist, and as places accessible to the supernatural, may be considered potentially important under AIRFA.

PROVIDE A SITE MAP: (Including site designation, north arrow, scale, recognizable features, landmarks and relationship to project area.)  
See attached site map.

HOW CAN THE SITE BE REACHED?: See attached U.S.G.S. map

OTHER COMMENTS: None.



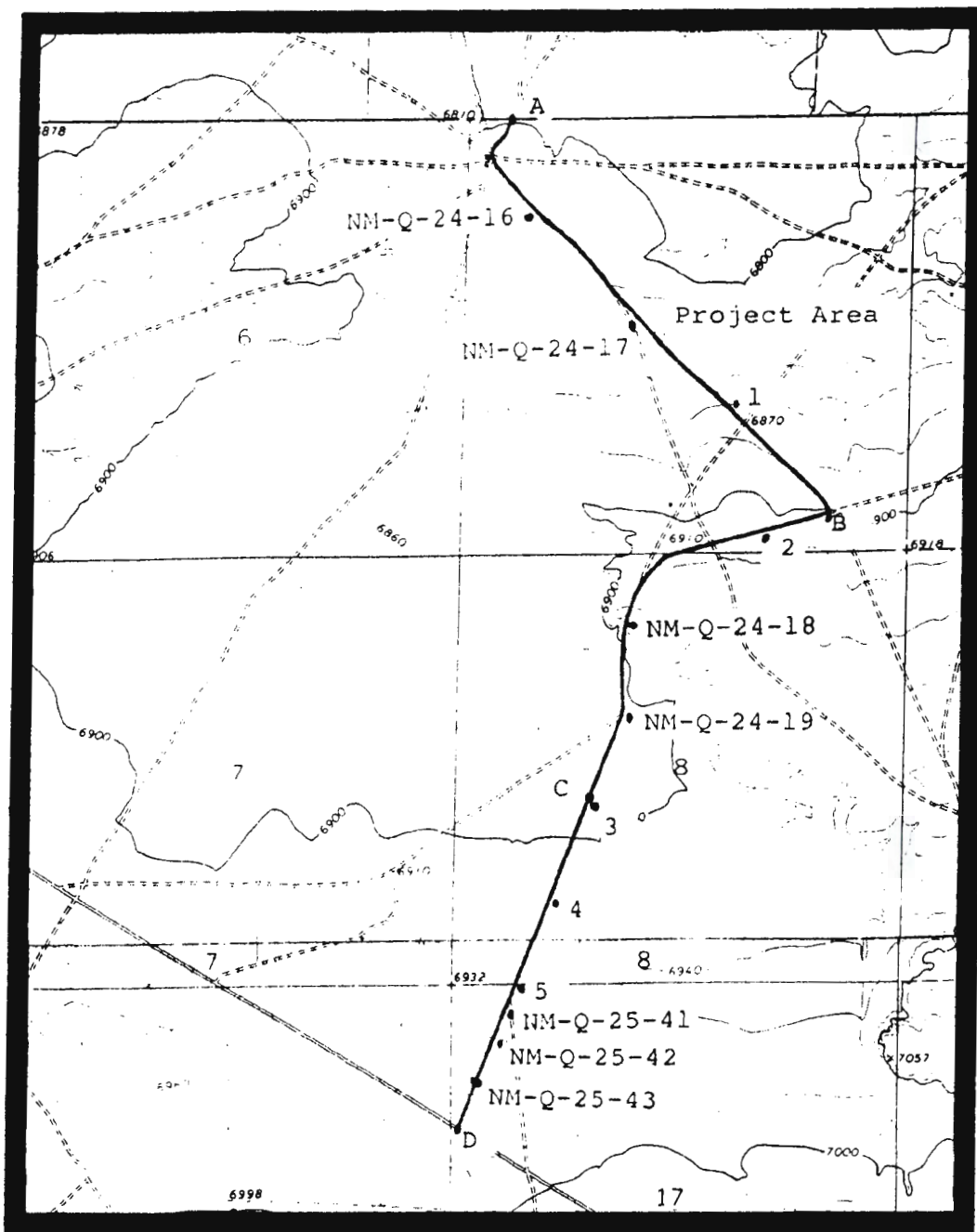


Figure 3: Specific Locations of Cultural Resources in Project Area. Map is a Composite of Heart Rock, NM (1963) and Casamero Lake, NM (1963). Letters are In-use Site Locations and Numbers are Isolated Occurrence Locations which are prefixed with 91-257-.

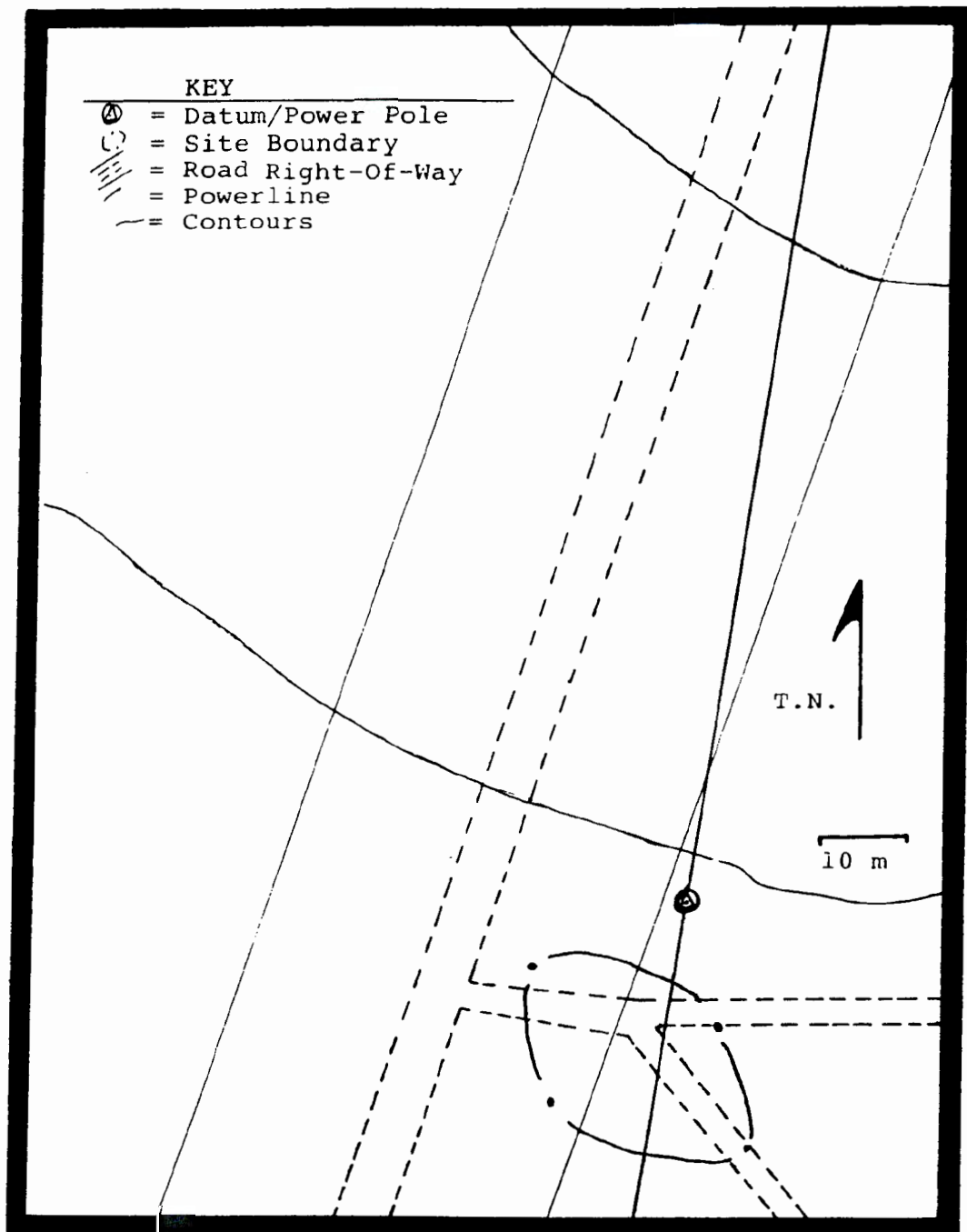


Figure 7: General Plan Map of Site NM-Q-24-19.

NAVAJO NATION ARCHAEOLOGY DEPARTMENT

Site Survey and Management Form

SITE NO.: NM-Q-25-41 FIELD NO. OR OTHER NAME: LW-5

DATE RECORDED: May 7, 1991

PROJECT NO. AND NAME: NNAD 91-257--A Cultural Resources Inventory of the Proposed Road Construction on N-481 and N-7119 Roads to the Littlewater Chapter, McKinley County, New Mexico

ORGANIZATION: CIP/NNAD ARCHAEOLOGISTS: Denise R.E. Copeland/Minnie Begaye

LEGAL LOCATION: NE 1/4 NW 1/4 NW 1/4, Sec. 17, T 16 N, R 11 W.

UTM: Zone 12, N 39 45 930 m, E 7 68 860 m

STATE: New Mexico COUNTY: McKinley CHAPTER: Littlewater

LAND STATUS: Indian Allotment

USGS MAP REFERENCE AND DATE: Heart Rock 7.5' 1963

GROUND VISIBILITY: Good visibility. General ground cover.

TOPOGRAPHY: The site is located in a level floodplain area.

DRAINAGE: An intermittent drainage is located ca. 75 m east of the site.

ELEVATION (ft/m): 6910 ft/2106 m SLOPE AND DIRECTION: 0 %

SOIL TYPE: Alluvium OTHER: Aeolian

VEGETATION PRESENT: Vegetation on the site includes four wing saltbush, grama grass, Russian thistle, snakeweed and various grasses.

CULTURAL AFFILIATION(S): Anasazi SITE TYPE: Ceramic Scatter

PERIOD(S) OF OCCUPATION (date if known): P II-Early P III

How Dated?: Associated artifacts.

SITE SIZE (L x W): 4 x 8 m TOTAL AREA (Sq. m): 32 +

How determined?: Tape measured based on artifact distribution.

ARCHITECTURE PRESENT?: No

Describe: N/A.

ARTIFACTS OBSERVED/COUNTED: Artifacts found on the site include 18 sherds. The sherds include five corrugated, seven Gallup Black-on-white, one Cibolan whiteware, and four greyware.

COLLECTION MADE?: No      OF WHAT?: N/A      METHOD: N/A

PHOTO TAKEN?: Yes      ROLL NO.: \_\_\_\_\_      FRAME NO.: \_\_\_\_\_

SITE DESCRIPTION: The site consists of a small ceramic scatter of 18 sherds. The sherds include five corrugated, seven Gallup Black-on-white, one Cibolan whiteware, and four greyware. No features were found.

CONDITION OF SITE: Excellent (virtually undisturbed)

Causes of Disturbance: N/A.

LOCATION OF SITE RELATIVE TO PROJECT AREA: The site is located on the east side of N-481, ca. 1600 ft/487 m north-east of the junction of N-48 and N-481. The west boundary of the site is 7 m east of the proposed right-of-way centerline.

EXTENT OF INVESTIGATION TO DATE: Field recording only.

RESEARCH POTENTIAL: The site appears to be a surface scatter of artifacts with limited research potential.

RECOMMENDATIONS: The site should be avoided. If avoidance is not a option, the site should be test for further evaluation of eligibility to the National Register.

SITE ASSESSMENT UNDER 36 CFR 60.4 (National Register):

INTEGRITY: The site does appear to possess significant qualities of locational or physical integrity.

CRITERIA A-D: The site is not known to be associated with any events or persons that have made significant contributions to the broad patterns of our history or are significant in our past (criteria "a" and "b"), it does appear to embody the distinctive characteristics of a type, period, or that represents a significant distinguishable entity whose components may lack individual distinction (criterion "c"), and has yielded or may be likely to yield information important in history or prehistory (criterion "d").

EXCLUSIONS: N/A

ASSESSMENT UNDER 36 CFR 47 (Archaeological Resources Protection Act):

The site is over 100 years old and should be considered an "archaeological resource" and of "archaeological interest".

SITE ASSESSMENT UNDER AIRFA: Prehistoric sites because of their association with ancient enemies and/or ancestors, as places where burials exist, and as places accessible to the supernatural, may be considered potentially important under AIRFA.

PROVIDE A SITE MAP: (Including site designation, north arrow, scale, recognizable features, landmarks and relationship to project area.)  
See attached site map.

HOW CAN THE SITE BE REACHED?: See attached U.S.G.S. map

OTHER COMMENTS: None.



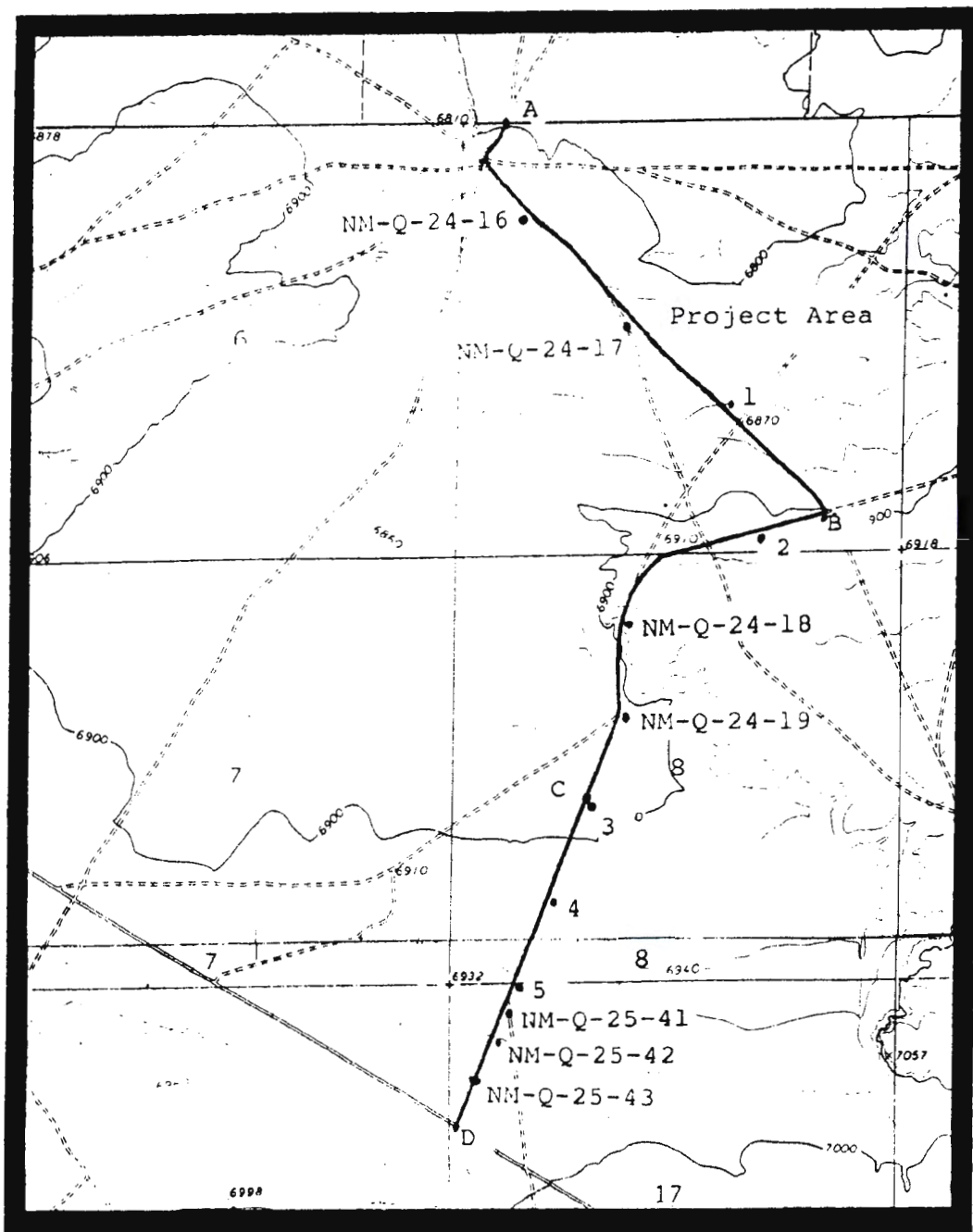


Figure 3: Specific Locations of Cultural Resources in Project Area. Map is a Composite of Heart Rock, NM (1963) and Casamero Lake, NM (1963). Letters are In-use Site Locations and Numbers are Isolated Occurrence Locations which are prefixed with 91-257-.

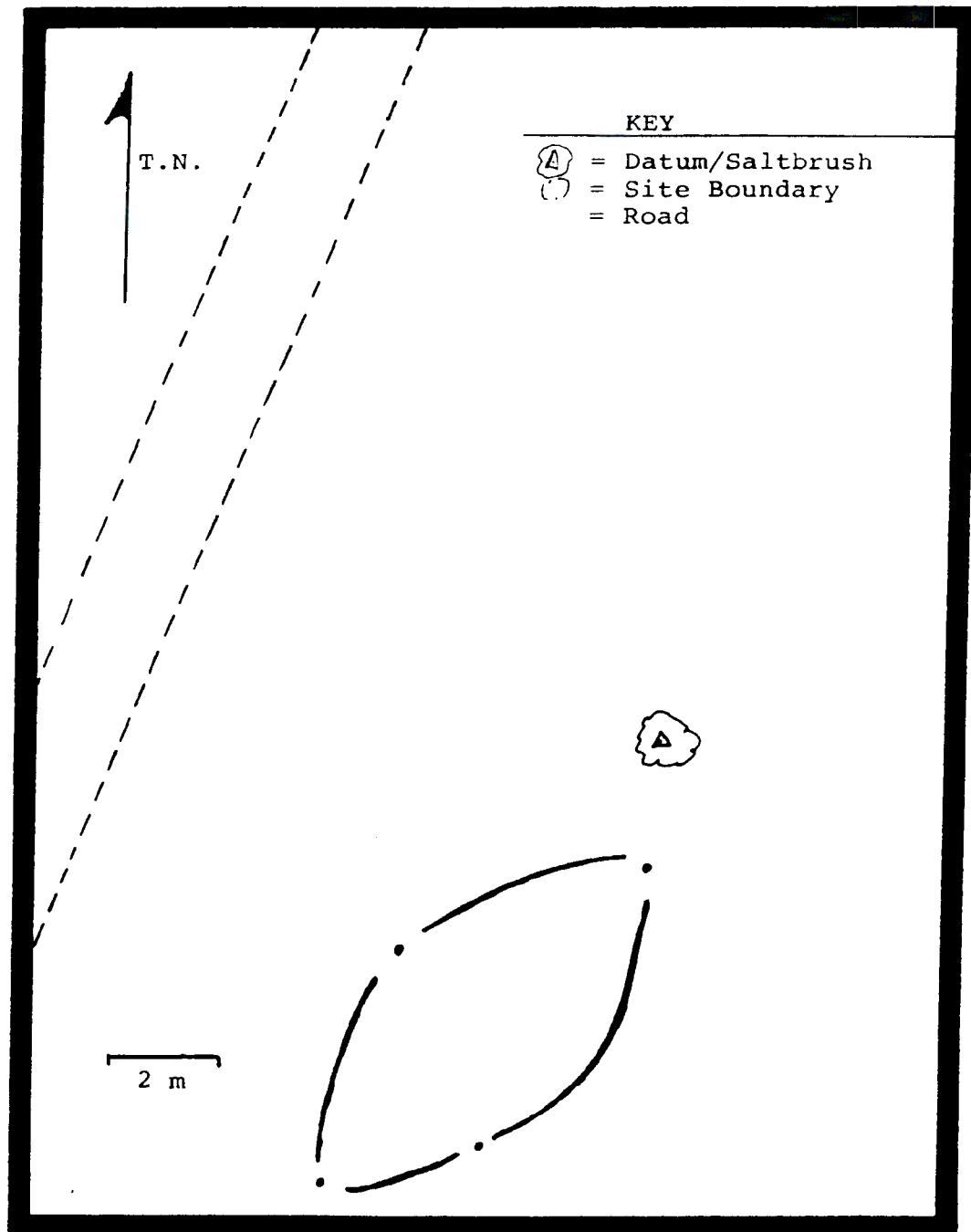


Figure 8: General Plan Map of Site NM-Q-25-41.

NAVAJO NATION ARCHAEOLOGY DEPARTMENT

Site Survey and Management Form

SITE NO.: NM-Q-25-42    FIELD NO. OR OTHER NAME: LW-6

DATE RECORDED: May 7, 1991

PROJECT NO. AND NAME: NNAD 91-257--A Cultural Resources Inventory of the Proposed Road Construction on N-481 and N-7119 Roads to the Littlewater Chapter, McKinley County, New Mexico

ORGANIZATION: CIP/NNAD    ARCHAEOLOGISTS: Denise R.E. Copeland/Minnie Begaye

LEGAL LOCATION: SW 1/4 NW 1/4 NW 1/4, Sec. 17, T 16 N, R 11 W.

UTM: Zone 12, N 39 45 820 m, E 7 68 890 m

STATE: New Mexico    COUNTY: McKinley    CHAPTER: Littlewater

LAND STATUS: Indian Allotment

USGS MAP REFERENCE AND DATE: Heart Rock 7.5' 1963

GROUND VISIBILITY: Good visibility. General ground cover.

TOPOGRAPHY: The site is located in a level floodplain area.

DRAINAGE: An intermittent drainage is located east of site ca. 500 ft/152 m.

ELEVATION (ft/m): 6945 ft/2117 m    SLOPE AND DIRECTION: 0-1%, northeast

SOIL TYPE: Alluvium    OTHER: Aeolian

VEGETATION PRESENT: Vegetation on the site includes four-wing saltbush, rabbit-brush, Russian thistle and various grasses.

CULTURAL AFFILIATION(S): Anasazi    SITE TYPE: Ceramic Scatter

PERIOD(S) OF OCCUPATION (date if known): P II-Early P III

How Dated?: Associated artifacts.

SITE SIZE (L x W): 15 x 87 m    TOTAL AREA (Sq. m): 1305 ±

How determined?: Tape measured based on artifact and/or feature distribution

ARCHITECTURE PRESENT?: No

Describe: N/A

ARTIFACTS OBSERVED/COUNTED: Artifacts found on the site include 47 ceramics. The sherds include 17 corrugated, 12 black-on-white (Puerco Black-on-white and Gallup Black-on-white), three Cibolan whiteware, and 15 greyware.

COLLECTION MADE?: No      OF WHAT?: N/A      METHOD: N/A

PHOTO TAKEN?: Yes      ROLL NO.: \_\_\_\_\_      FRAME NO.: \_\_\_\_\_

SITE DESCRIPTION: The site consists of a small ceramic scatter of 47 sherds. The sherds include 17 corrugated, 12 black-on-white (Puerco Black-on-white and Gallup Black-on-white), three Cibolan whiteware, and 15 greyware. No features were found on the site.

CONDITION OF SITE: Good (75% undisturbed)

Causes of Disturbance: A drainage ditch for N-481 has disturbed the south side of the site and has dragged artifacts from the south portion of the site towards N-481.

LOCATION OF SITE RELATIVE TO PROJECT AREA: The site is located on the east side of N-481 ca. 1200 ft/366 m north of the junction of N-48 and N-481.

EXTENT OF INVESTIGATION TO DATE: Field recording only.

RESEARCH POTENTIAL: The site appears to be a surface scatter of artifacts with limited research potential.

RECOMMENDATIONS: The proposed road should be rerouted to avoid the site. If this is not possible the site will require testing for further evaluation of eligibility to the National Register of Historic Places.

SITE ASSESSMENT UNDER 36 CFR 60.4 (National Register):

INTEGRITY: The site does appear to possess significant qualities of locational or physical integrity.

CRITERIA A-D: The site is not known to be associated with any events or persons that have made significant contributions to the broad patterns of our history or are significant in our past (criteria "a" and "b"), it does appear to embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or that represents a significant distinguishable entity whose components may lack individual distinction (criterion "c"), and has not yielded or may be likely to yield information important in history or prehistory (criterion "d").

EXCLUSIONS: N/A

ASSESSMENT UNDER 36 CFR 47 (Archaeological Resources Protection Act):

The site is over 100 years old and should be considered an "archaeological resource" and of "archaeological interest".

SITE ASSESSMENT UNDER AIRFA: Prehistoric sites because of their association with ancient enemies and/or ancestors, as places where burials exist, and as places accessible to the supernatural, may be considered potentially important under AIRFA.

PROVIDE A SITE MAP: (Including site designation, north arrow, scale, recognizable features, landmarks and relationship to project area.)  
See attached site map.

HOW CAN THE SITE BE REACHED?: See attached U.S.G.S. map

OTHER COMMENTS: None.



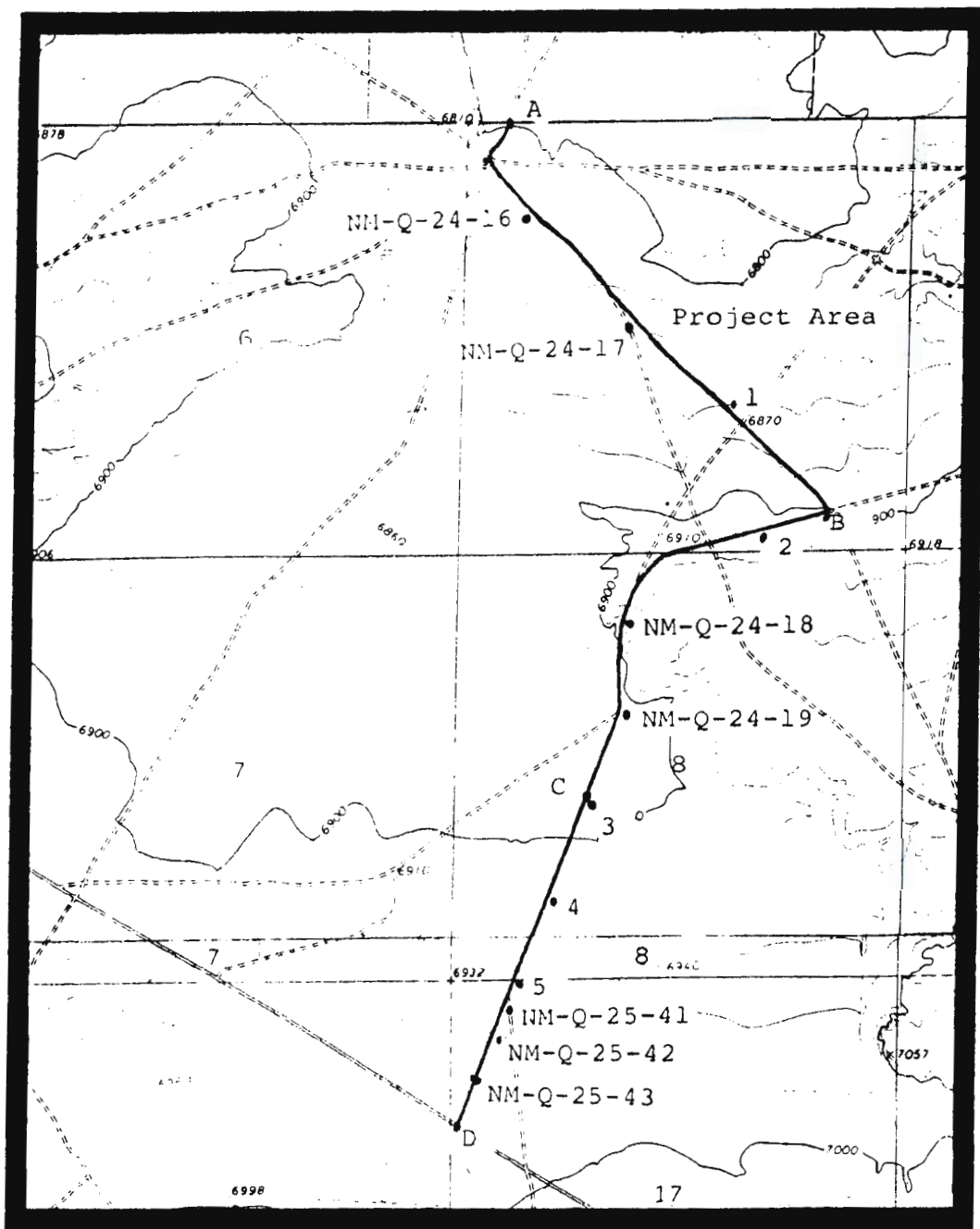


Figure 3: Specific Locations of Cultural Resources in Project Area. Map is a Composit of Heart Rock, NM (1963) and Casamero Lake, NM (1963). Letters are In-use Site Locations and Numbers are Isolated Occurrence Locations which are prefixed with 91-257-.

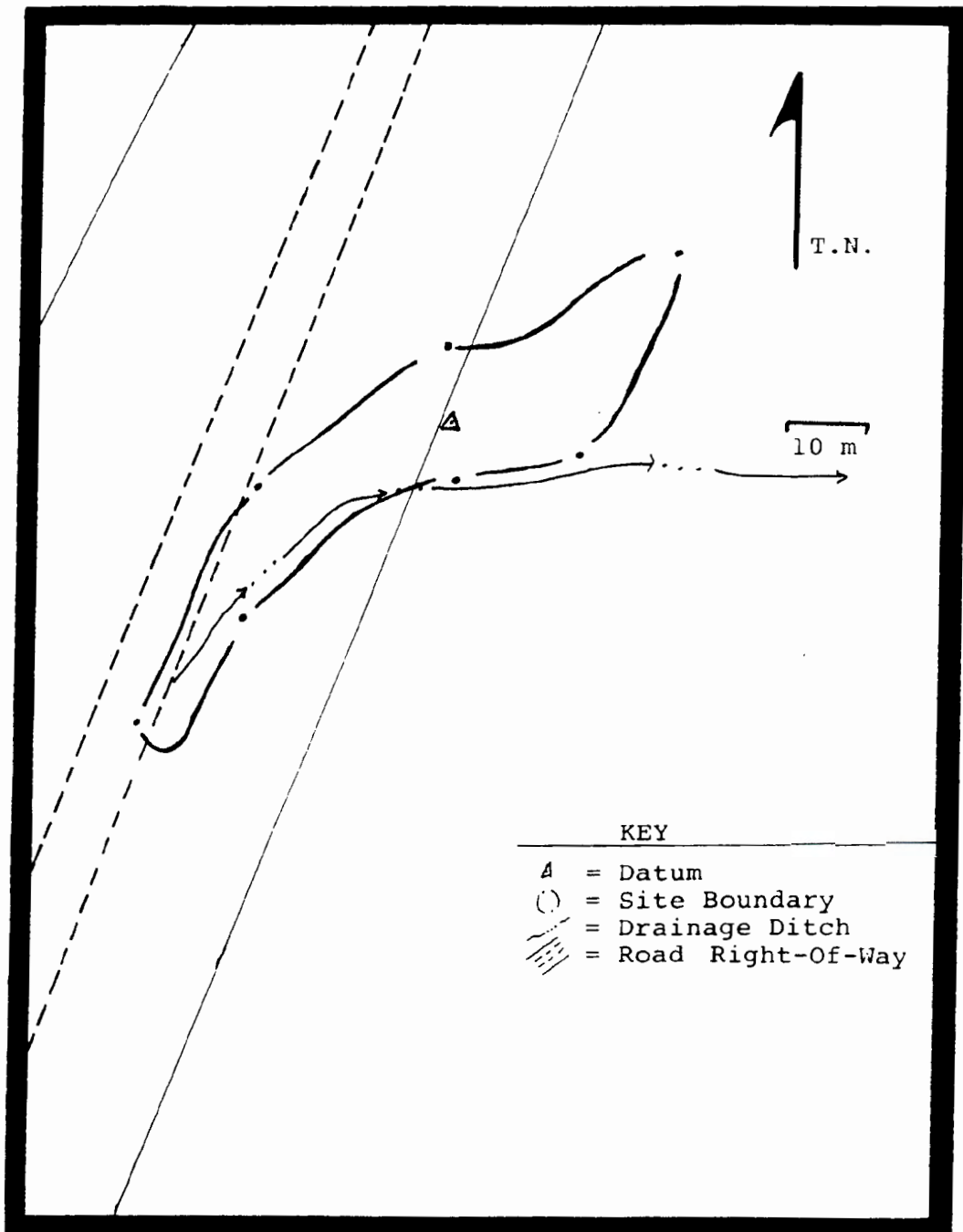


Figure 9: General Plan Map of Site NM-Q-25-42.

NAVAJO NATION ARCHAEOLOGY DEPARTMENT

Site Survey and Management Form

SITE NO.: NM-Q-25-423 FIELD NO. OR OTHER NAME: LW-7

DATE RECORDED: May 7, 1991

PROJECT NO. AND NAME: NNAD 91-257--A Cultural Resources Inventory of the Proposed Road Construction on N-481 and N-7119 Roads to the Littlewater Chapter, McKinley County, New Mexico

ORGANIZATION: CIP/NNAD ARCHAEOLOGISTS: Denise R.E. Copeland/Minnie Begaye

LEGAL LOCATION: SW 1/4 NW 1/4 NW 1/4, Sec. 17, T 16 N, R 11 W.

UTM: Zone 12, N 39 45 680 m, E 7 68 760 m

STATE: New Mexico COUNTY: McKinley CHAPTER: Littlewater

LAND STATUS: Indian Allotment

USGS MAP REFERENCE AND DATE: Heart Rock 7.5' 1963

GROUND VISIBILITY: Good visibility. General ground cover.

TOPOGRAPHY: The site is located on a gentle slope in a floodplain area.

DRAINAGE: An intermittent drainage is located to the west of the site ca. 800 ft/244 m. Drainage ditch is just west of the site.

ELEVATION (ft/m): 6950 ft/2118 m SLOPE AND DIRECTION: 0-2 %, Northeast

SOIL TYPE: Alluvium OTHER: Aeolian

VEGETATION PRESENT: Vegetation on the site includes four wing saltbush, grama grass, Russian thistle, snakeweed and various grasses.

CULTURAL AFFILIATION(S): Anasazi SITE TYPE: Habitation

PERIOD(S) OF OCCUPATION (date if known): P I-Early P III

How Dated?: Associated artifacts.

SITE SIZE (L x W): 35 x 150 m TOTAL AREA (Sq. m): ca. 5250 +

How determined?: Tape measured based on artifact and/or feature distribution

ARCHITECTURE PRESENT?: Yes

Describe: Feature 1, the rubble mound consists of unshaped sandstone block in an area 14 x 22 m. A few sherds and two metate fragments were located on the rubble mound.

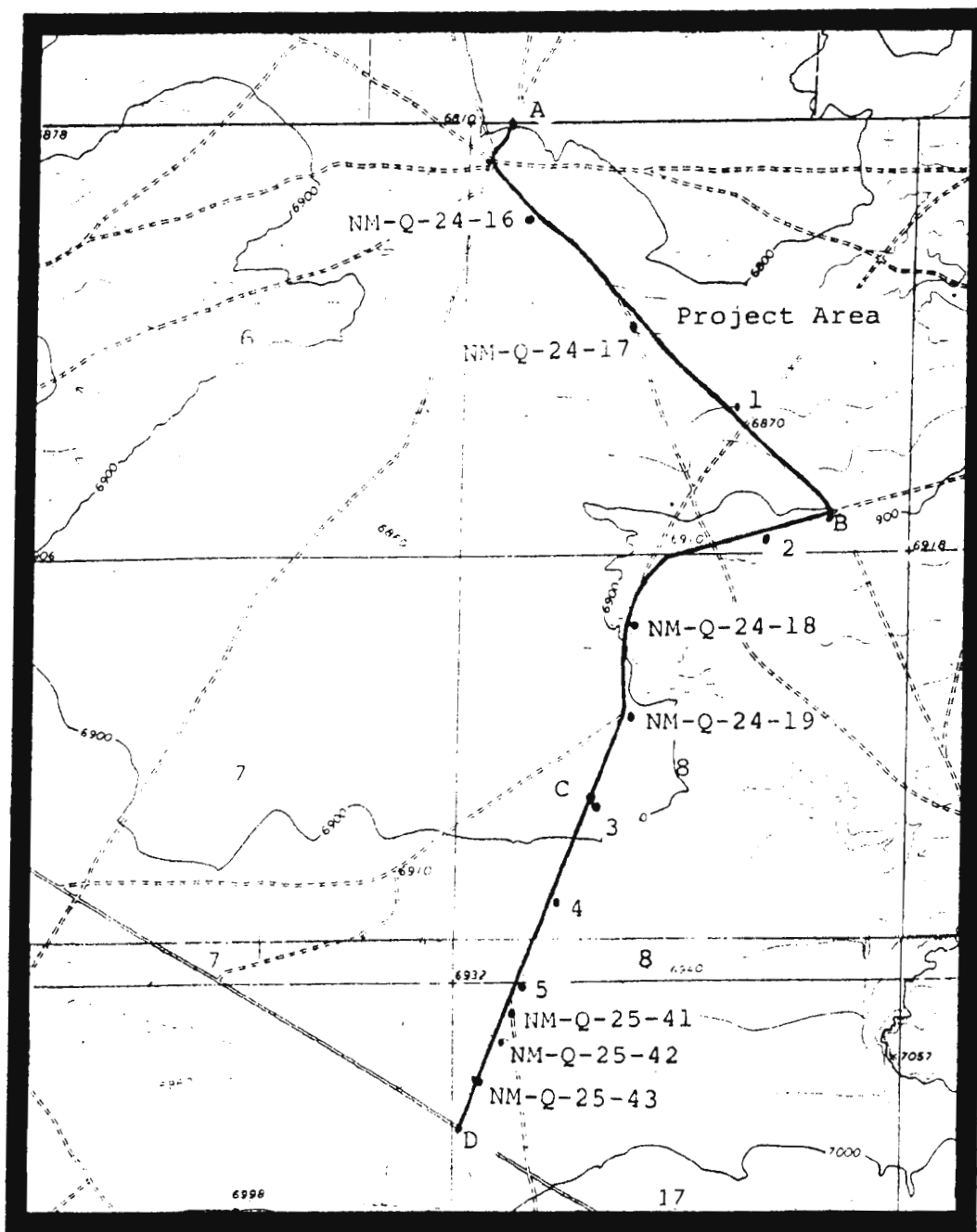


Figure 3: Specific Locations of Cultural Resources in Project Area. Map is a Composit of Heart Rock, NM (1963) and Casamero Lake, NM (1963). Letters are In-use Site Locations and Numbers are Isolated Occurrence Locations which are prefixed with 91-257-.

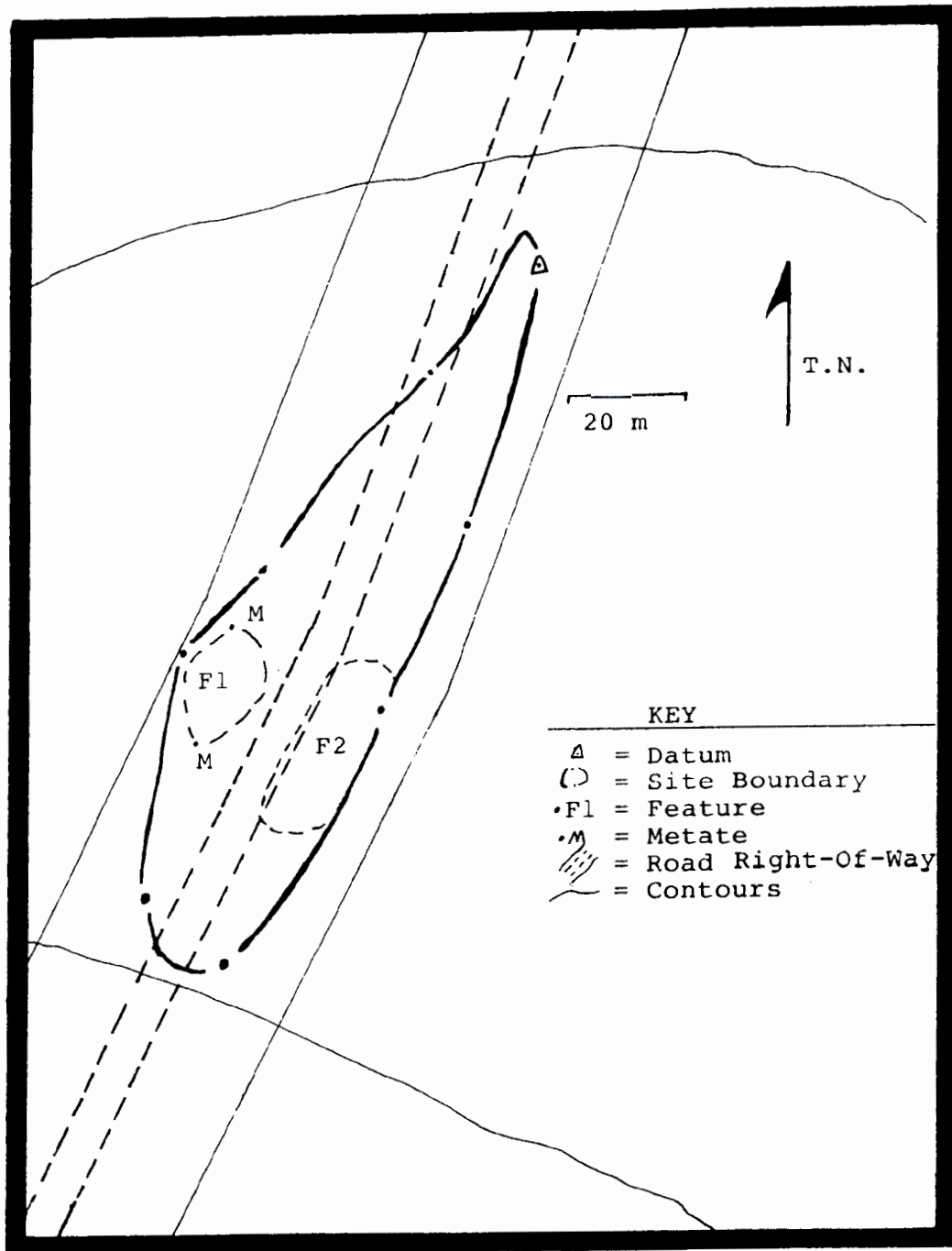


Figure 10: General Plan Map of Site NM-Q-25-43.



ARTIFACTS OBSERVED/COUNTED: The artifacts at the site include approximately 1000 sherds and a light scatter lithics. The highest concentration of artifacts are located in Feature 2, the midden which measure 13 x 35 m. The sherds include Gallup Black-on-white, Puerco Black-on-white, Cibolan whiteware, greyware, neck-banded corrugated, corrugated, a possible Red Mesa Black-on-white and a possible Ft. Wingate Black-on-red. Lithics include chert flakes and two metate fragments (Feature 1).

COLLECTION MADE?: No      OF WHAT?: N/A      METHOD: N/A

PHOTO TAKEN?: Yes      ROLL NO.: \_\_\_\_\_      FRAME NO.: \_\_\_\_\_

SITE DESCRIPTION: The site consists of an Anasazi habitation site with a rubble mound (Feature 1), a midden area (Feature 2) and scattered artifacts. Feature 1, the rubble mound consists of unshaped sandstone blocks in an area 14 x 22 m. A few sherds were located on the rubble mound. Feature 2, the midden consists of a concentration of ceramic and lithic artifacts (13 x 35 m). The ceramics include sherds of the following: Gallup Black-on-white, Puerco Black-on-white, Cibolan whiteware, greyware, neck-banded corrugated, corrugated, a possible Red Mesa Black-on-white and a possible Ft. Wingate Black-on-red. Lithics include chert flakes. Sherds located in the northern portion of the site appear to have been dragged by road maintenance.

CONDITION OF SITE: Poor (more than 50% disturbed)

Causes of Disturbance: Navajo Route 481 passes through the site. The road through the site has been graded during road maintenance.

LOCATION OF SITE RELATIVE TO PROJECT AREA: The site is located within the currently used road 600 ft/183 m north of the junction of N-48 and N-481.

EXTENT OF INVESTIGATION TO DATE: Field recording only.

RESEARCH POTENTIAL: The site has potential to yield scientific information concerning the settlement patterns and resource exploitation activities of prehistoric inhabitants.

RECOMMENDATIONS: The following alternatives were considered for the site NM-Q-25-43.

No Action: No road improvements.

The No Action alternative would cancel the project and the money for the project would be lost. At the current time, road conditions become nearly impassable for the local residents during the winter and wet weather. Road maintenance would continue to scrape the surface of site NM-Q-25-43 within the existing road.

Alternative 1: Rerouted road to avoid the sites by 15 m/50 ft.

Alternative 1 would delay the project. Site NM-Q-25-43 is within the existing road and avoidance would require a major reroute. Funding for the project is from the BIA Branch of Road Maintenance. Reroutes of more than .25 mi are considered new construction and cannot be funded with road maintenance money. This portion of the road would be considered new construction and would require placement on the BIA priority list for funding. This funding would be difficult to obtain. Rerouting the road around site NM-Q-25-43 may require additional environmental surveys. The reroute would also require additional right-of-way acquisition because the reroute will pass through an allotment west of the site.

Alternative 2: Test sites for National Register Eligibility and if necessary excavation mitigation.

Alternative 2 would greatly delay or cancel the road project. Testing/excavation of the sites would allow proposed modifications to the existing road. At the current time no money is available for testing or excavation of any of the sites. Delaying the project for testing/excavation would result in the loss of the money from the BIA Branch of Road maintenance fund.

Alternative 3: Intentional site burial for site NM-Q-25-43.

Alternative 3 would allow project to be constructed without a major reroute round or excavating site NM-Q-25-43. Site burial is a technique that has been used to protect sites against natural or mechanical loss (National Park Service, Thorne 1991; U.S. Army Corps of Engineers Hester 1988a, 1988b, Nickens 1989a; Highway Projects, Hester 1988c; Gas pipeline right-of ways Nickens 1989b). Site NM-Q-25-43 would be buried to preserve those National Register qualities of the site from the improvements made to the road. The site would also be protected from erosion. A plan would have to be developed for site burial. This is the preferred alternative of the chapter and the Department of Transportation and Community Planning.

It is recommended that a plan for burying site NM-Q-25-43 be developed and implemented prior to any construction within the site area.

SITE ASSESSMENT UNDER 36 CFR 60.4 (National Register):

INTEGRITY: The site does appear to possess significant qualities of locational or physical integrity.

CRITERIA A-D: The site is not known to be associated with any events or persons that have made significant contributions to the broad patterns of our history or are significant in our past (criteria "a" and "b"), it does appear to embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or that represents a significant distinguishable entity whose components may lack individual

distinction (criterion "c"), and has yielded or may be likely to yield information important in history or prehistory (criterion "d").

EXCLUSIONS: N/A

ASSESSMENT UNDER 36 CFR 47 (Archaeological Resources Protection Act):

The site is over 100 years old and should be considered an "archaeological resource" and of "archaeological interest".

SITE ASSESSMENT UNDER AIRFA: Prehistoric sites because of their association with ancient enemies and/or ancestors, as places where burials exist, and as places accessible to the supernatural, may be considered potentially important under AIRFA.

PROVIDE A SITE MAP: (Including site designation, north arrow, scale, recognizable features, landmarks and relationship to project area.)  
See attached site map.

HOW CAN THE SITE BE REACHED?: See attached U.S.G.S. map

OTHER COMMENTS: None.

NAVAJO NATION ARCHAEOLOGY DEPARTMENT  
Isolated Occurrence Record

IO #: 1 PROJECT #: 91-257  
ARCHAEOLOGIST: D. Copeland

NNAD #: 91-257-1  
DATE RECORDED: 04/24/91

ISOLATED OCCURRENCE LOCATION

UTM ZONE: 12 3948250mN 769520mE T16N R11W SW1/4, NW1/4, SE1/4, S 5  
STATE: NM COUNTY: McKinley CHAPTER: Littlewater  
LAND STATUS: Allotted  
MAP: Heart Rock, New Mexico (7.5') 1963

ISOLATED OCCURRENCE SETTING

PRIMARY LANDFORM: plain  
SECONDARY LANDFORM: floodplain  
VEGETATION: desert scrub  
ELEVATION: 6850 feet / 2088 meters  
SEDIMENT TYPE 1: alluvial SEDIMENT SIZE 1: medium sand  
SEDIMENT TYPE 2: SEDIMENT SIZE 2:

ISOLATED OCCURRENCE DESCRIPTION

CULTURAL AFFILIATION 1: Anasazi  
CULTURAL AFFILIATION 2:  
CULTURAL AFFILIATION 3:  
DATE1: P II-P III HOW DATED1?  
DATE2: HOW DATED2?  
DATE3: HOW DATED3?  
DESCRIPTION/INTERPRETATION:  
The isolated occurrence consists of two corrugated sherds.

OVERALL EVALUATION: Not significant.  
NHPA: Integrity: Lacks integrity  
Criteria: Meets no criterion.  
Age: >50 yrs.  
ARPA: Of archaeological interest?: no  
Age: >100 yrs.  
AIRFA: Does not merit protection.

CURATION

ITEMS COLLECTED? no WHAT?  
PHOTOS/DRAWING? no ROLL #: FRAME #:

NAVAJO NATION ARCHAEOLOGY DEPARTMENT  
Isolated Occurrence Record

IO #: 2 PROJECT #: 91-257  
ARCHAEOLOGIST: D. Copeland

NNAD #: 91-257-2  
DATE RECORDED: 04/24/91

ISOLATED OCCURRENCE LOCATION

UTM ZONE: 12 3947730mN 769680mE T16N R11W SE1/4, SW1/4, SE1/4, S 5  
STATE: NM COUNTY: McKinley CHAPTER: Littlewater  
LAND STATUS: Allotted  
MAP: Heart Rock, New Mexico (7.5') 1963

ISOLATED OCCURRENCE SETTING

PRIMARY LANDFORM: plain  
SECONDARY LANDFORM:  
VEGETATION: desert scrub  
ELEVATION: 6920 feet / 2109 meters  
SEDIMENT TYPE 1: colluvial SEDIMENT SIZE 1: medium sand  
SEDIMENT TYPE 2: SEDIMENT SIZE 2:

ISOLATED OCCURRENCE DESCRIPTION

CULTURAL AFFILIATION 1: Navajo  
CULTURAL AFFILIATION 2:  
CULTURAL AFFILIATION 3:

DATE1: HOW DATED1?  
DATE2: HOW DATED2?  
DATE3: HOW DATED3?

DESCRIPTION/INTERPRETATION:

The isolated occurrence consists of a trash dump with fragments of green, brown, cobalt and clear glass; fragments of china and stoneware, and an enamel kettle. Marks on glass bases include C 8/Refilling Prohibited/84.44;1358/ /56; and . Two fragments of a bottle are from a 'Navajo Fine Beverage' pop bottle.

OVERALL EVALUATION: Not significant.

NHPA: Integrity: Lacks integrity  
Criteria: Meets no criterion.  
Age: <50 yrs.

ARPA: Of archaeological interest?: no  
Age: <100 yrs.

AIRFA: Does not merit protection.

CURATION

ITEMS COLLECTED? no WHAT?  
PHOTOS/DRAWING? no ROLL #: FRAME #:

NAVAJO NATION ARCHAEOLOGY DEPARTMENT  
Isolated Occurrence Record

IO #: 3 PROJECT #: 91-257  
ARCHAEOLOGIST: D. Copeland

NNAD #: 91-257-3  
DATE RECORDED: 04/24/91

ISOLATED OCCURRENCE LOCATION

UTM ZONE: 12 3946700mN 769120mE T16N R11W NW1/4, NE1/4, SW1/4, S 8  
STATE: NM COUNTY: McKinley CHAPTER: Littlewater  
LAND STATUS: Allotted  
MAP: Heart Rock, New Mexico (7.5') 1963

ISOLATED OCCURRENCE SETTING

PRIMARY LANDFORM: plain  
SECONDARY LANDFORM: floodplain  
VEGETATION: desert scrub  
ELEVATION: 6890 feet / 2100 meters  
SEDIMENT TYPE 1: alluvial SEDIMENT SIZE 1: medium sand  
SEDIMENT TYPE 2: SEDIMENT SIZE 2:

ISOLATED OCCURRENCE DESCRIPTION

CULTURAL AFFILIATION 1: Anasazi  
CULTURAL AFFILIATION 2: Navajo  
CULTURAL AFFILIATION 3:  
DATE1: Unknown HOW DATED1?  
DATE2: HOW DATED2?  
DATE3: HOW DATED3?

DESCRIPTION/INTERPRETATION:

The isolated occurrence consists of four greyware sherds, a broken grey chert projectile point and a trash dump. The prehistoric material appears to be a secondary deposit (moved with the historic trash). Historic material includes a piece of carpet, pieces of broken cinderblock, baling wire and cobble size gravel.

OVERALL EVALUATION: Not significant.

NHPA: Integrity: Lacks integrity  
Criteria: Meets no criterion.  
Age: >50 yrs.

ARPA: Of archaeological interest?: no  
Age: >100 yrs.

AIRFA: Does not merit protection.

CURATION

ITEMS COLLECTED? no WHAT?  
PHOTOS/DRAWING? no ROLL #: FRAME #:



NAVAJO NATION ARCHAEOLOGY DEPARTMENT  
Isolated Occurrence Record

IO #: 4 PROJECT #: 91-257  
ARCHAEOLOGIST: D. Copeland

NNAD #: 91-257-4  
DATE RECORDED: 04/24/91

ISOLATED OCCURRENCE LOCATION

UTM ZONE: 12 3946340mN 768990mE T16N R11W NE1/4, SW1/4, SW1/4, S 8  
STATE: NM COUNTY: McKinley CHAPTER: Littlewater  
LAND STATUS: Allotted  
MAP: Heart Rock, New Mexico (7.5') 1963

ISOLATED OCCURRENCE SETTING

PRIMARY LANDFORM: plain  
SECONDARY LANDFORM: floodplain  
VEGETATION: desert scrub  
ELEVATION: 6910 feet / 2106 meters  
SEDIMENT TYPE 1: alluvial SEDIMENT SIZE 1: medium sand  
SEDIMENT TYPE 2: SEDIMENT SIZE 2:

ISOLATED OCCURRENCE DESCRIPTION

CULTURAL AFFILIATION 1: Anasazi  
CULTURAL AFFILIATION 2:  
CULTURAL AFFILIATION 3:

DATE1: Unknown HOW DATED1?  
DATE2: HOW DATED2?  
DATE3: HOW DATED3?

DESCRIPTION/INTERPRETATION:

The isolated occurrence consists of a whiteware sherd with sand temper.

OVERALL EVALUATION: Not significant.

NHPA: Integrity: Lacks integrity  
Criteria: Meets no criterion.  
Age: >50 yrs.

ARPA: Of archaeological interest?: no  
Age: >100 yrs.

AIRFA: Does not merit protection.

CURATION

ITEMS COLLECTED? no WHAT? n/a  
PHOTOS/DRAWING? no ROLL #: FRAME #:

NAVAJO NATION ARCHAEOLOGY DEPARTMENT  
Isolated Occurrence Record

IO #: 5                      PROJECT #: 91-257                      NNAD #: 91-257-5  
ARCHAEOLOGIST: D. Copeland                      DATE RECORDED: 04/24/91

ISOLATED OCCURRENCE LOCATION

UTM ZONE: 12 3946040mN 768890mE                      T16N R11W NE1/4, NW1/4, NW1/4, S 17  
STATE: NM      COUNTY: McKinley      CHAPTER: Littlewater  
LAND STATUS: Allotted  
MAP: Casamero Lake, New Mexico (7.5') 1963

ISOLATED OCCURRENCE SETTING

PRIMARY LANDFORM: plain  
SECONDARY LANDFORM: floodplain  
VEGETATION: desert scrub  
ELEVATION: 6930 feet / 2112 meters  
SEDIMENT TYPE 1: alluvial                      SEDIMENT SIZE 1: medium sand  
SEDIMENT TYPE 2:                      SEDIMENT SIZE 2:

ISOLATED OCCURRENCE DESCRIPTION

CULTURAL AFFILIATION 1: Unknown Prehistoric  
CULTURAL AFFILIATION 2:  
CULTURAL AFFILIATION 3:  
DATE1: Unknown                      HOW DATED1?  
DATE2:                      HOW DATED2?  
DATE3:                      HOW DATED3?  
DESCRIPTION/INTERPRETATION:  
The isolated occurrence consists of two whiteware sherds.

OVERALL EVALUATION: Not significant.  
NHPA: Integrity: Lacks integrity  
Criteria: Meets no criterion.  
Age: >50 yrs.  
ARPA: Of archaeological interest?: no  
Age: >100 yrs.  
AIRFA: Does not merit protection.

CURATION

ITEMS COLLECTED? no      WHAT?  
PHOTOS/DRAWING? no      ROLL #:                      FRAME #:

A HPO

File  
7/21/92  
J. Gu

CULTURAL RESOURCES COMPLIANCE FORM  
HISTORIC PRESERVATION DEPARTMENT  
PO BOX 2898  
WINDOW ROCK, ARIZONA 86515

ROUTING:	COPIES TO	NNHPD NO. <u>HPD-92-178.1</u>
<u>NM</u>	SHPO	OTHER PROJECT NO.
	ACHP	<u>NNAD-91-257 Addendum 1</u>
<u>X</u>	REAL PROPERTY MGT/330	
<u>X</u>	NNAD	

PROJECT TITLE: A Cultural Resources Inventory of Reroutes for the Proposed Road Construction on N-481 and N-7119 Roads to the Littlewater Chapter, McKinley County, New Mexico

LEAD AGENCY: BIA/NAO

SPONSOR: Department of Transportation, Navajo Nation Division of Community Development, P.O. Box 2120, Window Rock, AZ 86515

PROJECT DESCRIPTION: Proposed road construction on N-481 and N-7119

LAND STATUS: Tribal Trust, Allotment

CHAPTER: Littlewater

LOCATION: T16N, R11W, Sections 5 and 8, McKinley County, NM

PROJECT ARCHAEOLOGIST: Judith Touchette and Denise Copeland  
NAVAJO ANTIQUITIES PERMIT NO.: NTC

DATE INSPECTED: 7/17 and 8/20/92

DATE OF REPORT: 4/23/93

TOTAL ACREAGE INSPECTED: 36.36

METHOD OF INVESTIGATION: Class III pedestrian inventory with transects spaced 15 m apart.

LIST OF CULTURAL RESOURCES FOUND: NM-Q-24-20

LIST OF ELIGIBLE PROPERTIES: NM-Q-24-20

LIST OF NON-ELIGIBLE PROPERTIES: None

LIST OF ARCHAEOLOGICAL RESOURCES: NM-Q-24-20

EFFECT/CONDITIONS OF COMPLIANCE: No adverse effect provided a testing program for NM-Q-24-20 is developed and implemented in consultation with HPD, and if necessary, data recovery.

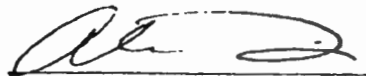
In the event of a discovery ["discovery" means any previously unidentified or incorrectly identified cultural resources including but not limited to archaeological deposits, human remains, or

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 602-871-7132.

FORM PREPARED BY: Chad A. Smith  
FINALIZED: ldavis6/2/93

Notification to  
Proceed Recommended:  
Conditions:

Yes X No       
Yes X No     

  
Alan Downer  
Navajo Nation Historic  
Preservation Officer  
6/4/93  
Date

Concurred:


Yes      No     

"see attachment"

For:  
S.H.P.O.

Agency Approval:

Yes ✓ No     

Date  
  
Area Director  
7/20/97  
Date

A CULTURAL RESOURCES INVENTORY OF REROUTES FOR THE PROPOSED  
ROAD CONSTRUCTION ON N-481 AND N-7119 ROADS TO THE  
LITTLEWATER CHAPTER, MCKINLEY COUNTY, NEW MEXICO

NNAD 91-257 ADDENDUM 1

April 23, 1993

Prepared by

Judith Touchette  
Department of Transportation  
Navajo Nation Division of Community Development  
And  
Denise R. E. Copeland (M.A.)  
Capital Improvement Department  
Navajo Nation Division of Community Development

Submitted by

Dr. Anthony L. Klesert, Director  
Navajo Nation Archaeology Department  
Navajo Nation Division of Resources  
P.O. Box 689  
Window Rock, Arizona 86515

Submitted to

Navajo Nation Historic Preservation Officer  
Historic Preservation Department  
Cultural Resources Division of Resources  
P.O. Box 2898  
Window Rock, Arizona 86515

Prepared for

Department of Transportation  
Navajo Nation Division of Community Development  
P.O. Box 2120  
Window Rock, Arizona 86515

Navajo Nation Authorization: Tribal Code

## ABSTRACT

On behalf of the Department of Transportation, Navajo Nation Division of Community Development, a cultural resources inventory has been completed for the proposed road improvements on roads N48I and N7119 (NNAD 91-257). This work was conducted to evaluate the potential for this undertaking to affect significant cultural properties and to meet the requirements of Section 106 of the National Historic Preservation Act. Disturbance is expected to be limited to road construction within the road right-of-way. The area of effect is 36.36 acres (14.71 ha.).

The purpose of this addendum is to locate and describe a previously unrecorded site (NM-Q-24-20) and isolated occurrence (92-257-6), and a right-of-way for rerouting the southernmost 1.1 miles and northernmost 0.7 miles of road around previously reported sites NM-Q-24-16, NM-Q-24-17, NM-Q-24-19, NM-Q-25-41, NM-Q-25-42, and NM-Q-25-43. These sites appear to be eligible for the National Register of Historic Places (Copeland 1992).

The fieldwork was conducted by Denise R.E. Copeland, Archaeologist III and Minnie Mann, Geologist, both of the Capital Improvement Department, and Judith Touchette, Archaeologist I of the Department of Transportation, Navajo Nation Division of Community Development. The work was conducted on July 17, 1992 and August 20, 1992.

The project is located near the Littlewater Chapterhouse in Sections 5, 8, and 17, T 16 N, R 11 W, McKinley County, New Mexico. This reroute survey area included 1.7 miles of road at a right-of-way width of 100 feet, plus 500 feet that is 200 feet wide, for a total of 22.96 acres (9.29 ha) of land surveyed.

One cultural property described in this report (NM-Q-24-20) appears to be eligible for the National Register of Historic Places. It appears to possess integrity, meet the general 50 year guideline, and appears to meet criterion "d" for inclusion in the National Register.

Approval for this project is recommended conditional on following the "Management Recommendations" section of this report.



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- A. NNAD Site and I.O. Forms

## INTRODUCTION

On behalf of Department of Transportation, Navajo Nation Community Development Division, a cultural resource inventory has been completed for the proposed reroute of the previously inventoried road construction project, NNAD 91-257, and to report a previously unrecorded site and isolated occurrence. This work was conducted to evaluate the potential for this undertaking to affect significant cultural properties. For the purposes of this project, the Bureau of Indian Affairs is the lead agency for meeting the requirements of Section 106 of the National Historic Preservation Act.

Fieldwork was conducted by Denise R. E. Copeland, Archaeologist III, and Minnie Mann, Geologist, both of the Capital Improvement Department, and Judith Touchette, Archaeologist I, of the Department of Transportation, Navajo Nation Division of Community Development. The work was conducted on July 17, and August 20, 1992. One isolated occurrence was found during the reroute survey. The previously unrecorded site, NM Q-24-20 was discovered by the legal survey crew while staking the right-of-way.

## DESCRIPTION OF UNDERTAKING

The project will involve the construction of 3.0 miles of gravel road over much of an existing dirt road. The right-of-way will be 30 meters (100 feet) wide. The area of effect is 36.36 acres (14.71 ha.). A detailed description of the construction activities can be found in the original survey report (NNAD 92-257, BIA 92-178). The reroute survey area on the southern end of the road was defined by the right-of-way stakes marked by wood lathe and flagging on the east and extends 100 feet west, for a length of 1.1 miles (Figure 2.), except for an area west of site NM-Q-25-43, which for a length of 500 feet was widened to 200 feet. The northern reroute survey area was defined on the southwest side by right-of-way stakes marked with wood lathe and flagging and extends 100 feet wide for a distance of 0.7 miles (Figure 2). The area surveyed for the reroute is 22.96 acres (9.29 ha.).

## PROJECT LOCATION

The project area is located within the Littlewater Chapter of the BIA Agency in McKinley County on the Navajo Indian Reservation (Figure 1) within allotted land. The project is located near Crownpoint, the south end is about 5.8 miles east of State Road 371



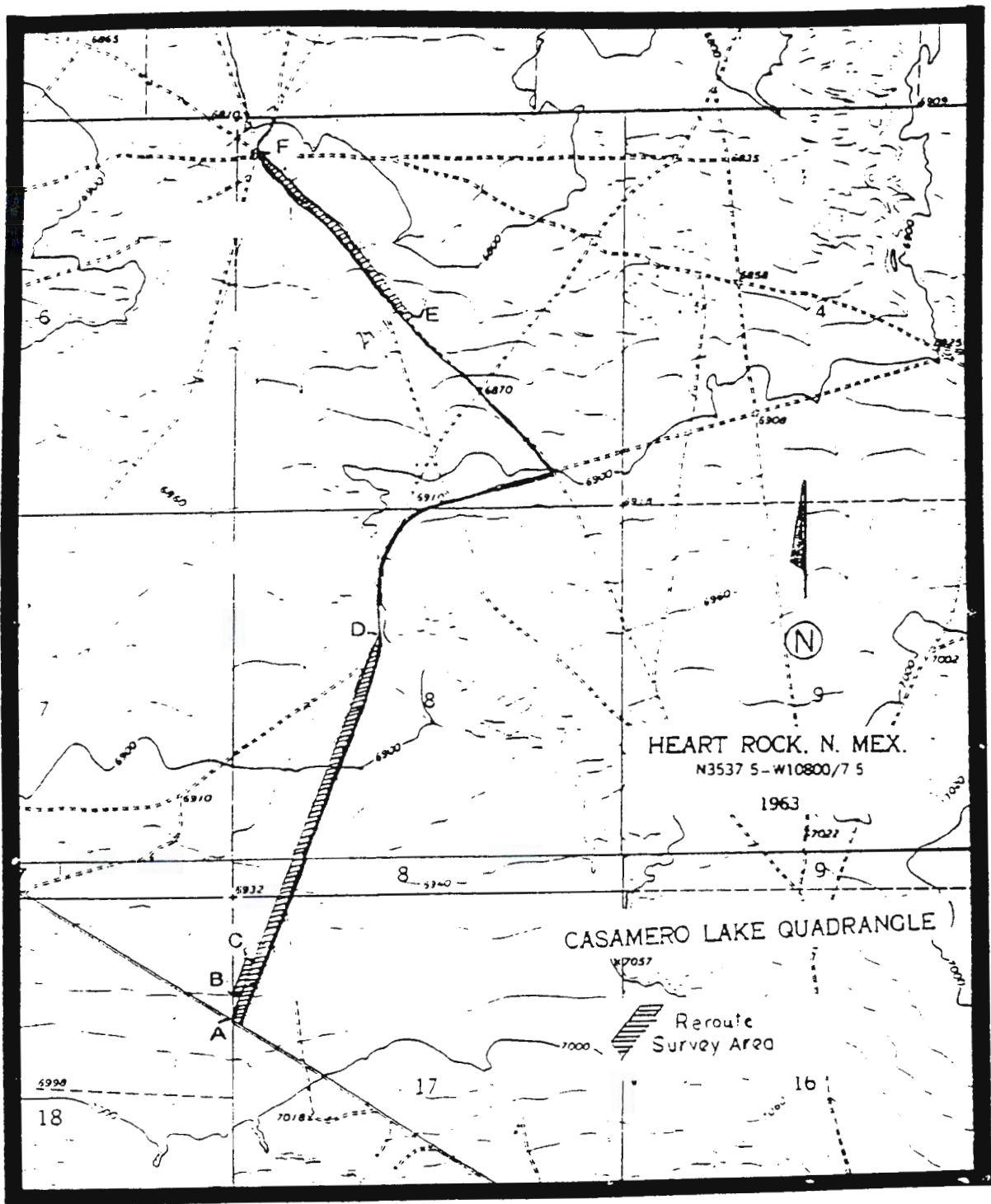


Figure 2: Specific Project Location

91-257: Add. 1

at the junction of Routes N48 and N48I. The north end is at the Littlewater Chapter House tract (Figure 2). The specific road locations are depicted on the following U.S.G.S. 7.5' quadrangle maps: Heart Rock, NM (1963) and Casamero Lake, NM (1963) (Figure 2). The legal locations and land status are given in Table 1. UTM coordinates are given in Table 2.

TABLE 1

U.S.G.S. Legal Locations and Land Status

	Location	Status
=====		
	All T16N R11W	
Southern re-route		
Point A	NW 1/4 of NW 1/4 of SW 1/4 of SW 1/4 of Section 17	Allotted
Point B	NW 1/4 of SW 1/4 of NW 1/4 of NW 1/4 of Section 17	Allotted
Point C	NW 1/4 of NW 1/4 of SW 1/4 of NW 1/4 of Section 17	Allotted
Point D	SE 1/4 of NW 1/4 of SE 1/4 of NW 1/4 of Section 8	Allotted
Northern re-route		
Point E	NE 1/4 of NW 1/4 of NE 1/4 of SW 1/4 of Section 5	Allotted
Point F	SE 1/4 of NW 1/4 of NW 1/4 SW 1/4 of Section 8	Allotted

TABLE 2

UTM Coordinates

=====		
Southern re-route		
Point A	N3945540m	E768660m
Point B	N3945630m	E768660m
Point C	N3945780m	E768700m
Point D	N3947100m	E769190m
Northern re-route		
Point E	N3948480m	E769310m
Point F	N3949180m	E768640m

## AREA ENVIRONMENTAL AND CULTURAL SETTING

For a detailed description of the environmental and cultural setting of the project area, consult the original report (Copeland 1992).

## EXISTING DATA REVIEW

As part of the project, the archival data of the Navajo Nation Historic Preservation Department (NNHPD) in Window Rock, Arizona were consulted. The original cultural resources inventory, conducted by Denise R. E. Copeland (1992) describes in detail the previous projects and resources found.

## FIELD METHODS

The fieldwork was completed by Denise R. E. Copeland, Archaeologist III, and Minnie Mann, Geologist, both of the Capital Improvement Department, and Judith Touchette, Archaeologist I, of the Department of Transportation, Navajo Nation Division of Community Development. The fieldwork was completed on July 17 and August 20, 1992.

The reroute area was investigated using a Class III (100%) level pedestrian survey with archaeologists walking parallel transects spaced about 15 meters apart. A survey corridor, 100 feet wide was inspected for the length of the two reroutes (1.1 and 0.7 miles), with an additional 100 feet by 500 feet area west of site NM-Q-25-43 (Figure 2.). Total area inspected in association with this reroute survey is 22.96 acres ( 9.29 ha).

Site NM Q-24-20 was located by the discovery of a projectile point tip when the legal survey team from the Department of Transportation was placing right-of-way stakes for the original alignment of this road. It was recorded and mapped by the archaeologists on July 17 and August 20, 1992 using a Silva Ranger hand-held compass and a 100 meter tape.

No additional interviews regarding Traditional Cultural Places were conducted for the reroute survey area as it is essentially the same area as the original route (Copeland 1992).

### Resource Definitions

The following describe the NNHPD definitions for cultural resources (NNHPD Permit Package 1991).



Isolated Occurrence: Any non-structural remains of a single event; alternatively, any non-structural assemblage of approximately 10 or fewer artifacts or other material within an area of approximately 10 square meters or less, especially if it is of questionable human origin, if it appears to be the result of fortuitous causes, or if it lacks integrity. Rock art, burials, and formal features are not recorded as isolated occurrences.

Traditional Cultural Properties: These are places with no physical material remains. Demonstrable sacred places with material remains are recorded as sites and evaluated appropriately. A sacred place is defined as a place that has traditionally been considered important to an Indian tribe or member thereof, because of a religious event that happened there, because it played a part in life-cycle rituals, because it contains specific natural products of cultural or religious importance, because it figures in or is mentioned in traditional folklore and sacred songs, because it is considered the dwelling place or embodiment of spiritual beings, because it is conducive to communication with spiritual beings, or because it has other specified and continuing significance in Indian religion or culture. This importance may be of untribal or multitribal importance, or may be considered important only to smaller segments of the society, such as chapters, clans, families, or individuals

Site: The location of an event, belief, or activity, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historic, archaeological, or traditional cultural value regardless of the value of any existing structure. Note: does not include isolated historic trash dumps less than ten to twenty years old.

#### CULTURAL RESOURCE FINDINGS

Legal locations and land status for resources are listed in Table 3, and UTM Coordinates for resources are listed in Table 4.

##### Sites

No previously unrecorded sites were located within the re-route survey area, and no previously recorded sites were located within the re-route survey area. Site NM Q-24-20 is not located within the re-route survey area, but is within the right-of-way of a portion of the road not being re-routed (Figure 3). The location of this site, near the rise of the road over the sandstone bluff and across the road from site NM-Q-24-18 makes it difficult to avoid without major engineering and construction problems which would probably exceed the definition of "maintenance" in BIA guidelines for funding.

Site NM-Q-24-20

U.S.G.S. Reference and Date: Heart Rock, New Mexico 7.5' 1963

**Site Environment:** The site is located at the top of the sandstone bluff which rises approximately five meters above the floodplain area at the south end of the road. It is approximately seven meters from the southern edge of the bluff, in sandy aeolian deposits which slope gently (less than 2 degrees) to the west. Vegetation is very sparse, consisting of rabbit brush, snakeweed, and various grasses.

**Site Type:** PII - PIV ceramic and lithic scatter; modern Navajo

**Site Size (L X W):** 46 x 25 meters      **Total Area (sq. m)** 1150±

**Site Description:** The site consists of a scattering of 31 ceramic sherds, 20 lithic flakes, 2 shell beads (Olivera spp.), a chert projectile point tip, a heat-treated white chert scraper, a chert drill, a bifacial sandstone mano, a circle of fire-reddened sandstone rocks, and 16 small (less than 1 cubic centimeter) weathered nodules of malachite. The ceramics include 3 corrugated sherds, 1 neckbanded, 4 greyware, 4 Gallup Black-on-White, and 19 late Pueblo period polychrome sherds (probably from same pot). The immediate area in and around the lithic and ceramic components was littered with modern (1970s and 80s) trash: plastic diapers, aluminum and glass beverage containers, steel food cans, plastic milk, water, and household chemicals containers.

#### Traditional Cultural Properties

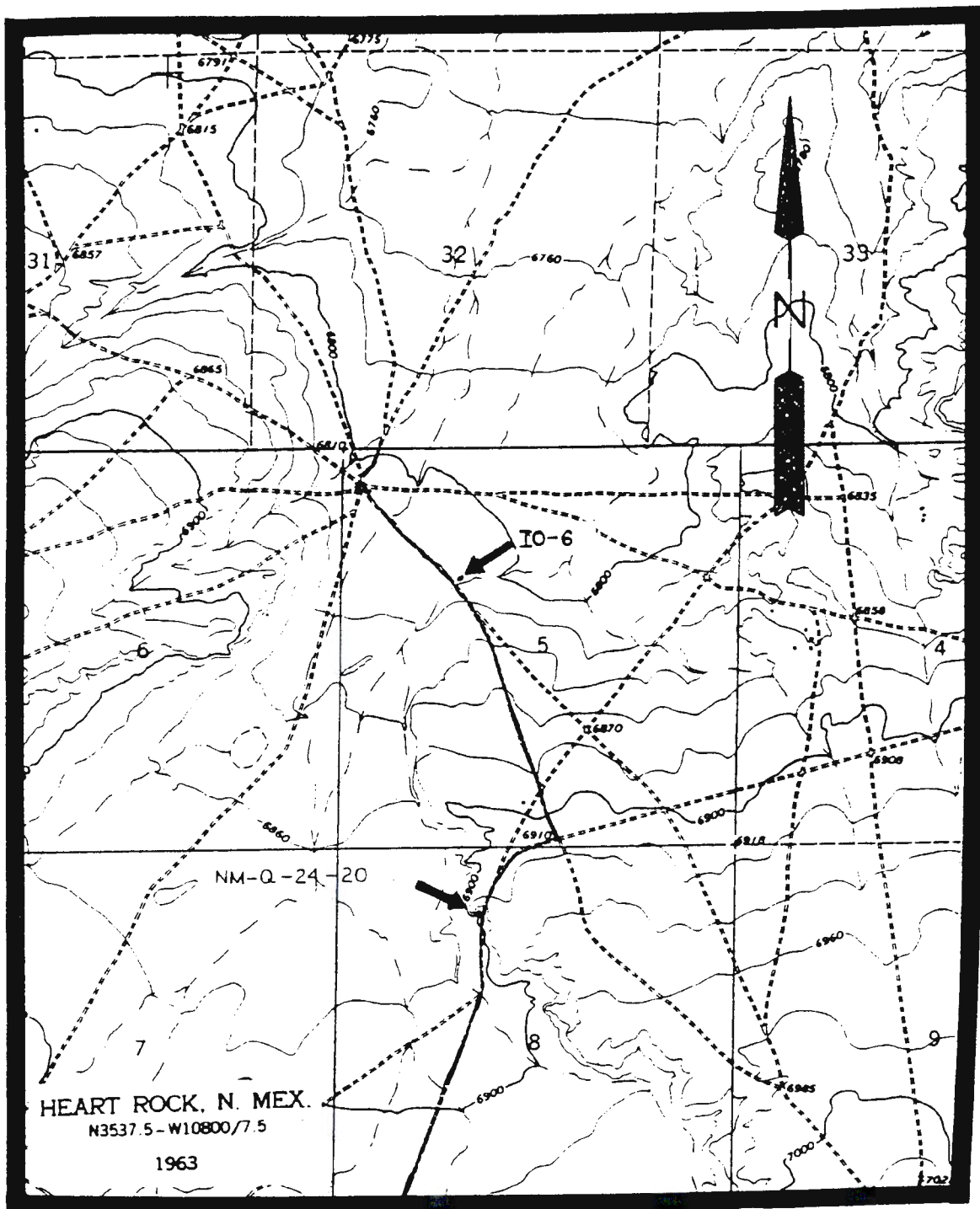
No Traditional Cultural Properties were located in this reroute survey.

#### Isolated Occurrences

One isolated occurrence (91-257-6) was identified during the survey of re-route areas, it consists of two corrugated sherds.

#### In-use sites

No additional in-use sites were located in the reroute survey area.



91-257: Add. 1

Figure 3: Locations of Site NM-Q-24-20 and I.O. 6

# Site NM-Q-24-20

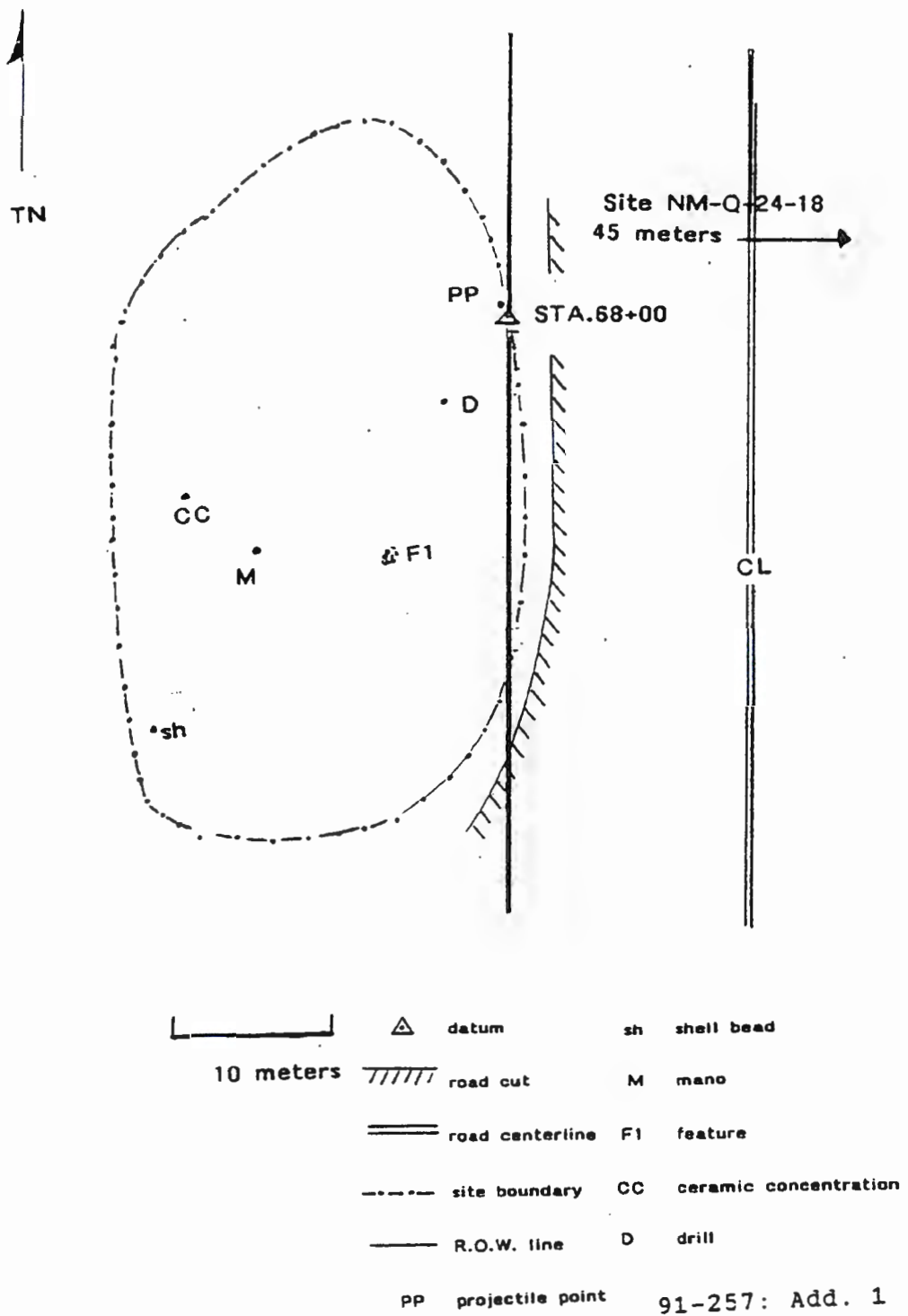


Figure 4: General Plan Map of Site NM-Q-24-20

TABLE 3  
U.S.G.S. Legal Locations and Land Status for Resources

Resource	Location	Status
=====		
Site NM-Q-24-20	All T16N R11W NE1/4 OF SW1/4 OF NE1/4 OF NW1/4 OF SECTION 8	ALLOTTED
I.O. 91-257-6	SE1/4 OF NW1/4 OF SE1/4 OF NW1/4 OF SECTION 5	ALLOTTED
-----		

TABLE 4  
UTM Coordinates of Resources

Resource	Northing	Easting
=====		
	All Zone 12	
Site NM-Q-24-20	N3947380m	E769180m
I.O. 91-257-6	N3948770m	E769050m
-----		

#### EVALUATION OF SIGNIFICANCE

The historic properties have been evaluated for their significance in regards to the National Register of Historic Places, the Archaeological Resources Protection Act, and the American Indian Religious Freedom Act.

##### National Register of Historic Places

The National Register of Historic Places was created by the National Historic Preservation Act in 1966. The Register was to be "...composed of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, and culture (Title I, Sec. 101)." A set of criteria was later established by which properties could be evaluated to determine if they merited placement on the Register. These regulations or guidelines are expressed in 36 CFR 60.4 and are as follows:

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and

(a) that are associated with events that have made a significant contribution to the broad patterns of our history: or

(b) that are associated with the lives of persons significant in our past: or

(c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction: or

(d) that have yielded, or may be likely to yield information important in prehistory or history.

There are certain classes of properties that are normally not considered eligible for Register consideration that include cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original location, reconstructed historic buildings, buildings primarily commemorative in nature, and properties that have achieved significance within the past 50 years. There are exceptions to these general exclusion guidelines (see CFR 60.4).

Coupled with the above general criteria, the criteria of integrity must also be met for Register consideration. In this case, integrity is evaluated in terms of its physical and locational values: does the site or its features possess the integrity needed to allow the site to meet the appropriate criterion for which it is considered significant? As an example, a prehistoric site that might be significant under criterion "d" but has been apparently completely disturbed would probably not be considered to have any sufficient integrity for the fruitful investigation of important scientific questions, and would thus not be considered eligible for the Register. As another example, an old traditional hogan may be considered eligible for the Register under criterion "c" as embodying the distinctive characteristics of a type, period, or method of construction. If that hogan is surrounded by modern cinderblock houses and trailers, thus disrupting its integrity of location, setting, and feeling, it could still be considered eligible for the Register if those aspects of integrity that directly relate to its significance under criterion "c" (e.g., design, materials, and workmanship, are intact.

#### Archaeological Resources Protection Act

The Archaeological Resources Protection Act (ARPA) was established in 1979 with the express purpose being in part "...to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites which are on



public lands and Indian lands...". For a property to qualify for protection under ARPA, it must qualify as an "archaeological resource", which is defined as "...any material remains of human life or activity which are at least over 100 years of age, and which are of archaeological interest". "Of archaeological interest" is defined as capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques...".

#### American Indian Religious Freedom Act

The American Indian Religious Freedom Act (AIRFA) was established in 1978. Its purpose was to establish as United States policy the protection and preservation of Native American rights to practice their traditional religions. This freedom of worship is to include but not be "...limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonies and traditional rites (Sec. 1)".

#### Isolated Occurrences:

The isolated occurrence, 91-257-6, although more than 100 years old, lacks locational integrity. It is not likely to yield information important in prehistory or history, and is not "of archaeological interest" as defined by ARPA, nor is it eligible for protection under AIRFA.

#### Sites:

Site NM-Q-24-20 is more than 100 years old and is potentially eligible for the Register under criterion "d" of section 106, and possibly is an archaeological resource under the guidelines and definitions of ARPA. It may be eligible for protection of AIRFA due to its association with ancient enemies or ancestors, burials, and as a place accessible to the supernatural.

#### DETERMINATION OF EFFECT

Pursuant to 36 CFR 800.9, the undertaking has been evaluated for its effects on potential National Register significant historic properties. This evaluation is also considered applicable to ARPA and AIRFA values as well. If the management recommendations are followed, adverse effects of the undertaking will be mitigated with respect to site NM-Q-24-20, and there will be no effect on sites NM-Q-24-16, NM-Q-24-17, NM-Q-24-19, NM-Q-25-41, NM-Q-25-42, and NM-Q-25-43.

## MANAGEMENT RECOMMENDATIONS

It is recommended that the roads N-48I and N-7119 be rerouted in the area surveyed to avoid sites NM-Q-24-16, NM-Q-24-17, NM-Q-24-19, NM-Q-25-41, NM-Q-25-42, and NM-Q-25-43 (Copeland 1992), and all construction activities be confined to the surveyed area outside the boundaries of these sites which shall be flagged and monitored during construction if they are still within 15m (50ft) of the right-of-way. It is recommended that the portions of site NM-Q-24-20 within the right-of-way be mapped and a site grid established to locate known points, tools, and features, and then surface collected. Auger testing should be done at 10 meter intervals to check for subsurface deposits. If subsurface deposits are found, a treatment method will be developed and implemented to exploit the research potential of the site before construction activities commence.

### General Project Recommendations

If any previously undetected cultural resources are discovered during the undertaking (e.g., pottery, bone, stone tools, charcoal), all activity should cease in that area, and the Navajo Nation Historic Preservation Officer (602-871-6538) should be immediately notified. Upon inspection of the remains, direction on how to proceed will be given pursuant to 36 CFR 800.11.

Upon completion of the project, the location of the significant cultural values within or directly adjacent to the final right-of-way should be placed on the final "as built". These plans should carry the following or a similar notice: "Caution. Unauthorized disturbance of archaeological sites is prohibited. Criminal and civil penalties may apply". A copy of these final plans should be submitted to the Navajo Nation Archaeological Department to be included in the project file.

## REFERENCES CITED

- Copeland, Denise R.E.  
1992 A Cultural Resources Inventory of the Proposed Road Construction on N-48I and N-7119 Roads to the Littlewater Chapter, McKinley County, New Mexico NNAD 91-257. Manuscript on file, Navajo Nation Division of Resources, Historic Preservation Department, Window Rock, Arizona. BIA 92-178



BRUCE KING  
GOVERNOR

STATE OF NEW MEXICO  
**OFFICE OF CULTURAL AFFAIRS**  
**HISTORIC PRESERVATION DIVISION**

VILLA RIVERA BUILDING  
228 EAST PALACE AVENUE  
SANTA FE, NEW MEXICO 87503  
(505) 827-6320

HELMUTH J. NAUMER  
CULTURAL AFFAIRS OFFICER

THOMAS W. MERLAN  
DIRECTOR

July 8, 1993

Dr. Alan Downer  
Director  
Navajo Nation  
Historic Preservation Department  
P.O. Box 2898  
Window Rock, AZ 86515



Dear Dr. Downer:

We are writing in response to your request for consultation under P.L. 93-638 on the proposed construction of roads N-481 and N-7119 to the Littlewater chapter, McKinley county, New Mexico ~~HPD-92-178~~/NNAD 91-257 and HPD-92-178.1/NNAD 91-257 Addendum 1). Our determinations of site eligibility and effect are presented below.

Sites NM-Q-24-16, NM-Q-25-43, and site NM-Q-24-20 are eligible to the National Register of Historic Places under 36 CFR 60.4 (d).

Sites NM-Q-24-17, NM-Q-24-18, NM-Q-24-19, NM-Q-25-41, and NM-Q-24-42 are potentially eligible to the National Register, although additional testing would be needed to determine their actual eligibility status. We note that no site forms were included with your correspondence. Were they filled out? If so, please send us copies for the ARMS file.

The data potential of the five Isolated Occurrences found during the original survey and the single Isolated Occurrence found during the reroute survey have been exhausted through in-field recordation.

We agree that rerouting the road away from sites NM-Q-24-16, NM-Q-24-17, NM-Q-24-19, NM-Q-25-41, NM-Q-24-42, and NM-Q-25-43 will avoid effect to these sites. NM-Q-24-18 is outside the Area of Potential Effect and will not be affected by the undertaking.

We concur with your determination that the undertaking will have an effect on site NM-Q-24-20 and that the effect will be adverse. Mitigation of effect through data recovery is appropriate in this case. We do not recommend testing at this

site or surface collection in the absence of a data recovery plan. Rather, a data recovery plan that includes some testing should be developed and sent to our office for review with a request for concurrence with a finding of no adverse effect. At that time we will complete our consultation on effect for the undertaking. Please send us a data recovery plan for site NM-Q-24-20 for our review.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom W. Merlan".

Thomas W. Merlan  
State Historic Preservation Officer

TWM/DWC: 40413, 40355



Document No. 008716

Date Issued: 09/01/2017

**EXECUTIVE OFFICIAL REVIEW**

Title of Document: NDOT, ROW Little Water Access Rd N7119 Contact Name: YAZZIE, ELERINA B

Program/Division: DIVISION OF NATURAL RESOURCES

Email: elerina\_yazzie@frontier.com Phone Number: 928-871-6447

<input type="checkbox"/>				Sufficient	Insufficient
<input type="checkbox"/>	<b>Business Site Lease</b>				
	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"/>
<input type="checkbox"/>	<b>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</b>				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications</b>				
	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"/>
<input type="checkbox"/>	<b>Navajo Housing Authority Request for Release of Funds</b>				
	1. NNEPA:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Lease Purchase Agreements</b>				
	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"/>
<input type="checkbox"/>	<b>Grant Applications</b>				
	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"/>
<input type="checkbox"/>	<b>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</b>				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Relinquishment of Navajo Membership</b>				
	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: \_\_\_\_\_ ☐ ☐  
2. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

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

1. NLD \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
2. F&W \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
3. HPD \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
4. Minerals \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
5. NNEPA \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
6. DNR \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
7. DOJ \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☐ **Rights of Way**

1. NLD \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
2. F&W \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
3. HPD \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
4. Minerals \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
5. NNEPA \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
6. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
7. OPVP \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

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

1. Minerals \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
2. OPVP \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
3. NLD \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☐ **Assignment of Mineral Lease**

1. Minerals \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
2. DNR \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
3. DOJ \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☒ **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: \_\_\_\_\_ ☐ ☐  
2. F&W \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
3. HPD \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
4. Minerals \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
5. NNEPA \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
6. DNR \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
7. DOJ **(ic)** *VB [Signature]* Date: *11/1/17* ☒ ☐  
8. OPVP Date: *11-9-17* ☒ ☐

☐ **OTHER:**

1. \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
2. \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
3. \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
4. \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐  
5. \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐





# NAVAJO NATION DEPARTMENT OF JUSTICE

☐ RESUBMITTAL

## DOCUMENT REVIEW REQUEST FORM



DOJ
10/20/17 @ 1134a
DATE / TIME
<input type="checkbox"/> 7 Day Deadline
DOC #: 008716
SAS #:
UNIT: NM

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

### CLIENT TO COMPLETE

DATE OF REQUEST:	10/20/2017	DIVISION:	Division Natural Resources
CONTACT NAME:	Michelle Hoskie or Stevie Hudson	DEPARTMENT:	General Land Development Department
PHONE NUMBER:	871-6447 or 6401	E-MAIL:	michellehoskie@frontier.com

TITLE OF DOCUMENT: NDOT ROW LITTLE WATER ACCESS ROAD N7119

### DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT:	10.20.17 1:05 PM	REVIEWING ATTORNEY/ADVOCATE:	Kevin Chee 10-31-17
DATE TIME OUT OF UNIT:	11.1.17 1:40 PM		

### DOJ ATTORNEY / ADVOCATE COMMENTS

Document is legally sufficient.

REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
TAMME	10/31/17	Blackhat	11/1/17 8:46 AM
Emailed DOJ Secretary Called: Michelle & Stevie for Document Pick Up on 11.1.17 at 1:30 By: BZ			






PICKED UP BY: (Print)

DATE / TIME:

NNDJ/DRRF-July 2013

COMPLETED

## Tier 1 Document Voting Results

User Name (Facility)	Job Title	Department	Vote Cast	Comments	Replies	Vote Date	Signature
Eugenia Quintana EPA (Navajo Land Title Data System - Windowrock AZ)	Air and Toxics - Reviewer	Navajo Nation Environmental Protection Agency	Approved	no comments	No Reply	20-Sep-2017	
Lee Anna Martinez EPA (Navajo Land Title Data System - Windowrock AZ)	Water Quality - Reviewer	Navajo Nation Environmental Protection Agency	Approved	1. *CONDITIONAL* Please contact our office regarding your upcoming roadway project. Should you cross any waterways, ephemeral or perennial, a clean Water Act Section 401 may be needed for project. You may contact our office at 928.871.7690. Thank you.	1. No Reply	13-Sep-2017	
Najamh Tariq (Navajo Land Title Data System - Windowrock AZ)	Approver	Department of Water Resources	Approved	no comments	No Reply	05-Sep-2017	
Pam Kyselka F&W (Navajo Land Title Data System - Windowrock AZ)	Technical Review	Fish and Wildlife	Approved	1. #16ndoto2a3	1. No Reply	05-Sep-2017	
Pam Maples EPA (Navajo Land Title Data System - Windowrock AZ)	Storage Tanks Program - Reviewer	Navajo Nation Environmental Protection Agency	Approved	1. Thankfully, after much searching, UTM's were found on page 78 of the cultural resource survey!	1. No Reply	08-Sep-2017	
Patrick Antonio (Navajo Land Title Data System - Windowrock AZ)	Water Quality - Supervisor	Navajo Nation Environmental Protection Agency	Approved	1. CONDITIONAL: Surface disturbance in excess of 1.0 acre requires coverage under the federal Construction General Permit for storm water discharges from construction sites. A Notice of Intent (NOI) shall be submitted to USEPA 14 days prior to	1. No Reply	06-Sep-2017	

earthmoving. A storm water pollution prevention plan shall be developed prior to NOI submission.

Robert Allan Deputy DNR (Navajo Land DNR Title Data System - Windowrock AZ) DNR Administration Approved no comments No Reply 27-Sep-2017

Robert O. Allan

Tamara Billie NNHP (Navajo Land Title Data System - Windowrock AZ) HPD Reviewer Historic Preservation Department Approved 1. Sufficient provided that Effect/Conditions of Compliance are followed in CRCF HPD-92-178. 1. No Reply 06-Sep-2017

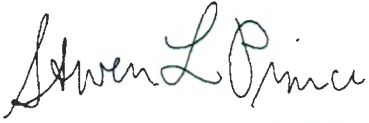

Tamara Billie

Yolanda Barney EPA (Navajo Land Title Data System - Windowrock AZ) Public Water Supervision Agency Navajo Nation Environmental Protection Approved no comments No Reply 05-Sep-2017

Yolanda Barney

### Tier 2 Document Voting Results

User Name (Facility)	Job Title	Department	Vote Cast	Comments	Replies	Vote Date	Signature
Bidtah N. Becker (FBFA)	FBFA Users	FBFA Action Team	Approved	1. Please see comment from the Minerals Department.	1. No Reply	19-Oct-2017	B N Becker
Richard Begay NNHP (Navajo Land Title Data System - Windowrock AZ)	Navajo Nation Historic Preservation Officer	Historic Preservation Department	Approved	no comments	No Reply	28-Sep-2017	Richard M Begay
Ronnie Ben EPA (Navajo Land Title Data System - Windowrock AZ)	Underground Injection Control - Reviewer	Navajo Nation Environmental Protection Agency	Approved	1. Conditional Approval contingent on compliance with NNEPA and EPA environmental laws.	1. No Reply	03-Oct-2017	Ronnie Ben
Sam Diswood (Navajo Land Title Data System - Windowrock AZ)	Technical Review	Fish and Wildlife	Approved	no comments	No Reply	27-Sep-2017	Samuel F. Diswood

Steven Prince MIN (Navajo Land Title Data System - Windowrock AZ)	Technical Reviewer	Navajo Nation Minerals Management	Approved	1. This vote is contingent on the uploaded Terms and Conditions document being permanently being included in the approval documents.	1. No Reply	05-Oct-2017	
W. Mike Halona (Navajo Land Title Data System - Windowrock AZ)	Manager III Navajo Land Administration	NLD	Approved	no comments	No Reply	28-Sep-2017	

# LITTLEWATER CHAPTER

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Crownpoint, New Mexico 87313  
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FAX: (505) 786-2125

WEBSITE: [www.littlewaterchapter.nndes.org](http://www.littlewaterchapter.nndes.org)



CHAPTER ADMINISTRATION  
**Genevieve Castillo**  
Chapter Manager  
**AnnJanette Bebo**  
Administrative Assistant  
Email: [littlewater@navajochapters.org](mailto:littlewater@navajochapters.org)

Thomas Barbone  
President

Paul D. Pablo  
Vice President

June Barbone  
Secretary/Treasurer

Leonard Tsosie  
Council Delegate

Herbert Enrico, Sr.  
Land Board Member

## RESOLUTION OF THE LITTLEWATER CHAPTER OF EASTERN NAVAJO AGENCY

LITT-05-17-2822

### REQUESTING THE RESOURCES AND DEVELOPMENT COMMITTEE OF THE NAVAJO NATION COUNCIL CONSIDER GRANTING OF RIGHT-OF-WAY FOR LITTLEWATER CHAPTER ACCESS ROAD (N481/N7119) TO NAVAJO DOT LOCATED WITHIN THE COMMUNITY OF LITTLEWATER.

#### WHERE AS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Littlewater Chapter is a duly recognized certified Chapter under the Navajo Nation Government, as listed at 11 N.N.C., part 1, section 10, and
2. Pursuant to 26 N.N.C., Section 1 (B) Littlewater Chapter is vested with authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions, and
3. The Littlewater Chapter is responsible to support and meet the Littlewater Chapter community's health, safety, and basic needs to include road improvement; and
4. Littlewater Chapter, the Community and the Departments within the Navajo Nation have worked very hard for many years to meet the basic needs for Littlewater Chapter community. For most projects, obtaining Rights-of-way is the most difficult and time-consuming process; and
5. Presently, most Rights-of-way across Navajo Tribal Trust and Navajo Tribal Fee lands for road improvements are only approved for a term of twenty (20) years; and
6. The policy of the Bureau of Indian Affairs for projects in the checkerboard area with both Tribal Trust and Indian Allotment lands is that the term of the Tribal Land Right-of-Way, as established by the Resources and Development Committee of the Navajo Nation Council, shall dictate the term of the Indian Allotment Rights-of-Way as well; and
7. Pursuant to 2 N.N.C. § 501 B.2, the Resources and Development Committee of the Navajo Nation Council is authorized to give final approval on behalf of the Nation Nation for Rights-of-Way.

#### NOW THEREFORE BE IT RESOLVED THAT:

1. The Littlewater Chapter respectfully requesting the Resources and Development Committee of the Navajo Nation Council consider granting of Rights-of-Way for Littlewater Chapter Access Road (N481/N7119) to Navajo DOT.

#### CERTIFICATION

WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION was duly considered by and moved for adoption by Herbert Enrico, Sr., seconded by Lathan Barbone, thoroughly discussed and adopted by a vote of 19 in favor, 0 opposed and 1 abstained at a duly called meeting at Littlewater Chapter, Navajo Nation (New Mexico) on this 16<sup>th</sup> day of May, 2017.

  
Thomas Barbone, Chapter President

  
Paul D. Pablo, Chapter Vice-President

  
June Barbone, Secretary/Treasurer